

Industrial Relations - General

1982

JAN. — DEC

Briton calls for freer unions in SA

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Political Reporter

A TOP British trade unionist would like to see all Government restrictions on black trade unions lifted

Mr Bill Sirs, general secretary of the Iron and Steel Trades' Confederation says in an article in the latest issue of the South Africa Foundation publication South Africa International he would like the Government also to 'provide passports to all black South African trade unionists to

enable them to fully participate in the international scene'

He would approve lifting 'all legal and administrative obstacles for South African unions to receive assistance from the free international trade union movement

'I would like to see employees in South Africa pursue a policy of equal opportunities and set up extensive programmes for the promotion of black workers, and recognise and enter

into negotiations with black unions and grant them the necessary facilities for effective trade union work'

Mr Sirs visited South Africa last year as a member of an eight-man International Metalworkers' Federation mission to study the trade union situation after new labour legislation had been introduced in 1970

'Two things impressed themselves upon me at a very early stage. South Africa is fast expanding as

an economic power. Growth and industrial programmes are everywhere to be seen

'Secondly, the situation in South African industry is in fact very mixed. Conditions are excellent in some locations, still very bad in others. Barriers are being broken down and integration is being achieved at a varying pace, though I must express my surprise at seeing so few black and coloured foremen in most of the establishments we visi-

ted

'Looking back on my visit, I would say I was impressed by the number of industrialists seeking solutions and encouraging change. I am not therefore as despairing as I was about the onset of a holocaust. There is a real possibility now, it seems to me, that if further change and fresh opportunities can be introduced, there will be a smooth transition to a more fair, equal and stable society,' Mr Sirs said

Star 7/1/82

Retrenchment issue sets unions a poser

By Tony Davis
Labour Reporter

Trade unions are facing a growing problem over the retrenchment of workers

Economic difficulties are forcing companies to consider laying off or dismissing workers to maintain profit and production levels.

The problem was highlighted this week at the massive Sigma motor assembly plant near Pretoria where 348 workers were laid off for January and another 507 were dismissed

Reasons for the ret-

renchments included technical advances at the plant and certain operations being sub-contracted to another firm.

Sigma informed the

But trade unionists fear that other companies may not be so open with unions

The retrenchment issue is potentially explosive for both em-

The growing threat of retrenchment is worrying trade unions who are now calling for dismissal procedures to be included in future agreements with employers.

union — the National Automobile and Allied Workers Union (NAAWU) — months in advance about the pending retrenchments

ployers and unions during a period of unemployment

At Sigma NAAWU and the company were unable to negotiate a

way out of the retrenchments

Naawu's general secretary, Mr Fred Sauls, said that, although no worker was happy about losing his job, the union had to do its best to ensure that retrenched workers obtained suitable benefits

In addition to payments from the Unemployment Insurance Fund retrenched Sigma workers will receive unemployment pay of up to 70 percent of their normal salaries from the union, depending on their length of service

The issue of retrenchment is not usually included in union-company agreements but is an issue which will come up in future talks.

Unionists say that retrenchment procedures and principles should be established in agreements with employers

POLICY

NAAWU and other affiliates of the Federation of South African Trade Unions (Fosatu) adhere to the policy of "First in — last out" — meaning that workers with long service records should be the last to be retrenched.

A NAAWU spokesman said that it was the responsibility of the State and employers to ensure employment of workers and to make provisions to offset times of recession.

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INDUSTRIAL RELATIONS

Anglo's audit

The decision by Anglo American Corporation to publish details of industrial relations audits conducted in companies under its control illustrates the extent to which better SA employers have become aware of the need to improve industrial relations and employment practices

In the past, the results of these audits have been reported at board level. But the corporation has now taken the decision to comment publicly on the audits in future annual reports of all the mines and companies under its control.

Anglo introduced a system of industrial relations audits in 1978. Since then, mines and industrial companies under its control have laid down standards, set annual targets and measured the progress they have made in improving employment practices (issues such as pay, fringe benefits and housing) and industrial relations policies and processes (issues such as the nature of the worker/management relationship and grievance and disciplinary procedures).

Senior Anglo men express satisfaction about the way the system has developed and, according to Bobby Godsell, the corporation's industrial relations consultant, it has been a very useful experience for local managers who have had to apply budgetary disciplines to efforts to improve relations with employees.

There are many other SA companies

which adhere to codes of employment conduct. Some set their own codes and take great care to ensure that they are adhered to. However, Anglo is among the first to take the initiative to report publicly on efforts to improve industrial relations and employment practices.

Each Anglo mine or company sets its own targets, which in many respects are similar to practices contained in the Urban Foundation/Saccola code of employment conduct. In doing this, it has to take into account the financial and other circumstances in which it finds itself. Then it monitors and reports on progress in efforts to meet targets. There is a measure of group head office involvement in the setting of targets and in the monitoring process.

Godsell says managements have found that it is not always easy to achieve their goals. "Translating codes of employment conduct into reality can be very difficult," he says. He does believe, however, that the system is enabling Anglo mines and companies to make a sustained, determined effort to improve labour relations.



Anglo's Godsell . . . effort to improve labour relations

GENERAL NEWS

Shopfloor conflict a risk to industry

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Labour Reporter

The potential for conflict on the shop floor between black and white workers was an obstacle to utilising manpower in South Africa.

This was one of the findings in an extensive study report released last week by the Human Sciences Research Council (HSRC) on the subject of manpower requirements from 1977 to 1997.

Inter-group conflict on the shop floor was one of several obstacles to utilising all manpower groups fully the study said. Other obstacles included:

- A trained but untapped non-white labour force does not exist
- Large scale training of blacks in an industrial society was not a simple matter
- White workers tended to protect their bargaining positions

○ Wildcat strikes and damage to property which showed the militant mood of many black workers could influence employer's employment practices

The HSRC report says recent labour legislation has removed most of the legal barriers in the way of full manpower utilisation but that these obstacles as well as others still exist.

Increases in the levels of training and education of blacks are essential, the study said.

The HSRC makes several recommendations to the Government and employers for meeting future manpower needs. These include personnel training and recruitment of skilled foreigners, manpower planning, use of labour intensive technology and techniques, family planning and stimulating the informal sector of the economy.

ANYONE looking for one of 1982's biggest labour issues need look no further than the Datsun and Sigma motor factories near Pretoria

Both last week fired or laid off excess labour — 850 workers at Sigma, an estimated 150 at Datsun

While there may have been special factors at work in both cases, it is certain that many more workers face the threat of losing their jobs before the year is out. Union sources already report lay-offs in the metal industries

A recession is expected to bite as the year wears on and employers who took on large numbers of workers during the recent boom are likely to trim their workforce

Of course there were hard times in the Seventies which led to lay-offs and large queues at Government labour offices

But then workers seemed to accept their fate fairly passively — generally employers were able to retrench as they wished

But this year there is a growing black union movement and workers are both better organised and more militant

Already, a major Fosatu union, the National Automobile and Allied Workers Union, has vowed to fight lay-offs

It has urged employers to use other methods of cutting production, such as short-time (where a company works a shorter week and cuts all workers' wages instead of laying off staff), cutting overtime and slowing down production

Above all it has called for retrenchments to be negotiated with workers

The possibility of a clash between managements and unions is increased by the fact that often employers use a fall-off in work to fire more militant workers

"Many people are likely to see this as a chance to get rid of alleged 'troublemakers'," says an employer source

Even in the Seventies, firings of union shop stewards or other shop-floor activists often provoked disputes, legal actions by unions and publicity campaigns against the company

In motor plants, for example, lay-offs could well be fought by the unions

NAAWU says its first demand will be that employers go on to short time rather than retrench — precisely what most motor plants did in the Seventies

But an employer source says that some large motor companies will opt for lay-offs rather than short-time if they have to retrench this year

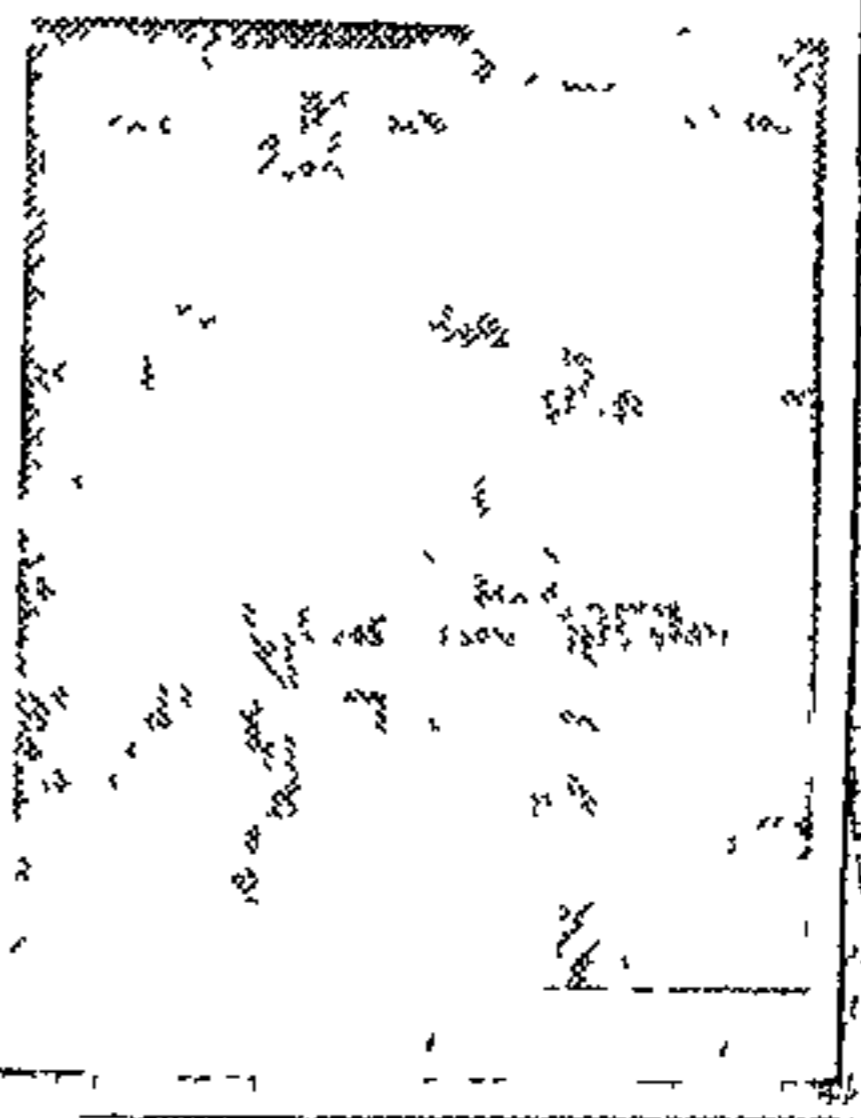
He says going on to short time prompted worker resentment because all workers suffered a drop in pay. This, some employers believe, contributed to the strikes which hit the industry in the late Seventies and early 1980

They therefore argue that it is "safer" to penalise only a section of the workforce

For their part, unions tend to prefer a drop in workers' wages to a situation in which large numbers have no job at all

Of course, many employers will argue that, in hard times, it doesn't really matter what unions think. With unemployment high, there'll be more workers clamouring for jobs. So if the unions really don't like it, their members can strike — and be replaced

RETRENCHMENTS are likely to be one of the biggest labour issues in 1982. Unions are drawing up plans to fight layoffs and cutting back on staff is likely to be a major source of factory tension. Labour Reporter STEVEN FRIEDMAN reports



dures — these are already written into many recognition agreements

"It's always been easy to fire workers, so many employers retrench without looking for an alternative," says a NAAWU man

He cites union charges in the Seventies that steel firms were working overtime at the same time they were laying off workers — a sign, unions claimed, that they were "cost-cutting" at the expense of workers' jobs

What if the union loses the battle and workers must go?

Firstly, NAAWU wants one month's notice to worker leaders on pending layoffs so that negotiations can start on how these will occur

Unions usually want an objective standard for choosing who will go. The most popular method is "last in-first out" — in which a worker's length of service is the only standard. Where procedures are written into agreements, this is the one usually chosen

As at Sigma, they are also certain to demand that workers get some form of severance pay or unemployment benefit

NAAWU calls for severance pay based on "service and the company's ability to pay". Some employers are already thinking in terms of a private negotiated plan for providing workers with unemployment benefits

Formulae will vary — that is why a senior employer organisation man stresses the need for firms not to look for blueprints but to negotiate. "As long as firms bargain on lay-offs, they should avoid trouble," he says

Sigma's layoffs were negotiated with the union and the agreement was adhered to by both sides. There was no unrest

But then Sigma had a written agreement with the union whereby the two sides bargain directly on all aspects of work conditions

The kind of tensions layoffs will produce are going to stress the need for direct factory-floor bargaining as never before

In hard times, unions tend to lay less stress on pay, more on keeping men in jobs. These are not issues which can be settled at official industrial councils, remote from the shop floor. Employers who rely solely on councils may risk strikes, consumer boycotts or foreign union campaigns

The minimum pay which councils lay down may cause less worker tension when labour is in short supply and employers have to pay well above the minimum to attract workers

Where employers can attract workers at a rate near the minimum, it is going to be more essential that actual rates are negotiated with workers, rather than simply set by an employer. Far from hammering unions, layoffs could underline the need for effective bargaining between management and labour on the shop floor

Unions square up to threat of lay-offs

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by non-union members
That is largely what happened in past recessions. In the wake of the 1973/74 Durban strikes, black unions emerged whose membership jumped sharply — only to fall just as quickly
The hard times of the mid-Seventies were one factor, but there were others which no longer hold
The unions at that time faced intense Government and employer hostility. Now Government policy is no longer opposed to black unionism — at least in theory — and many employers have moved to recognise black unions
In some cases, unions have had retrenchment procedures written into agreements with employers which seek to protect workers during labour cut-backs — such as the Sigma agreement
A further difference is that employers are desperately short of skilled workers
In the 1970's, East Cape motor firms found they could not fire strikers because few of the many jobless workers available had the required skills. The need for skilled black workers will narrow employer options
Unions in East London, for example, have been living with 30% unemployment

even during a boom — a few extra percent is unlikely to matter
"If employers try to retrench activists, it could go either way. They could put a temporary lid on unionism or be inviting a great deal of trouble," says one senior management man
Labour consultant Mr Gavin Brown is more emphatic. "I still haven't seen any proof that recessions knock the present black union movement," he says
Adds one NAAWU unionist. "Many workers seem fatalistic about losing their jobs. They regard the fact that they have won a reasonably good deal at Sigma as an advance in itself. There has been no loss of enthusiasm for unionism."
Employers who seek to cut back on their workforce without negotiating could face serious conflict
Mr Brown says he will be advising clients that "the traditional methods managements have used during recessions won't work this time"
He says lay-offs in the past have tended to be arbitrary. Often the decision is passed on to a foreman or supervisor who simply fires the people he doesn't like. "This time retrenchment policies will

have to be defensible
"It's a decision which is too important to leave to a junior man who may act on a subjective basis"
Where unions are recognised, managements will have to abide by the procedures they have agreed with the unions, he says. If they don't, the union may lose credibility and open the way for a more "militant" rival
And where there is no union, he believes, arbitrary retrenchments might create fertile ground for union organisers
He warns that most larger companies have the labour relations skill to handle the issue, but that "middle-sized South African-owned firms" may not. These may be the trouble spots
What measures are unions likely to demand if the threat of lay-offs looms?
If NAAWU's is a guide, their first reaction will be to fight the threat of retrenchment
NAAWU calls for employers to plan to avoid retrenchments — by juggling staff complements and production
If work still has to be cut back it wants consultation with workers on ways of avoiding retrenchment — short-time, overtime bans and the like
And it wants agreement between unions and employers on retrenchment proce-

Union hits at ~~62~~ Ford over ~~132~~ ~~139~~ Sullivan Code ~~ROM~~ ~~11/1/72~~

A REQUEST by Ford Motor Company to the Motor Assemblers and Component Workers' Union of South Africa (Macwusa) to comment on the firm's implementation of the Sullivan Code of fair employment principles has resulted in the company receiving a hard hitting four-page document from the union.

Macwusa is one of the unions which organises Black workers at Ford.

According to the union, Ford's request followed the company's evaluation by an independent observer in the United States, Mr Arthur Little who has reported that the company is making good progress.

In its document, presented to Ford last week, Macwusa is emphatic about its low regard for the Sullivan Code which it claims, is a "piece

Mail Correspondent

meal reform that allows the cruel system of apartheid to survive.

Ford has declined to comment on the document.

Last year an independent audit report compiled by the South African Institute of Race Relations indicated a dramatic improvement in Ford's observance of the Code compared with the previous year when the first audit was carried out.

Perils of erratic reform

FM 22/1/81

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As the country's legislators gather in Cape Town for this year's session of Parliament, they should ponder the perils of erratic and piecemeal reform. For the important changes they have made to SA's labour relations system are in danger of being eroded by a lack of reforms in other areas of society. One of the results is that political problems are being foisted on the shoulders

of businessmen. This aggravates labour unrest.

Anglo American's Dr Zac de Beer provides a vivid metaphor of what is happening. He says it is as though there are three boilers in SA society: a social one, a political one, and an industrial one. "Recent history has brought us to the point where the steam from all three of these boilers is col-

lecting, but only one of them has an outlet valve," he says.

"For the time being, that one is the industrial boiler. While conditions remain as they are, we as industrial managers will be coping with three times the head of steam that we ought to have to deal with. We will find this bitterly unjust and many of us will become understandably frustrated.

"There may be some people in SA who believe that the steam can be shoved back inside, and that the valve can be welded up. What we have to do in fact is to get the other outlet valves opened so that the three boilers will have three outlets instead of one."

Not only businessmen, but senior civil servants and some academics are beginning to say the same thing. Black people's political demands will increasingly be expressed through the labour relations system if they have no other legal means of airing them.

This is already happening. Some bemused employers have faced demands from black employees for the removal of laws such as the Group Areas Act or the Reservation of Separate Amenities Act. Many managements have been caught — and wounded — in the crossfire between unions and government over the preservation of pensions issue. In the Eastern Cape employers are trying to avoid being caught in the middle of a showdown between unions and the Ciskei government.

Important lessons can be learnt from the many strikes over the Preservation of Pensions Bill, which ultimately resulted in the Bill being withdrawn. Government would have had early warning of opposition to the Bill if blacks had effective political representation. Also demonstrated was the power of emerging black unions to modify government actions — and to hurt employers in the process.

Professor Blackie Swart, of the Stellenbosch Business School, warns that the longer constitutional reforms are delayed the more difficult will it become for employers to keep their workers contented. Some senior civil servants are beginning to express similar sentiments in off-the-record conversations.

In SA labour relations are more complicated because many "political" and "labour" issues are inexorably intertwined. Bishop Desmond Tutu argues, for example, that blacks regard every issue as political, and it would be naive to think that their unions will confine themselves to purely labour matters.

This is an important point. In the developed Western countries the unions are, of course, not wholly apolitical. But there it is possible most of the time to differentiate between issues which unions should take up with employers, and issues which lie at the door of government.

It is perhaps inevitable in this phase of the development of labour relations in SA that new unions and their leaders should struggle to define their role in society. There are some which have studiously avoided links with any political party, while there are others who believe they must pursue goals outside the labour arena as well and have publicly allied themselves with specific political causes.

Government has not been particularly helpful in guiding leaders of emerging



Anglo's De Beer . . . employers must be concerned about social conditions

unions towards what it believes their role to be. The detention and banning of many of these people without reasons being given has served only to politicise the labour arena even further.

There is also evidence that union leaders have on occasions been under severe pressure from rank and file members to take up issues which normally they would have avoided. There is little doubt that they will be relieved when reforms are made in other areas, allowing other organisations to take up the fight on behalf of general black aspirations.

Until those reforms are made, therefore, managers are likely to have serious labour relations problems. Federated Chamber of Industries chief Johan van Zyl warns that cool heads will be needed.

He says it should be realised that management is being confronted with issues which really lie in the province of government and over which management itself has utterly no control. Yet managers cannot stand in as proxy for government. All that managers can reasonably be expected to do is to act as a conduit, indeed a vital one, through which pressures can be transmitted to government.

Industrial relations consultant Andrew Levy believes that SA managers do not realise what political clout they possess. "They have not realised that through their power in the economy they can influence government's course. They should mobilise their collective clout in shaping legislation," he urges.

De Beer says employers should restrain their natural sense of outrage that the sins of the politicians are going to be landed on their shoulders. He urges them to be pa-

tient in dealing with workers who strike over political issues.

He warns that employers cannot ignore the social and political environment in which their workers live. "We must concern ourselves in an effective way with the improvement of social conditions and with negotiated constitutional reform in SA that will enable black people to satisfy their political aspirations."

De Beer's warning strikes a responsive chord among a number of labour specialists who emphasise that industrial relations should not stop at the factory gates. They say that employers must take an interest in black community issues such as housing and transport.

If employers are concerned about the possibility of political conflict in the labour arena in the years ahead, so too are some of the architects of the new labour dispensation. They are warning that unless government brings about change in other areas, labour reforms will have been futile. In addition, labour reforms have created expectations of further changes which government cannot afford to ignore.

Some say that trade unions in Britain are highly politicised because British workers won trade union rights before they got the vote. In America, where people had the vote before they bargained collectively, the unions have generally avoided a covert political role.

The lesson for SA is obvious. Government deserves credit for having made fundamental changes to labour practices. The time has now come for it to continue the reform process on a broad front so that what progress has been made is not jeopardised.

What Eastern Cape expect on labour front

WITH trade union activity on the increase in the East Cape and police action against leading unionists continuing, labour observers expect 1982 to be another year of worker militancy and work stoppages.

There is widespread criticism of State intervention in the relationship between workers, unions and management, and of the detention of unionists.

Labour observers expect the Industrial Council system, which has come under much criticism from independent unions, to remain a focus of union attention.

The head of the Department of Industrial Relations at the University of Port Elizabeth, Professor Roux van der Merwe, felt the significance of the changes in labour legislation brought about by the Department of Manpower during 1981, could not be underrated.

"It is a pity these changes have not affected Government departments impinging on the Department of Manpower, and this has in many cases made the labour situation more difficult to handle," he said.

The effect of the legislation was to take the lid off a situation which had been bottled up for more than 50 years, and one could expect a cloud of steam to escape as a result.

The reluctance of black workers to participate in the Industrial Council system was also not surprising considering their lengthy exclusion.

During work stoppages last year, some employers had shown restraint and understanding and a willingness to negotiate with worker representatives.

Others, however, had put up a display of "kragdadigheid" in, for example, dismissing entire workforces after very little attempt at negotiation. These employers had

contributed nothing towards future industrial relations, Prof Van Der Merwe said.

State intervention, particularly in the form of police action against workers and the detention of trade union leaders, was unwelcome and severely compromised the credibility of the system which the Department of Manpower was trying to put into operation.

Management response should be the creation of optimum conditions for real negotiation with trade unions chosen by employees.

A rational choice between trade unions chosen by employees was more likely if unionists were not harassed by the police. Police intervention merely served to radicalise the situation, he said, and was counter-productive for the State, employers and workers.

1982 would see continued pressure in the work place and strife and conflict could be expected.

The less buoyant economy foreseen for 1982 meant labour leaders would have to act with more circumspection than in the past if benefits gained during 1981 were to be sustained in the future.

Prof Van Der Merwe also stressed the necessity for the "prudent employer" to have "the right person in charge of industrial relations in 1982".

Looking at the pensions issue, which caused widespread work stoppages last year, Prof Van Der Merwe said he did not see this as an

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ongoing issue in the year ahead.

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"However, it arose because workers had not been consulted, and their actions were a rejection of paternalism."

The general secretary of the Food and Canning Workers' Union Mr Jan Theron, said he saw the meetings between the mostly-unregistered, independent trade unions as one of the most significant events of last year.

Also significant was the increased use of security legislation to harass trade unionists on a scale not equalled since the 1960's, he said.

Mr Theron presumed this would continue, and that the Department of Manpower would abdicate responsibility while continuing to talk of reforming legislation.

He expected a further erosion of the Industrial Council system and of support for the more conservative trade unions, whose position would gradually weaken.

The East Cape would, he foresaw, remain an area in which worker militancy

continued to be a factor.

The executive director of the Midland Chamber of Industries, Mr Brian Matthew, said the period covering 1980 to 1981 could be called that of confrontation before negotiation.

He said the pattern was one where tools were laid down and workers walked out before negotiation between worker representatives and management took place.

This pattern would continue in 1982 — "because the unions have to show their members they can deliver the goods, and because of inter-union rivalry", he said.

During 1980, trade unions had been busy in the large multi-national companies, and in 1981 had begun moving into the medium-to-smaller enterprises as they attempted to boost their membership.

This membership drive was a result of inter-union rivalry, he said.

The move ignored industrial boundaries — with unions organising workers in a wide range of industries, which would place an enormous strain on their administration systems Mr Matthew said.

During 1981, smaller enterprises "re-discovered the personnel manager"

and the significance of this role.

Medium-to-smaller companies would come to realise that solving industrial relations problems was not only a personnel manager's job and was a process involving the entire management including the foreman.

This year would also see the signing of many more recognition agreements between unions and companies — partly as a result of the unions' membership drive.

The director of the Institute of Industrial Relations Mr Henk Botha, saw one major development of 1981 as the fact that all workers obtained trade union rights and the definition 'employee'.

Before, black workers with homeland citizenship were excluded from this category.

He saw the change in the Labour Relations Act — which removed a prohibition on racially-mixed unions — as significant.

During 1982 the system of registration of trade unions would have to be streamlined, something which was being investigated by the National Manpower Commission.

The pressure which came to bear on the Industrial

East Cape can act on labour front

"This may result in further complications in the labour field generally. The immediate release of the unionists will contribute a great deal to peaceful industrial relations."

The statement went on to say that mass detentions of workers and unionists was sure to harm the region's economic growth and prosperity. It emphasised that unions were not keen to see labour unrest, and preferred to negotiate with management.

Mr Mike Evans, who recently completed extensive research into the East Cape labour situation while studying at the University of Cape Town, said "I think the area is probably entering an important period of consolidating the gains made in worker organisation in the East Cape last year."

The region had "a long history of popular resistance and worker organisation" and workers in particular had a tradition of acting collectively, he said.

In the past year, Port Elizabeth, as before, had set the pace in the labour field, being one of the first centres to take on the pensions issue.

Workers were refusing to be fobbed off by a paternalistic management" over pension funds and demanded a say and control of "what in fact is their money".

At the same time, the strikes at Ford and General Motors in June last year showed workers were prepared to act in solidarity with dismissed workers at Firestone — at great personal cost Mr Evans said.

"What we should see then is that unions will be consolidating gains made by building up organisation on the factory floor that can withstand attacks made on union leadership by the State," he said.

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During 1982, the system of registration of trade unions would have to be streamlined, something which was being investigated by the National Manpower Commission.

The pressure which came to bear on the Industrial

Council system during 1981 would increase this year, Mr Botha felt.

"Many trade unions, especially the black ones, regard the system as some body in Johannesburg and ordinary union members see it as just another Government body," he said.

It was not generally known that the system could be adapted to serve an individual registered union or management needs. For example, local committees could be established to deal with a dispute.

Managements would have to cope with an increasing number of work stoppages and management-worker communication would have to be improved.

On the subject of police intervention in stoppages, Mr Botha said managements which called the police were seen as collaborators. He thought they should only be called if life and property were endangered.

"One pressing need is for management and trade union leadership to become knowledgeable — they must be aware of the issues and options. Lately there has been a much greater awareness of the need for industrial relations training," Mr Botha said.

Organisers of the Motor and Component Workers' Union of South Africa said in a statement "We would like to believe that it is everyone's desire to begin 1982 harmoniously, but are afraid the continued detention of our officials will increase the workers' anger."

Is business really doing

enough for SA?

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ANY businessmen, and I number myself among them, have been fairly vociferous over the past year or two in pointing out what we perceive to be a Government shortcoming — that socio-economic reform has slowed and, in particular, that there has been insufficient impetus in the implementation of announced changes.

But the theme of my speech is to question whether the private sector should not at the same time examine its own performance.

Are we in business satisfied that we are taking full advantage of the Government's amendments to laws and regulations, particularly in the field of labour? Of equal importance has been the significant change over the past few years in South African inter-group attitudes. Are we taking this factor sufficiently into account in formulating our labour policies?

In a nutshell, are we really keeping pace with the developing scene in this country? Now, of course, there are a growing number of businesses which are keeping pace and there certainly is an increasing awareness of the need for meaningful support for organisations and programmes which are best designed to achieve this end.

But I believe that until all business and businessmen are involved in this process, the private sector should not be satisfied with its performance.

A businessman, as I see it, has two sets of obligations. The one can be clearly defined — business accepts its responsibilities to shareholders, to employees and to the country.

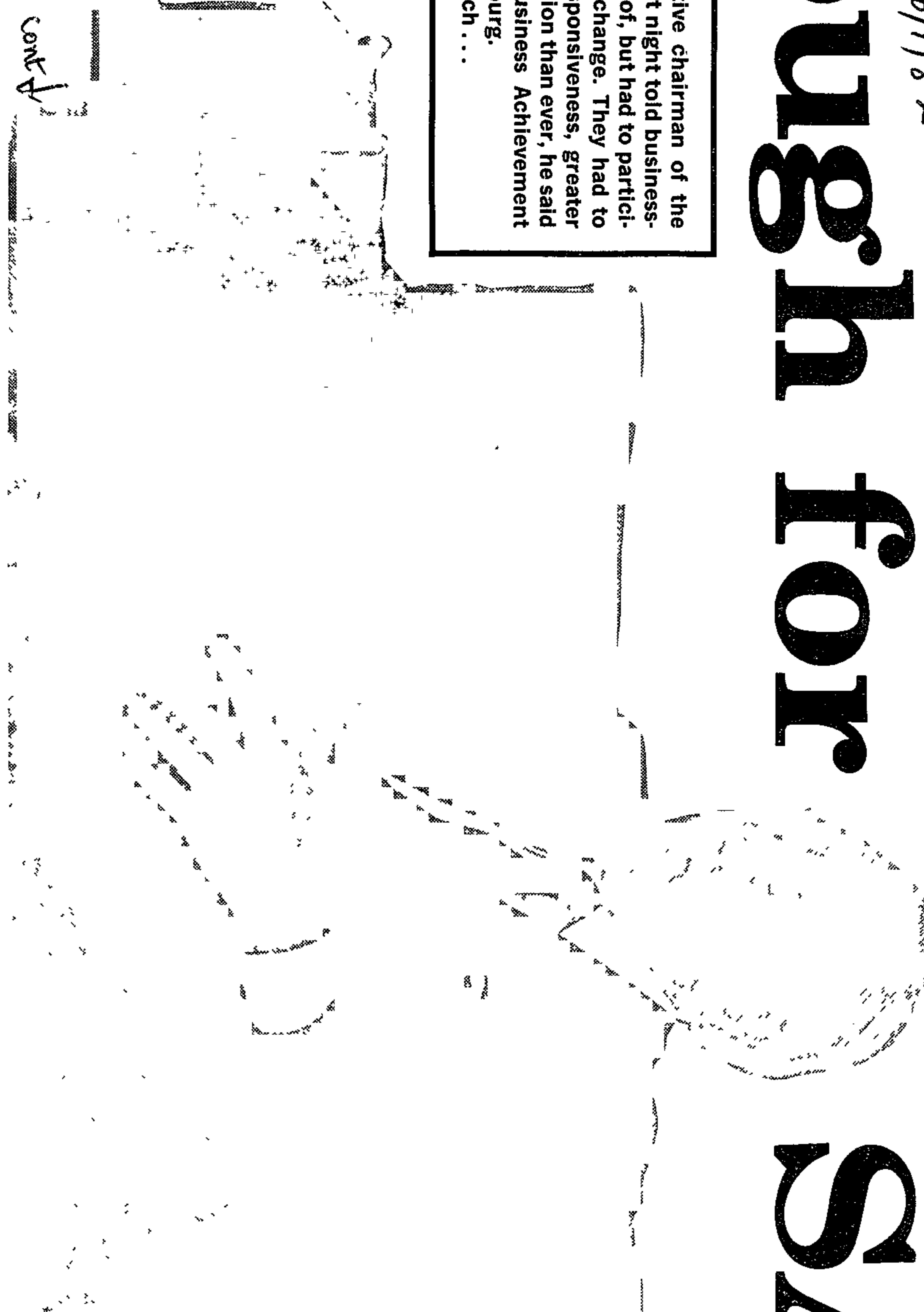
The second set is far more difficult to circumscribe because, while there is a great deal of action in this area, no clearly defined consensus has as yet emerged, covering as it does social rather than business responsibilities.

MR MIKE ROSHOLT, executive chairman of the giant Barlow-Rand group, last night told businessmen they could not stand aloof, but had to participate fully in the process of change. They had to show wider vision, more responsiveness, greater dedication and more application than ever, he said at the Rand Daily Mail's Business Achievement Award banquet in Johannesburg. Here is the text of his speech . . .

tion and preservation of the dignity and self-esteem of all our employees. And that this called for a full commitment to such concepts as selection and promoting solely on the basis of ability, the provision of similar benefits for all employees, the acceptance of some responsibility for their quality of life outside of the work place.

It was all very well, however, philosophically to subscribe to these tenets, but how were we to carry them out in practice? As a start we introduced a written code of employment setting out our objectives and calling for a definite commitment to its principles by every one of our employees.

Then to try to ensure that the commitment was carried out, we introduced direct monitoring of performance. This takes the form of annual face to face presentations by the chief executive of each of our divisions to our board, to executives and staff of other divisions to our board, to executives and staff of other divisions and to selected outside specialists of 71 Jan.



Or does it mean Earning profits and increasing returns on shareholders' funds not on a short but a long term basis by at the same time

— Helping people to develop their natural skills to the maximum?

— Concerning himself with the circumstances in which his employees and their families live and work — or as it has come to be called, with their "quality of life"?

— Trying to ensure that in the long-term all population groups engaged in the free enterprise system will recognise it as the right one?

— Accepting the role given to the private sector by the Prime Minister of taking responsibility for the national economic growth and for further job provision — but at the same time pointing out to government very clearly the obstacles which have to be removed before the role can be satisfactorily carried out?

I hope and believe that a growing number of businessmen belonging to the latter category, that they recognise that these social responsibilities should no longer be considered merely as humanitarian. That they are in fact increasingly necessary for the carrying out of their prime responsibility of increased returns for shareholders. In fact that to ignore them would be to take a very short term view indeed.

There will of course be a significant cost involved in shouldering these social responsibilities, and many progressive companies are already experiencing this. As an example, the subsidisation factor inherent in any housing scheme for employees or in loans for housing must have an adverse effect on returns on assets and shareholder-

cont'd

BUSINESS RESPONSIBILITIES

● To shareholders These are discharged by ensuring reasonable growth in their earnings, by paying them adequate dividends, by preserving their assets and by safeguarding their good name and reputation in the eyes of the general public

● To employees — by adhering to the highest standards of employment practices

● To the country — by observing its laws and regulations

It is in the second area, the quality of our employment practices, that we must ask ourselves whether we are doing sufficient

ELIMINATING DISCRIMINATION IN THE WORK PLACE

It is of the greatest importance that we businessmen accept the basic fact that discriminatory practices and the achievement of the full economic potential of this country are just not compatible

There are in fact very few remaining government obstacles to a businessman achieving the objective of removing discriminatory labour practices within his own business

But what is probably even more helpful to him is the significant change over the past few years in white attitudes towards this process There are, of course, still white unions and workers who resent its achievement because they wrongly see it as a threat to themselves

But provided we in business are satisfied that their interests are being fairly and adequately looked after, the time is surely long past that we should how to these minority views Are we really moving on the elimination of discrimination or are we merely paying lip service?

In common with many other companies we in our group came to the conclusion some years ago that a major objective should be its elimination and the promo-

gress made since the previous year's presentation, the areas in which the commitments of the code have not yet been achieved and the reasons, and a detailed time table showing when they will be

I would emphasise how essential the chief executive's commitment to and involvement in this process is, if tangible results are to be achieved

It would be entirely misleading to say we have already fully achieved our objectives But updating the code to meet new circumstances, and monitoring have ensured that we have a clearly defined path to follow

REMUNERATION

Remuneration can be an area of discrimination, and where it is, it has significant financial implications There is absolutely no law or Government regulation which prescribes discrimination in remuneration or which deals with the quantum which can be paid to anyone — other than minimal and down in certain industries

Quite rightly, remuneration is considered to be a matter which can only ultimately be settled by negotiation, formal or informal, between employer and employee But there still exist two significant wage gaps between white and black employees in most businesses

● The one arises from a difference in the pay scales of people engaged in the same job carrying the same responsibility This gap, representing as it does pure discrimination, is indefensible and must surely be eliminated in the shortest possible time

There can, however, be a complication The scarcity of artisans over the past years has resulted in many cases in white artisans being paid more than the job really warrants This problem will work itself out over a period of time as supply and demand for artisans come into balance

Until then our objective should be to raise the remuneration of the black employee doing the equivalent job to the rate calculated for that job — but not to the artificial rate presently enjoyed by the white employee

● The other gap occurs in the lower paid occupations carried out solely by blacks The pay structure of any company generally shows two basic curves A flat and depressed curve for those lower paid occupations and a steeper curve for the higher

paid occupations To achieve a fully integrated pay structure, which must surely be our objective, we shall over a period have to raise the minimum at the bottom of the scale and also increase the angle of the slope so that the two curves meet

Our experience in this field has been a mixed one Some of our companies have already eliminated the gap and others have planned to do so over a relatively short period But there are some companies engaged in large labour intensive operations which can only do so over a longer period To force them to do so more quickly would seriously weaken the viability of those companies, would endanger the employment of many people and would consequently not be in their immediate interests

The cost of eliminating this latter wage gap, even over a period of time, will be very high And many businesses are already finding this It will continue to be so until increased efficiencies and productivity eventually justify current wage increases

The fact remains that these costs will have to be faced by all businesses because the indefinite retention of this wage gap would represent a continuing form of discrimination

EDUCATION AND TRAINING

Which, incidentally, is the only practical order in which these two vitally important subjects can be effectively tackled — not training and then education I believe that a general consensus among businessmen that here lies the key as to whether or not South Africa will ultimately be able to take full advantage of its great natural resources — human and material

On that assumption, I shall confine myself to asking whether we are all doing sufficient training within our own organisations Whether we are taking the maximum advantage of Government external training programmes and incentives And whether we are making sufficient effort in the indenturing of black apprentices Or whether we are just sitting back complaining of the impossibility of doing so

It is still not easy and it is time consuming, but there is no question that indentur-

Are we businessmen really moving on the elimination of discrimination, or are we merely paying lip service?

Failure to do sufficient — in the fields of training and indenturing can only have very grave consequences in the future In the purely business sense the shortage of skills and expertise to run our affairs will continue — indeed will be aggravated as our businesses grow

It will be impossible to take full advantage of the opportunities confronting us in the wider national sense, the black population group will not be trained sufficiently to use its skills to the utmost, and consequently to share in the fruits of the private enterprise system This will inevitably lead to a rejection by it of the system, with all the implications on the stability of the country

But what is sufficient? How much should we be investing in training? Individual companies will have different requirements But let me quote our group investment in the 1981 financial year, solely for the purpose of comparison

I do so with a certain amount of trepidation, in no sense seeking to boost our own achievements — because we know we are not doing sufficient, mainly because we do not yet have enough trainers or training establishments Indeed our budgets this year call for a 30% increase in expenditure over last year

Our training costs, capital and revenue, direct and indirect, including salaries and wages paid to employees while undergoing training in company time, were R24-million This represents R123 per employee on our strength of 196 000, although of course not every employee received training during the year

If as a country we spent an equivalent amount on each of the 10-million of our economically active labour force, the national bill would be R1,2-billion This may sound a very great deal of money, but it represents only 2% of our 1980 gdp I would suggest we shall have to spend

more But whatever the figure should be, it is quite clear that both the public and private sector will have to face up to significantly increased investments in this area

But can one talk of effective training when basic education is lacking in so many of our employees? A survey of our group some three years ago showed that 60% of our black employees were either illiterate or semi-literate and had had six years of formal education or less

It was clearly futile to talk of training, particularly technical and supervisory, for the majority of those people And so in an attempt to remedy this situation, we introduced literacy and numeracy schools, staffed by professional black teachers

We now have 60 such schools providing employees with two hours a day of basic education — in company time — for 10 or 15 weeks depending on the level of literacy and numeracy with which they start On any given day we are now dealing with 1 800 employees and in a full year some 6 000 will pass through our schools

The expense, part of our overall training costs, is significant but we believe that only such basic educational courses, followed by specialised job training, will produce the skilled labour which our forward plans call for

And that is why the ultimate response of Government to the De Lange report of the Human Science Research Council is of such immense importance Hopefully it will bring about a complete overhaul of our national educational system on a non-discriminatory basis

While the onus for general education clearly must continue to lie with the Government, the report indicates that the private sector has a part to play Within the limitation of our resources — and they are not unlimited — we businessmen must play that part, because it is not only of national importance but also will ultimately be very much to the benefit of our businesses

Does it mean maintaining that social responsibility is a personal matter unconnected with business? Keeping out of that growing grey area between politics and socio-economics — remaining silent about such issues as

— A discriminatory educational system — Restrictions on the ability of people to sell their labour in the best market wherever that may be geographically situated

— Restrictions on where people of various populations groups can do business — Detention without trial of labour leaders, with whom he has been negotiating again in the future

gation to be a responsible corporate citizen, concerned with the well-being of his employees, their families and society as a whole

This is really to say that the businessman, in accepting the opportunities and benefits of another ill-defined concept — the free enterprise system — must in turn take on certain other obligations

I say "free enterprise" is ill-defined because definitions vary dependent upon the body or person defining it We businessmen have one definition and this naturally centres around the profit motive Our lower paid employees have a completely different definition — and will continue to do so until they share more equitably in the fruits of the system

The Government on the other hand, while professing a strong belief in the system, seems unaware that the very many constraints it imposes on both employer and employee are in fact the antithesis of the system It is, of course of the greatest importance that these three constituents have the same view of the system and its benefits

Let me deal with the businessman's concept of the system and whether or not he acknowledges he has accompanying social obligations What does it mean to him Single minded devotion to earning profits at all costs? Maximising return on shareholders' funds in the short-term regardless of any other longer-term considerations? Regarding labour merely as a commodity to be bought on a supply and demand basis — as productive units only and not as human beings in a work situation? Taking the view that their education is the problem of Government alone?

Does it mean maintaining that social responsibility is a personal matter unconnected with business? Keeping out of that growing grey area between politics and socio-economics — remaining silent about such issues as

— A discriminatory educational system — Restrictions on the ability of people to sell their labour in the best market wherever that may be geographically situated

— Restrictions on where people of various populations groups can do business — Detention without trial of labour leaders, with whom he has been negotiating again in the future

the soc a (10) ... is much as those incurred in eliminating discriminatory practices and in educating and training, should be viewed as investments Investments which are essential if the shareholder is to enjoy his returns on a long rather than a short term basis

The fact must be faced that business leaders are becoming increasingly involved in their whole society, not just in business The concept of social responsibility is inevitable and the responsibility is a grave one The business leader's role calls for wider vision, more responsiveness, greater dedication and more application than ever

CHANGE AND THE NECESSITY FOR ADAPTABILITY

I wonder how many of us really appreciate the rate of change which is occurring throughout the world And how vital it is that key people in business be aware of it and responsive to it — particularly in South Africa

In this country the Government is publicly committed to basic change in the socio-economic field — and even if at times we are exasperated at the pace of change, there can be no turning back It is also committed to basic constitutional change and one can only hope that the deliberations of the President's Council will soon produce a dispensation which will be acceptable to all population groups

The private sector cannot stand aloof It must participate in this process of change to the full extent it is allowed to, always of course within the limitation of its resources There is indeed a great deal it can do in leading the process of socio-economic change and the move towards the establishment of a more just society

If we are to survive, we must accept the fact that the "status quo" cannot be maintained Adjustments will constantly have to be made to meet the demands of change And a continuing demand will most certainly be the further creation of wealth and its equitable distribution In this lies the only hope of a firm base of stability in the country and the survival of all sub-

enterprise system to which we all subscribe The alternative will be its replacement in due course by some form of socialism — and the dire consequences which we have observed over the years in many countries to the north of us

Don't blame black unions, says Tucsra official

Mercury Mercury Reporter 30/1/82

BLACK workers will inevitably use trade unions for political ends, and before this was condemned it should be remembered that certain white unions were doing the same thing

This was said by Mr Des East, general-secretary of the Tucsra affiliated Motor Industry Combined Workers' Union in Johannesburg this week

Mr East said the white worker did not need to use his union for political gain because he was enfranchised.

'There are, however, examples of white trade unions meddling in politics and making their influence felt there.

'One of these is the Mine Workers' Union

'This is an instance of indirect support by a trade union for a political party line. Some of the statements issued by this powerful union show that they are taking a blatant political stance.'

Anyone who condemned the existence of registered black trade unions did not take the realities of South Africa's labour dispensation into account, Mr East said

'Black trade unions have been granted the right to register — a step aimed at promoting economic prosperity for all through industrial peace'

Stress

On the subject of unregistered unions, Mr East said he would like to see an end to the two tier labour system presently existing in South Africa made up of registered and unregistered unions

'This system causes stress and disquiet in labour practices. The justification given by unregistered trade unions that they fear State intervention is an umbrella term which provides no real argument — registration legislation is designed to protect the rank and file union member'

Mr East said he would like to see unregistered unions drawn into the sphere of the industrial council system

He said that if the registration of black trade unions had not been allowed in 1979 the international onslaught on South Africa would have been far stronger

Unionists fear ~~3/1~~ Star 4/2/82 proposed law (132)

Labour Reporter

Trade unionists fear the Rabie Commission's recommendation to designate a new crime "intimidation" could be used against them.

This recommendation would prohibit anyone from compelling or inducing another to do any act or forcing another to adopt or abandon a certain view point.

The commission report says anyone guilty of this crime would face a R20 000 fine or 10 years' imprisonment, or both.

Many trade unionists were arrested last year during industrial unrest and were often charged under the Riotous Assemblies Act for intimidating workers.

Under South African law, picketing is illegal but trade unionists feel it is an essential right of workers not only to

withhold their labour through strikes but to protest through picketing.

The picket line serves to prevent others from entering a strike-hit company and breaking the strike as well as serving as a "moral" protest.

In Port Elizabeth, former Post Office workers are appearing in the magistrates court this month on charges of intimidating other workers. Some have been fined or received suspended sentences.

Under the "intimidation law" proposed by the Rabie Commission they would face heavier penalties.

Unionists fear application of this proposal would seriously hamper striking workers.

● See Page 23

'Security report fairer'

By Chris van Gass
Pretoria Bureau

The Rabie Commission's recommendations on security legislation make security laws appear fairer and more effective, says Professor Mike Hough, the director of the Pretoria University Institute for Strategic Studies and an expert on security.

He said the recommendations "in general" appeared to have many positive aspects in countering insurgency.

Professor Hough said the obvious omissions of the commission had been twofold. They suggested fairer

changes to laws relating to bannings and detentions, which would make them less prone to criticism, while on the other hand tightening the loopholes.

One of the suggestions which could make the application of counter-insurgency measures more effective was the redefinition of terrorism.

It could now be possible for the applications of the law being applied more effectively to either left-wing or right-wing terrorism.

Another important recommendation was

that for legislation on intimidation.

As a possible example of its application, said Professor Hough, intimidation with a political motive such as even the tarring and feathering of a person, could create more scope for the State to prosecute.

Another positive aspect suggested by the Commission was the suggestion to restore the proper functions of the court by creating a ministry of law and order, so splitting the functions of the Department of Justice and Police.

We'll ¹³²
help ^{stan}
unions ^{4/2/82}
— Hurley

By Religion Reporter

The Catholic Church in South Africa is set to give strong backing to the country's emergent black labour movements

Archbishop Denis Hurley, president of the Southern African Catholic Bishops' Conference, said today "We want to throw the moral weight of the Church behind their (black unions) struggle"

Archbishop Hurley, speaking after the annual conference in Pretoria, expressed the hope there would be no confrontation with the Government over the Church's move, but added "If it has to come, it has to come"

POLAND

The Church's move closely parallels the Catholic Church's support of the Solidarity free trade union movement in Poland

Archbishop Hurley said that during conference discussions many references were made to the Polish situation

The Polish workers' struggle was against "dictatorial and oppressive State socialism" In South Africa it was against "a classical capitalist set-up" which had become "heartless and inhuman"

Local church bodies would help working people "to see the whole struggle in the light of their faith We will also do what we can to help those who suffer and are victimised," he said

He predicted controversy within the Church over its stand

"Those in management, who are mostly white, are very often humane and Christian people But they are caught up in this heartless structure and are often unable to see the damage it does to people in it.

TRANSFORMED

"Management must be helped to see where they stand and what their responsibilities are"

Archbishop Hurley said trade unionism among black workers was "of critical importance for the country."

If management used the opportunities, the country could see a "miraculous transformation" in industrial relations

A spokesman for the Federation of South African Trade Unions (Fosatu) said today "We especially welcome support from groups which distinguish between emergent, democratic and non-racial trade unions and those which are not"

He welcomed Church support "for the stated aims of the workers and trade union movement," he said

The general secretary of the Council of Unions of South Africa (Cusa), Mr Phiroshaw Camay, said they also welcomed the Church's support

labour

Death clouds labour progress

(229) (132) (445) (165)

WDM 8/2/82

By STEVEN FRIEDMAN

THE death in detention of unionist Dr Neil Aggett seems set to prompt a serious deterioration in relations between the growing black union movement and the Government.

At least five unions or union groupings have warned that there can be no further relationship between them and the Government until Security Police action against unions ends

This was spelt out in a statement by representatives of Fosatu — the country's biggest independent union grouping with a membership of over 90 000 — the General Workers' Union, the Food and Canning and African Food and Canning Worker's unions, and the Cape Municipal Workers' Association

Although relations between the unions and the authorities have always been tense, in the past 18 months some independent unions have met the Minister of Manpower, Mr Fanie Botha

Evidence

And many unions — even some regarded as "militant" by some employers and the authorities — have been prepared to comment officially to the Department of Manpower on legislation and to give evidence to official inquiries

In a recent confidential document, the Government's National Manpower Commission welcomed this and said it could be seen as a sign, that — whatever their differences with the Government — these unions were at least prepared to recognise the legitimacy of officialdom and the new official labour system

But in the statement issued after Dr Aggett's death, representatives of the union groupings said there could be "no further and future relationship" between them and the authorities while Security Police action continued

They claim Security Police action against unions has been increasing recently, and cite raids on union offices, detentions, arrests and banings as well as other actions, such as "inciting employers to adopt a harsh line against unions"

And they say the Department of Manpower "cannot wash its hands" of the death "by saying these are matters concerning the security of the State"

In another statement, the General Workers' Union said "We shall mourn (Dr Aggett's) death by intensifying our struggle against the State which bears the total responsibility for his death"

Refused

The General Workers' Union recently refused to give evidence to a National Manpower Commission probe, in protest against union detentions

In statements issued after Dr Aggett's death, his union insisted it believed he had been detained solely in connection with his union work

Mr Jan Theron, general secretary of the Food and Canning Workers' Union, said that when Dr Aggett was detained, police had removed union documents from the union's Transvaal office

"What have these to do with the security of the State?" he asked

Spesifikasie No Specification No	Titel Title	Eenheid Unit	Gelde per eenheid Fee per unit
539-1980 593-1957 594-1957 1290-1980	<i>Met krag vanaf 1 Januarie 1982/With effect from 1 January 1982</i> Houtverduursamingsmiddels met 'n basis van kreosoot/Wood preservatives with a creosote basis	10 000ℓ	R20 24

L W — Hierdie kennisgewing vervang Kennisgewing 950 van 1981 wat in *Staatskoerant* 7952 van 11 Desember 1981 verskyn het, wat betref die bogenoemde spesifikasie (12 Februarie 1982)

N B — This notice supersedes Notice 950 of 1981 which appeared in *Government Gazette* 7952 of 11 December 1981, in respect of the above-mentioned specification (12 February 1982).

KENNISGEWING 85 VAN 1982

DEPARTEMENT VAN MANNEKRAG

WET OP ARBEIDSVERHOUDINGE, 1956

AANSOEK OM VERANDFRING VAN DIE REGISTRASIFBESTEK VAN 'N WERKGEWERSORGANISASIE

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrator, maak ingevolge artikel 4 (2), soos toegepas by artikel 7 (5), van bogenoemde Wet, hierby bekend dat 'n aansoek om die verandering van sy registrasiebestek ontvang is van die Hotel, Bottle Store, Restaurant Association—Cape. Besonderhede van die aansoek word in onderstaande tabel verstrekk.

Enige geregistreerde werkgewersorganisasie wat teen die aansoek beswaar maak, word versoek om binne een maand na die datum van publikasie van hierdie kennisgewing sy beswaar skriftelik by my in te dien, p/a die Departement van Mannekrag, Mannekraggebou 449, Schoemanstraat 215, Pretoria (posadres Privaatsak X117, Pretoria, 0001)

TABEL

Naam van werkgewersorganisasie.—Hotel, Bottle Store, Restaurant Association—Cape

Datum waarop aansoek ingedien is—30 November 1981

Belange en gebied ten opsigte waarvan aansoek gedoen word—Werkgewers betrokke by die verkoop van drank vanaf bedryfsinrigtings ten opsigte waarvan een of meer van die volgende lisensies kragtens die Drankwet, 1977, soos gewysig, gehou moet word

Restourant-dranklisensie, Hoteldranklisensie, Kantienlisensie, Wyn-en-bierlisensie, Geleentheidslisensie vir laature, Drankwinkellisensie, Teaterdranklisensie, Sportterrein-dranklisensie, Tydelike Dranklisensie, Maaltyd-wyn-en-bierlisensie, en houers van lisensies uitgereik kragtens artikel 23 (b) in die landdrostdistrikte Bredasdorp, Calvinia, Carnarvon, Clanwilliam, Fraserburg, Hopefield, Laingsburg, Namakwaland, Piketberg, Vanrhynsdorp, Vredenburg, Vredendal, Williston en Walvisbaai

Posadres van applikant—Posbus 836, Kaapstad, 8000

Kantooradres van applikant—Strand Centre, Strandstraat 37, Kaapstad

Die aandag word gevestig op onderstaande vereistes van artikels 4 en 7 van die Wet

(a) Die mate waarin 'n beswaarmakende werkgewersorganisasie verteenwoordigend is, word ingevolge artikel 4 (4), soos toegepas by artikel 7 (5), bepaal volgens die feite soos hulle bestaan het op die datum waarop die aansoek ingedien is, en wat die lidmaatskap betref, word alleen lede wat ingevolge artikel 1 (2) van die Wet op voormelde datum volwaardige lede was, in aanmerking geneem

(b) Die prosedure voorgeskryf by artikel 4 (2) moet gevolg word in verband met 'n beswaar wat ingedien word

M W J LE ROUX, Nywerheidsregistrator
(12 Februarie 1982)

NOTICE 85 OF 1982

DEPARTMENT OF MANPOWER

LABOUR RELATIONS ACT, 1956

APPLICATION FOR VARIATION OF SCOPE OF REGISTRATION OF AN EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, do hereby, in terms of section 4 (2) as applied by section 7 (5) of the above-mentioned Act, give notice that an application for the variation of its scope of registration has been received from the Hotel, Bottle Store, Restaurant Association—Cape. Particulars of the application are reflected in the subjoined table

Any registered employers' organisation which objects to the application is invited to lodge its objection in writing with me, c/o the Department of Manpower, 449 Manpower Buildings, 215 Schoeman Street, Pretoria (postal address Private Bag X117, Pretoria, 0001), within one month of the date of publication of this notice

TABEL

Name of employers' organisation—Hotel, Bottle Store, Restaurant Association—Cape

Date on which application was lodged—30 November 1981

Interest and area in respect of which application is made—Employers engaged in the trade of selling liquor from establishments in respect of which one or more of the following licences under the Liquor Act, 1977, as amended, are required to be held

Restaurant Liquor Licence, Hotel Liquor Licence, Bar Licence, Wine and Malt Liquor Licence, Late Hours Occasional Licence, Liquor Store Licence, Theatre Liquor Licence, Sportsground Liquor Licence, Temporary Liquor Licence, Meal Time Wine and Malt Licence, and holders of licences issued in terms of section 23 (b) in the Magisterial Districts of Bredasdorp, Calvinia, Carnarvon, Clanwilliam, Fraserburg, Hopefield, Laingsburg, Namaqualand, Piketberg, Vanrhynsdorp, Vredenburg, Vredendal, Williston and Walvis Bay

Postal address of applicant—P O Box 836, Cape Town, 8000

Office address of applicant—Strand Centre, 37 Strand Street, Cape Town

Attention is drawn to the following requirements of sections 4 and 7 of the Act

(a) The representativeness of any employers' organisation which objects to the application shall in terms of section 4 (4) as applied by section 7 (5) be determined on the facts as they existed at the date on which the application was lodged and, as far as membership is concerned, only members who were in good standing in terms of section (2) of the Act as at the aforesaid date shall be taken into consideration

(b) The procedure laid down in section 4 (2) must be followed in connection with any objection lodged

M W J LE ROUX, Industrial Registrar
(12 Februarie 1982)

LABOUR

More work and reform

F.M. 12/2/59

Announcements made this week by National Manpower Commission (NMC) chairman Dr Henne Reinders help to sustain hopes that the process of reform in labour in SA will continue. He said the NMC intends making recommendations to government on the trade union registration issue and several related labour matters by mid-year. This would enable government to prepare legislation for next year's session of Parliament.

Reinders said the commission is having an intensive look at the inter-related issues of registration, representativeness of unions and the recognition of unions. Coupled to this are investigations into the functioning of works councils and the industrial court.

The commission has already had numerous replies from individuals and organisations who were sent a memorandum on registration and recognition in December last year. The memorandum outlined a variety of options on registration — some of which, if implemented, would meet many of the objections of critics to the official system of labour relations.

During the next few months the NMC is to host a series of discussion groups involving employers and employee organisations on the whole question of works councils. In addition, Reinders made it clear that the investigation into the functioning of the Industrial Court will be a wide-ranging one.

The court has not lived up to expectations and has yet to fulfill its intended role as a cornerstone of SA's new labour dispensation.

The NMC is also investigating an array of other labour matters. Among these are a national minimum wage, the possibility of providing cash grants instead of tax concessions to employers who train their employees, and a study of middle level manpower in SA. Reinders said there will be further study of the closed shop issue.

He said latest statistics show that unemployment among black men in SA outside the independent homeland stands at about 5.5%. The overall rate for black men and women outside the homelands is 7.3% — a figure which compares well with the unemployment statistics in many Western nations, he said.

Although SA is no longer a member of the International Labour Organisation (ILO), Reinders made it clear that SA is concerned about its relationship with the world body. He said 'objective reports' on the progress that has been made in the labour field in SA would be sent to the ILO.

Renewed labour fears

By Vera Beljakova

1325 Times

14/2/82

ATTITUDES towards labour problems have hardened since last year and no amount of legislation has eased the white mind

Although South Africa believes it is undergoing a traumatic period of labour upheavals, local anxieties are mild compared with many other countries

Almost half (48%) of white South Africans expect strikes and industrial disputes to increase, while 11% believe they will decrease. More men (54%) than women (43%) expect

industrial disputes to increase in number

Only black women are optimistic — 36% believe strikes will increase, 48% assume the situation will remain static (in this opinion they tie with white women), while a considerable 16% of black women feel disputes will decrease, as opposed to only 9% of white women and 12% of white men

These figures are borne out by Gallup International Survey, which confirms that the Western world expects increased industrial disputes in those countries where unemployment is growing

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Trade unions: registration

Handwritten: 16/2/82

93 Dr A L BORAINÉ asked the Minister of Manpower:

How many trade unions applied between 1 January and 31 December 1981 for registration in respect of (a) Black employees only, (b) White employees only, (c) Coloured employees only and (d) employees of more than one population group?

The MINISTER OF MANPOWER.

- (a) 3
- (b) 2
- (c) 1
- (d) 1

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Mercury
23/2/82
**Firing
strikers
not the
answer
warns
Hurley**

Mercury Reporter

THE president of the Southern African Catholic Bishops' Conference, Archbishop Denis Hurley, says management in South Africa has not yet come to terms with what is happening in the black trade union movement.

Commenting on the outcome of the conference, which has just ended in Pretoria, Archbishop Hurley, who is also Archbishop of Durban, said management could not just go on sacking everybody after industrial action. They would have to negotiate.

Upper hand

Dr Hurley said representatives of black trade unions whom the bishops met for a one-day session were of the opinion that management still had the upper hand 'very conspicuously' in South Africa.

'They feel they have a long way to go,' he added.

The archbishop said he had been very impressed by the moderation of the presentation of the union leaders.

'They did not sound like ranting revolutionaries,' he said.

'They had a great sense of their dignity as workers and of their rights. They appeared to be totally dedicated to a struggle for the recognition of these rights.'

Dr Hurley said Mr Eddie Webster, a senior lecturer in industrial psychology at the University of the Witwatersrand and a man regarded as the most informed authority on the black labour situation in South Africa today, had told the bishops that he was fairly optimistic about the future of the black labour movement.

Mr Webster had said that, in spite of what black labour leaders believed, their trade union movement was being seriously considered by top management in companies such as Anglo-American Corporation and Barlow-Rand.

On detention without trial, Archbishop Hurley said the Catholic bishops had said that, when the rule of law had to be scrapped in favour of detention without trial, it was an ominous sign that something was wrong with the law.

Appointment

He said the bishops had asked for an appointment to see the Prime Minister, Mr P W Botha, to discuss the South West Africa question and were still waiting for this to be finalised by Mr Botha's office.

Talks on more pay, leave

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Industrial week

23/2/82

INCREASES in pay and annual leave will be the main issues discussed on behalf of about 500 000 employees when 14 registered and five unregistered trade unions attend a National Industrial Council for the Engineering Industry negotiations meeting on March 9, writes Lynn Carlisle.

He says the five unregistered unions representing Black workers in the engineering industry will have observer status before the NIC.

They can either accept of later submit variations to new proposed pay scales for Black workers. It is believed Black workers seek a minimum of R2 an hour, but a "compromise" starting at R1,75 an hour and rising quarterly to R2 within 9 months is likely to be considered.

"On this issue there are certain problems and complications," Nicholson cautions. The call for extra leave is long standing especially for Black workers who have to travel long distances home to the rural areas.

"In effect the extra week only shortens the working week by one hour, and I personally think this is reasonable," says Nicholson.

On the question of annual bonuses for workers, an amount equivalent to 5% of an employee's annual salary for the first year services being sought, 6% for the second, third and fourth year and a whole "13th cheque" thereafter.

"This is to create stability in labour," Nicholson adds.

Disclosing this to Industrial Week, leading trade unionist Ben Nicholson says new innovations will be the application for an additional week's annual leave for workers and pay structural changes for the four bottom rates.

"This is in addition to improvements in the pay structure with guaranteed minimum rises to catch up with cost of living increases.

Life Policy (Surrender value of policy is zero - therefore no amount can be capitalised)

300	Statement	300	Statement	300	Statement	300	Statement	300	Statement
300	Asset	300	Asset	300	Asset	300	Asset	300	Asset
24 000	(Insurance Company) Receipt of proceeds	24 000	(Insurance Company) Receipt of proceeds	24 000	(Insurance Company) Receipt of proceeds	24 000	(Insurance Company) Receipt of proceeds	24 000	(Insurance Company) Receipt of proceeds
300	Expense	300	Expense	300	Expense	300	Expense	300	Expense
24 000	Statement	24 000	Statement	24 000	Statement	24 000	Statement	24 000	Statement
24 000	Life Policy	24 000	Life Policy	24 000	Life Policy	24 000	Life Policy	24 000	Life Policy
24 000	Insurance Company) Receipt of proceeds receivable	24 000	Insurance Company) Receipt of proceeds receivable	24 000	Insurance Company) Receipt of proceeds receivable	24 000	Insurance Company) Receipt of proceeds receivable	24 000	Insurance Company) Receipt of proceeds receivable
300	Expense	300	Expense	300	Expense	300	Expense	300	Expense
300	Expense	300	Expense	300	Expense	300	Expense	300	Expense
300	Expense	300	Expense	300	Expense	300	Expense	300	Expense
300	Expense	300	Expense	300	Expense	300	Expense	300	Expense

"As far as we are concerned, the Government's labour reforms died with Neil Aggett" — trade union statement on the day of Dr Aggett's death

IN the past few weeks, a trade unionist has died in detention and another has been admitted to a psychiatric ward after two months detention.

There are at least 10 unionists and three other people with union connections in detention and last week six Port Elizabeth union men were released after 270 days in security police custody.

Unionists say the detentions are only "the tip of the iceberg" and that there is a growing "security police vendetta" being waged against them.

They cite raids on union offices, arrests of strikers and union officials, bans on union meetings, and a range of other actions to back their claim that there is a growing wave of "repression" aimed at the union movement.

At the same time, the Department of Manpower's National Manpower Commission is working on an investigation which could lead to the removal of key controls on unions contained in labour legislation.

Senior department officials have implied publicly that some demands of emerging unions — such as direct plant-level bargaining between unions and employers — are no longer opposed by officialdom.

The NMC has taken small but significant steps towards greater dialogue with emerging unions by inviting them to submit evidence to it.

In other words the public actions and statements of Mr Fanie Botha's department, on the one hand, and the police, on the other, seem totally at variance with each other.

As the Department slowly acknowledges that some controls placed on unions by labour law should go, so the police continue to seek to control the unions.

IN PUBLIC statements, unions have suggested that the seeming difference in attitude is merely a subtle ploy. They have accused the Department of "condoning" security police action against them.

Since Cabinet decisions are taken collectively, they say, the Minister of Manpower must take responsibility for police actions.

Unionists have thus argued that the Government is back-tracking on labour reform and police actions have imperilled official labour initiatives.

The Urban Training Project, a union advisory body, recently warned that progress towards freedom of association — which entails full union rights — was in danger, and this point has been made in various other union statements.

And the Cape-based General Workers' Union recently refused to submit evidence to

Labour Reporter STEVEN FRIEDMAN reports on a remarkable development highlighting what appears to be a sharp difference of approach towards trade unions by the Department of Manpower, on the one hand, and the police on the other...

Labour reform and police action

a NMC probe — after giving evidence to official bodies on several other occasions — citing the detentions and other police actions as a reason.

At the same time, some sources argue that there is tension between the Department and the police.

The police, they say, are becoming impatient at the inability of labour law to control the growing union movement and are stepping in. At the same time, they suggest, the Department is "embarrassed" at action against unionists.

They point to a statement by NMC chairman Dr Hennie Reynders that detentions were creating "uncertainty" in labour relations. Dr Reynders added that he "hoped" people were not being detained for union activities.

And in an interview last December, the department's director-general, Dr Piet van der Merwe, said "one must presume" detentions are justified but added "Inevitably they do effect relations between employers and employees and cause tensions between the department and the unions concerned".

If the Department is unhappy about police actions, it seems unable to prevent them. Police action against unions has grown and the new approach seems to have the approval of the Minister of Law and Order, Mr Louis le Grange.

Thus Mr le Grange told TV viewers last year that the Government was prepared to live with some labour unrest while unions were becoming established, but that certain unions were overstepping the mark.

And in Parliament Mr le Grange conceded that a Security Police officer in East London had drawn up a document spelling out plans to curb the influence of the unregistered SA Allied Workers Union.

He said he had done so without authorisation, but then appeared to condone the officer's actions.

Of course, police have always intervened in

labour relations. Last September Mr Le Grange told Parliament police had been "called out" 90 times to labour disputes, 34 times to work stoppages and 147 times to strikes in the past two years.

But unionists insist that intervention has increased.

In East London, for example, there has been constant official action against SAU members, either by the SAP or the Ciskei authorities.

These include detentions, raids on offices and arrests for alleged offences.

Thus Mr Robert Gqweta, brother of Saawu president Mr Thozamile Gqweta, last week told Pressmen he had just been acquitted on a charge of collecting money illegally and is now facing Riotous Assembly charges in Ciskei courts.

Other measures taken by police in the past few months include raids on the offices of unions such as Saawu, the General Workers Union and Food and Canning Workers Union, and the banning of union meetings during times of labour unrest.

There has also been intense police action during strikes. During one week in October 83 Port Elizabeth workers were detained in connection with strikes and on one occasion — at BMW's Pretoria factory — armed police burst into the plant, only to leave after management asked them to withdraw.

At two Reef strikes unions claimed police had visited strikers in their hostels to get them to return to work.

In a few cases, strikers who have been arrested have been charged with tougher little used pieces of security legislation rather than with traditional anti-strike laws.

There have also been several claims by unions — denied by police — that official pressure has been exerted to persuade landlords to deny them the use of offices and halls.

Action against unions by "independent homelands" has also been a feature. In Ciskei this has taken the form of repeated detentions

as well as active official involvement in recruiting strike-breaking labour.

And a Saawu member was killed last year when Ciskei police opened fire on a crowd of workers returning from the funeral of Mr Thozamile Gqweta's mother and uncle who died when their house caught alight.

In Bophuthatswana three officials of a Fusu union were last year arrested for holding a union meeting without official permission.

These are merely a selection of incidents. There also have been strikes in the past few months in which police have not intervened directly. And police insist they are merely keeping the peace, not taking on the unions.

But it is clear that unions are having to live with a high degree of police involvement in their work.

In one respect, the Department bears ultimate responsibility for this. It is labour law which makes all but a few strikes illegal and which therefore requires that police intervene in them.

But it is clear that the Department is rethinking some labour laws which place controls on labour relations.

That at any rate is the drift of speculation coming out of the NMC.

There is an important sense in which the relaxation of controls in labour law may be directly related to stepped-up police action against unions.

When the Government's new labour dispensation was ushered in in 1979, it contained key controls on trade unionism. Some already existed in labour law and the Wiehahn Commission suggested several new controls.

Government speakers stressed to anxious white workers that the idea of the changes were to bring black unions under control, not to strengthen them.

There was thus good reason for the police to adopt a fairly low profile.

BUT the controls did not work. As employers and unions found them onerous they began creating their own bargaining systems outside official control.

Thus, although they still remain wedded to some degree of control, senior Department of Manpower men seem to be prepared to jettison some of the measures which have attracted the ire of unions and opposition from some

certainly, recent hints by top officials imply that they are prepared to say a lot more over to employers and unions than would have been dreamed possible a few years ago.

But it may well be that, the more the Department moves away from control, the more the police believe it their duty to step up their own labour role.

The spectre of a strong black labour movement is clearly not palatable to the police — judging by the actions of the past few months.

They may well have decided that, if the Department of Manpower is not going to control strikes and the like, they are

It is a word — the move to greater labour reform may be the spur to recent police intervention.

And increasingly, the issue is becoming not what clauses remain in labour law but to what degree the authorities are prepared to let employers and workers sort out their own destiny free of police intervention.

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KENNISGEWING 113 VAN 1982
DEPARTEMENT VAN MANNEKRAG
WET OP ARBEIDSVERHOUDINGE, 1956

AANSOEK OM VERANDERING VAN DIE REGISTRASIEBESTEK VAN 'N WERKGEWERSORGANISASIE

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrator, maak ingevolge artikel 4 (2) soos toegepas by artikel 7 (5), van bogenoemde Wet, hierby bekend dat 'n aansoek om die verandering van sy registrasie bestek ontvang is van die Transvaal Soft Drink Manufacturers' Association. Besonderhede van die aansoek word in onderstaande tabel verstrekk.

Enige geregistreerde werkgewersorganisasie wat teen die aansoek beswaar maak, word versoek om binne een maand na die datum van publikasie van hierdie kennisgewing sy beswaar skriftelik by my in te dien, p/a die Departement van Mannekrag, Mannekraggebou 449, Schoemanstraat 215, Pretoria (posadres Privaatsak X117, Pretoria, 0001).

TABEL

Naam van werkgewersorganisasie — Transvaal Soft Drink Manufacturers' Association

Datum waarop aansoek ingedien is — 7 Desember 1981

Belange en gebied ten opsigte waarvan aansoek gedoen word — Werkgewers betrokke by die Sagtedrankvervaardigingsnywerheid in die provinsie Transvaal

“Sagtedrankvervaardigingsnywerheid” of “Nywerheid” beteken die nywerheid waarin werkgewers en werknemers met mekaar geassosieer is met die doel om enige vrugte- en groente drank, water, sodawater, Indiese of kinientonikumwater, natuurlike bronwater, enige versoete kunsmatig gekarboneerde water (gegeur of ongegeur), gemmerbier en enige kruid- of botaniese drank te vervaardig, te bottel, te blik of op 'n ander manier te behou, toe te draai en/of te verpak.

Posadres van applikant — Posbus 4581, Johannesburg, 2000

Kantooradres van applikant — Agtste Verdieping, Alliegebou, hoek van Bree- en Rissikstraat, Johannesburg

Die aandag word gevestig op onderstaande vereistes van artikels 4 en 7 van die Wet

(a) Die mate waarin 'n beswaarmakende werkgewersorganisasie verteenwoordigend is, word ingevolge artikel 4 (4), soos toegepas by artikel 7 (5), bepaal volgens die feite soos hulle bestaan het op die datum waarop die aansoek ingedien is, en wat die lidmaatskap betref, word alleen lede wat ingevolge artikel 1 (2) van die Wet op voormelde datum volwaardige lede was, in aanmerking geneem.

(b) Die prosedure voorgeskryf by artikel 4 (2) moet gevolg word in verband met 'n beswaar wat ingedien word.

M W J LE ROUX, Nywerheidsregistrator

(26 Februarie 1982)

NOTICE 113 OF 1982
DEPARTMENT OF MANPOWER
LABOUR RELATIONS ACT, 1956

APPLICATION FOR VARIATION OF SCOPE OF REGISTRATION OF AN EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, do hereby, in terms of section 4 (2) as applied by section 7 (5) of the above-mentioned Act, give notice that an application for the variation of its scope of registration has been received from the Transvaal Soft Drink Manufacturers' Association. Particulars of the application are reflected in the subjoined table.

Any registered employers' organisation which objects to the application is invited to lodge its objection in writing with me, c/o the Department of Manpower, 449 Manpower Buildings, 215 Schoeman Street, Pretoria (postal address Private Bag X117, Pretoria, 0001), within one month of the date of publication of this notice.

TABLE

Name of employers' organisation — Transvaal Soft Drink Manufacturers' Association

Date on which application was lodged — 7 December 1981

Interests and area in respect of which application made — Employers engaged in the Soft Drink Manufacturing Industry in the Province of the Transvaal

“Soft Drink Manufacturing Industry” or “Industry” means the industry in which employers and employees are associated for the purpose of the manufacture, bottling, canning or otherwise containerising, wrapping and/or packing of any fruit and vegetable drink, water, soda water, Indian or quinine tonic water, natural spring water, and sweetened artificially carbonated water whether flavoured or not, ginger beer and any herbal botanical beverage.

Postal address of applicant — P O Box 4581, Johannesburg, 2000

Office address of applicant — Eighth Floor, Allied Buildings, corner of Bree and Rissik Streets, Johannesburg

Attention is drawn to the following requirements of sections 4 and 7 of the Act

(a) The representativeness of any employers' organisation which objects to the application shall in terms of section 4 (4) as applied by section 7 (5) be determined on the facts as they existed at the date on which the application was lodged and as far as membership is concerned, only members who were in good standing in terms of section 1 (2) of the Act as at the aforesaid date shall be taken into consideration.

(b) The procedure laid down in section 4 (2) must be followed in connection with any objection lodged.

M W J LE ROUX, Industrial Registrar

(26 February 1982)

Daily Dispatch

26.2/82

Boraine

unions (132)

harassed

CAPE TOWN — A total of 21 trade unionists had been detained in South Africa since the beginning of 1981—the Minister of Police, Mr Louis le Grange, said in Parliament.

Mr Le Grange said 10 unionists had been released without charge and 10 other unionists were still in detention.

Replying to Dr Alex Boraine (PFP, Pinelands) Mr Le Grange said three of the detained trade unionists had been charged with contravening sections of the Black Labour Relations Regulation Act but none had been convicted.

Dr Boraine said the fact that none of the unionists had been convicted and that others were released without charge "substantiates the view that certain trade unions are being harassed and persecuted by the state".

CHARLES DARIS



A US look at labour

FM 26/2/82



Charles Daris is the US government's SA labour attache. He is a career diplomat with 18 years' service in Washington, Afghanistan, Vietnam, Paris and Morocco.

FM: Are events like Aggett's death and the Rabie Commission likely to effect investment decisions by US firms?

Daris: Foreign investment fell off noticeably after Sharpeville, and again after Soweto. Most recent US investment has come from re-invested earnings of US subsidiaries rather than new investments and there has been a decline in US lending to SA in the banking sector. This is partly due to domestic pressures in the US and partly to SA's own economic strength but clearly political and security considerations are playing roles.

Managements in SA are increasingly being faced with demands for changes outside of the labour arena, rather than simply changes on the factory floor. How should American companies respond to these demands?

US firms only account for 20% of all foreign investment in SA and have very limited leverage on the country's political processes. Given obvious resource and political limitations, I see improved dialogue with workers as the single most important strategy to pursue.

Recently there has been a significant crackdown on union activity in SA. If this continues, what will the US response be?

Washington's interest in the SA labour scene is very high. Labour is the sector most frequently mentioned by those arguing that peaceful change and evolution are possible in SA, and that we should work with people who are committed to such a course. Obviously, actions undermining this thinking aren't helpful to those seeking an

alternative to confrontation with SA over its policies.

With regard to the detentions, we have taken note of recent public statements by SA government officials that charges will be forthcoming soon. Our opposition to detention without trial is well known.

What do you consider to be the most important labour reforms necessary?

Each country must seek its own solutions to its unique industrial relations circumstances. There is no doubt that significant reforms have already been realised and that process is still underway. However, no matter how enlightened SA's industrial relations framework may be in its final form, the workplace will still be inefficient and unjust for the majority of workers as long as the present apartheid structures exist.

The AFL-CIO has been re-establishing its international ties and has initiated a "programme of action in support of black trade unions in SA." What are the aims of this programme?

The AFL-CIO plan was announced a year ago but it is still in the organisational stages. Its expressed aims are to support basic changes in the system by working with other trade union centres also seeking non-violent change. Programmes dealing with black unions in SA will be emphasised, particularly those which will change the condition of black workers and their organising abilities.

What is the significance of the programme?

Its significance lies in the assumption that change can occur peacefully in SA and that there are viable groups inside the country working to that end. The AFL-CIO's re-affiliation with the ICFTU, although it makes some here nervous, is also noteworthy as I believe it is in SA's interests to encourage ties between its trade unions and established, democratic, anti-communist counterparts in the West.

Does this forging of links between

organised labour internationally open the way for significant international sympathy strikes?

There have already been a few manifestations of international solidarity. I would expect these to become increasingly responsive to internal events as the trade union movement grows — whether or not there is rapid growth in formal ties.

The Reagan administration is vigorously opposed to legislation making fair employment practices mandatory for US companies in SA. How does this square with the Sullivan Code?

This administration's opposition to recent legislation proposing statutory compliance with the Sullivan Code is no different from the previous administration's opposition to such legislation. The extension of US law to the operations of US firms abroad raises serious legal questions, not to mention the enormous task of monitoring these operations to the point where the Secretary of State — as the legislation proposed — could certify compliance. This administration, as did the former, concluded that voluntary adherence to the Sullivan Code was the only practical solution so it actively urges adherence to and compliance with the code by all US companies in SA.

Sullivan, himself, has voiced concern about the code's progress.

The implementation of the Sullivan Code has had a positive effect, not only on improving the employment practices of US firms but also in setting an example to others. Neither the Sullivan Code, applying only to American companies, nor codes covering other foreign companies, can transform SA society — only South Africans can do that. While some SA corporations are making laudable efforts to upgrade employment practices, more must be done by SA employers, who are after all not only the largest employers in this country but those having the greatest stake in its future.

Raises would go to booze 'n dope'

By WILLIE BOKALA
 A CLEVELAND steel firm is underpaying its employees because its owner, Mr Alf Lewis, says they would waste money on liquor and dagga if he paid them more.
 Mr Lewis confirmed the underpayment to

The SOWETAN after a group of workers from his firm, Jupiter Steel and Machinery, had complained that they were being underpaid and that some of them were still earning R50 a week after working for the firm for more than 15 years.

The workers said they were not allowed tea-time by the owner, they worked hard and in some cases had to lift heavy machines and steel with their hands. They were also allowed only a 30-minute lunch time.

Some of their complaints included being kicked when they complained, new employees were not being registered, those injured were being fired, and that workers were fired daily and new employees taken on to replace them.

Mr Lewis said it was true that he was paying his employees R50 and others R60 a week. He added that "these guys are lazy".

"You see, I pay them little money because they waste it on liquor and dagga," he said.

Asked why he did not want to buy a fork-lift to carry heavy objects, he said it would make matters worse in his firm.

"If I buy one, or even two, fork-lifts then I will be forced to fire half of my staff because there won't be any job for them to do.

"You see, these boys are very lazy. I had to hire three more guys today from the street, but unfortunately I can't register them, because they are from Transkei and Kwa-Zulu."

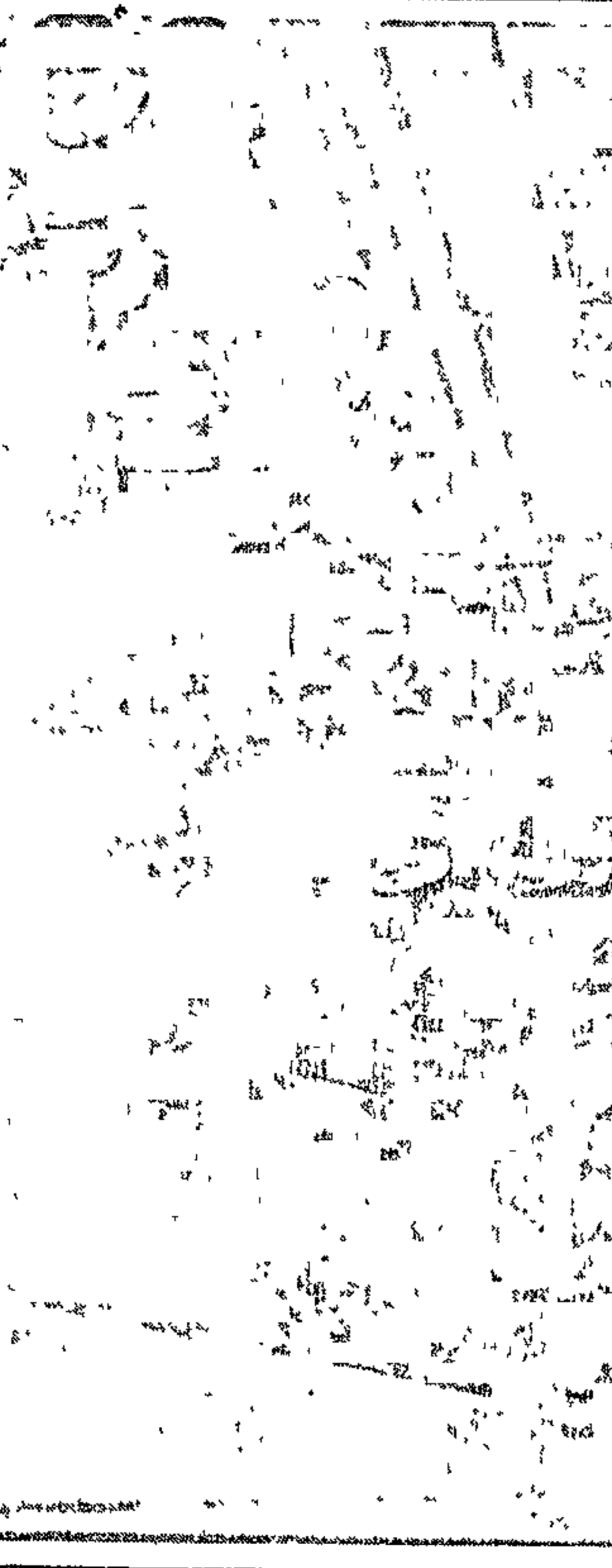
Thousands mourn students

Hike in fares heavy?

By NORMAN NGALE
 SEVEN affidavits of objection to the Putco fare increases in the Witwatersrand area have been handed to the national transport commission.

The affidavits represented the feelings of the 21 members of the Commuters Watchdog of South Africa (Commwasa) who had won a Supreme Court ruling setting aside Putco fare increases in the area until their case was heard.

Mrs Sally Molana, president of the Black Housewives' League, stated in her affidavits that an increase in bus fares would come as a heavy blow to the Soweto community.



CHANTING mourners - with the African National Congress flag hoisted high - enter the Kagiso cemetery after marching more than two kilometres from the township to bury three students killed in a mysterious explosion in a disused mine building last week.

Gatsha was a good watchdog

ASSEMBLY - The South African Police had apologised to the Chief Minister of Kwazulu, Chief Gatsha Buthelezi, for the naming after him of a watchdog kept at the Ingwavuma police camp, the Minister of Police, Mr Louis le Grange, said last week.

Replying to a question by Mr Ray Swart (PFP Berea), Mr Le Grange said the SA Police had received a complaint from the Chief Minister about the name of a dog owned by the police at Ingwavuma.

The Chief Minister registered a strong protest and asserted that he regarded it as an insult, not only to himself but to the entire Zulu nation and black people in general.

"The matter was immediately investi-

gated and the following facts emerged.

The dog in question came to the police camp in November 1981 in a state of starvation and was immediately adopted and cared for by the men stationed there at the time. It soon developed into an alert and fearless watchdog and was perhaps for this reason named after the Chief Minister.

The dog did not belong to any specific policeman and as the members at this camp are changed at regular intervals it could not be ascertained with whom the name originated.

Mr Le Grange added that the dog had since been destroyed to avoid further possible unpleasantness.

Sapa

Trade unionist who died in detention

AGGETT

132
 2/3/82
 same from

THE inquest into the death of detained trade unionist Dr Neil Aggett, opens in Johannesburg today.

Neil Hutchin Aggett (28) was found dead in his Security Police headquarters cell at Johannesburg on February 5.

Police said he had hanged himself.

The Transvaal sec-

relays of the African Food and Canning Workers Union Dr Aggett was detained in terms of Section 22 of the General Laws Amendment Act, in November last year during a Security Police swoop.

Two weeks later he was re-detained under Section Six of the Terrorism Act.

Neil Aggett was the

ST PIERRE'S ASSOCIATION

both person to die in detention since 1963 and the names of the dead were read out by Bishop Desmond Tutu Secretary General of the South African Council of Churches at an emotional charged meeting in Johannesburg a week after the trade unionist's death.

The meeting called

to mourn Dr Aggett was one of many held around the country in the wake of his death.

His death resulted in accusations that a vendetta was being waged by Government authorities against certain trade unions.

employer's many turned a blind eye to them.

When Dr Aggett was burned eight days after being found hanging in his cell about 2000 people attended the service at St Mary's Cathedral in Johannesburg.

Afterwards a group of about 1200 marched ahead of the funeral procession.

Although peaceful mourners swamped traffic lanes on both sides of the road in defiance of police National Party municipal election posters were torn down.

Police kept a low profile and did not intervene. The arrival of riot police spontaneously subdued much of the chanting and singing.

Trot Moloto in colour

YOU can only get them inside your Only Daily Newspaper, The SOWETAN. Pics of your favourite football stars, that is. And in full colour to frame or hang in your room.

Tomorrow we will have a portrait of

Moroka Swallows Limited Captain Trot Moloto, the 14th in our series of Sports Stars in your bright and breezy newspaper, The SOWETAN.

So don't miss it. It will also be packed with news around the

world, hot tips for the racing fans and lots and lots of soccer stories of your clubs.

Only in The SOWETAN can you get such free offers. Not forgetting a chance to win yourself a R1 000 Telefunken TV set.

GRAND OPENING OF OUR NEW BRANCH AT

SATURDAY, 6th MARCH

GRAND OPENING OF OUR NEW BRANCH AT

Raid in grip of Marxists,

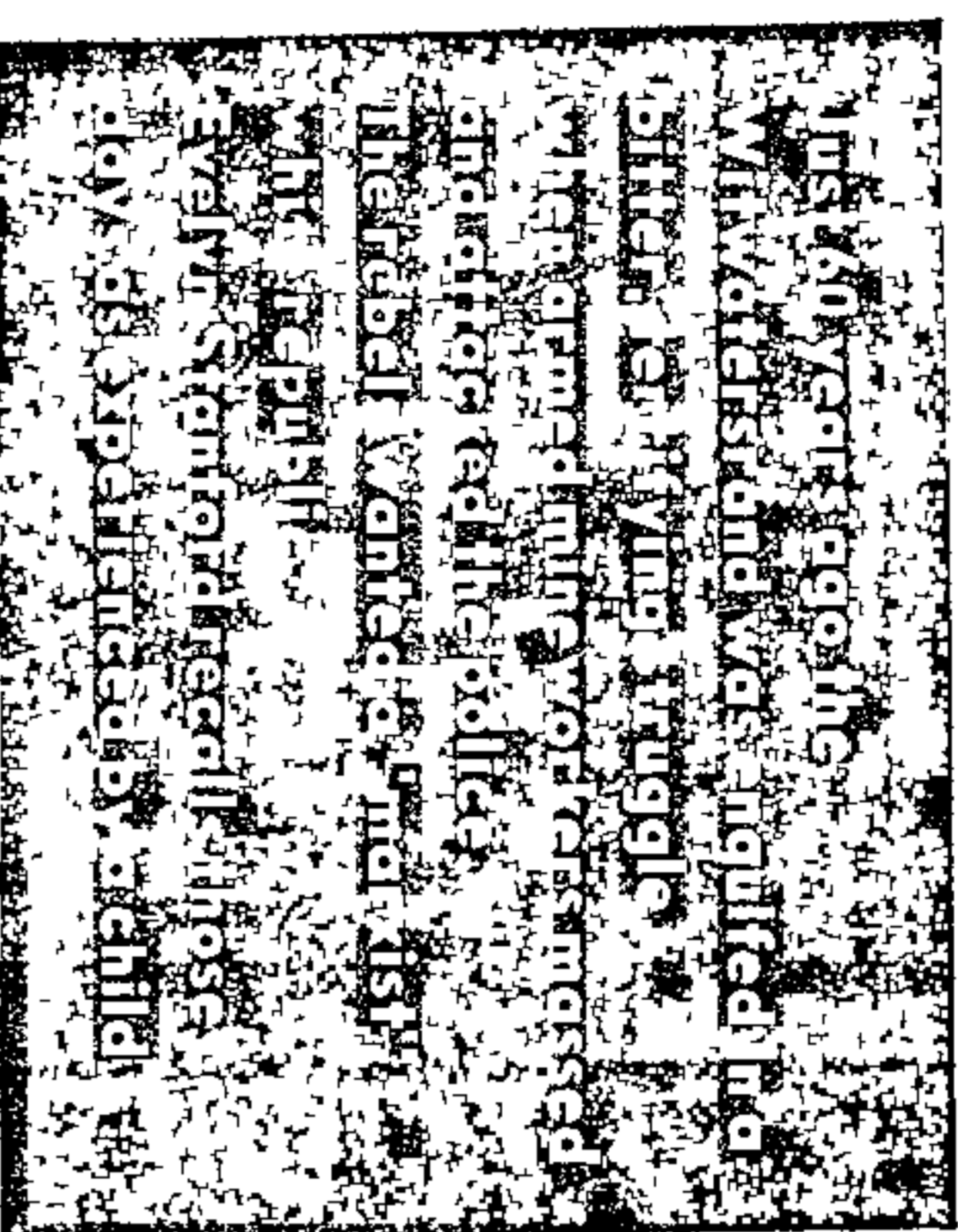
Even Johannes-burg's oldest residents may be surprised on being reminded that it is 60 years since the 1922 strike, also known as the Revolt on the Rand

Of course, it was much more than a strike. It was an armed uprising by white mine-workers in an attempt to set up a white "Marxist" republic on the Witwatersrand. They tried to force law-abiding workers to join them.

Early that year the pot was on the boil. In March that year it boiled over. March 8 (exactly 60 years ago) found strikers in control of several areas, including Fordsbury.

The mines and police posts were attacked on Friday March 10. The police, directed from Marshall Square, Johannesburg, were outnumbered. Military units were called in and martial law was declared.

East Rand mine officials and policemen in Fordsbury were slain. Food was short, and terrified householders had to eat anything they could lay hands on. Aircraft and artillery



Sunday Brinxton Ridge was captured by Durban Light Infantry, Transvaal Scottish, Witwatersrand Rifles and units of other regiments. By March 14 Fordsbury had been stormed by the police. Citizen force units and burger commandos swooped in. Surgeon leaders committed suicide at their headquarters and hostilities ceased. About 150 people were killed—policemen, members of the citizen forces, strikers. Many innocent people lost their lives.

Looting had been a thing of the past. There was much cleaning up afterwards. There were trials and courts of inquiry for months afterwards, but very few executions. I was then a child.

home to the safety of the mine. For a long time afterwards we were not to realise how much violence and terror people had endured during our unexpected holiday.

The mine management quickly organised employees into armed parties for patrol and guard duty. My father and I had a revolver and rifle which had been carefully stored since the turn of the century. He also equipped himself with a warm muffler. This gunnery did not touch them, but I always buttoned up his muffler when he went on guard duty at night.

During the day we stayed in our homes and gardens, sometimes two or three families together for safety's sake. I do not know how the adults amused themselves, but we children played together happily all day without a care. Strangely enough, the most popular game was school.

We were not allowed out of the garden. I was continually being hauled back inside. My elder sister and brother wanted to perch on top of our house to see everything. They had no luck either. Keeping the three of us within bounds was a full-time occupation for

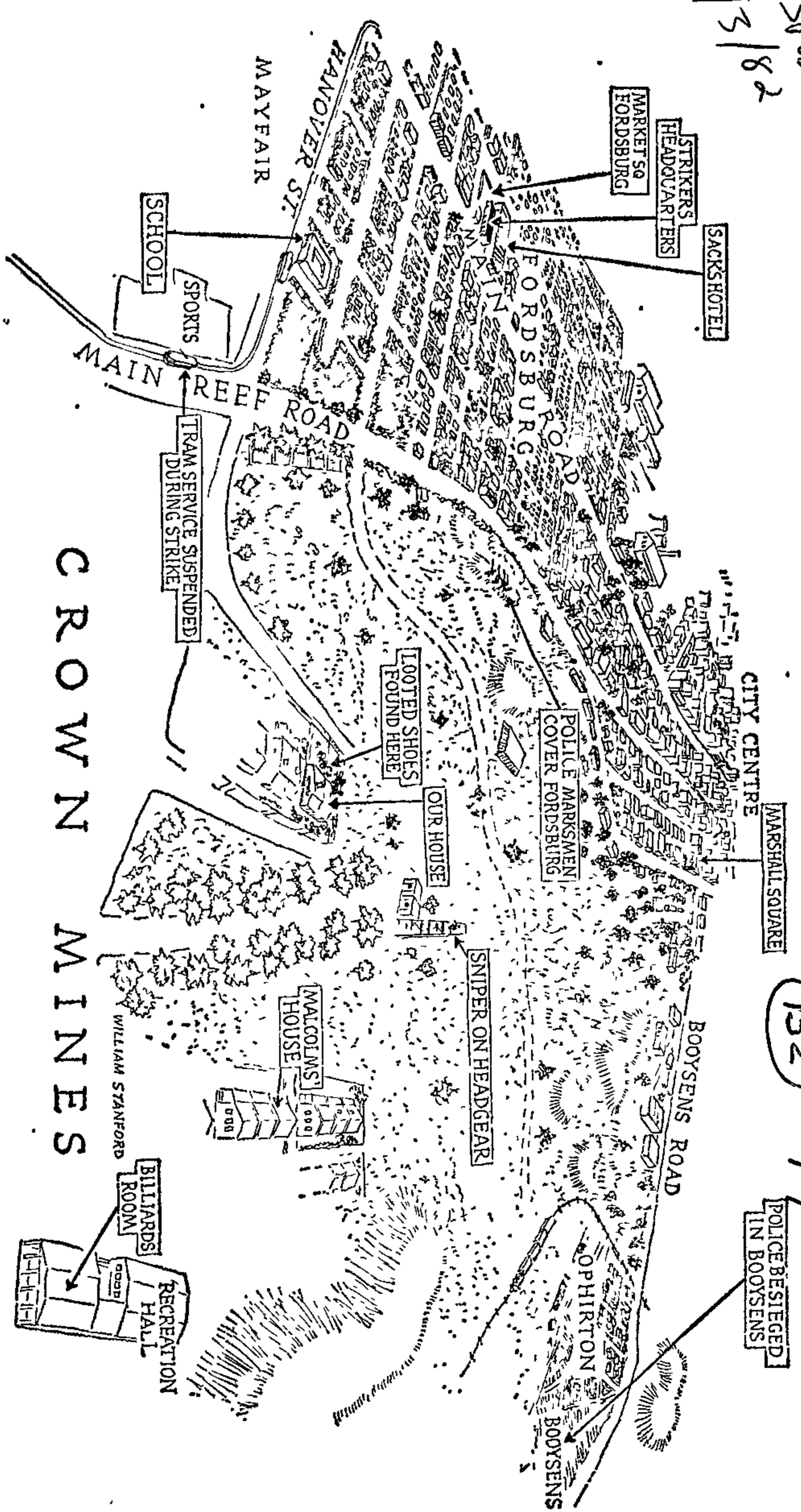
duty, he dug big holes in the backyard. Sometimes the "Kimberley Mail" (sanitary bucket service) did not arrive.

Food became scarce because our little community was completely marooned, meals were unconventional. Porridge appeared on the table at the most unexpected times. Fortunately, was a farmer's son and just had to grow things—our vegetable patch yielded mealies, potatoes, beans and pumpkins which were shared with friends.

Parties of fathers armed with revolvers would sometimes go off somewhere to buy food. As far as shopping was concerned they did not have as much imagination as our mothers, usually returning with a little meat, the odd loaf of bread and the inevitable bag of meat meal. However, we ate everything with relish.

A sniper took up his position on top of No 2 shaft headgear which was only about 30m from our house. This vantage point he exploited to the full, taking pot shots at the neighbourhood cats. He also perforated our corrugated iron fence with peepholes with which we children found useful. Our lavatories at the bottom of the garden was another

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as a colander. We found this convenient, for if one wished to answer a call of nature, it was simple to make sure whether the little house was vacant or engaged.

With the sniper operating uncomfortably close to our home, we had to be evacuated before dark each day, sleeping in a different place every night. The variety of beds was a sheer delight. Sometimes there were three children to a bed; we shared mattresses on the floor, packed close

settees and club easy chairs. How we loved it! The nicest bed by far, was a tremendous settee in the main recreation hall. The perimeter of the room was darkened, only the shaded lights above the billiard tables were kept on. Pools of bright light on the green baize table-tops added a touch of gaiety.

There was a constant patrol of men on the veranda outside the building for further examination. At intervals during the night, when the guard was changed

steaming cups of hot cocoa. One night when we were at the house of a friend, she was so busy making up beds for everyone that she forgot to switch off the electric light in the passage. Some snipers started shooting at the light, terrorising us all. Mrs Malcolm, whose home it was, bravely crept to the front door and switched off the offending light. Then we were left in peace.

Early one morning while playing in the yard, the breakfast shoes which had been thrown over the fence by looters during the night. This was like Christmas to us. We pounced on the booty and decided to play shop. Father and mother were most unreasonably, we thought, when they forbade us to touch the shoes which they soon had removed.

Our parents did their best to protect us from fear and harm during the strike, so we had no idea what was happening outside our little world. When the many new buildings erected in the vicinity, the character of the old Market Square at Fordsbury is little changed. Today it is difficult to imagine that it was here the strikers had a strong hold. The square was scarred with trenches and signs of hard fighting. Great harm had been done to buildings.

Years later while driving through Crown Mines in 1968 I noted that my old home still had its bullet-pierced fence. The old mine

S. Tribune
It's down
to REAL
business
at Kimberley

Tribune Reporter

THE signing of a recognition and procedure agreement between the Kimberley division of De Beers Consolidated Mines and two major trade unions effecting black mine workers is a significant development in South African labour relations

The agreement, which affects semi skilled and unskilled black miners at Finsch, Koffiefontein and the four De Beers' Kimberley mines, is seen by labour relations commentators as the first serious attempt to unionise black workers since 1946

It is also the first time in South Africa's labour history that a mining company has entered into an agreement with and given recognition to unions representing black mine workers

The last attempt to unionise black mine workers, by the African Mine Workers' Union, ended in 1946 when over 60 000 African miners on the Witwatersrand mines struck work

As a result of police action, 12 Africans were reported killed and over 1 000 injured and the union was effectively crushed by the arrest of its leaders and the intimidation of its members

Because of the constraints of the compound system on the mines — where access to mine workers from the outside is virtually impossible — the unregistered unions have been unable to do any significant organising of black miners since then

Registered unions organising white and coloured labour on the mines were effectively prohibited by law from organising black miners — their registration was based on ethnic purity — and most of them have used their unions as a power-base to exclude black miners and prevent them from taking control of skilled positions in the industry.

The recognition and procedure agreement signed last month between De Beers and the South African Boilermakers' Society and its affiliate, the Federated Mining, Explosives and Chemical Workers' Union, is, against this background, a radical departure from the constraints imposed on the organisation of black miners in the past.

Essentially, the SA Boilermakers' Society, a registered Tucca affiliate whose membership has been confined to a relatively small group of skilled white artisans, has been allowed to open its doors to black membership as a result of a change in labour legislation.

It has formed an affiliation with the Federated Mining, Explosives and Chemical Workers' Union, formed in 1976 for De Beers' coloured employees and together they represent 50 percent of the labour force on the mines concerned

Another significant feature of the agreement according to the Boilermakers' Society general secretary Ike van der Watt, is the assurance built into it that other unions will also now be free to organise mine workers

Procedures of access to the miners forms an integral part of the agreement, says Mr van der Watt, and any union, even those with limited membership on the mines concerned, will be recognised as part of a union caucus under the agreement

Other significant aspects of the agreement are:

① Wages and conditions of service for those categories effected will now be decided by negotiation between management and the unions

② Management and the unions will act jointly to resolve grievances and disputes

③ The unions will be allowed to appoint an agreed number of union stewards for the purpose of implementing and monitoring the agreement and any other agreement signed in the future.

CO-OPERATION

That's the name of the game as labour relations in South Africa struggle into the Explosive Eighties

By
Prof
**BLACKIE
SWART,**
Professor
of Industrial
Relations at
the Graduate
School of
Business,
University
of Stellenbosch

THE initiatives taken by the Minister of Manpower, Mr Fanie Botha, have deracinated and normalised the internal labour market in South Africa

The initiatives are important, necessary conditions for the optimal utilisation of labour which would contribute to long term economic prosperity for all participants

Although necessary these conditions on their own are not sufficient to stabilise industrial relations

Co-operation between State departments to co-ordinate policies, procedures and tactics on labour matters seems to be lacking, to put it mildly. Thus co-operation is required to prevent future actions that could influence and disrupt industrial relations and thus industrial peace in the private sector.

Unco-ordinated actions, even though they could be sound in principle — such as the pension proposals or police involvement during strikes and in industrial relations in general, to name but a few — complicate the delicate balance that in many cases exists between labour and management

rwat



Comments by politicians, especially ministers not directly involved in labour matters, tend to complicate, disturb and retard progress and development towards a "normalised" labour market.

Without the above mentioned actions and comments the task of the Department of Manpower, industrial relations specialists inside and outside the private sector, and trade unionists are difficult enough. With these actions and comments it could become impossible to maintain a coherent policy, plan tactics and contain labour unrest.

In the light of the Prime Minister's appeal for co-ordinated development in the political, social and economic fields, the following areas need urgent attention and action:

In the labour market utilisation of the full environment optimum potential of labour is still impeded through the non-implementation of the recommendations of the Riekert Commission.

Restrictions with regard to geographic and occupational mobility of labour and business rights for all population groups in central business districts fall into the category needing urgent action to assist in creating a more stable free market environment.

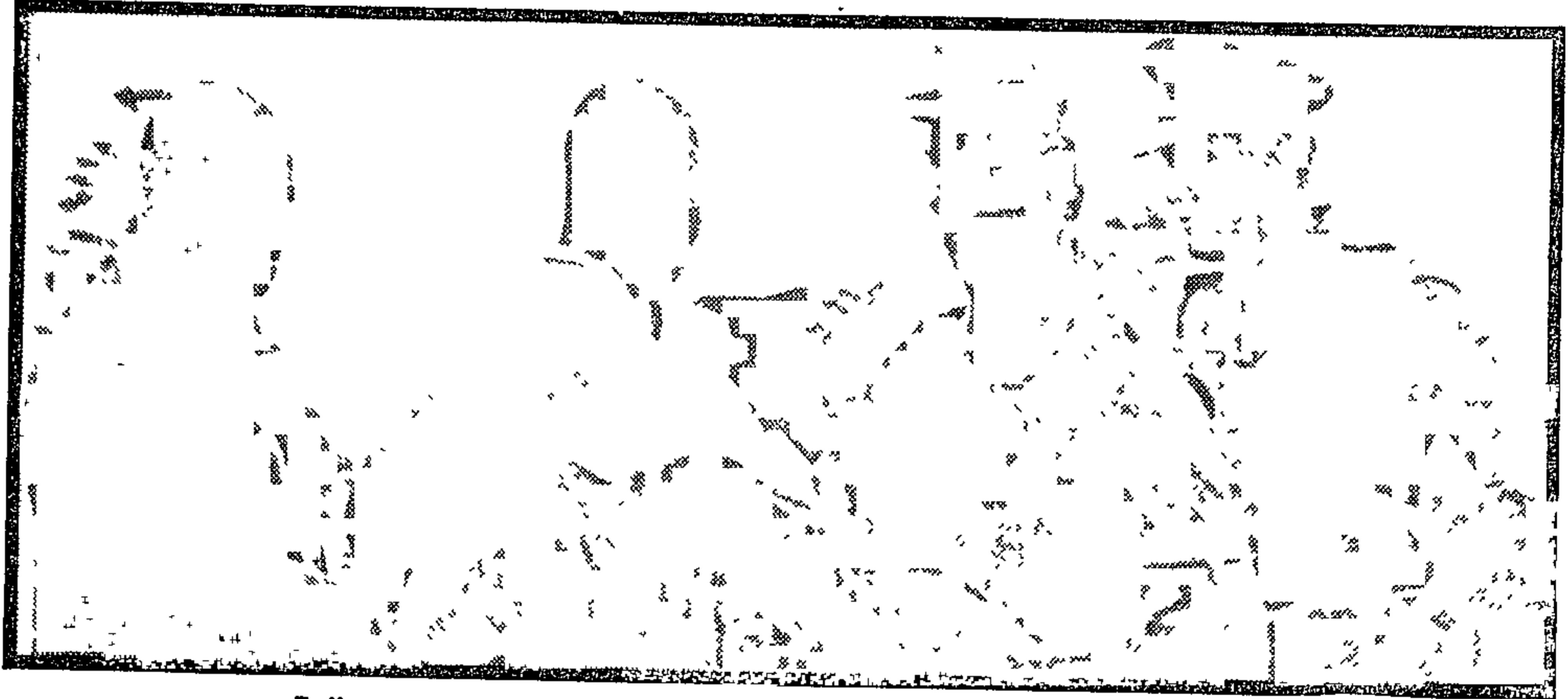
The need for improving the quality of labour in South Africa requires that urgent attention be given to the implementation of the recommendations of the HSRC's De Lange Committee report.

These same steps were taken to solve the poor white problem in South Africa and were based on the Carnegie Report of the 1930s. It is an established fact that education and quality of labour are directly related.

More than one-third of growth in the USA since World War Two was as a direct result of improvements in the quality and quantity of formal education. In-company and on-the-job training achieve much better results if participants have a higher basic education level.

Internal political solutions are urgently needed to create a stable socio-political environment within which industrial relations can be restricted to labour/management issues. Until this happens the field of industrial relations will remain one of the only areas where population groups other than

'CALL IN THE POLICE DURING STRIKE ACTIONS . . . AND COMPLICATE THE SITUATION'



Police move in to disperse dockyard workers during the Durban strikes in 1973

whites will have a "vote."

It is then only logical that this "vote" will also be used to improve the social and political status of people in the other groups.

The work of the industrial relations specialist is complicated enough without having to take cognisance of the influence of his or her actions on the socio-political environment or of this environment on labour.

If the future developments in the areas referred to by the Prime Minister at the Good Hope Conference are in future either not forthcoming or unco-ordinated or too slow or administratively hindered or abused for political self-gain, then the Government must not be surprised if the individuals, organisations and the outside world become cynical about its motives.

The arrest during November of a number of trade unionists — without them yet being brought to trial — is one example of what I am talking about. There are already indications that a number of trade unions interpret this to mean that the Government's new labour policy is a smokescreen.

The death in detention of Dr Neil Aggett makes the situation much worse. It casts a further shadow over the credibility of changes in the labour field and has led to much greater solidarity among trade unions.

It should not and need never have happened and I personally express my sympathies to Dr Aggett's family.

If there are to be equal employment opportunities South Africa will have to

Remove all forms of discrimination. The term "justifiable discrimination" is a contradiction, and in actual fact means justifiable injustices or "unjustification".

Undertake periodic surveys on a national industry or regional basis to establish trends as well as to identify specific problem areas and recommend corrective courses of action.

Engage in continuous self-monitoring or audit of employment practices and neutral and honest evaluation of results.

Implement an honest and sincere attempt to eradicate wage discrimination by giving special attention to job evaluation, job

grading and non-discriminatory wage structures at company level.

Promote on merit Career path planning for all must not only be implemented, it must be seen to be done, sincerely and openly.

And procedures — eg discipline, grievance and/or dispute-settling — and processes must be applied equally and consistently to all employees — and, again, must be seen to be done.

Let us accept that industrial relations, its procedures and processes, deals specifically with the relationship between employers and employees.

Different approaches to conflict have been tried in the past.

South Africa's traditional system of centralised bargaining through industrial councils and thus also of industrial relations, needs adaptations to remain a viable structure.

The industrial council structure remains advantageous where industry-wide standards are needed, to prevent unfair product competition, to eradicate wage and conditions of service "exploitation" of labour by "unscrupulous" employers, to accommodate multi-union bargaining by strengthening employment conditions and procedures.

Only if we build on the strengths of industrial councils — these could be different in different industries — and identify and remove the weaknesses of this system, will it remain viable to the existing participants (employers and employees and their associations) and will it become worthwhile to

prospective new parties

Establishing credibility through decentralised collective bargaining can lead and, as a matter of fact has already led to joint or more centralised bargaining, which in turn could eventually make a significant contribution to the establishment of new or the strengthening of existing industrial councils.

Let us all remember that the principle and the process involved is collective bargaining and not industrial councils. The industrial council is a structure and not the process itself.

The institutionalisation of conflict through collective bargaining is an objective which in the first instance needs the co-operation and participation of management and established trade unions as well as newly emerging unions.

Secondly the co-operation of the State is needed to guide, legitimise and support, by the timely establishment of the industrial relations systems, structures and processes which will facilitate that which is in the first instance a matter between unions and management.

To a large degree, the voluntary industrial relations system provided for in the Labour Relations Act (1956) gives a sound, supportive legislative structure.

Areas still requiring further attention are spelled out in the explanatory memorandum to the Labour Relations Amendment Bill (1981) namely, the pro-

cesses of registration the functions of works councils and the industrial court.

Company or plant level industrial relations have come to stay in South Africa, the interest in programmes such as the development programme in labour relations is clear evidence of this. The industrial relations specialist is in a very delicate position in any organisation as his judgement is not always fully accepted by management, and labour, on the other hand distrusts him.

This specialist can only function effectively if industrial relations are accepted as part of top management strategies and policies and the specialist is supported fully by top management. With this support, the role and function is difficult enough, without this support, life could become a nightmare.

The full implications of a free market economy, supported by autonomous trade unions must be accepted — not only by management, but even more so by established and newly emerging trade unions and their federations as well as the State.

The established trade unions with their pool of knowledge and experience can play a major role in stabilising industrial relations in South Africa.

By accepting this challenge, established unions and federations will contribute to the building of responsible trade unionism, while at the same time ensuring their own future.

Labour relations ⁽¹³²⁾ best investment ^{E. Post} for production ^{11/3/82}

CAPE TOWN — Knowledge and understanding of the daily problems of employees was the best investment employers could make in future production, the Minister of Manpower, Mr Fanie Botha, said yesterday

"Dissatisfaction and problems in the work situations are too often allowed to ferment and brew to a point where the employee sees the strike weapon as the only way to achieve a solution," he told a meeting of the executive committee of the Afrikaanse Handelsinstituut in Cape Town

Speaking on labour relations and methods and procedures for negotiation with trade union leaders, Mr Botha stressed the importance and necessity of effective and regular liaison between employers

and union representatives, saying attitudes, honesty, candour and fairness played big roles

All levels of management should be involved in the liaison. Labour relations experts claimed top management in South Africa spent far too little time building and maintaining healthy labour relations

Mr Botha said that in line with the principle of minimal interference by Government in labour relations, the State did not want to prescribe structures for negotiation

Referring to unions that did not want to register and registered unions that did not want to be included in the legal system, he said communication and liaison with them was not prohibited and asked whether, if such unions represented an

appreciable part of an employer's labour force, it would be wise to ignore their spokesmen

Every manager should gain the trust of his employees, identify dissatisfaction and grievances timeously and do something to solve the problems. Disturbed labour relations could have far-reaching socio-economic and even political implications and prevention was better than cure, Mr Botha said

Clearly defined procedures for rectifying employee grievances were necessary and employees should know the channels that existed for conciliation in disputes

Mr Botha said there should be no illusions education in labour relations was just as necessary for management as it was for unionists — Sapa

Towards labour evolution



Professor Roux van der Merwe holds the Volkswagen Chair of Industrial Relations at the University of Port Elizabeth.

Neil Aggett's death has brought into sharp and tragic focus the consequences for any society of departing from the fundamental principles of the law relating to detention without trial. It has also underlined a deep and growing concern shared by many employers about the continued interference of the State, through its security legislation, in the activities of trade unions.

It is anomalous and unfortunate that this should be occurring at a time when another arm of the State, through its new manpower legislation, is striving to draw all trade unions into a single, orderly labour relations system.

We should do well to consider our current situation in the light of some generalisations from trade union history in other countries. For example, it needs to be accepted, by both employers and the State, that conflict and confrontation are very likely to be inevitable during the formative stages of the management-trade union power challenge.

Yet this conflict stage can and must be worked through, and it is imperative that the two parties be allowed to measure up to each other without undue out-

side interference. The outcomes then have a fair chance of being positive and constructive for all parties, and the following scenario can be envisaged:

□ Employers could improve their in-plant industrial relations systems, and learn that patience, expertise and honesty can pay dividends in promoting more constructive and less conflict-ridden negotiation,

□ Trade union function and administration could likewise improve through the experience of working within a negotiating framework where tough but fair bargaining provides evidence to both sides that acceptable solutions can result. Trade union leaders could become less militant (in management's eyes) as they find that procedural solutions within an acceptable system can yield greater benefits than confrontation,

□ Workers may be encouraged to make a more rational choice among competing trade unions, and could recognise that a proliferation of small splinter organisations is less able to achieve significant and lasting benefits for their members. Good administrators schooled in sound trade union principles will have an opportunity to establish themselves, while the whole movement becomes stronger and more effective. Trade unions can move from an "outlaw" status to an accepted part of a free enterprise society, to the benefit of all levels of that society.

The above, rather optimistic, perspective is by no means inevitable. In Germany, the process has been successfully

handled to the benefit of all parties. In Britain, it has been less successful because of a complex interplay of class structure, management ineptitude and worker intransigence. In SA, despite some positive undertones, it is being bedevilled by political issues leading to State harassment on one hand, and worker militancy and radicalisation on the other.

Hopes for a constructive outcome at present seem to lie entirely with the private sector. It has the ability to promote confidence in an orderly system, via the examples it sets in relationships with employees, both individually and collectively.

In order to succeed in this daunting task, however, it is imperative that businessmen and industrialists again emphasise to government that it too is dependent on a stable industrial system which creates wealth by providing goods, services and jobs. Direct State intervention in this system, particularly through harassment of trade unions at a crucial time in their evolution, is in fact reducing one set of options which could in the longer term promote stability and order. In this way the possibilities of relatively peaceful solutions which the State itself presumably seeks to achieve, are diminished.

While the evolutionary road of procedure and negotiation does pose enormous problems and difficulties, it must be recognised that it is the only possibility open to SA if it is to retain a free society.

Three top - way air over SA's labour union policy

TWO Government departments are on a collision course over labour

The Department of Manpower Utilisation is reportedly concerned that harsh action by the Department of Police is negating their hands off stance on trade unionism

This week Professor Blackie Swart, chairman of the industrial relations committee of the Government's National Manpower Commission, said the death in detention of Dr Neil Aggett "need never have happened" and had cast a "further shadow over the credibility of Government labour reforms"

Employers and academics have said the department, under Minister Mr Fanie Botha, was slowly gaining international approval for South Africa and a more sympathetic approach from labour organisations, including the International Labour Organisation, for what were seen as genuine efforts on the part of South Africa to reform its labour policy

A prominent employer said recent action against trade unionists, culminating in the death in detention of Dr Aggett and the admission to hospital of two prominent trade unionists, Mr Thozamile Gqweta and Mr Sam Kikine of Saawu (who had

The death in detention of Dr Neil Aggett has provided what promises to be a serious confrontation between the State and independent unions and between two government departments. Employers say they are the target in an ideological hand-witch of which black nationalists and the Government are the bread. CHARLENE HILL FRANK reports and traces the history of independent unions and what they will mean to South African labour and the country's foreign trade.

both been in detention for some months) had brought years of hard work by the department "back to zero"

Prof Swart said that although action by other Government departments, such as police involvement in strikes and the detention without trial of trade unionists, "could be sound in principle", they complicated "the delicate balance that existed between labour and management"

Dr Jan van Zyl, executive director of the Federated Chamber of Industries, in common with a high proportion of the employers interviewed, criticised the "difficulties arising with the Department of Police, which is not concerned with labour, but which interferes in labour by detaining unionists and not bringing them to trial"

"The policy of the Department of Manpower Utilisation is very clearly non-intervention in the labour field, even keeping well clear of labour disputes

"We have called on the Government on a number of occasions to bring labour leaders to trial"

"The Government says these people are threatening the security of the state. The only way that can be resolved is in court. If they are not brought to court it creates the impression that they are being harassed for being unionists, while that may not be the case"

Trade unionists of the largely non-racial 'independent' unions are increasingly cynical of State labour reforms and the motives of the Department of Manpower Utilisation

Mr Jan Theron, general secretary of the African Food and Canning Workers' Union (of which Dr Neil Aggett was Transvaal regional secretary), has accused the department of actively assisting the police in repressive action against independent trade unions and their members

And a Natal organiser of the 100 000-member Feder-

ation of South African Trade Unions (Fosatu) said "While the State has attempted to convince the public and the International Labour Organisation that there are genuine reforms on the labour front, underneath there is a current of repression against trade unions by the State"

Last year the Government barred Fosatu from fundraising after the Natal Supreme Court had overruled an earlier ban. The Fund Raising Act was amended to take away the court's right to intervene and a new ban was then imposed

One of the most notorious interventions was the distribution among employers, particularly in the eastern Cape, of a document designed to weaken Saawu and the independent unions

Mr Louis le Grange, the Minister of Police, admitted in Parliament last year that the document had been compiled by a senior Security Police officer based in Port Elizabeth

Management at some of the few dozen 'progressive' businesses which have officially recognised independent trade unions have also complained that their mail has been tampered with, that their telephones have been tapped and that there have been requests for interviews from the Security Police and the National Intelligence Service

Mr Peter Wrighton, managing director of the giant Premier Group echoed the unease of many employers that trials had not followed actions by police against trade unionists

"The trade unions will be radicalised if their leaders are put away," he said, dismissing any claim that unions were presently radical

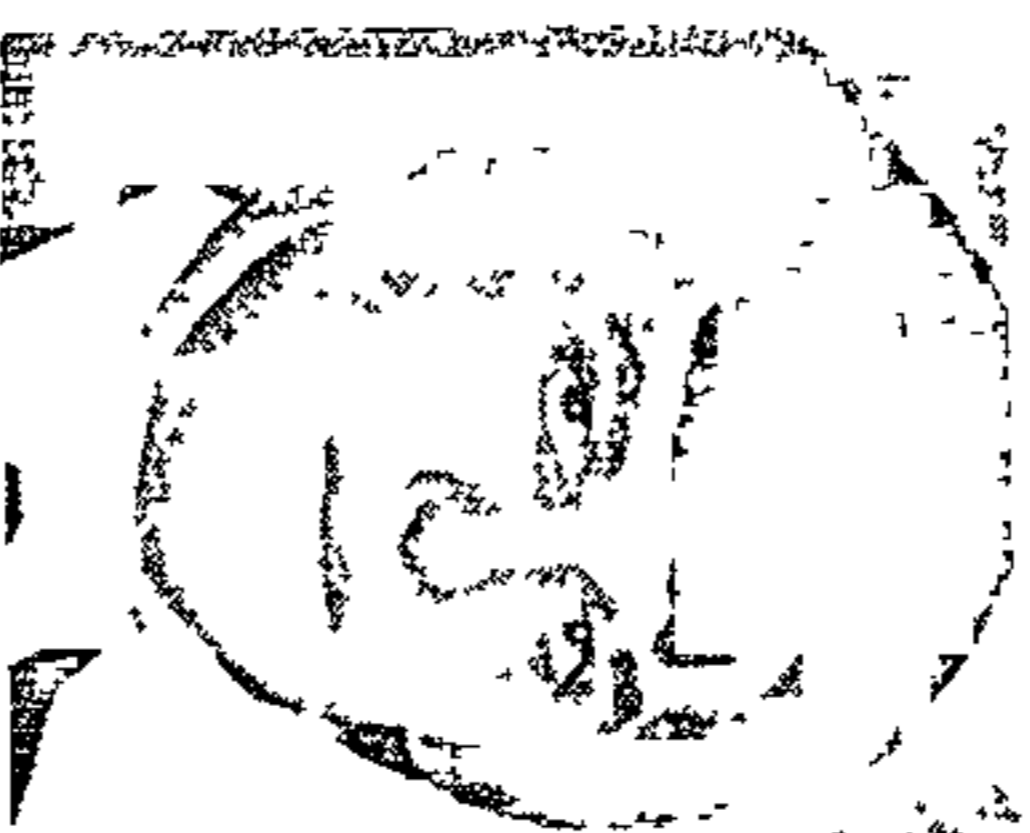
"Frustrations about lack of political representation will increasingly be taken out in the work place. Harsh government action will only radicalise the situation"

A leading labour lawyer said "Trade unions have been thrown out of town of-fices in terms of the Group Areas Act, Fosatu has had its

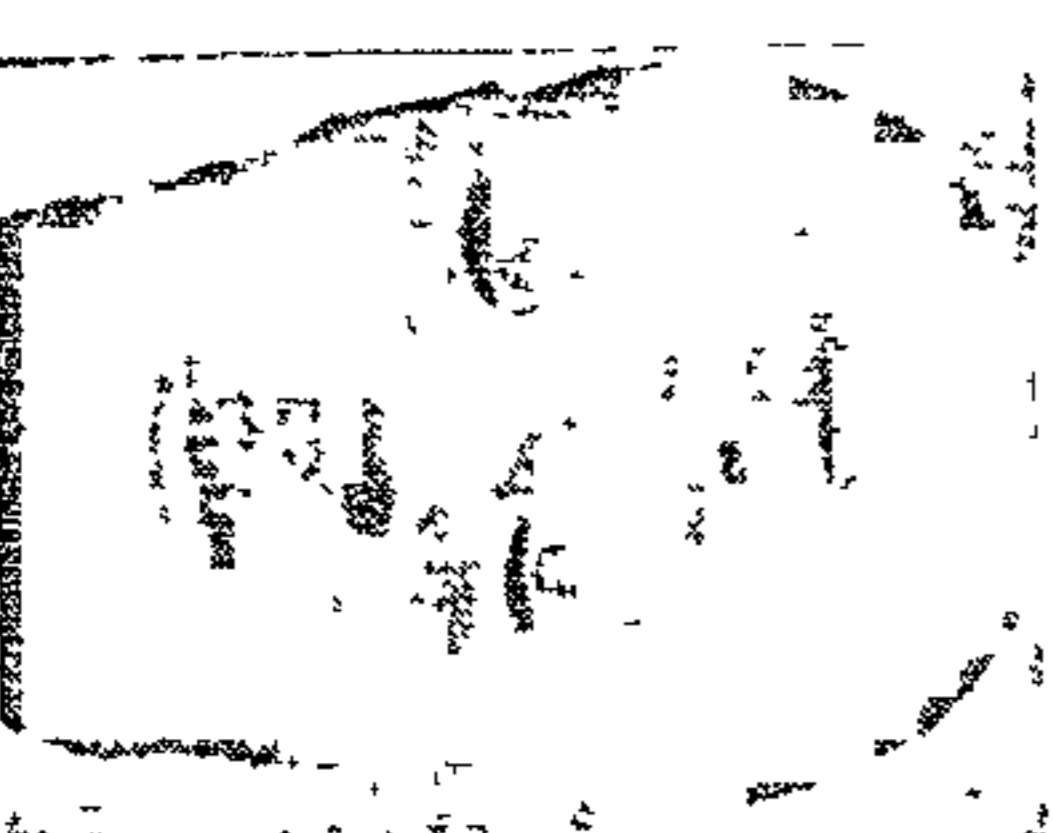
funds cut off, union leaders are being detained for lengthy periods and meetings are prohibited in homelands. In 'independent' Bophuthatswana a trade union meeting of more than 20 people cannot legally be held without a magistrate's permission

"There will be more use of the so-called security laws against trade unionists. But they will never succeed in checking this growth. The chances of the Government eradicating the labour movement again as they did with the South African Congress of Trade Unions (Sactu) in the early Sixties are less, as the unions have adapted to deal with that threat."

"This is an adaptation some employers have already praised. An employer group that recently reaffirmed its recognition agreement with Saawu, which has five of its six executive members in detention, praised the excellent negotiating skills of the unionists who have taken up the reins of the 80 000 member union while their leaders are locked up



Dr Eddle Webster of implications of detentions



Mr Jan Theron 'department assists police'

Mr Thozamile Gqweta released from detention

Contrary to their apparent aims, repressive Government action is serving only to unify and strengthen the previously fragmented trade union movement

One of the rallying cries of the burgeoning non-racial trade union movement was put to the test the week after Dr Aggett died

More than 85 000 workers in hundreds of factories throughout South Africa stood in silence next to idle machines or left the shop floor during a half-hour tribute to Dr Aggett

The stoppage, which industrial sociologists have termed a 'political strike' was the first incident in which workers took industrial action of a political nature on the shop floor and not in the form of a 'stay-away'

It was also the first political strike called by trade unions in more than two decades

Dr Eddie Webster, an industrial sociologist at the University of the Witwatersrand, said the stoppage was significant because unions had previously been reluctant to become directly involved in political action,

"but had been provoked into action against repression"

"They are now likely to widen their involvement in those issues

"Managements and the State should seriously consider the implications of detentions," he said

The independent trade union movement began emerging as a strong force after the 1973 strikes

Their presence was bolstered by the Wiehahn reports, which paved the way for legitimate black trade unions, although some did not register and most adopted a non-racial stance

Mr Phiroshaw Camay, general secretary of one of the more important trade union movements to emerge, the Council of Unions of SA (Cusa), said the Wiehahn reports and changes in legislation had lent legitimacy to black trade unions in the eyes of employers

Employer-approved liaison committees were increasingly rejected by workers and employers began to deal with and sign recognition agreements with trade unions at company level

Some are 'forced to talk to unions'

Labour Reporter

It is said to be as a result of confrontation that some managements have agreed to deal with and recognise trade unions.

This view was offered by a trade unionist at a seminar on "Communication and confrontation in the workplace," organised by the Union of Jewish Women in Johannesburg this week.

An organiser for the Fosatu-affiliated Paper, Wood and Allied Workers Union Ms Aninka Claasens told the seminar that union-management relations were a power relationship and that companies sometimes only were willing to deal with unions as a result of confrontation.

The group personnel manager for Cloude SA Mr Theo Heffer, said confrontation implied a win-lose situation and in industry the negotiating process collective bargaining was the best way to solve disputes.

"The essence of communication lies in listening and not in talking," Mr Heffer said.

"The time has come for us to stop knowing what the black man thinks. We need to hear what he has to say."

The president of the Union and Tucsas, Mrs Anna Scheepers, told the seminar the first place for communication was the factory floor.

She said she had experience with foreign supervisors treating workers as inferiors, and this created problems in the workplace.

Confrontation should be the very last resort in the event of a dispute and negotiations should continue as long as possible, Mrs Scheepers said.

"The trade union movement is the most important link between employers and workers and employers have to accept that trade unions are very much a part of the economic future of the country," she added.

Benefits: 'workers should have say'

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KOM 17/3/87
Mail Reporter

THERE were no winners in the recent strikes over the proposed pension legislation, but black employees had shown clearly that they wanted to have a say over the benefits to which they contributed, Mr W L Vos of Firestone told a Manpower and Management Foundation conference in Johannesburg yesterday

And forward thinking employers should involve workers in planning benefits and other issues which materially affected them, he said

"The advent of black unions and the muscle which they can wield means that wage and benefit packages made up by personnel managers unilaterally may have to go through new, bilateral channels in the future," Mr Vos said

He recommended that companies should consult their employees about benefit provisions

He said the struggle over pension payouts was a "pyrrhic victory" for both sides

Mr Vos suggested that companies reinstating pension schemes should consult employee representatives constantly when sketching out a new scheme and ensure that the rest of the workforce was fully informed at each stage of the negotiations

Conditions should be fully understood by everyone before they participated

'Commerce has duty to black communities'

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E. Post
19/3/82

By SANDRA SMITH
A COMPANY which signalled its indifference to its workers' living conditions by ignoring the needs of the community, did so at its peril, the director of public affairs at Goodyear, Mr M R Sellev, said at a symposium on labour relations last night.

The symposium, organised by the Public Relations Institute of South Africa and held at the University of Port Elizabeth was addressed by a panel made up of Professor Roux van der Merwe, head of the Department of Industrial Relations at UPE, Mr Fred Ferreira, director of industrial relations at Ford, Mr J C Viviers, editor of the Eastern Province Herald and Mr Sellev.

"It is a fact of life that the relationship between management and workers is potentially explosive at any time," Mr Sellev said.

This was true for almost any industrial environment anywhere in the world, but the situation in South Africa was bedevilled by political factors unique to this region.

Most of the work force were voteless, lived in rented homes of poor quality in segregated areas, received an inferior education and were restricted in their mobility — social or economic.

If countries in South Africa are sincere in their desire to retain the goodwill

of their black employees, they would be well advised to invest substantial funds into the communities in which they live," Mr Sellev said.

On the same theme, Prof Van der Merwe said industrial relations was a political matter and that it could be expected that what happened at work would largely reflect the tensions of the whole community.

He said the 'enlightened initiatives' of the Department of Manpower had no doubt contributed to tensions within the National Party.

"At factory floor level, blacks have responded by using their new-found rights to pressurise employers at every opportunity.

"Although a new era in labour relations may have dawned there is little doubt that many employers wish it hadn't," Prof Van der Merwe said.

Labour relations never had been and never would be about peace and consensus. Trade unions and collective bargaining were there specifically to articulate and deal with those basic conflicts which characterised a capitalist free enterprise society, he said.

Mr Ferreira said unions had an important contribution to make towards maintaining an acceptable level of productivity and maintaining industrial peace.

In the South African situation it was practically impossible totally to isolate the labour field from the socio-economic-political field.

The employer should recognise some basic premises.

There could be no question about the employer not having a social responsibility in areas such as recreation, health, education and housing.

There was no justification for any forms of discrimination in the workplace.

The employer was regarded and had to accept the role of a change agent.

Worker participation in the decision-making process was essential.

The last member of the panel to speak Mr J C Viviers said in industrial relations, as in many other fields, newspapers found themselves between two opposing forces intent on crushing one another.

In such a position it was inevitable that they would draw fire from both sides.

It was the duty of newspapers to inform its readers as widely as fairly and as fully as possible.

Industry should stop seeing the Press as being on the other side. It should play open cards with the newspapers as far as possible, even when the labour pot is boiling over, Mr Viviers said.

Porn films: man found guilty

Post Reporter

A PORT ELIZABETH man was today found guilty in the Port Elizabeth Regional Magistrate's Court of possessing pornographic material and distributing a video film without removing certain scenes as laid down by the Censorship Board.

Augusto Manno, 38, of Video Place, Parliament Street, who pleaded guilty to both charges, said he had received a copy of the film, 10, at the end of November.

He was fined R300 (or 30 days) on the first count and R500 (or 50 days), conditionally suspended for three years, on the second count.

The film arrived from the distributors, Warner Bros, with a certificate of approval, he said.

After he had hired out the film, a letter arrived from the distributors saying that uncensored copies of the film had been sent out with clearance certificates.

On the charge of possessing pornographic material, Manno said he had never shown the films in question to anyone. He agreed they were 'obscene' but said an Italian friend had left them there.

The magistrate, Mr J S Knoesen, said the scenes from the uncensored movie were obviously not meant to be erotic or crude but they should have been submitted for censorship.

The two pornographic movies, however, were "filthy and crude" and Manno knew the risk involved in keeping them.

Mr J S Knoesen was on the Bench and Mr W W Pretorius appeared for the State. Mr M H Claassens, instructed by Kaplan Lion Solomons and Blumberg appeared for Mr Manno.

SA asked to pull out of bridge

LONDON — The South African Bridge Federation will decide next week whether to agree to a request that it withdraw voluntarily from the World Pairs Olympiad at Biarritz in October to avoid "embarrassment".

The appeal to the federation to stay away was made in London yesterday when the president of the SABF, Mr Julius Butkow, met executives of the World Bridge Federation.

"They want us to be the good guys and

keep away from the tournament so as not to cause any upset or embarrassment," he said before flying back to Johannesburg.

He described the request as "pure politics" and said he believed Communist countries and India and Pakistan were behind it.

"We are being made a political scapegoat once again," he remarked.

There were demonstrations against South African bridge players at a tournament in Falkenburg, Holland, last year

LONDON — Former American Wimbledon champion Arthur Ashe has declared his opposition to snorting links with South

Ashe makes condition

DST, MONDAY, MARCH 22, 1982

'Training needed in industrial relations'

132
Post
22/3/82

By FRED ROFFEY
Business Editor

THE vulnerable area of industrial relations was that of management and supervisors who had not been trained to handle workplace situations in any other than the traditional way, at a time when trade unions had widened their interests beyond wages and basic conditions of employment

This was said in Port Elizabeth today by Mr Rod Ironside, assistant managing director of General Motors South African, who was guest speaker at a luncheon meeting arranged by the East Cape branch of the Institute of Personnel Management (IPM)

He said South African industrial relations were in a transition stage in which the perceptions of both management and workers was clouded to some extent by the pace of events and unfamiliarity with the nature and extent of the demands made

"Probably the most vulnerable area is that of middle management and supervision who, through no fault of their own, have not been exposed to this type of reaction and who certainly have not been trained to handle workplace situations in any other than the traditional fashion," said Mr Ironside

He said this highlighted the strong need for two approaches

- Bringing the realities of effective communication to those who were responsible for the control of numbers of people
- The use of more appro-

priately-trained people in the administration of industrial relations

"However, too often the response is reactive

"Situations are allowed to develop and ad hoc actions taken to deal with them

"Open communication channels between management and workers at all times — and not only when disputes or negotiations are in progress — offer unparalleled opportunities to eliminate mistrust and suspicion and to generate goodwill'

Mr Ironside said a major requirement was the restructuring of the South African industrial relations framework, and the question of registration of unions had to be simplified

"If the move inherent in the new Labour Relations Act towards self-regulation between employer and employee is to be able to work, the question of recognition should be clarified for all concerned

"Trade unions have widened their interests beyond wages and basic conditions of employment

"Heightened aspirations as well as social and economic considerations all play a part in worker reaction, which generates conflict in the workplace

"The inability of the overall industrial relations system to work properly within the political constraints affecting a large proportion of the workforce, only makes the situation worse because much frustration and dissatisfaction is expressed in the workplace"

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too," he said

Mr Zini said similar pamphlets had appeared before, but nobody ever heard of those responsible being detained by the Security Police

Bishop Desmond Tutu, secretary-general of the South African Council of Churches, who was guest speaker, likened the takeover of Africa by whites who were "passing

through to the East story of the camel rider

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"The Whites are tion, according to they divide us groups Worse still, do not form one

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oint first black archdeacon

Experts say Manpower and Police on collision course

(32) E. Post 23/3/82

TWO Government departments are on a collision course over labour

The Department of Manpower Utilisation is reportedly concerned that harsh action by the Department of Law and Order is negating their 'hands off' stance on trade unionism

And two weeks ago, Professor Blackie Swart, chairman of the industrial relations committee of the Government's National Manpower Commission, said the death in detention of Dr Neil Aggett "need never have happened" and had cast a "further shadow over the credibility of Government labour reforms"

Employers and academics have said the Department of Manpower, under Minister Mr Fanie Botha, was slowly gaining international approval for South Africa and a more sympathetic approach from labour organisations, including the International Labour Organisation, for what were seen as genuine efforts on the part of South Africa to reform its labour policy

A prominent employer said recent action against trade unionists, culminating in the death in detention of Dr Aggett and the admission to hospital of two prominent trade unionists, Mr Thozamile Gqweta (who was subsequently released) and Mr Sam Kikine of Saawu, had brought years of hard work by the department "back to zero"

Prof Swart said that although action by other Government departments, such as police involvement in strikes and the detention without trial of trade unionists, "could be sound in principle," they complicated "the delicate balance that existed between labour and management"

Dr Jan van Zyl, executive director of the Federated Chamber of Industries, in common with a high proportion of the employers interviewed, criticised the "difficulties arising with the Department of Law and Order, which is not concerned with

THE death in detention of Dr Neil Aggett has provoked what promises to be serious confrontations between the State and independent unions and between two Government departments. Employers say they are the ham in an ideological sandwich of which black nationalists and the Government are the bread. CHARLENE BELTRAMO reports and traces the history of independent unions and what they will mean to South African labour and the country's foreign image

labour, but which interferes in labour by detaining unionists and not bringing them to trial

"The policy of the Department of Manpower is very clearly non-intervention in the labour field, even keeping well clear of labour disputes

"We have called on the Government on a number of occasions to bring labour leaders to trial

"The Government says these people are threatening the security of the State. The only way that can be resolved is in court. If they are not brought to court it creates the impression that they are being harassed for being unionists, while that may not be the case"

Trade unionists of the largely non-racial 'independent' unions are increasingly cynical of State labour reforms and the motives of the Department of Manpower

Mr Jan Theron, general secretary of the African Food and Canning Workers' Union (of which Dr Neil Aggett was Transvaal regional secretary), has accused the department of actively assisting the police in repressive action against independent trade unions and their members

And a Natal organiser of the 100 000-member Federation of South African Trade Unions (Fosatu) said "While the State has attempted to convince the public and the International Labour Organisation that there are genuine reforms on the labour front, underneath there is a current of repression against trade unions by the State"

Last year the Government barred Fosatu from

fund-raising after the Natal Supreme Court had overruled an earlier ban. The Fund Raising Act was amended to take away the court's right to intervene and a new ban was then imposed

One of the most notorious interventions was the distribution among employers particularly in the Eastern Cape, of a document designed to weaken Saawu and the independent unions

Mr Louis le Grange, the Minister of Police, admitted in Parliament last year that the document had been compiled by a senior Security Police officer based in Port Elizabeth

Management at some of the few dozen "progressive" businesses which have officially recognised independent trade unions have also complained that their mail has been tampered with, that their telephones have been tapped and that there have been requests for interviews from the Security Police and the National Intelligence Service

Mr Peter Wrighton, managing director of the giant Premier Group, echoed the unease of many employers that trials had not followed actions by police against trade unionists

"The trade unions will be radicalised if their leaders are put away," he said, dismissing any claim that unions were presently radical

"Frustrations about lack of political representation will increasingly be taken out in the work place. Harsh Government action will only radicalise the situation"

A leading labour lawyer said "Trade unions have been thrown out of town offices in terms of the Group Areas Act, Fosatu has had its funds cut off, union leaders are being detained for lengthy periods and meetings are prohibited in homelands. In 'independent' Bophuthatswana a trade union meeting of more than 20 people cannot legally be held without a magistrate's permission

"There will be more use of the so-called security laws against trade unionists

"But they will never succeed in checking this growth

"The chances of the Government eradicating the labour movement again as they did with the South African Congress of Trade Unions (Sactu) in the early sixties are less, as the unions have adapted to deal with that threat"

This is an adaptation some employers have already praised

An employer group that recently reaffirmed its recognition agreement with Saawu, which has five of its six executive members in detention, praised the excellent negotiating skills of the unionists who have taken up the reins of the 80 000 member union while their leaders are locked up

Contrary to their apparent aims, repressive Government action is serving only to unify and strengthen the previously fragmented trade union movement

One of the rallying cries of the burgeoning non-racial trade union movement was put to the test recently after Dr Aggett died

More than 85 000 workers in hundreds of factories throughout South Africa stood in silence next to idle machines or left the shop floor during a half-hour tribute to Dr Aggett

The stoppage, which industrial sociologists have termed a "political strike" was the first incident in which workers took industrial action of a political nature on the shop floor and not in the form of a "stay-away"

It was also the first political strike called by trade unions in more than two decades

Dr Eddie Webster, an industrial sociologist at the University of the Witwatersrand, said the stoppage was significant because unions had previously been reluctant to become directly involved in political action, "but had been provoked into action against repression"

"They are now likely to widen their involvement in those issues

"Managements and the State should seriously consider the implications of detentions," he said

The independent trade union movement began emerging as a strong force after the 1973 strikes

Their presence was bolstered by the Wiehahn reports, which paved the way for legitimate black trade unions, although some did not register and most adopted a non-racial stance

Mr Phiroshaw Camay, general secretary of one of the more important trade union movements to emerge, the Council of Unions of SA (Cusa), said the Wiehahn reports and changes in legislation had lent legitimacy to black trade unions in the eyes of employers

Employer-approved liaison committees were increasingly rejected by workers and employers began to deal with and sign recognition agreements with trade unions at company level, he said

Seminar looks at the black worker

Mercury Reporter

WORKERS had to learn to differentiate between economic and political oppression, and the strength and organisation of labour should start with basic 'bread and butter' issues.

This is what Mr Tom Mantatha of the South African Council of Churches and a member of the Soweto Committee of 10 told a seminar organised by the African World Foundation, a civil rights movement, and the Black Allied Workers' Union, in the YMCA Hall in Beatrice Street, Durban, at the weekend

The respective roles of the black personnel officer and trade unions was discussed by Mr J B Magwasa, Hulett's industrial relations and development officer.

Mr Magwasa said that while the two roles were often in conflict with each other, differences should not be allowed to stand in the way because the main point of interest for personnel officers and trade unions was the worker.

'And the people who will liberate South Africa's

blacks will be the workers,' he said.

Mr M Rajah from Unisa's Institute of Labour Relations discussed industrial relations requirements in South Africa, concluding that 'successful industrial relations are not based only on optimism and good intentions, but technical skills as well'.

The inclusion of blacks in the Industrial Conciliation Act and labour reforms made since 1979 were 'meaningless, while workers still did not have the right to work, said Mr Nazeer Cassim, senior lecturer in Law at the University of Natal, Durban.

'The starting point for any effective change in the country should be the abolition of all laws that restrain a black's right to work,' he told the seminar.

The Black Allied Workers' Union's president, Mr Makhosini Khumalo, said he was not in the black trade union movement because he believed in socialism but was motivated by being black and being able to fight for the black man's cause.

23/3/82

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KENNISGEWING 202 VAN 1982
DEPARTEMENT VAN MANNEKRAG
WET OP ARBEIDSVERHOUDINGE, 1956

AANSOEK OM VERANDERING VAN DIE REGISTRASIEBESTEK VAN 'N WERKGEWERSORGANISASIE

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrateur, maak ingevolge artikel 4 (2), soos toegepas by artikel 7 (5), van bogenoemde Wet, hierby bekend dat 'n aansoek om die verandering van sy registrasiebestek ontvang is van die South African Agricultural and Irrigation Machinery Manufacturers Association. Besonderhede van die aansoek word in onderstaande tabel verstrek

8/8125

26/3/82
NOTICE 202 OF 1982
DEPARTMENT OF MANPOWER
LABOUR RELATIONS ACT, 1956

APPLICATION FOR VARIATION OF SCOPE OF REGISTRATION OF AN EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, do hereby, in terms of section 4 (2) as applied by section 7 (5) of the above-mentioned Act, give notice that an application for the variation of its scope of registration has been received from the South African Agricultural and Irrigation Machinery Manufacturers Association. Particulars of the application are reflected in the subjoined table

44 No 8125

STAATSKOERANT, 26 MAART 1982

Enige geregistreerde werkgewersorganisasie wat teen die aansoek beswaar maak, word versoek om binne een maand na die datum van publikasie van hierdie kennisgewing sy beswaar skriftelik by my in te dien, p/a die Departement van Mannekrag, Mannekraggebou 449, Schoemanstraat 215, Pretoria (posadres Privaatsak X117, Pretoria, 0001)

TABEL

Naam van werkgewersorganisasie — South African Agricultural and Irrigation Machinery Manufacturers Association

Datum waarop aansoek ingedien is — 29 Oktober 1981

Belange en gebied ten opsigte waarvan aansoek gedoen word — Werkgewers betrokke by die nywerheid gemoed met die vervaardiging en/of montering en/of oprigting van landbou- en/of besproeiingsmasjinerie en/of windpompe en/of enjins en/of landbautrekkers en hul onderdele, in die landdrostdistrikte Nigel en Vereeniging

Posadres van applikant — Posbus 1338, Johannesburg, 2000

Kantooradres van applikant — Eerste Verdieping, Metal Industries House, hoek van Marshall- en Simondsstraat, Johannesburg

Die aandag word gevestig op onderstaande vereistes van artikels 4 en 7 van die Wet

(a) Die mate waarin 'n beswaarmakende werkgewersorganisasie verteenwoordigend is, word ingevolge artikel 4 (4), soos toegepas by artikel 7 (5), bepaal volgens die feite soos hulle bestaan het op die datum waarop die aansoek ingedien is, en wat die lidmaatskap betref, word alleen lede wat ingevolge artikel 1 (2) van die Wet op voormelde datum volwaardige lede was, in aanmerking geneem

(b) Die prosedure voorgeskryf by artikel 4 (2) moet gevolg word in verband met 'n beswaar wat ingedien word

M W J LE ROUX, Nywerheidsregistrateur
(26 Maart 1982)

Any registered employers' organisation which objects to the application is invited to lodge its objection in writing with me, c/o the Department of Manpower, 449 Manpower Buildings, 215 Schoeman Street, Pretoria (postal address Private Bag X117, Pretoria, 0001), within one month of the date of publication of this notice

TABLE

Name of employers' organisation — South African Agricultural and Irrigation Machinery Manufacturers Association

Date on which application was lodged — 29 October 1981

Interests and area in respect of which application is made — Employers engaged in the industry concerned with the manufacture and/or assembly and/or erection of agricultural and/or irrigation machinery and/or windmills and/or engines and/or agricultural tractors and their component parts, in the Magisterial Districts of Nigel and Vereeniging

Postal address of applicant — P O Box 1338, Johannesburg, 2000

Office address of applicant — First Floor, Metal Industries House, corner of Marshall and Simmonds Streets, Johannesburg

Attention is drawn to the following requirements of sections 4 and 7 of the Act

(a) The representativeness of any employers' organisation which objects to the application shall in terms of section 4 (4) as applied by section 7 (5) be determined on the facts as they existed at the date on which the application was lodged and, as far as membership is concerned, only members who were in good standing in terms of section 1 (2) of the Act as at the aforesaid date shall be taken into consideration

(b) The procedure laid down in section 4 (2) must be followed in connection with any objection lodged

M W J LE ROUX, Industrial Registrar
(26 March 1982)

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PRETORIA — Effective measures must be found to curb conflict in the South African labour situation, the head of the University of Port Elizabeth's department of occupational psychology, said here yesterday

Opening the biennial congress of the South African Confederation of Labour, Professor L Kamfer said intergroup relations in the labour situation were naturally ones of conflict

Co-operation was not normal and would not occur by itself, he said It was a goal that had to be worked hard for

Prof Kamfer said collective bargaining had to be maintained, and it was essential that

Call to reduce conflict in labour field

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C. P. P. of
3/3/82

where this broke down there were sufficient further mechanisms in the labour field to prevent deadlock

He said there were already two such mechanisms — mediation and arbitration — but they had certain defects

One of the major problems was that there were no official panels of mediators or arbitrators, and

managements and trade unions could often not agree on the choice of judges of their disputes

Prof Kamfer said the tempo of change in the labour field would increase

Two changes that intimately affected the labour situation were the shortage of trained manpower and the changing position of black work-

ers, who were increasingly being seen as a solution to the manpower shortage

He said the emergence of black trade unions posed certain problems to collective bargaining

However, he was confident that collective bargaining would continue as the basic process for settling labour disputes — Sapa

Curb police action on unions — Suzman

Political Staff

HOUSE OF ASSEMBLY — Mrs Helen Suzman (PFP Houghton) warned in Parliament yesterday that unless the Department of Manpower could curb security police interference in trade union activities there could be no question of industrial peace in South Africa.

Speaking during the Budget debate Mrs Suzman dismissed assurances by the ministers of justice and law and order that the detention of trade unionists was not connected to their trade union activities.

"They can deny this till the cows come home but nobody believes them and nor do I," Mrs Suzman said.

She warned that the "apparently apathetic" attitude of the Minister of Manpower and his department towards security police interference was extremely dangerous.

Co-operation between workers and employers inside the factory, and confrontation between the government and trade union leaders outside the factory cannot co-exist and is an invitation to anarchy in the work place," Mrs Suzman said.

Employers

Orderly bargaining structures could only be established if employers were able to deal with leaders chosen by the workers themselves, whether or not these leaders met with the approval of the security police.

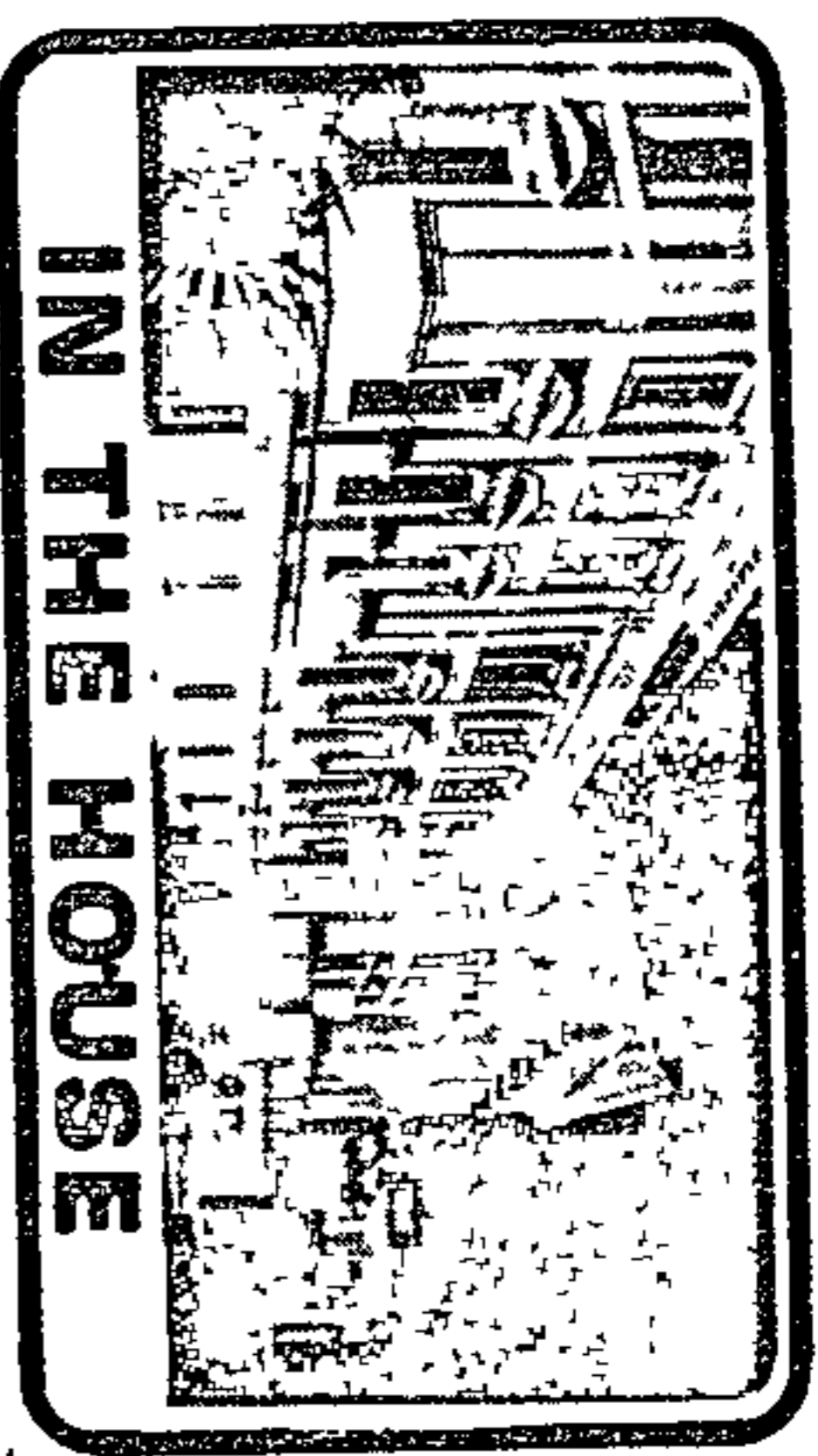
Mrs Suzman said that the ever increasing activities of the security police against black trade unions and trade unionists had led to a growing suspicion of collusion between the Department of Manpower and the security police.

Raids, banning of meetings, harassment of trade unionists and banning of individuals had led to this suspicion.

Over the past year about 30 people who fell within the category of trade union worker or leader had been detained under the security laws.

Mrs Suzman said that the Director-general of the Department of Manpower had admitted in the annual report of the department that the detentions did cause tensions with the unions concerned and affected relations between employers and employees.

"It therefore seems a great pity that the department is unable to curb police activities among trade union leaders," she said.



Verwoerd would back PM's policies

HOUSE OF ASSEMBLY — The small group of former Nationalists who had been underhanded in their secret plotting to subvert the Transvaal National Party.

These men had plotted in the dark and started a party in secret. They had called a head committee meeting in the Transvaal to try to 'catch us with our pants down' while keeping a false and friendly front with colleagues in the cabinet.

"These are people who stabbed me in the back and if there is growth in that party then I believe there is something wrong with our people," he said.

"They left the National Party for two reasons. Their immense fear of the HNP and deep inner frustration."

'Back to Verwoerd' They would no doubt soon raise the call "Back to Verwoerd".

Lower power tariffs

Political Correspondent

HOUSE OF ASSEMBLY — While areas such as East London, Port Elizabeth and Atlantis will have lower electricity tariffs from today, Cape Town's consumers are to be denied this benefit.

This is because electricity subsidies are part of new incentives to encourage economic decentralization and Cape Town is regarded as an area where conditions are already favourable for establishing industries.

The incentives, published in a government policy white paper yesterday, follow discussions between the government and private enterprise at the Carlton and Good Hope conferences.

Cape Town is one of four metropolitan areas in which economic development has become concentrated. The other three are the Pretoria-Witwatersrand-Vaal Triangle (PWW) area, Durban-Pinetown and Port Elizabeth.

Elizabeth

Port Elizabeth which is the only deconcentrated electricity consumer in the

The situation will meet being a higher-up in the

sumers. The board for the Transvaal consumer

The industrial factory

New bill bans intimidation

Political Correspondent

HOUSE OF ASSEMBLY — The Minister of Law and Order, Mr Louis le Grange, gave notice yesterday of legislative combat intimidation and to ban demonstrations in or near court buildings.

Both measures flow from the recommendations of the Rabie commission report on security legislation, accepted in principle by the government. Details of the bills will not be known until the published but, if they follow the recommendations, both will be shown.

The Rabie commission proposed a intimidation bill with maximum penalty of a R20 000 fine, or ten years' imprisonment.



Mr Louis le Grange

Buthelezi report: Nat view

Political Staff

HOUSE OF ASSEMBLY — The chairman of the consolidation commission, Mr Henne van der Walt, yesterday denied

Members' Questions

521 in Crossroads have permits

TEMPORARY residence permits in Crossroads have been cancelled found not to be bona fide residents.

The figure was given to Parliament by Dr George Morrison, Deputy Minister in reply to a question from Mr Ken de Vries. He said the permits had been issued by the local official of the instruction and Development at screened by an administrative commission.

WORKMANS' STRIKE

Employers asked to keep pace with sophisticated workforce

Business Editor

AS the pace of industrial change in South Africa increases, the time span in which to adapt decreases, General Motors South African's assistant managing director, Mr Rod Ironside, said in Durban last night

Speaking at a symposium organised by the Natal Chamber of Industries, he said admirable progress had been made in industrial relations, but it was still short of the action needed to keep pace with an increasingly sophisticated workforce.

"Employers have an obligation to themselves and their workers to move with the times and to continue to

petition Government for changes in legislation more favourable to the national economic system that is claimed to be the correct one for South Africa and its peoples," said Mr Ironside, who is also vice-president of the Federated Chamber of Industries.

He emphasised it was vital to recognise and accept the need for adaptation to changing conditions

"There is not, nor can there be, a single uncomplicated approach to the management of human resources in South Africa.

"While the new Labour Relations Act emphasises self-regulation between employer and employee,

the realities of the situation require employers to play a strong pro-active role in seeking what may well be unique solutions to resolve unique situations

"Over the past few years a clear message has emerged

"Trade unions are concerning themselves more and more with wider issues than wages and conditions of employment.

"An employer's prerogative of control over his own business is being challenged, and management's right to make decisions which inter alia affect employees is being questioned

"Further demands in these areas can be anticipated

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LABOUR FM 2/4/82 (132)
Wanted: mediators

If you want to defuse labour conflicts — mediate. The trouble is, SA lacks experienced mediators. Professor Louis Kamfer, head of the University of Port Elizabeth's Department of Industrial and Organisational Psychology, drew attention to this issue when he addressed the SA Confederation of Labour congress this week.

In mediation, a mutually acceptable neutral third party tries to help unions and management resolve a dispute, the mediator, unlike an arbitrator, does not have the

power to enforce his proposals.

Kamfer pointed out that while SA's labour laws make provision for mediation, the official procedure for the appointment of a mediator is complicated and time-consuming. No matter at what level the dispute occurs, the Minister of Manpower and an entire industrial council can be drawn into the process.

According to Kamfer, in the US, as in SA, most labour negotiations are completed without mediation. But in nine out of every 10 disputes in the US where mediation does take place, a solution is reached without any strike action.

The parties involved in a dispute do not have to wait until deadlock is reached before resorting to mediation, said Kamfer. "It might sometimes be beneficial to involve a mediator when the first indications appear that problems lie ahead."

He said the lack of an official panel of mediators in SA is a serious shortcoming. However, he underlined the difficulties involved in finding suitably qualified people in the labour arena. Those who know the problems involved, do not necessarily have the appropriate behavioural science skills. But people who do have these skills — eg academics — do not know enough about labour relations. It is vital, he stressed, that potential mediators should be found and trained.

Another problem is the frequent lack of trust between management and employees — meaning that they cannot find a mutually acceptable third party to help them resolve differences. Kamfer said it might be prudent to use two mediators in such cases — one appointed by the union, and the other by management.

Kamfer said mediation should always be regarded as complimentary to the process of negotiation, and not a substitute for it.

Botaniese en populêre naam Botanical and popular name	Byvoegings Additions	Wysigings Amendments	Skrappings Deletions
<i>Pisum sativum</i> L. sensu lato (Droë ert/Dry pea)	—	—	Basuto, Canners 106, Caractacus, Groen Landert (Greenfield), Tringa
<i>Pisum sativum</i> L. sensu lato (Tuinert/Garden pea)	—	—	Juwel, Kelvedon, Monarch, Mingo-mark, Onward Early, Perfecte Freezer, Scout, Senator, Stratagem

* Planttelersregte toegeken
Plant breeders' rights granted
(8 April 1982)

P/C

KENNISGEWING 226 VAN 1982
DEPARTEMENT VAN MANNEKRAG
WET OP ARBEIDSVERHOUDINGE, 1956
AANSOEK OM REGISTRASIE VAN 'N
WERKGEWERSORGANISASIE

Ek, Mattheus Willem Johannes le Roux, Nywerheids-registrateur, maak ingevolge artikel 4 (2) van bogenoemde Wet hierby bekend dat 'n aansoek om registrasie as 'n werkgewersorganisasie ontvang is van die South African Motor Ferry Association. Besonderhede van die aansoek word in die onderstaande tabel verstrek.

Enige geregistreerde werkgewersorganisasie wat teen die aansoek beswaar maak, word versoek om binne een maand na die datum van publikasie van hierdie kennisgewing sy beswaar skriftelik by my in te dien, p/a die Departement van Mannekrag, Mannekraggebou 449, Schoemanstraat 215, Pretoria (posadres. Privaatsak X117, Pretoria, 0001)

TABEL

Naam van werkgewersorganisasie —South African Motor Ferry Association

Datum waarop aansoek ingedien is —17 Desember 1981.

Belange en gebied ten opsigte waarvan aansoek gedoen word.—Werkgewers betrokke by die onderneming gemoed met die vervoer van motorvoertuie per pad en/of see en/of spoor tussen motorvervaardigers en motorhandelaars in die Republiek van Suid-Afrika

Posadres van applikant —Posbus 3478, Johannesburg, 2000.

Kantooradres van applikant.—M.I.F.-gebou, Village-weg 33, Selby, Johannesburg

Die aandag word gevestig op onderstaande vereistes van artikel 4 van die Wet.

(a) Die mate waarin 'n beswaarmakende werkgewersorganisasie verteenwoordigend is, word ingevolge subartikel (4) bepaal volgens die feite soos hulle bestaan het op die datum waarop die aansoek ingedien is, en wat die lidmaatskap betref, word alleen lede wat ingevolge artikel 1 (2) van die Wet op voormelde datum volwaardige lede was, in aanmerking geneem

(b) Die prosedure voorgeskryf by subartikel (2) moet gevolg word in verband met 'n beswaar wat ingedien word

M. W. J. LE ROUX, Nywerheidsregistrateur.

(8 April 1982)

132 NOTICE 226 OF 1982

DEPARTMENT OF MANPOWER
LABOUR RELATIONS ACT, 1956

APPLICATIONS FOR REGISTRATION OF AN
EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, do hereby, in terms of section 4 (2) of the above-mentioned Act, give notice that an application for registration as an employers' organisation has been received from the South African Motor Ferry Association. Particulars of the application are reflected in the subjoined table.

Any registered employers' organisation which objects to the application is invited to lodge its objection in writing with me, c/o the Department of Manpower, 449 Manpower Buildings, 215 Schoeman Street, Pretoria (postal address Private Bag X117, Pretoria, 0001), within one month of the date of publication of this notice.

TABEL

Name of employers' organisation —South African Motor Ferry Association

Date on which application was lodged —17 December 1981.

Interests and area in respect of which application is made —Employers engaged in the undertaking concerned with the transportation of motor vehicles by road and/or sea and/or rail between vehicle manufacturers and motor dealerships, in the Republic of South Africa

Postal address of applicant.—P.O. Box 3478, Johannesburg, 2000

Office address of applicant —M.I.F. Buildings, 33 Village Road, Selby, Johannesburg.

Attention is drawn to the following requirements of section 4 of the Act

(a) The representativeness of any employers' organisation which objects to the application shall in terms of subsection (4) be determined on the facts as they existed at the date on which the application was lodged and, as far as membership is concerned, only members who were in good standing in terms of section 1 (2) of the Act as at the aforesaid date shall be taken into consideration

(b) The procedure laid down in subsection (2) must be followed in connection with any objection lodged

M. W. J. LE ROUX, Industrial Registrar

(8 April 1982)

FM 9/4/82
INDUSTRIAL COUNCILS
Pros and cons

Does the Industrial Council (IC) system, the official mechanism for collective bargaining at an industry level, have a future? Will it be able to cope with pressures from the emerging black unions which place great emphasis on plant-level negotiation over wages and working conditions?

A spirited defence of ICs was given recently by Michael Beaumont, Dorbyl's group industrial relations adviser, and Ike van der Watt, general secretary of the SA Boilermakers' Society, at a seminar held by the Institute for Industrial Relations

Speaking in his personal capacity, Beaumont emphasised that there are issues which can be dealt with only at industry level. He pointed to several advantages of industry-level negotiations between management and labour

- Uniform wage scales and conditions of service can be achieved,
- Wage levels which do not have an adverse effect on unemployment can be set,
- Job grading is made easier,
- Labour mobility can be assisted,
- Pension and sick pay benefits can be provided on a cost-effective basis,
- The expensive process of collective bargaining can be streamlined, and
- Employers and employees can negotiate without the interference of a third party.

Beaumont asked whether the new labour relations dispensation created by government had been given enough time to prove its responsiveness to the needs of the parties in labour. "There is a place for both centralised and decentralised bargaining. Obviously we are going to have to look at areas of compromise." He warned that if no compromise is reached, the relationship between management and labour can be permanently scarred.

Van der Watt said he was not sure whether it was possible to talk of an IC system "We have a collective bargaining system — no two ICs operate in exactly the same way." He was convinced that the very best that could be achieved by plant-level bargaining on its own were short-term advantages for a limited group of people

He believed it was understandable that plant-level bargaining should be viewed as an option by unions seeking to represent workers only in a particular plant, or by a new union trying to establish itself

"In these circumstances there is no doubt that the best way to organise would be to concentrate on a particular factory or plant. But this can only be a temporary arrangement. After a while another system will be needed. I believe in the IC, although I know it has weaknesses and must undergo some changes."

Van der Watt said complaints that unions represented on ICs do not represent the interests of black workers were misdirected. About two years ago, because of statutory prohibitions, no blacks were represented on ICs in the engineering industry. However, by November 30 last year, 8% of the black workforce in the industry had representation at IC level

"That is a small number, but considering the small amount of time since blacks were able to join registered unions the figures are not that bad."

It was unfair to complain that all ICs had ignored black workers, he said. In a 24-month period, officials of the Transvaal regional council of the IC for the engineering industry collected nearly half a million rands in underpaid wages from employers. This was paid to underpaid employees, 74% of whom were blacks

"The biggest problem for a union is not to reach an agreement with employers but to monitor and implement that agreement," Van der Watt said, emphasising that the IC provided effective mechanisms to fulfil these functions

Loet Douwes Dekker, senior lecturer in industrial relations at the Wits Graduate School, outlined likely agenda matters which could be discussed in an effort to allow ICs and plant-level bargaining to complement each other. These include defining the roles of shop stewards, line managers and industrial council agents, the closed shop, the role of dispute settlement procedures, the investment of worker pension funds, the automatic extension of agreements to non-parties, and the whole question of closing the wage gap between skilled and unskilled workers

to find out the content of the article

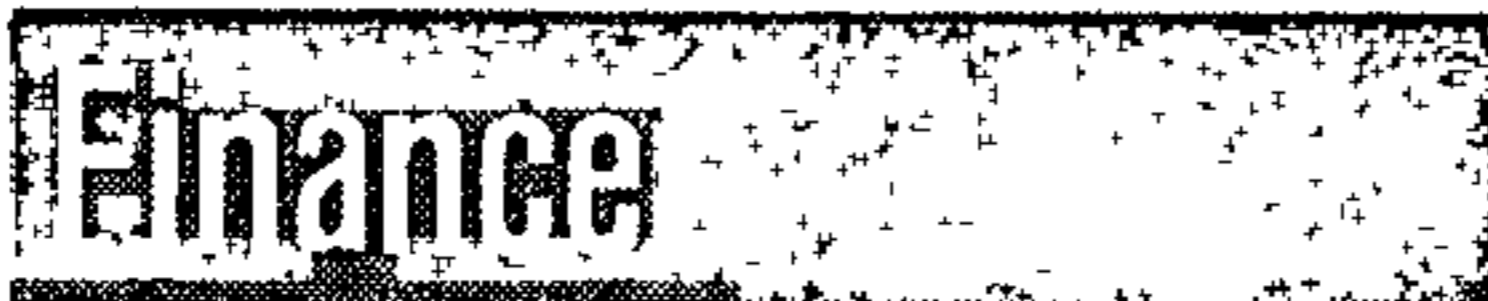
Trade unions useful to employers — professor

TRADE unions have a significant advantage for employers, says Professor Roux van der Merwe, head of the industrial relations unit at the University of Port Elizabeth.

At a luncheon of the Graduate School of Business in Cape Town this week, he said the South African economy had become increasingly dependent on black workers who now made up 75 percent of the labour force in industry.

This dependence, which would probably increase, provided blacks with a power base.

Economic and political stability depended on handling the challenges from this power base in a constructive fashion.



In the labour relations context the parties were often mutually dependent and attempts by management to defuse the challenge by an assertion of authority offered no solution.

He cited the example of employers in East London who were highly critical of the detention of trade unionists by the Ciskei authorities as they were often among their most skilled and valuable workers.

'History also teaches us that such action is inevitably followed by an escalating level of confrontation and violence which can result in unacceptable

damage to the structure of society as a whole.'

An alternative was to attempt some accommodation of the aspirations of the 'other' group in a power conflict and so reduce the destructive potential of the challenge.

As this option was complicated by political issues stemming from the absence of avenues for black political expression in the larger society, it could only be considered if management countenanced a measure of concession and change.

'The extent of such change should be negotiated to render it acceptable and the danger is

that a refusal to negotiate may result in the same changes having to be accepted later under duress.'

A precondition for constructive and successful negotiation was the existence of formal structures to prevent the abuse of power by either side and damage to society.

One such structural necessity was that both parties be formally organised.

'Employers generally operate within organisation structures and employees thus need their own independent organisations to provide a reasonable balance.'

FREE ENTERPRISE

As conflicting interests were an implicit part of a free enterprise society, the objective of both parties should be to settle the inevitable differences that occur by accepted procedural rules.

The labour relations practitioner, while helping to reduce unnecessary conflict, should not try to eliminate it altogether.

Unit trust

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5 7 7

The Man in the Middle



How CAN he cope with the opposing forces on the labour scene?

INDUSTRIAL strife has become a way of life in South African factories.

Until the mid-70s, South Africa had strictly legislated industrial peace. Black unions, although they existed, had virtually no bargaining power.

In 1973, however, thousands of black workers began to flex their muscles for the first time in more than a decade. But the Durban strikes were largely spontaneous, with organisation growing round the strikes rather than strikes growing round existing organisations.

The growth of the black consciousness movement in the 70s saw more worker-based organisations springing up, but it was only in the late 70s, and more noticeably in the 80s, that strikes became a daily occurrence.

South Africa last year had 342 strikes and work stoppages involving 90 000 people, of whom 80 000 were black. In a wide-ranging analysis of South Africa's apparently chaotic labour scene, TONY WEAVER talks to unionists, Government spokesmen and to the often uncomprehending men in the middle, the employer himself.

reject all State-created structures and, second, the role of unions in community-based political organisations.

Whatever decisions are taken, certain things are apparent on the labour front: unions have become more militant, the traditional white unions with which employers are used to bargaining have become somewhat peripheral and the Government has launched a contradictory two-pronged approach to the labour movement.

tions, actively help change attitudes and revise their own approach to militant unions.

"They must realise it is going to cost them something financially and in terms of control of their factories. Workers are not just begging for a few more slices of bread; workers are saying, 'We are involved in this establishment and we don't want anything decided without us'."

Lewis adds: "In the whole trade union movement, the crucial issue is the building of democratic structures, the desire of workers to represent themselves — their refusal to be manipulated by institutions

Jan Theron, general secretary of another key non-racial unregistered union, the Food and Canning Workers' Union, says political involvement is inevitable and states Government criticism.

"It is gross hypocrisy for a party which got started and came to power by turning the white trade union movement to its own ends to now say that labour and politics should be separate."

Dave Lewis maintains the GWU would be letting its members down if the union did not involve itself in what are seen as political issues

and management must be at the forefront of this."

Employers must also develop their own skills in dealing with labour issues. "They must realise they cannot expect either the officials of the Department of Manpower or the police to maintain industrial peace."

Stewart Pennington says the unwillingness to negotiate with militant unions stems from "a fear of the unknown combined with a degree of intransigence as regards black union claims. It's all based on a fairly large degree of traditionalism and is a very naive approach."

He says South African history has caught up with employers, and they are catching the flak of past labour policies.

"Employers must realise they have many, many years of worker oppression to rectify. The era of transition is going to require a genuine willingness to accommodate the black trade unions."

But the militant unions have made it clear they are not prepared to co-operate with the Department of Manpower in work-

ing out mutually acceptable policies as long as bannings and detentions of unionists continue.

And they warn employers that they must take a stand on the issue or face widespread distrust from their workers.

The industrial relations manager of a major firm which has signed a recognition agreement with the GWU — and who asked not to be named — said the whole labour relations scene was being complicated by security police interference in labour matters.

He added: "It is a very contradictory situation, almost ironic, that in the field of industrial relations there has been an about-face on the part of the Government, almost an industrial relations revolution, and time after time security police action negates this."

"Bannings and detentions of unionists are ridiculous. There has to be a distinction between opposition and subversion and they seem to be zapping

Lewis — who spent months in security police detention in 1980 — says

"Our immediate goals are to develop democratic organisation and strong worker leadership and, at every step along the way, we are being undermined by bannings and detentions and sophisticated structures of control."

Theron's FCWU, whose Transvaal secretary, Dr Neil Aggett, died in detention on February 5, agrees with Lewis.

"As a precondition for normal labour relations, a stop must be put to security police harassment of trade unionists. No reforms can be at all credible if bannings and detentions continue."

And Stewart Pennington says his firm "experienced more uncertainty in times of bannings and detentions than at any other time before or after."

Dr van der Merwe agrees that security police action has an effect on labour relations, but says his department is not in a position to interfere or make re-

presentations to the police. "The detentions do not take place in terms of labour legislation, so one must not confuse the issues."

All of which leaves employers pretty much out on a limb, caught between the aspirations of an uncompromising trade union movement and an at times equally uncompromising Government.

It is apparent that things are moving fast on the labour front, faster than anywhere else in the complex South African political scene.

As Dr van der Merwe says: "One must not look at the thing in a static way, one must be prepared to adapt, to make adjustments to meet the challenges."

"We have very little choice now. Having embarked on a programme of modernising and rationalising and introducing fundamental change, we have crossed the Rubicon and there is no going back."

Two major developments preceded the new era of industrial unrest. The months of unrest which began in Soweto on June 16, 1976, and which created a renewed black awareness of collective power and the wide-ranging labour reforms which flowed from the W i e h a h n Commission.

Today, with the current proliferation of black and non-racial unions, the entire labour scene has become very fluid.

The loose alliance termed the "democratic or independent trade union movement" (in the sense of being independent of the State) meets in Johannesburg this weekend for the second national "Unity Conference" to map out a common strategy to key issues.

A certain degree of unity already exists — on bannings and detentions, a commitment to building a "mass working-class movement"; the need for democratic structures and an uncompromising rejection of racism and racial legislation.

But there is a difference in strategy.

From the outside, the issues here seem largely esoteric, but the differences go to the heart of current political debate in black organisations.

The main debate has revolved round whether to register with the State as trade unions or to



BY TONY WEAVER

On the one hand, previously unheard of reforms are introduced, on the other, the union

movement finds itself under almost constant siege from the security police

Bannings and detentions of leading trade unionists have become almost as commonplace as major strikes

Men in the middle are the employers. They have had to learn to cope with a complex labour scene which literally changes from day to day

But are employers changing as well? Are they learning to cope with worker organisations which threaten their autonomy to run their factories in the way they see fit? Are the crucial issues in labour relations being resolved in a satisfactory way which will ensure lasting industrial peace? And are Government reforms keeping pace with union aspirations?

Dave Lewis is the general secretary of the nationally based General Workers' Union (GWU), a key unregistered non-racial union which grew from a tiny workers' advice office in the early 70s to one of the major unions operating today — and which will be one of the key unions at the Unity Conference

He adopts a tough line, saying if employers want to get out of the firing line, they must drastically improve working condi-

which are heavily structured by the State and the bosses."

This stance undermines GWU and other unregistered unions' refusal to register with the Government and is one of the philosophies behind their refusal to participate in the traditional industry-wide collective bargaining system — the industrial councils (ICs).

This has led to a deadlock with a number of employers who have said that they refuse to recognise unregistered unions or bargain outside of the ICs.

But the Director-General of the Department of Manpower, Dr P J van der Merwe, has gently chided employers for their stance, saying it is time "to come to grips with reality" and examine a dual system which will incorporate bargaining outside of the ICs alongside the traditional form of negotiation

He also said that registration is and should no longer be the crucial issue it is made out to be."

It is this insistence on autonomy from Government and the unions' claim to involve themselves in political issues which has led to repeated attacks on the movement by leading Government members

As far as recent instances of detention without trial are concerned, I am absolutely appalled at the lack of courage displayed by the business community in not speaking out

These are the people with whom we are going to have to sit down and negotiate when they are released from prison

— TONY BLOOM, executive chairman of the Premier Group of companies, writing in their new journal, Leadership SA

"Our members' lives don't start at nine in the morning and end at seven at night. They have grievances which they carry into their homes — high rents, rising busfares — and they expect their unions to get involved in these campaigns."

Stewart Pennington, group industrial relations manager for the giant stevedoring company, Freight Services, agrees that labour and

politics are inseparable, saying that "to expect unions not to become involved politically is just not being realistic

"The simplest issues, like job mobility, are major political questions in this country."

But on a more mundane and equally crucial level, Lewis says that one of the biggest areas of conflict in factories occurs in a human relations sphere.

"The factory-floor interface between white foremen and black workers is intolerable — things are on a perpetual knife-edge. Progressive management attitudes must percolate through to supervisory levels."

Dr van der Merwe agrees.

"The maintenance of industrial peace begins at the frontline supervisory level, at the contact level. It's a question of overcoming prejudices, of allaying fears

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From page 106

B Organization of black unions

He said the government should be careful about creating "a breeding ground for political unrest"

Mr Barnard referred specifically to the investigation of farm and domestic workers and accused the government of appointing commissions to investigate areas where there had been no complaints, interfering in relationships between employer and employee

No domestic worker had complained, yet a real urban threat could be created by the formation of organizations across the country which could be used by agitators

Mr Botha in turn accused Mr Le Roux of making "bitter, irresponsible and unfair" allegations

Nationalist congresses had been consulted about the Wiehahn reforms, he said as Mr Le Roux interjected that this was only after implementation Mr Botha also said Mr Le Roux, as a member of the Nationalist study group on manpower, had been involved in and aware of everything that was done

"There was not one occasion on which you did not agree"

Mr Botha accused Dr Treurnicht of knowing nothing about labour matters and the CP of trying to give the impression of campaigning to restore rights which had been taken away

● Manpower vote debate, page 5

Too late for classification

DEATHS

SHEAR — Sarah our wonderful kind and gentle aunt whom we all loved dearly passed away peacefully on 18 4 82 after an illness so bravely borne Her memories will always be treasured and we will always remember her fondly Deeply mourned and sadly missed by her loving family Walter and Liska Gordon, children and grandchildren

SHEAR — Sarah our loving kind and darling sister, passed away on 18 4 82 Will be fondly remembered by her sisters Dinah Byrne, Becky Gersohn and brother Hyman Shear

LAYDEN — Michael dearly beloved husband of Norah and loving father of Michelle, Kenny and grandfather of Teresa, Barbara Ann and John and stepfather of Ian, Diane Heather, Marelynne Chester and their families Fortified by the right of The Holy Roman Catholic Church Requiem Mass at 3 30pm Wednesday, April 21, at Our Lady Of Good Hope Church, Sea Point No flowers by request donation in lieu of to St John's Catholic Parish, PO Box 395 Beaufort West, 6970 Cremation private Resurrected with The Lord

Silence over detentions condemned

D. B. ... 21/4/82

JOHANNESBURG
One of South Africa's top businessmen, Mr Tony Bloom, chairman of the Premier group, last night strongly criticised his colleagues in commerce and industry for their passive attitude to detention without trial of trade unionists

At the annual dinner of the SA Institute of Chartered Accountants in Durban, Mr Bloom said "I have to say that I am absolutely appalled at the lack of courage

displayed by the business community in not speaking out on this important issue"

Aparr from the human considerations if the government was going to detain union leaders without trial and release them after a few months, the business community was in for a very rough ride indeed," he said

If detained unionists had been involved in subversive activities they should be taken to court and not merely subjected to administrative action

"These are the people whom management is going to have to negotiate with — a legacy of bitterness will have been created and a surer formula for conflict is hard to devise," Mr Bloom said

While there were today more frequent calls by business leaders for urgent social changes, they were not nearly frequent enough, and he believed the contribution by the professions was even less than by businessmen

He said the "shrieks of anguish" and speedy business response to the proposed fringe benefits tax should be compared with the "deafening silence" of business and professional leaders over the years on issues such as land tenure for blacks in urban areas or forced squatter removals

Mr Bloom appealed to all those involved in the free enterprise system to re-examine their roles in society and see how the scope of their activity should be extended to protect the economic interests built up over the years

He believed the acceptance of this broader role was not an

expensive luxury which only the industrial giants could afford — it was a fundamental necessity for everyone who cared deeply about South Africa

Too many people had been "sitting on the sidelines" for too long. It was the "basic duty" of everyone to involve themselves in every aspect of South African life "whether political, economic or social," he said — DDC

22/4/82

Labour changes forecast

132

Pretoria Bureau ROM

THE current labour situation where blacks and whites supplemented each other would change drastically in future.

The two groups would be drawn into direct competition, Mr F J H le Riche, vice-chairman of Manpower 2000, told the annual congress of the Institute for Municipal treasurers and Accountants in Pretoria yesterday

Mr Le Riche stressed that cognisance had to be taken of certain aspects on the labour front, like black urbanisation and black economic and political aspirations

"Whatever their merits, the increasing aspirations of coloureds, Indians and especially urban blacks towards a greater say in political and economic matters cannot be gainsaid," he said.

Already a third of the black population was

urbanised and this process was rapidly gaining momentum.

The size of the labour force would grow from 9 400 000 in 1980 to 14 900 000 in the year 2000, when whites would comprise 16,4% of the labour force.

Mr Le Riche outlined a number of manpower objectives and stressed the importance of maintaining industrial peace.

He also named a number of programmes aimed at rationalising and modernising manpower procedures

Action programmes for training unemployed people and the co-ordination of such training were being investigated, he said

The programmes would be set in motion as soon as the Manpower Act came into effect

He urged that the loss of man-hours resulting from work stoppages, strikes and lockouts should be kept to a minimum.

By STEVEN FRIEDMAN

Some 'chillingly familiar' advice for employers

22/4/82 EDM
ZCUP
132
ZB

EMPLOYERS who feel communication with their workers is adequate — and then complain they can't find out the reasons for a strike — might care to ponder the following document

It contains advice to workers from a major union and is quoted by Ford industrial relations director Mr Fred Ferreira writing in the magazine Leadership SA. The union advises workers

- In the case of a strike, stay among the workers, don't create a strike committee. There must be no leader
- In your conduct with the forces of order, you must be naive, you know nothing, you are bewildered
- Work slowly, criticise the disorder and inefficiency of the managers, don't do their thinking, be a fool, and,
- Take sick leave or time off to take care of your children as often as possible

Mr Ferreira said employers who have experienced strikes over the past year or two may find this advice "chillingly familiar"

In many strikes, worker leadership has been "markedly reticent" about actual causes. Employers have had to "ferret (causes) out" themselves by "discussions, enquiries and cajoling"

The catch is that it does not come from South Africa — but from Poland. The document contains instructions from the International Metal workers Federation to workers in Silesia and Warsaw during the Polish strike wave.

Mr Ferreira doesn't draw any conclusions, except to ask: "Are we not fostering circumstances in this coun-

try conducive to the development of a Solidarity here?"

The lesson for local labour relations is simple but important. In a society in which workers have learned over many years not to speak up for fear of reprisals, they will remain very suspicious.

This does not mean they won't strike — it simply means their employer, whether the Polish State or local business — won't know what they are thinking.

Building a climate in the factories in which workers and union leaders really believe they can speak frankly is not only essential if employers are going to avert unrest, but requires a good deal of work from employers.

Despite the problem of accurately pinpointing what workers are thinking, Mr Ferreira names four issues as "major union concerns" — job security, pensions, detentions and homeland independence.

On the first point — no doubt with the economic downswing in mind — he notes a growth in union demands for "participation in decisions affecting the security and separation bene-

fits of their members"

Detentions, Mr Ferreira adds, are leading unions to question the integrity of Government reforms and the recent pension unrest graphically exemplifies the total absence of consultation and a penchant to legislate.

With recent East Cape tension over the effect of homeland independence on unemployment benefit in mind, Mr Ferreira noted opposition to independence. The transfer of benefits to independent homelands "only serves to render such security suspect"

These points demonstrated the impossibility of discussing labour matters without tackling socio-political issues. The two are linked because, as long as city blacks are denied "meaningful" political rights, they will use labour power to pressure the Government and employers — powerful agents of change.

The future of labour relations depends on what reforms the Government introduces and what pressure labour brings to bear on employers. It is unlikely the Government will consider moves such as meeting recognised black labour leaders and negotiating on political issues. Employers

will continue to "bear the brunt"

"A reasonable prognosis for the medium term" was a growth in "community-based" unionism, more shop-floor bargaining and a strike incidence not lower than the 1981 level.

Employers needed to make known their position on union recognition, and initiate change on wages, training and advancement — but with worker involvement. Employers should avoid deciding what was right, implementing it and then "looking round for applause"

Communication systems should be reviewed and easy-to-understand discipline and grievance procedures implemented. All this did not mean employers should abdicate their position, he said. They should not "be expected to make amends for the next 300 years for a system which was often unilaterally developed but which also grew out of a mutually responsible set of circumstances"

Employers had to assess their "back-off positions" — the extent to which they compromise.

But worker groups had to do this too, and there was already a risk that employer willingness to negotiate "is interpreted as a sign of vulnerability"

Because a particular stoppage had benefitted workers, worker groups should guard against believing more benefits could only be gained by more strikes. Outside the workplace, employers have to look at housing, health services and job creation — together with workers.

This did not mean a delegation of authority, but employers had been preoccupied with authority and control for so long workers resented this

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KENNISGEWING 254 VAN 1982
DEPARTEMENT VAN FINANSIES

FRENCH MERCHANT BANK OF SOUTHERN AFRICA LIMITED —KENNISGEWING INGEVOLGE ARTIKEL 12 (1) VAN DIE BANKWET, 1965

Met ingang van 5 April 1982 is French Merchant Bank of Southern Africa Limited as 'n aksepbank geregistreer. Sy voorlopige registrasie is met ingang van genoemde datum ingetrek.

(23 April 1982)

KENNISGEWING 255 VAN 1982
DEPARTEMENT VAN MANNEKRAG
WET OP ARBEIDSVERHOUDINGE, 1956

INTREKKING VAN REGISTRASIE VAN 'N WERKGEWERSORGANISASIE —NATAL HAIRDRESSING EMPLOYERS' ORGANISATION

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrator, maak hierby kragtens artikel 14 (1) van die Wet op Arbeidsverhoudinge, 1956, bekend dat aangesien ek rede het om te vermoed dat die Natal Hairdressing Employers' Organisation gelikwieder is, sy registrasie ingetrek sal word tensy redes daarteen binne 'n tydperk van 30 dae vanaf die datum van publikasie van hierdie kennisgewing aangevoer word.

M. W. J. LE ROUX, Nywerheidsregistrator

(23 April 1982)

KENNISGEWING 256 VAN 1982
DEPARTEMENT VAN VERVOER
WET OP LUGDIENSTE, 1949 (WET 51 VAN 1949),
SOOS GEWYSIG

Hierby word ingevolge die bepalings van artikel 5 (a) en (b) van Wet 51 van 1949 en regulasie 5 van die Regulasies vir Burgerlugdienste, 1964, vir algemene inligting bekendgemaak dat die Nasionale Vervoerkommissie die aansoeke waarvan besonderhede in die Bylaes hieronder verskyn, sal aanhoor.

Vertoe ingevolge artikel 6 (1) van Wet 51 van 1949 ter ondersteuning of bestryding van 'n aansoek moet die Direkteur-generaal Vervoer (Direktoraat Burgerlugvaart), Private Bag X193, Pretoria, 0001, en die aansoeker binne 21 dae na die datum van publikasie hiervan bereik en daarin moet gemeld word of die persoon of persone wat aldus vertoe rig, van plan is om die verrigtings by te woon of om daar verteenwoordig te word.

Die Kommissie sal reël dat kennis van die datum, tyd en plek van die verrigtings skriftelik gegee word aan die aansoeker en al die persone wat aldus vertoe gerig het en wat verlang om aldus verteenwoordig of teenwoordig te wees.

BYLAE A

LYS VAN AANSOEKE OM DIE TOESTAAN VAN
LISENSIES

(A) Naam en adres van applikant (B) Naam waaronder die lugdiens geëksploiteer gaan word (C) Besonderhede van lugdiens (i) Gebiede wat bedien gaan word (ii) Roete(s) wat bedien gaan word (iii) Basis(se) (iv) Soort verkeer wat vervoer gaan word (v) Frekwensie en roosters waarvolgens die diens geëksploiteer gaan word (vi) Soort opleiding wat verskaf gaan word (vii) Besonderhede en beskrywing van soort werk wat onderneem gaan word (viii) Tariefskaal. (D) Lugvaartuie wat gebruik gaan word.

NOTICE 254 OF 1982

DEPARTMENT OF FINANCE

FRENCH MERCHANT BANK OF SOUTHERN AFRICA LIMITED —NOTICE IN TERMS OF SECTION 12 (1) OF THE BANKS ACT, 1965

With effect from 5 April 1982 French Merchant Bank of Southern Africa Limited was registered as a merchant bank. Its provisional registration was cancelled with effect from the said date.

(23 April 1982)

NOTICE 255 OF 1982

DEPARTMENT OF MANPOWER

LABOUR RELATIONS ACT, 1956

CANCELLATION OF REGISTRATION OF AN EMPLOYERS' ORGANISATION —NATAL HAIRDRESSING EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, hereby notify in terms of section 14 (1) of the Labour Relations Act, 1956, that as I have reason to believe that the Natal hairdressing Employers' Organisation has been liquidated, its registration will be cancelled unless cause to the contrary is shown within a period of 30 days from the date of publication of this notice.

M. W. J. LE ROUX, Industrial Registrar

(23 April 1982)

NOTICE 256 OF 1982

DEPARTMENT OF TRANSPORT

AIR SERVICES ACT, 1949 (ACT 51 OF 1949), AS
AMENDED

Pursuant to the provisions of section 5 (a) and (b) of Act 51 of 1949 and regulation 5 of the Civil Air Services Regulations, 1964, it is hereby notified for general information that the applications, details of which appear in the Schedules hereto, will be heard by the National Transport Commission.

Representations in accordance with section 6 (1) of Act 51 of 1949 in support of, or in opposition to, an application should reach the Director-General Transport (Directorate Civil Aviation), Private Bag X193, Pretoria, 0001, and the applicant within 21 days of the date of publication hereof stating whether the party or parties making such representation intend to be present or represented at the hearing.

The Commission will cause notice of the time, date and place of the hearing to be given in writing to the applicant and all parties who have made representations as aforesaid and who desire to be present or represented at the hearing.

SCHEDULE A

SCHEDULE OF APPLICATIONS FOR THE GRANT OF
LICENCES

(A) Name and address of applicant (B) Name under which the air service is to be operated (C) Particulars of air service (i) Area to be served. (ii) Route(s) to be served (iii) Base(s). (iv) Types and classes of traffic to be conveyed (v) Frequency and time-tables to which the service will be operated (vi) Types of training to be provided (vii) Particulars and description of types of work to be undertaken. (viii) Tariff of charges (D) Aircraft to be used

'Honesty, justice' in labour policy

Staff Reporter

CAPE TOWN
122
25/4/82

THE Minister of Manpower Utilization, Mr Fanie Botha, said yesterday that he was convinced the government was following a labour policy based on "honesty and justice"

Addressing a conference on ministry in business, organized by the Ned Geref church in Parow, he said it was the government's sincere wish that workers were happy and contented and that disputes between employers and workers were settled in a reasonable and orderly manner

Guidelines had been given to employers, workers and government officials to promote industrial peace. These included individual freedom of

choice, trade union autonomy, maximum consultation and co-operation and minimal State intervention

The government had also created a legal framework to promote industrial peace in the form of the Law Relations Act of 1956 which had been adapted modernized and rationalized since 1979

Another government priority was to protect the safety and health of workers and to provide financial assistance in times of ill-health or unemployment

It was also the government's stated intention that the knowledge, skill and ability of every worker should be upgraded to the highest possible level

Businessmen back anti-detention call

132
p. dispatch
23/4/82

DURBAN — Business leaders have come out in strong support of a call to the business community to speak out on the issue of the detention without trial of union leaders

They were reacting to an address made to the

South African Institute of Chartered Accountants on Tuesday night by the chairman of Premier Group Mr Tony Bloom

Mr Fred Beard, chairman of Protea Holdings Ltd, said that he agreed

'one hundred per cent' with Mr Tony Bloom's plea

"This will make me unpopular but I believe the reason for the silence on this issue up to now has been the fact that many of us have large government contracts and we are frightened to speak out against the government

"But this must change, and the time has now come for us to speak out," Mr Beard said

"Mr P W Botha always boasts about our judicial system. We should abide by the principle of the law and apply our judicial system to detainees to see if it really works. It is important that detention without trial is done away with"

A spokesman for Anglo American reiterated the corporation's

stand on detentions without trial in support of Mr Bloom's plea

He said that Anglo American regretted the detention of people involved in the black trade union movement

The executive director of Barlow Rand, Mr Rinaid Hofmeyer said their chairman, Mr Warren Clelow, had in the past spoken out against detention without trial and that the corporation naturally associated itself with Mr Bloom

Mr Clelow had said, according to Mr Hofmeyer, that business could not "remain silent on such issues as the detention without trial of labour leaders with whom they had been negotiating and with whom they would be negotiating in the future" — DDC

LABOUR RELATIONS (132)
Perspective on Natal

FM 13 4.82

Many employers and unionists are confused about the immediate direction of government labour policy, according to a survey conducted by the University of Natal's Economic Research Unit

Two other conclusions drawn by the authors of the survey, Professor Jill Nattrass and Elizabeth Ardington, are that there is a growing overlap between labour and political issues, and that differences of perception between employers and unionists over key labour issues could be the seedbed for future labour unrest

They have found that both unionists and employers are uncertain about government's acceptance of the recommendations of the Riekert and Wiehahn commissions. Some feel the situation is still so confused that another commission should be appointed. "One respondent stated that he had the feeling that the policy was being developed 'brick by brick and that no-one had any clear idea of what the final building might look like' "

The survey reveals concern that reforms in labour policy are not being accompanied by reforms in other areas. Because blacks are not being granted social and political rights, it feels that black unions will inevitably become involved in socio-economic matters outside the sphere of labour and employment issues. This will result in the creation of "unions representing a political rather than an industrial standpoint "

Although most employers and unions are in favour of industry-based unions, "the recent proliferation of unions on racial and political grounds means few unions can truly claim to represent the majority of workers in a particular industry "

More than a quarter of unions and employers prefer the industrial council (IC) system to any other system of industrial relations. But, say Nattrass and Ardington, if the proliferation of unions outside the IC system continues, the system will no longer

be effective

Nattrass and Ardington say there is little difference of opinion between unionists and employers over many questions in the survey, particularly where questions are of a theoretical, as opposed to an immediately relevant nature. However, there are important differences over the collective bargaining process and the role played by the union movement. Employers give a low rating to collective bargaining rights as a factor important to job acceptability. Unions, however, give these rights high priority. Only 3,6% of employers, but more than 50% of the unions, regard the absence of labour organisation as a serious impediment to black advancement.

The survey reveals that although most employers and unions want collective bargaining, they differ over what form it should take. More than 40% of employers want an IC or two-tier system, while black unions show a preference for plant-level bargaining. Unions totally reject works councils and liaison committees.

Nattrass and Ardington say that most employers find it impossible to deny the right to bargain collectively and are probably genuinely in favour of its recognition. However, "their thinking has not progressed sufficiently in practice to take this recognition into account in their everyday activity "

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(b) Indien die grond voor die kennisgewingdatum deur u as eienaar hiervan verkoop is, die naam en adres van die koper, tesame met die koopkontrak of 'n gewaarmerkte afskrif daarvan

(c) Indien dit grond is waarop 'n gebou opgerig is wat onderworpe is aan 'n retensiereg ten gunste van 'n bouer uit hoofde van 'n skriftelike boukontrak, die naam en adres van die bouaannemer, tesame met die boukontrak of 'n gewaarmerkte afskrif daarvan

(d) Indien dit grond is wat op die kennisgewingdatum deur 'n deelsaaiër bewerk is, die naam en adres van die deelsaaiër tesame met die deelsaaiërskontrak of 'n gewaarmerkte afskrif daarvan, indien die kontrak op skrif is, of volledige besonderhede van die kontrak, indien dit nie op skrif is nie

(iv) U moet die adres meld waarheen u verlang dat verdere stukke in verband met die onteiening aan u gepos moet word

Gedateer in Johannesburg op hede die 19de dag van April 1982.

H J L DU TOIT, Adjunk-hoofbestuurder

Adres.—Hoofbestuurder, Suid-Afrikaanse Vervoerdienste, Privaatsak X47, Johannesburg, 2134
(7 Mei 1982)

(b) If prior to the date of notice the land was sold as owner, the name and address of the buyer accompanied by the contract of purchase and sale or a certified copy thereof

(c) If a building which is subject to a builder's contract in virtue of a written building contract has been erected on the land, the name and address of the builder accompanied by the building contract or a certified copy thereof.

(d) If on the date of notice the land was farmed by a sharecropper, the name and address of such sharecropper accompanied by the sharecropper contract or a certified copy thereof if it is in writing, or full particulars of the contract if it is not in writing

(iv) You are required to state the address to which you desire that further documents in connection with the expropriation should be posted to you.

Dated at Johannesburg this 19th day of April 1982.

H J L DU TOIT, Deputy General Manager

Address—General Manager, South African Transport Services, Private Bag X47, Johannesburg, 2134
(7 May 1982)

KENNISGEWING 293 VAN 1982

DEPARTEMENT VAN MANNEKRAG

WET OP ARBEIDSVERHOUDINGE, 1956

INTREKKING VAN REGISTRASIE VAN 'N WERKGEWERSORGANISASIE

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrator, maak hierby kragtens artikel 14 (2) van die Wet op Arbeidsverhoudinge, 1956, bekend dat ek die registrasie van die Port Elizabeth and Uitenhage Master Hairdressers' Association met ingang van 27 April 1982 ingetrek het

M W J LE ROUX, Nywerheidsregistrator

27/4/82

(7 Mei 1982)

NOTICE 293 OF 1982

DEPARTMENT OF MANPOWER

LABOUR RELATIONS ACT, 1956

CANCELLATION OF REGISTRATION OF AN EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, hereby notify, in terms of section 14 (2) of the Labour Relations Act, 1956, that I have cancelled the registration of the Port Elizabeth and Uitenhage Master Hairdressers' Association with effect from 27 April 1982

M W J LE ROUX, Industrial Registrar

27/4/82

(7 May 1982)

KENNISGEWING 294 VAN 1982

KENNISGEWING VAN VERGADERINGS VAN SKULDEISERS KRAGTENS ARTIKEL 22 (1) VAN DIE WET OP LANDBOUKREDIET, 1966

Hierby word vergaderings van ondergenoemde applikante en hul skuldeisers op die plekke en datums hieronder genoem, belê, met die doel om skuldeisers in staat te stel om hul vorderings teen die applikante te bewys én skikkingsvoorstelle van die Landboukredietraad te oorweeg

D. W. IMMELMAN, Direkteur-generaal Landbou en Visserye.

Aansoek van/Application by

- (1) Catharina Maria Bosman, Posbus/P O Box 154, Coligny
- (2) Johannes Lodewikus Reinecke, Posbus/P O Box 340, Carletonville

(7 Mei 1982)/(7 May 1982)

NOTICE 294 OF 1982

NOTICE OF MEETING OF CREDITORS IN TERMS OF SECTION 22 (1) OF THE AGRICULTURAL CREDIT ACT, 1966

Meetings of the undermentioned applicants and their creditors are hereby convened at the places and dates mentioned hereunder for the purpose of enabling creditors to prove their claims against the applicants and of considering proposals for compromises by the Agricultural Credit Board

D W IMMELMAN, Director-General Agriculture and Fisheries

Plek van byeenkoms/Place of meeting

- Kantoor van die Landdros/Office of the Magistrate, Coligny
- Kantoor van die Landdros/Office of the Magistrate, Oberholzer

Datum en tyd/Date and time

- 25 Junie/June 1982 om/at 09h00
- 29 Junie/June 1982 om/at 10h00

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Enige geregistreerde werkgewersorganisasie wat teen die
 aansoek beswaar maak, word versoek om binne een maand
 na die datum van publikasie van hierdie kennisgewing sy
 beswaar skriftelik by my in te dien, p/a die Departement van
 Mannekrag, Mannekraggebou 449, Schoemanstraat 215,
 Pretoria (posadres Privaatsak X117, Pretoria, 0001)

TABEL

Naam van werkgewersorganisasie —Cape Clothing
 Manufacturers' Association

Datum waarop aansoek ingedien is —24 September
 1981

*Belange en gebied ten opsigte waarvan aansoek gedoen
 word* —Werkgewers betrokke by die Klerasienywerheid,
 bestaande uit die klerasie-, brei- en hemdeseksie, in die
 landdrostdistrik Malmesbury

“Klerasienywerheid” beteken die nywerheid waarin
 werkgewers en werknemers met mekaar geassosieer is vir—

(a) die maak van alle soorte mans- en seunshoede en
 pette van tweed en linne en alle soorte bo- en onderklere
 (met inbegrip van gebreide kledingstukke) vir dag- of
 nagdrag, met inbegrip van hemde, boordjies, dasse, sok-
 kies, serpe, lapgordels en gedeeltes van kledingstukke,
 slaapklere en ander nagklere, en

(b) die maak van alle soorte kledingstukke, met in-
 begrip van grootmaat-snyersklere soos bestel deur 'n
 Staatsdepartement of provinsiale administrasie, die Suid-
 Afrikaanse Vervoerdienste of 'n plaaslike owerheid,
 maar uitgesonderd die maak van hoede of jasse en baad-
 jepakke vir dames of meisies of ander boklere wat vir
 individuele persone volgens maat gemaak word

“klerasieseksie” beteken—

(a) die seksie van die Klerasienywerheid waarin alle
 soorte mans- en seunshoede en -pette van tweed en linne
 en alle soorte bo- en onderklere gemaak word,

(b) die maak van alle soorte kledingstukke, met in-
 begrip van grootmaat-snyersklere soos bestel deur 'n
 Staatsdepartement of provinsiale administrasie, die Suid-
 Afrikaanse Vervoerdienste of 'n plaaslike owerheid,
 maar uitgesonderd hemde, boordjies, dasse, slaapklere
 en ander nagklere, hoede en die maak van jasse en baad-
 jepakke vir dames of meisies of ander boklere wat vol-
 gens die maat van individuele persone gemaak word

“breiseksie” beteken die seksie van die Klerasienywer-
 heid waarin werkgewers en werknemers met mekaar geas-
 sosieer is met die doel om kleeidstof en/of kouse en/of kle-
 dingstukke op ronde, plat of ten volle gefatsoeneerde
 masjinerie te brei, en ook die maak van kledingstukke uit
 gebreide kleeidstof in die bedryfsinrigting waarin bedoelde
 kleeidstof gebrei is

“hemdeseksie” beteken seksie van die Klerasienywer-
 heid waarin hemde, boordjies, dasse, slaapklere en ander
 nagklere gemaak word

Posadres van applikant.—Posbus 1536, Kaapstad, 8000

Kantooradres van applikant —Posbus 1536, Kaapstad,
 8000

Kantooradres van applikant —Vyfde Verdieping,
 Broadway Industries Centre, h/v Heerengracht en Hertzog Boule-
 vard, Strandgebied, Kaapstad

Die aandag word gevestig op onderstaande vereistes van
 artikels 4 en 7 van die Wet

(a) Die mate waarin 'n beswaarmakende werkgewers-
 organisasie verteenwoordigend is, word ingevolge artikel 4
 (4), soos toegepas by artikel 7 (5), bepaal volgens die feite

Any registered employers' organisation which objects to
 the application is invited to lodge its objection in writing
 with me, c/o the Department of Manpower, 449 Manpower
 Buildings, 215 Schoeman Street, Pretoria (postal address
 Private Bag X117, Pretoria, 0001), within one month of the
 date of publication of this notice

TABEL

Name of employers' organisation —Cape Clothing
 Manufacturers Association

Date on which application was lodged —24 September
 1981

*Interests and area in respect of which application is
 made* —Employers engaged in the Clothing Industry, con-
 sisting of the clothing, knitting and shirt sections, in the
 Magisterial District of Malmesbury

“Clothing Industry” means the industry in which
 employers and employees are associated for—

(a) the making of all classes of men's and boys' tweed
 and linen hats and caps, and all classes of outer and under
 garments (including knitted garments) for day or night
 wear, including shirts, collars, ties, socks, scarves cloth
 belts and parts of garments, pyjamas and other nightwear.
 and

(b) the making of all classes of garments, including
 quantity production tailoring made to the order of any
 Government department or provincial administration, the
 South African Transport Services, or local authorities,
 but does not include the making of millinery or the
 making of ladies' or girls' coats and costumes or any
 other outer-garments made to the measurement of indi-
 vidual persons

“clothing section” means—

(a) that section of the Clothing Industry in which all
 classes of men's and boys' tweed and linen hats and caps
 and all classes of outer and undergarments are made.

(b) the making of all classes of garments, including
 quantity production tailoring made to the order of any
 Government department or provincial administration, the
 South African Transport Services, or local authorities,
 but does not include shirts, collars, ties, pyjamas and
 other nightwear, millinery and the making of ladies' or
 girls' coats and costumes or any outergarments made to
 the measurement of individual persons

“knitting section” means that section of the Clothing
 Industry in which employers and employees are associated
 for the knitting of fabric and/or hosiery and/or garments
 knitted on circular, flat or fully fashioned machinery, and
 includes the making up of garments from knitted fabric in
 the establishment in which the said fabric was knitted

“shirt section” means that section of the Clothing Indus-
 try in which shirts, collars, ties, pyjamas and other night-
 wear are made

Postal address of applicant —P.O. Box 1536, Cape
 Town, 8000

Office address of applicant.—Fifth Floor, Broadway In-
 dustries Centre, corner of Heerengracht and Hertzog Boule-
 vard, Foreshore, Cape Town

Attention is drawn to the following requirements of
 sections 4 and 7 of the Act

(a) The representativeness of any employers' organisa-
 tion which objects to the application shall in terms of
 section 4 (4) as applied by section 7 (5) be determined on

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KENNISGEWING 278 VAN 1982

WET OP STANDAARDE, 1962

HERSIENING VAN STANDAARDSPESIFIKASIE

Kragtens artikel 14 (2) van die Wet op Standaarde 1962 (Wet 33 van 1962), het die Raad van die Suid-Afrikaanse Buro vir Standaarde die Standaardspesifikasie wat hieronder opgegee word, hersien. Die nommer van die spesifikasie wat vervang is, word tussen hakies onder die nuwe nommer opgegee.

Houers van perмите om die standaardmerk aan te bring wat teenoor die betrokke standaardspesifikasie afgebeeld word, kan onmiddellik daartoe oorgaan om kommoditeite ooreenkomstig die hersiene spesifikasie te vervaardig, te produseer, te verwerk of te behandel. Die standaardmerk mag vanaf 9 Oktober 1982 in ieder geval nie meer op grond van die oorspronklike spesifikasie op kommoditeite aangebring word nie.

971-1980
(971-1971)

Brandvaste tekstielversterkte vervoerbandmateriaal (vir gebruik in brandgasmyne) Hierdie spesifikasie dek die algemene vereistes vir brandvaste tekstielversterkte vervoerbandmateriaal wat ontwerp is vir gebruik op plat of trogvormige vrylopers. Die vervoerbandmateriaal word geklassifiseer volgens die minimum oorlangse voldiktebreeksterkte van die afgewerkte vervoerbandmateriaal in kilonewton per meter breedte.

Fire-resistant textile-reinforced conveyor belting (for use in fiery mines) This specification covers general requirements for fire-resistant textile-reinforced conveyor belting designed for use on flat or troughed idlers. The belting is classified according to the minimum longitudinal full-thickness breaking strength of the finished belting in kilonewtons per metre of width.



L W — Hierdie kennisgewing vervang Kennisgewing 256 van 1981, wat verskyn het in *Staatskoerant* 7541 van 10 April 1981, wat betref die bogenoemde spesifikasie.

Opmerking — Eksemplare van die hersiene standaardspesifikasie kan bestel word van die SABS, Privaatsak X191, Pretoria, 0001.

(7 Mei 1982)

N B — This notice supersedes Notice 256 of 1981, which appeared in *Government Gazette* 7541 of 10 April 1981, in regard to the specification mentioned above.

Note — Copies of the revised standard specification may be ordered from the SABS, Private Bag X191, Pretoria, 0001.

(7 May 1982)

KENNISGEWING 280 VAN 1982

DEPARTEMENT VAN MANNEKRAG

WET OP ARBEIDSVERHOUDINGE, 1956

AANSOEK OM VERANDERING VAN DIE REGISTRASIEBESTEK VAN 'N WERKGEWERSORGANISASIE

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrateur, maak ingevolge artikel 4 (2), soos toegepas by artikel 7 (5), van bogenoemde Wet, hierby bekend dat 'n aansoek om die verandering van sy registrasiebestek ontvang is van die Port Elizabeth Master Builders and Allied Trades Association. Besonderhede van die aansoek word in onderstaande tabel verstrek.

Enige geregistreerde werkgewersorganisasie wat teen die aansoek beswaar maak, word versoek om binne een maand na die datum van publikasie van hierdie kennisgewing sy beswaar skriftelik by my in te dien, p/a die Departement van Mannekrag, Mannekraggebou 449, Schoemanstraat 215, Pretoria (posadres: Privaatsak X1117, Pretoria, 0001).

NOTICE 280 OF 1982

DEPARTMENT OF MANPOWER

LABOUR RELATIONS ACT, 1956

APPLICATION FOR VARIATION OF SCOPE OF REGISTRATION OF AN EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, do hereby, in terms of section 4 (2) as applied by section 7 (5) of the above-mentioned Act, give notice that an application for the variation of its scope of registration has been received from the Port Elizabeth Master Builders and Allied Trades Association. Particulars of the application are reflected in the subjoined table.

Any registered employers' organisation which objects to the application is invited to lodge its objection in writing with me, c/o the Department of Manpower, 449 Manpower Buildings, 215 Schoeman Street, Pretoria (postal address: Private Bag X117, Pretoria, 0001), within one month of the date of publication of this notice.

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TABEL

Naam van werkgewersorganisasie —Port Elizabeth
Master Builders and Allied Trades Association

Datum waarop aansoek ingedien is —28 Januarie 1982

Belange en gebied ten opsigte waarvan aansoek gedoen word —Werkgewers betrokke by die Bounywerheid in die Landroosdistrikte Albert, Aliwal-Noord, Barkly-Oos, Cathcart, Elliot, Indwe, King William's Town, Komga, Lady Grey, Maclear, Molteno, Oos-Londen, Sterkstroom, Stutterheim en Wodehouse

“Bounywerheid” beteken, sonder om die gewone betekenis van die uitdrukking enigsins te beperk en behoudens enige afbakeningsvasstelling wat tussen die Bounywerheid en die Meubelnywerheid gemaak is kragtens artikel 76 van die Wet op Arbeidsverhoudinge, 1956, en wat van toepassing is op bogenoemde gebiede, die nywerheid waarin werkgewers en werknemers met mekaar geassosieer is met die doel om geboue of bouwerke op te rig, te voltooi, op te knap, te herstel, te onderhou of te verbou, en sluit alle werk wat daaruit voortvloei of daarmee gepaard gaan in, maar sluit nie die bedrywighede uiteengesit in die omskrywing van “Yster-, Staal-, Ingenieurs en Metallurgiese Nywerhede” wat verskyn in die ooreenkoms gepubliseer by Goewermenskennisgewing R 1329 van 27 Junie 1980, en die Elektrotegniese Aannemingsnywerheid in nie

“Elektrotegniese Aannemingsnywerheid” beteken die nywerheid waarin werkgewers en werknemers met mekaar geassosieer is vir—

(a) die ontwerp, voorbereiding, oprigting, installing, herstel en onderhoud van alle elektriese uitrusting wat 'n integrerende en permanente deel van persele uitmaak, met inbegrip van enige bedrading, kabellaswerk en kabelaanlegwerk, die oprigting van elektriese oorhoofselyne en alle ander werksaamhede wat daarmee in verband staan, afgesien daarvan of die werk verrig of die materiaal voorberei word op die terrein of elders,

(b) die ontwerp, voorbereidig, oprigting, installing, herstel en onderhoud van alle elektriese uitrusting wat in verband staan met die doel waarvoor 'n perseel gebruik word, met inbegrip van enige bedrading, kabellaswerk en kabelaanlegwerk, die konstruksie van elektriese oorhoofselyne en alle ander werksaamhede wat daarmee in verband staan, afgesien daarvan of die werk verrig of die materiaal voorberei word op die terrein of elders,

(c) die ontwerp, voorbereiding, oprigting, installing, herstel of onderhoud van alle elektriese uitrusting wat in verband staan met die oprigting, verandering, herstel en onderhoud van persele, met inbegrip van enige bedrading, kabellaswerk en alle ander werksaamhede wat daarmee in verband staan, afgesien daarvan of die werk verrig of die materiaal voorberei word op die terrein of elders

Vir die doel van hierdie woordomskriving omvat “elektriese uitrusting”—

(i) elektriese kables en oorhoofselyne,

(ii) generators, motore, konvertors, leipype, skakel- en beheeruitrusting (met inbegrip van relés, kontakters, elektriese instrumente en uitrusting wat daarmee geassosieer word), elektriese verligtings-, verwarmings-, kook-, bevroes- en verkoelingsuitrusting, primêre en sekondêre selle en batterye, transformators, oonduitrusting, radiostelle en aanverwante elektriese apparaat, seinuitrusting en ander uitrusting waarin gebruik gemaak word van die beginsels wat in die werking van radio- of elektroniese uitrusting gevolg word.

Posadres van applikant —Posbus 7086, Newton Park, Port Elizabeth, 6055.

TABLE

Name of employers' organisation —Port Elizabeth
Master Builders and Allied Trades Association

Date on which application was lodged —28 January 1982

Interests and area in respect of which application is made —Employers engaged in the Building Industry in the Magisterial Districts of Albert, Aliwal North, Barkly East, Cathcart, East London, Elliot, Indwe, King William's Town, Komga, Lady Grey, Maclear, Molteno, Sterkstroom, Stutterheim and Wodehouse

“Building Industry” means, without in any way limiting the ordinary meaning of the expression and subject to any demarcation determination made in terms of section 76 of the Labour Relations Act, 1956, between the Building Industry and the Furniture Manufacturing Industry, and which is applicable in the areas mentioned above, the industry in which employers and employees are associated for the purpose of erecting, completing, renovating, repairing, maintaining or altering buildings or structures, and includes all work incidental thereto or consequent thereon, but does not include the operations set out in the definition of “Iron, Steel, Engineering and Metallurgical Industries” appearing in the agreement published under Government Notice R 1329 of 27 June 1980, and the Electrical Contracting Industry.

“Electrical Contracting Industry” means the industry in which employers and employees are associated for—

(a) the design, preparation, erection, installation, repair and maintenance of all electrical equipment forming an integral and permanent portion of premises, including any wiring, cable jointing and laying, electrical overhead line construction and all other operations incidental thereto, whether the work is performed or the material is prepared on the premises or elsewhere,

(b) the design, preparation, erection, installation, repair and maintenance of all electrical equipment incidental to the purpose of which premises are used, including any wiring, cable jointing and laying, electrical overhead line construction and all other operations incidental thereto, whether the work is performed or the material is prepared on the premises or elsewhere,

(c) the design, preparation, erection, installation, repair and maintenance of all electrical equipment incidental to the construction, alteration, repair and maintenance of premises, including any wiring, cable jointing and all other operations incidental thereto, whether the work is performed or the material is prepared on the premises or elsewhere

For the purpose of this definition, “electrical equipment” includes—

(i) electrical cable and overhead lines,

(ii) generators, motors, convertors, conduits, switch and control gear (including relays, contractors, electrical instruments and equipment associated therewith), electrical lighting, heating, cooking, refrigeration and cooling equipment, primary and secondary cells and batteries, transformers, furnace equipment, radio sets and allied electrical apparatus, signalling equipment and other equipment utilising the principles used in the operation of radio or electronic equipment.

Postal address of applicant.—P.O. Box 7086, Newton Park, Port Elizabeth, 6055.

Kantooradres van applikant —Worrakerstraat 82,
Newton Park, Port Elizabeth

Die aandag word gevestig op onderstaande vereistes van artikels 4 en 7 van die Wet

(a) Die mate waarin 'n beswaarmakende werkgewers-organisasie verteenwoordigend is, word ingevolge artikel 4 (4), soos toegepas by artikel 7 (5), bepaal volgens die feite soos hulle bestaan het op die datum waarop die aansoek ingedien is, en wat die lidmaatskap betref, word alleen lede wat ingevolge artikel 1 (2) van die Wet op voormelde datum volwaardige lede was, in aanmerking geneem

(b) Die prosedure voorgeskryf by artikel 4 (2) moet gevolg word in verband met 'n beswaar wat ingedien word

M W J LE ROUX, Nywerheidsregistrator
(7 Mei 1982)

Office address of applicant —82 Worraker Street
Newton Park, Port Elizabeth

Attention is drawn to the following requirements of sections 4 and 7 of the Act

(a) The representativeness of any employers' organisation which objects to the application shall in terms of section 4 (4) as applied by section 7 (5) be determined on facts as they existed at the date on which the application is lodged and, as far as membership is concerned, only members who were in good standing in terms of section 1 (2) of the Act as at the aforesaid date shall be taken into consideration

(b) The procedure laid down in section 4 (2) must be followed in connection with any objection lodged

M W J LE ROUX, Industrial Registrar
(7 May 1982)

KENNISGEWING 281 VAN 1982
 DEPARTEMENT VAN MANNEKRAG
 WET OP ARBEIDSVERHOUDINGE, 1956
 INTREKKING VAN REGISTRASIE VAN 'N
 WERKGEWERSORGANISASIE

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrator, maak hierby kragtens artikel 14 (1) van die Wet op Arbeidsverhoudinge, 1956, bekend dat aangesien ek rede het om te vermoed dat die Grahamstown Master Builders' and Allied Trades' Association gelikwieder is, sy registrasie ingetrek sal word, tensy redes daarteen binne 'n tydperk van 30 dae vanaf die datum van publikasie van hierdie kennisgewing aangevoer word

M W J LE ROUX, Nywerheidsregistrator
 (7 Mei 1982)

KENNISGEWING 282 VAN 1982
 KANTOOR VAN DIE EERSTE MINISTER
 SENTRALE STATISTIEKDIENS

Die Hoof Sentrale Statistiekdiens maak vir algemene inligting bekend dat die Verbruikersprysindeks vir Maart 1982 soos volg is.

VERBRUIKERSPRYSINDEKS, ALLE ITEMS

Gebied	Indeks
	Basis April 1975=100
1 Kaapstad	218,2
2 Port Elizabeth	217,9
3 Oos-Londen	218,0
4 Kimberley	218,0
5 Pietermaritzburg	224,4
6 Durban	224,4
7 Pretoria	223,9
8 Witwatersrand	229,5
9 Klerksdorp	224,2
10 Vaaldriehoek	230,0
11 O V S -goudvelde	233,7
12 Bloemfontein	223,9
Beswaarde gemiddelde van die 12 gebiede	225,2

Verduidelikende opmerkings

Die Verbruikersprysindekse laat nie tussenstedelike vergelyking van pryspeile of lewenskoste toe nie. Die indekse toon nie of dit duurder is om in een stad as in 'n ander te woon nie. Die indekse toon vir elke stedelike gebied onafhanklik prysveranderinge wat van tyd tot tyd plaasgevind het.

(7 Mei 1982)

NOTICE 281 OF 1982
 DEPARTMENT OF MANPOWER
 LABOUR RELATIONS ACT, 1956
 CANCELLATION OF REGISTRATION OF AN
 EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, hereby notify in terms of section 14 (1) of the Labour Relations Act, 1956, that as I have reason to believe that the Grahamstown Master Builders' and Allied Trades' Association has been wound up, its registration will be cancelled unless cause to the contrary is shown within a period of 30 days from the date of publication of this notice

M W J LE ROUX, Industrial Registrar
 (7 May 1982)

NOTICE 282 OF 1982
 OFFICE OF THE PRIME MINISTER
 CENTRAL STATISTICAL SERVICES

The Chief Central Statistical Services notifies for general information that the Consumer Price Index for March 1982 is as follows

CONSUMER PRICE INDEX, ALL ITEMS

Area	Index
	Base April 1975=100
1 Cape Town	218,2
2 Port Elizabeth	217,9
3 East London	218,0
4 Kimberley	218,0
5 Pietermaritzburg	224,4
6 Durban	224,4
7 Pretoria	223,9
8 Witwatersrand	229,5
9 Klerksdorp	224,2
10 Vaal Triangle	230,0
11 O F S Goldfields	233,7
12 Bloemfontein	223,9
Weighted average of the 12 areas	225,2

Explanatory notes

The Consumer Price Indexes do not permit of inter-urban comparisons of price levels or living costs. They do not indicate whether it is more expensive to live in one city than in another. They indicate for each urban area, independently, the price changes which have taken place from time to time.

(7 May 1982)

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KENNISGEWING 297 VAN 1982
DEPARTEMENT VAN MANNEKRAG
WET OP ARBEIDSVERHOUDINGE, 1956
ONTREKING VAN REGISTRASIE VAN 'N
WERKGEWERSORGANISASIE

Mattheus Willem Johannes le Roux, Nywerheidsregistrator, maak hierby kragtens artikel 14 (1) van die Wet op Arbeidsverhoudinge, 1956, bekend dat aangesien die Cape Master Hairdressers' Association gelikwieder is, sy registrasie ingetrek sal word tensy redes daarteen binne 'n tydperk van 30 dae na die datum van publikasie van hierdie kennisgewing ingevoer word.

M. W. J. LE ROUX, Nywerheidsregistrator
 (7 Mei 1982)

NOTICE 297 OF 1982
DEPARTMENT OF MANPOWER
LABOUR RELATIONS ACT, 1956
CANCELLATION OF REGISTRATION OF AN
EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux Industrial Registrar, hereby notify in terms of section 14 (1) of the Labour Relations Act, 1956 that as I have reason to believe that the Cape Master Hairdressers' Association has been wound up, its registration will be cancelled unless cause to the contrary is shown within a period of 30 days from the date of publication of this notice.

M. W. J. LE ROUX, Industrial Registrar
 (7 May 1982)

AGROCHEMOPHYSICA

Hierdie publikasie is 'n voortsetting van die Suid-Afrikaanse Tydskrif vir Landbouwetenskap Jaargang 1 tot 11, 1958-1968 en bevat artikels oor Biochemie, Biometrika, Grondkunde, Landbou-ingenieurswese, Landbouweerkunde en Ontledingstegete. Vier dele van die tydskrif word per jaar gepubliseer.

Verdienstelike landboukundige bydraes van oorspronklike wetenskaplike navorsing word vir plasing in hierdie tydskrif verwelkom. Voorskrifte vir die opstel van sulke bydraes is verkrygbaar van die Direkteur, Landbou-inligting, Privaatsak X144, Pretoria, aan wie ook alle navrae in verband met die tydskrif gerig moet word.

Die tydskrif is verkrygbaar van bogenoemde adres teen R1.50 per eksemplaar of R6 per jaar, posvry (Buitelands R1.75 per eksemplaar of R7 per jaar).

Verkoopbelasting moet by binnelandse bestellings ingesluit word.

AGROCHEMOPHYSICA

This publication is a continuation of the South African Journal of Agricultural Science Vol 1 to 11 1958-1968 and deals with Biochemistry, Biometry, Soil Science, Agricultural Engineering, Agricultural Meteorology and Analysis Techniques. Four parts of the journal are published annually.

Contributions of scientific merit on agricultural research are invited for publication in this journal. Directions for the preparation of such contributions are obtainable from the Director, Agricultural Information, Private Bag X144, Pretoria, to whom all communications in connection with the journal should be addressed.

The journal is obtainable from the above-mentioned address at R1.50 per copy or R6 per annum post free (Other countries R1.75 per copy or R7 per annum).

Sales tax must accompany inland orders.

PHYTOPHYLACTICA

Hierdie publikasie is 'n voortsetting van die Suid-Afrikaanse Tydskrif vir Landbouwetenskap Jaargang 1 tot 11, 1958-1968 en bevat artikels oor Entomologie, Dierkundige Plantplae, Nematologie, Plantpatologie, Mikrobiologie, Mikologie, Taksonomiese Studies, Biologie en Beheer. Vier dele van die tydskrif word per jaar gepubliseer.

Verdienstelike landboukundige bydraes van oorspronklike wetenskaplike navorsing word vir plasing in hierdie tydskrif verwelkom. Voorskrifte vir die opstel van sulke bydraes is verkrygbaar van die Direkteur, Landbou-inligting, Privaatsak X144, Pretoria, aan wie ook alle navrae in verband met die tydskrif gerig moet word.

Die tydskrif is verkrygbaar van bogenoemde adres teen R1.50 per eksemplaar of R6 per jaar, posvry (Buitelands R1.75 per eksemplaar of R7 per jaar).

Verkoopbelasting moet by binnelandse bestellings ingesluit word.

PHYTOPHYLACTICA

This publication is a continuation of the South African Journal of Agricultural Science Vol 1 to 11 1958-1968 and deals with Entomology, Zoological Plant Pests, Nematology, Plant Pathology, Microbiology, Mycology, Taxonomic Studies, Biology and Control. Four parts of the journal are published annually.

Contributions of scientific merit on agricultural research are invited for publication in this journal. Directions for the preparation of such contributions are obtainable from the Director, Agricultural Information, Private Bag X144, Pretoria, to whom all communications in connection with the journal should be addressed.

The journal is obtainable from the above-mentioned address at R1.50 per copy or R6 per annum, post free (Other countries R1.75 per copy or R7 per annum).

Sales tax must accompany inland orders.

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1977/78 and with

Industrial editors must help to keep 'labour peace'

By GRANT AUBIN

INDUSTRIAL journalists are going to have to play an active role in maintaining "labour peace" in the 1980s, according to the president of the South African Association of Industrial Editors (SAAIE), Mr Bosman Olivier.

Interviewed at the SAAIE annual conference in Port Elizabeth, he said a point that was continually brought up during the conference, was that editors of industrial magazines only covered the positive aspects of a firm and/or the management point of view, not the workers'.

Mr Bosman said an example of this was brought up in one of the speeches, where the speaker told how one firm's in-house publication had appeared during a strike, but had failed to make any mention whatsoever of the unrest.

"This creates a serious credibility problem," said Mr Bosman.

"We must take a more active role in the relationship between worker and management and worker and worker," he said.

It was SAAIE's duty to work towards a "greater Press freedom", within the rules of the various organisations.

"Even though the management pays, the journalists are responsible."

He said industrial journals were often seen as "his master's voice".

"And this is not good enough — not in the eighties," said Mr Bosman.

He described the conference as "very successful", and important for the Eastern Cape.

He said he was pleased that SAAIE had been able to get delegates to Port Elizabeth as there was a lot they could learn about the labour situation here.

8/5/82
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1980/81

Fosatu Annual Report

Year	Membership		
	African	Asian and Coloured	White
1980			460
1979			445
1978			..
1977			377
1976	21	201	222
1975	26	305	331
1974	28	294	322
1973	98	320	418
1972			
1971			
1970			
			Total

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Management of change 'top challenge in SA'

132
2 Post
8/5/82

By SANDRA SMITH

THE single most important challenge facing the manpower field today was the management of change, the Director-General of Manpower, Dr P J van der Merwe, said at the annual congress of the SA Association of Industrial Editors in Port Elizabeth last night.

Change should be managed in such a way that it improved the existing state of affairs in a meaningful way which was compatible with national economic and social goals, Dr Van der Merwe said.

In this connection a great responsibility lay with employers, employees and their organisations "to do what was necessary" within legal boundaries defined by the Government.

Important initiatives by Government in the labour field included clear practical guidelines to officials, employers and employees with regard to consultation and co-operation with all parties involved, "non-compulsion" and the full recognition of the rights of individual workers and groups of workers.

At the present time manpower issues were "the order of the day", Dr Van der Merwe said.

This was because, firstly, today more than ever before there was an awareness that manpower was

the key to a greater economic well-being and the improvement of living standards.

The manpower scene was also in a state of change which called for adjustments, renewal and dynamic thought and action.

It was an area characterised by a number of extremely difficult problems for which there were no easy solutions.

More attention had been devoted to manpower issues in South Africa in recent years than at any other time in the country's labour history, Dr Van der Merwe said.

It appeared manpower's importance had been suddenly "rediscovered" by the Government, employers, trade unions and academics, and that this was likely to transform economic and social life in South Africa to a greater degree than was perhaps imagined.

"The only thing that can be said with certainty is that things will never be quite the same as before," Dr Van der Merwe said.

Factors which had led to this "rediscovery" included the growing realisation that fiscal and monetary policy measures could not solve problems of unemployment and inflation on their own, unless they were reinforced by man-

power policies.

Mounting evidence indicating that South Africa's labour policies and laws had not kept pace with the developments in labour practices in the workplace, was also a factor.

"The most important feature of the labour scene during recent years and at present is its state of flux," De Van der Merwe said.

Initiatives on the part of Government included "clear policy statements" to the effect that manpower resources had to be utilised to the optimum by maintaining labour peace, training and retraining all workers, increasing productivity, providing adequate security and protection for all workers.

The Government had also made statements on the principles on which its manpower policies were based.

These were the free market principles of "individual economic freedom", responsibility and rationality coupled with the principles of trade union autonomy, maximum self-governance, discipline and order.

Employers, employer organisations and trade unions likewise contributed to change in a variety of ways.

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This is not a misprint!

KENNISGEWING 311 VAN 1982

WET OP ARBEIDSVERHOUDINGE, 1956

INTREKKING VAN REGISTRASIE VAN 'N WERKGEWERSORGANISASIE — WITWATERSRAND MASTER HAIRDRESSERS' ASSOCIATION

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrator, maak hierby ingevolge artikel 14 (1) van die Wet op Arbeidsverhoudinge, 1956, bekend dat, aangesien die Witwatersrand Master Hairdressers' Association gelikwieder is, sy registrasie ingetrek sal word tensy redes daarteen binne 'n tydperk van 30 dae vanaf die datum van publikasie van hierdie kennisgewing aangevoer word

M W J LE ROUX, Nywerheidsregistrator

(14 Mei 1982)

NOTICE 311 OF 1982

LABOUR RELATIONS ACT, 1956

CANCELLATION OF REGISTRATION OF EMPLOYERS' ORGANISATION — WITWATERSRAND MASTER HAIRDRESSERS' ASSOCIATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, hereby notify in terms of section 14 (1) of the Labour Relations Act, 1956, that since the Witwatersrand Master Hairdressers' Association has been wound up, its registration will be cancelled unless cause to the contrary is shown within a period of 30 days from the date of publication of this notice

M W J LE ROUX Industrial Registrar

(14 May 1982)

SUID-KAAPSE BOSSE EN BOME

deur

F. VON BREITENBACH

'n Gids tot die inheemse bosse van George, Knysna en Tsitsikama; hul verskillende tipes; hul bestuur en geskiedenis; hul bome en struik, varings en kruidagtige plante, grasse en klimplante; hul slange, voëls en soogdiere.

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by

F VON BREITENBACH

A guide to the indigenous forests of George, Knysna and Tsitsikama; their different types; their management and history; their trees and shrubs, ferns and herbs, grasses and lianes; their snakes, birds and mammals.

With a leaf-key to and descriptions of 100 forest tree species

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KOOP NASIONALE SPAARSERTIFIKATE

BUY NATIONAL SAVINGS CERTIFICATES

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ALGEMENE KENNISGEWINGS

GENERAL NOTICES

KENNISGEWING 298 VAN 1982
DEPARTEMENT VAN MINERAAL- EN
ENERGIESAKE

NOTICE 298 OF 1982
DEPARTMENT OF MINERAL AND
ENERGY AFFAIRS

UITHOU VAN GROND VIR DIE DOELEINDES VAN 'N
OPENBARE PAD

RESERVATION OF LAND FOR THE PURPOSES OF A
PUBLIC ROAD

Die Mynkommissaris vir die myndistrik Heidelberg het stroke geproklameerde grond kragtens myntitel gehou op die plase Rietfontein 128 IR en Daggafontein 125 IR, distrik Springs, myndistrik Heidelberg, provinsie Transvaal, soos getoon op 'n sketskaart waarvan afdrucke onder RMT No R56/81 in die Mynbriewekantoor, Johannesburg, en in die Kantoor van die Mynkommissaris, Heidelberg, bewaar word, kragtens artikel 179 (1) (b) van die Wet op Mynregte, 1967 (Wet 20 van 1967), vir die doeleindes van 'n openbare pad uitgehou.

The Mining Commissioner for the Mining District of Heidelberg has, in terms of section 179 (1) (b) of the Mining Rights Act, 1967 (Act 20 of 1967), reserved for the purposes of a public road, strips of proclaimed land held under mining title on the farms Rietfontein 128 IR and Daggafontein 125 IR, District of Springs, Mining District of Heidelberg, Province of the Transvaal, as shown on a sketch plan, copies of which are filed in the Mining Titles Office, Johannesburg, and in the office of the Mining Commissioner, Heidelberg, under RMT No R56/81

(19/5/1/1384)

(19/5/1/1384)

(14 Mei 1982)

(14 May 1982)

KENNISGEWING 299 VAN 1982
DEPARTEMENT VAN MANNEKRAG
WET OP ARBEIDSVERHOUDINGE, 1956

NOTICE 299 OF 1982
DEPARTMENT OF MANPOWER
LABOUR RELATIONS ACT, 1956

AANSOEK OM VERANDERING VAN DIE REGISTRA-
SIEBESTEK VAN 'N WERKGEWERSORGANISASIE

APPLICATION FOR VARIATION OF SCOPE OF RE-
GISTRATION OF AN EMPLOYERS' ORGANISATION

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrateur, maak ingevolge artikel 4 (2), soos toegepas by artikel 7 (5), van bogenoemde Wet, hierby bekend dat 'n aansoek om die verandering van sy registrasiebestek ontvang is van die Witwatersrand Master Bakers' Association. Besonderhede van die aansoek word in onderstaande tabel verstrek.

I, Mattheus Willem Johannes le Roux, Industrial Registrar, do hereby, in terms of section 4 (2) as applied by section 7 (5) of the above-mentioned Act, give notice that an application for the variation of its scope of registration has been received from the Witwatersrand Master Bakers' Association. Particulars of the application are reflected in the subjoined table.

Enige geregistreerde werkgewersorganisasie wat teen die aansoek beswaar maak, word versoek om binne een maand na die datum van publikasie van hierdie kennisgewing sy beswaar skriftelik by my in te dien, p/a die Departement van Mannekrag, Mannekraggebou 449, Schoemanstraat 215, Pretoria (posadres Privaatsak X117, Pretoria, 0001)

Any registered employers' organisation which objects to the application is invited to lodge its objection in writing with me, c/o the Department of Manpower, 449 Manpower Buildings, 215 Schoeman Street, Pretoria (postal address Private Bag X117, Pretoria, 0001), within one month of the date of publication of this notice.

TABEL

TABLE

Naam van werkgewersorganisasie.—Witwatersrand Master Bakers' Association

Name of employers' organisation—Witwatersrand Master Bakers' Association

Datum waarop aansoek ingedien is—27 November 1981

Date on which application was lodged.—27 November 1981.

Belange en gebied ten opsigte waarvan aansoek gedoen word—Werkgewers betrokke by die Bak- en Banketnywerheid in die landdrostrikte Alberton, Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Kempton Park, Krugersdorp, Nigel, Randburg, Randfontein, Roodepoort, Sasolburg, Springs, Vanderbijlpark en Vereeniging

Interests and area in respect of which application is made—Employers engaged in the Baking and Confectionery Industry in the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Kempton Park, Krugersdorp, Nigel, Randburg, Randfontein, Roodepoort, Sasolburg, Springs, Vanderbijlpark and Vereeniging.

“Bak- en Banketnywerheid” beteken die nywerheid waarin werkgewers en werknemers met mekaar geassosieer is met die doel om brood en of banket vir verkoop te bak en om te maak en dit omvat die verspreiding deur sodanige werkgewers van brood- en of banket, en dit omvat verder alle werksaamhede wat met enigeen van voornoemde bedrywighede in verband staan of daaruit voortspruit

“Baking and Confectionery Industry” means the industry in which employers and employees are associated for the purpose of baking and/or making bread and/or confectionery for sale and includes the distribution by such employers of bread and/or confectionery and further includes all operations incidental to or consequent on the aforesaid activities

“Banket”, sonder om die gewone betekenis daarvan te beperk, omvat ook kitkes, koek, soetgebak, beskuit, pastetjies, pastei, worsrolletjies, botterbroodjies, korentebrood, ohebolle, mosbolletjies, en alle ander suurdeeggebak, uitgesonderd brood, maar omvat nie wafels, roomyswafels of korinkies, honde- of jonghondbeskuit, pretzelstokkies of matzo's nie.

“Confectionery”, without limiting the ordinary meaning of the term, includes kitkes, cakes, pastries, rusks, pasties, pies, sausage rolls, scones, currant bread, doughnuts, mosbolletjies and any other yeast-raised goods, other than bread, but does not include wafers, ice-cream wafers or cones, dog or puppy biscuits, pretzel sticks or matzos

Belange en gebiede ten opsigte waarvan registrasie gehou word —Werkgewers betrokke by die Bak- en Banketnywerheid in die landdrosdistrikte Benoni, Brakpan, Boksburg, Germiston, Johannesburg, Krugersdorp, Nigel, Roodepoort en Springs

Posadres van applikant —Posbus 4581, Johannesburg, 2000

Kantooradres van applikant —Agtste Verdieping, Alliedgebou, hoek van Bree- en Rissikstraat, Johannesburg

Die aandag word gevestig op onderstaande vereistes van artikels 4 en 7 van die Wet

(a) Die mate waarin 'n beswaarmakende werkgewers-organisasie verteenwoordigend is, word ingevolge artikel 4 (4), soos toegepas by artikel 7 (5), bepaal volgens die feite soos hulle bestaan het op die datum waarop die aansoek ingedien is, en wat die lidmaatskap betref, word alleen lede wat ingevolge artikel 1 (2) van die Wet op voormelde datum volwaardige lede was, in aanmerking geneem

(b) Die prosedure voorgeskryf by artikel 4 (2) moet gevolg word in verband met 'n beswaar wat ingedien word

M W J LE ROUX, Nywerheidsregistrator

(14 Mei 1982)

Interests and areas in respect of which registration held —Employers engaged in the Baking and Confectionery Industry in the Magisterial Districts of Benoni, Brakpan, Boksburg, Germiston, Johannesburg, Krugersdorp, Nigel, Roodepoort and Springs

Postal address of applicant —P O Box 4581, Johannesburg, 2000

Office address of applicant —Eighth Floor, Allied Buildings, corner of Bree and Rissik Streets, Johannesburg

Attention is drawn to the following requirements of sections 4 and 7 of the Act

(a) The representativeness of any employers organisation which objects to the application shall in terms of section 4 (4) as applied by section 7 (5) be determined on the facts as they existed at the date on which the application was lodged and, as far as membership is concerned, only members who were in good standing in terms of section 1 (2) of the Act as at the aforesaid date shall be taken into consideration

(b) The procedure laid down in section 4 (2) must be followed in connection with any objection lodged

M W J LE ROUX, Industrial Registrar

(14 May 1982)

INDUSTRIAL RELATIONS

FCI proposals ⁽¹³²⁾

FM 14/5/82

The National Manpower Commission (NMC) should investigate the collective bargaining process in its entirety, largely because "in the present transitory period relatively sophisticated and unsophisticated systems will continue to exist alongside each other"

This is at the heart of important proposals on industrial bargaining submitted to the NMC by the Federated Chamber of Industries (FCI). The NMC is investigating SA's official industrial bargaining system at a time when widespread labour unrest has caused serious concern among employers (*Currents* May 7 1982)

The FCI recommends an essentially fluid, pragmatic approach to the vexed issue of employer-employee bargaining. No particular system should be favoured above any other. Rather, the different systems must be allowed to grow and develop into a sophisticated one.

Ideally, says the FCI, "all unions (and all employer parties) representative of the bargaining unit, should participate in a common bargaining forum such as provided by an industrial council (IC)". The IC system provides a "framework for bargaining" and a forum for developing a neces-

sary degree of mutual trust

Importantly, though, the Chamber says that a bargaining framework cannot be imposed on either party and both "must agree to the choice of bargaining systems". In the present transitional phase of industrial relations in SA "the role of decentralised collective bargaining should not be underestimated and the Chamber is of the opinion that it should in fact be encouraged"

Decentralised, or non-formal, collective bargaining, says the FCI, "is the only method open to unorganised industries but can also be used effectively by organised industries, especially as an educational and training device for Blacks who have not been part of the formal system until very recently"

The FCI regards the statutorily recognised system of works councils as one that "could play an important role in the evolutionary development of the collective bargaining system". But works councils should be seen as forums for communication and consultation on domestic matters of mutual interest, not as institutions for collective bargaining. In the current industrial relations scene, the FCI favours the present legislative arrangement which enables wide scope to institutionalise and regulate works councils "as the parties wish"

The Chamber urges, however, that government support for works councils be spelt out as a "non-competitive system of bargaining between trade unions and employers" in the preamble to the Labour Relations Amendment Act. "Works councils should not be seen to be regarded by government as possible substitutes for trade unions"

The Chamber feels that in a country where most workers have little or no experience of collective bargaining, works councils should not be regarded as substitutes for trade unions, but as complementary to the development of an organised labour movement.

Although it considers the registration of unions by the State to be desirable, the FCI feels that this should not be left to the discretion of government officials. Instead, registration "should be structured in a way that is broadly similar to the registration of companies". Registration is in many quarters considered to be a non-issue, however, especially if collective bargaining is developed into a professional, rational instrument.

and make them attractive to suitably qualified people. In this way the senior staff complement need not be increased as much as might otherwise be required.

Option 3, based on the premise that student intake is expanded, and the undergraduate programme is expanded to offer two streams, one directed at present and the other directed towards the management of civil engineering systems

The Department could under this option take in up to 100 students per year, at which point the accommodation would become strained. Additional teaching staff (beyond that envisaged in Option 2) would be required, consisting of 1 Professor, 1 Senior Lecturer and 2 Junior Lecturers. This option would permit lectures in the broad spectrum of modern civil engineering expansion of civil engineering intake of 100 students per year is quite feasible.

essential that the Department should know what the future, and that it should work towards the fully defined plan which is known to have the support

GOING FROM TATTERED

With the recession about to bite, commerce and industry are looking at ways of avoiding a worker-management clash

By DAVE McDERMOTT

THE combination of the impending recession and the growing strength of organised black labour will probably lead to increased worker-union confrontation with management.

This is the view of the PE Consulting group's remuneration practice manager Ian Hipkin and it is accepted as pertinent by the Natal Chamber of Industries.

NCI executive director Roland Freares says the chamber acknowledges that worker-union confrontation is an impending problem in the light of the anticipated downturn in the economy.

"It is one which is demanding of the attention of employers and organisations of employers in order to take and dispense the right kind of advice to companies when they have to face this kind of issue."

Freares says employer organisations like the NCI have items on their agendas which relate to the recession and worker-management which may be discussed as the

setting up of a code of practice for retrenchment.

"The problem is a particularly important one," says Freares, "because economic realities have to be faced and cannot just be shrugged off."

An industrialist who did not wish to be named says it is most important to bear in mind that there are essential differences between the present downturn and the last one in 1977.

Since then, he says, the black union movement has grown tremendously and the Labour Relations Act has given full trade union rights to all workers except farm labourers, domestic servants and civil servants.

The movement in general is much more powerful than it was during the last downturn and, therefore, he says, management must consider carefully any

steps they take because of the recession which affects the workforce.

The Durban Chamber of Commerce is also concerned at the possible effects of a recession on management and employee relations.

General manager Ken Hobson says: "The growing militancy on the part of the black trade union movement has manifested itself mainly up to now in the industrial sphere. But there are signs that this is now moving into the commercial sphere."

This was discussed in some detail at the meeting of the executive council of Assocom in Johannesburg this week. Assocom is investigating the possibility of producing a manual which will be available to members to guide them in dealing with emergent trade unions, with particular reference to such things as recognition agreements, check-off facilities and so on.

"By and large the average commercial employer is not well versed in the industrial relations sphere because trade union activity in commerce, up to now, has been relatively low key."

"But we are expecting this to increase and undoubtedly if the economy does turn down it could well aggravate the situation."

Hipkin believes as-tute and honest remuneration and staffing policies will go a long way to ensuring good working relations with employees.

With the economy moving into a recessionary phase he says cost reduction programmes are again receiving serious attention. "As always, the human resource aspect will be one of the first examined as employers consider austerly measures."

He says that normally during the first quarter of a two-year recession overtime is reduced and there is a reduction in

output per man hour Staff can be retrenched during the second quarter and even at a reduced production level, output per man hour increases dramatically.

On the bright side, Hipkin believes the shortage of many categories of skilled and even semi-skilled workers will negate to a large extent the likely to be affected during the second and third quarters of the slump.

But it seems likely that black unemployment will increase by at least 200 000 before the end of next year when some economists predict an upturn in the economy.

Some companies, says Hipkin, are already planning to freeze wages at present levels for some categories of workers as medium and long term orders drop off. "The next stage will undoubtedly involve paying off workers."

He feels that in many cases this can be avoided if management com-

municates its position honestly to employees.

The personnel practitioner in South Africa may be confronted with increased pressures from all directions from all directions. "Management," says Hipkin, "will want quantifiable action in terms of a reduction in overheads and this generally means retrenchment and the abandonment or reduction of training programmes."

"This sort of approach could have serious effects on future employer/employee relations, and it is therefore wise to consider other alternatives which will have the desired effects in relation to management objectives and future work attitudes."

"An employee who has not been abandoned when others from similar organisations have been retrenched, is likely to be more committed to his company. And in the long term, worker commitment means increased productivity and decreased workplace conflict."

(132) (5/18) ROOM 19/5/52

Labour relations course for all

Labour Correspondent

A NINE-month industrial relations course for employers and trade unionists is to be launched by Wits University's Graduate School of Business in July

Bursaries will be granted to those who cannot afford the fee, making it easier for union officials to participate

Several other business

schools run labour relations courses, but Wits aims to attract students from both sides of the labour fence

Although academic, the course will be "more practical than anything offered thus far, providing students with practical skills", said the course organiser, Mr Dale Ralph, who has been seconded from AECI

Known as the Certificate Programme in Industrial Relations, the post-graduate course will be open to non-graduates with three years' labour relations experience. Applications close on June 15

Employers will release students for a total of four weeks' full-time study spread through the course

LABOUR:**'Things will never be the same again'**

MORE ATTENTION had been devoted to manpower issues in South Africa in recent years than at any other time in the labour history of the country, Dr P J van der Merwe, director general of Manpower told the recent conference of the Boilermakers, Iron and Steelworkers, Shipbuilders and Welders Society.

Dr van der Merwe said it appeared to him as though the importance of manpower was suddenly 'rediscovered' by the Government, employers, trade unions, academics and journalists and that this rediscovery was transforming economic life and more particularly the industrial relations scene in South Africa to a far greater degree than we may think at this stage.

He said the manpower scene today shows that things will never quite be the same as before. A number of factors have contributed to this rediscovery, such as

- Structural changes in the country's economy, which have resulted in important shifts in the occupational and industrial distribution of the labour force
- The growing realisa-

By SELLO RABOTATHA

tion that fiscal and monetary policy measures on their own could not solve problems of unemployment, inflation and regional development unless they were reinforced by manpower policies

- The growing shortage of high level manpower, and of skilled and unskilled workers in different sectors of the country's economy.

- The realisation that the country's labour policies and laws had not kept pace with the developments in labour practices in the workplace and

- International developments in the labour field, and more particularly the adoption of active manpower policies by the industrial countries of the world

Dr van der Merwe said there were four overriding problems fac-

ing the country today. These were industrial relations problems resulting in strikes and work stoppages or product boycotts, unemployment, skill shortages and low productivity levels.

The causes of these problems were many and varied and there were no immediate or easy solutions to these problems.

"I am confident that we have the leaders and followers who can overcome the obstacles to change," Dr van der Merwe said.

Mr G Ahrends, president of the society, told the conference the Government had to speed up the removal of racism from the country's labour laws. He said a large number of people in the country were not only ready but waiting for rational and peaceful change to be made to the social economic and political structure.

132 E. Post
26/5/82

Recognising unions 'could cut strikes'

By SANDRA SMITH

THE recognition of trade unions, registered or unregistered, wage increases and a more sensitive attitude by employers to the aspirations of employees would undoubtedly lead to a decrease in strike activity, according to Mr Paul Stewart, a lecturer in industrial sociology.

Mr Stewart, of Rhodes University, was commenting on a National Manpower Commission finding that most strikes in the country last year occurred in the Eastern Cape.

According to the report, 29,5% of the strikes — 101 — were in the Eastern Cape. The area also lost the highest number of man-days — 79 712 — in the country

Mr Stewart said to understand why the region had experienced more strikes than any other, it would be necessary to examine differences within the Eastern Cape, particularly between East

London and Port Elizabeth.

There appeared to be three crucial reasons for the wave of strikes, he said.

Firstly, except for a limited number of large employers who negotiated with "African trade unions", the general conservatism of employers restricted "the inevitable acceptance of these bodies".

Secondly, the repeated detentions and bannings of the leadership of some Eastern Cape trade unions — for example, of the Motor Assembly and Component Workers' Union of SA and the SA Allied Workers' Union — clearly exacerbated unstable industrial relations.

Thirdly, employers in the Eastern Cape had taken advantage of high unemployment to pay low wages.

This, combined with the refusal to recognise trade unions, had contributed greatly to an increase in the number of strikes, he said.

KENNISGEWING 337 VAN 1982
DEPARTEMENT VAN MANNEKRAG
WET OP ARBEIDSVERHOUDINGE, 1956

AANSOEK OM VERANDERING VAN DIE REGISTRASIEBESTEK VAN 'N WERKGEWERSORGANISASIE

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrator, maak ingevolge artikel 4 (2), soos toegepas by artikel 7 (5), van bogenoemde Wet, hierby bekend dat 'n aansoek om die verandering van sy registrasiebestek ontvang is van die Electrical Contracting and Allied Industries Association (Eastern Cape) Besonderhede van die aansoek word in onderstaande tabel verstrek

Enge geregistreerde werkgewersorganisasie wat teen die aansoek beswaar maak, word versoek om binne een maand na die datum van publikasie van hierdie kennisgewing sy beswaar skriftelik by my in te dien, p/a die Departement van Mannekrag, Mannekraggebou 449, Schoemanstraat 215, Pretoria (posadres: Privaatsak X117, Pretoria, 0001)

TABEL

Naam van werkgewersorganisasie.—Electrical Contracting and Allied Industries Association (Eastern Cape)

Datum waarop aansoek ingedien is —8 Maart 1982

Belange en gebied ten opsigte waarvan aansoek gedoen word —Werkgewers betrokke by die Elektrotegniese Aannemingsnywerheid in die landdrostdistrikte Albert, Aliwal-Noord, Barkly-Oos, Cathcart, Elliot, Indwe, Komga, Lady Grey, Maclear, Molteno, Sterkstroom, Stutterheim en Wodehouse

“Elektrotegniese Aannemingsnywerheid” beteken die nywerheid waarin werkgewers en werknemers met mekaar geassosieer is vir—

(a) die ontwerp, voorbereiding, oprigting, installering, herstel en onderhoud van alle elektriese uitrusting wat 'n integrerende en permanente deel van persele uitmaak, met inbegrip van bedrading, kabellaswerk en kabel lêwerk, die oprigting van elektriese luglyne en alle ander werksaamhede wat daarmee in verband staan, afgesien daarvan of die werk verrig of die materiaal voorberei word op die terrein of elders,

(b) die ontwerp, voorbereiding, oprigting, installering, herstel en onderhoud van alle elektriese uitrusting wat in verband staan met die doel waarvoor die perseel gebruik word, met inbegrip van bedrading, kabellaswerk en kabel lêwerk, die oprigting van elektriese luglyne en alle ander werksaamhede wat daarmee in verband staan, afgesien daarvan of die werk verrig of die materiaal voorberei word op die terrein of elders,

(c) die ontwerp, voorbereiding, oprigting, installering, herstel en onderhoud van alle elektriese uitrusting wat in verband staan met die oprigting, verandering, herstel en onderhoud van persele, met inbegrip van bedrading, kabellaswerk en ander werksaamhede wat daarmee in verband staan, afgesien daarvan of die werk verrig of die materiaal voorberei word op die terrein of elders.

Vir die doel van hierdie woordskrywing omvat “elektriese uitrusting”—

(i) elektriese kables en luglyne;

(ii) generators, motore, konvertors, leypype, skakel- en beheeruitrusting (met inbegrip van relê, kontakters, elektriese instrumente en uitrusting wat daarmee in verband staan), elektriese verligtings-, verwarmings-, kook-, bevries- en verkoelingsuitrusting, primêre en sekondêre selle en batterye, transformators, oonduitrusting, radiostelle en aanverwante elektriese apparaat, seinuitrusting en ander uitrusting waar die beginsels wat gebruik word in die bediening van radio- of elektroniese uitrusting, toegepas word;

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NOTICE 337 OF 1982

DEPARTMENT OF MANPOWER
LABOUR RELATIONS ACT, 1956

APPLICATION FOR VARIATION OF SCOPE OF REGISTRATION OF AN EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, do hereby, in terms of section 4 (2), as applied by section 7 (5), of the above-mentioned Act, give notice that an application for the variation of its scope of registration has been received from the Electrical Contracting and Allied Industries Association (Eastern Cape) Particulars of the application are reflected in the subjoined table

Any registered employers' organisation which objects to the application is invited to lodge its objection in writing with me, c/o the Department of Manpower, 449 Manpower Buildings, 215 Schoeman Street, Pretoria (postal address Private Bag X117, Pretoria, 0001), within one month of the date of publication of this notice

TABEL

Name of employers' organisation —Electrical Contracting and Allied Industries Association (Eastern Cape)

Date on which application was lodged —8 March 1982

Interests and area in respect of which application is made —Employers engaged in the Electrical Contracting Industry in the Magisterial Districts of Albert, Aliwal North, Barkly East, Cathcart, Elliot, Indwe, Komga, Lady Grey, Maclear, Molteno, Sterkstroom, Stutterheim and Wodehouse

“Electrical Contracting Industry” means the industry in which employers and employees are associated for—

(a) the design, preparation, erection, installation, repair and maintenance of all electrical equipment forming an integral and permanent portion of premises, including wiring, cable jointing and laying, electrical overhead line construction and all other operations incidental thereto, whether the work is performed or the material is prepared on the premises or elsewhere,

(b) the design, preparation, erection, installation, repair and maintenance of all electrical equipment incidental to the purpose for which the premises are used, including any wiring, cable jointing and laying, electrical overhead line construction and all other operations incidental thereto, whether the work is performed or the material is prepared on the premises or elsewhere,

(c) the design, preparation, erection, installation, repair and maintenance of all electrical equipment incidental to the construction, alteration, repair and maintenance of premises, including any wiring, cable jointing and other operations incidental thereto, whether the work is performed or the material is prepared on the premises or elsewhere

For the purpose of this definition, “electrical equipment” includes—

(i) electrical cables and overhead lines;

(ii) generators, motors, convertors, conduit, switch and control gear (including relays, contactors, electrical instruments and equipment associated therewith), electrical lighting, heating, cooking, refrigeration and cooling equipment, primary and secondary cells and batteries, transformers, furnace equipment, radio sets and allied electrical apparatus, signalling equipment and other equipment utilising the principles used in the operation of radio or electronic equipment;

en voorts, vir die toepassing van hierdie woordomsywing, omvat "ontwerp, voorbereiding, oprigting, installering, herstel en onderhoud" nie die volgende nie

(aa) Die vervaardiging, deur herhalingsmetodes, van voornoemde uitrusting of samestellende dele daarvan.

(ab) die bedrading van of installering in motorvoertuie van verligtings-, verwarmings- of ander uitrusting of vaste toebehore, hetsy permanent geïnstalleer al dan nie, met inbegrip van radio's en lugversorgingsuitrusting,

(ac) die vervaardiging, herstel en versiening van motorvoertuigbatterye, en die vervaardiging van lood-suurbatterye en die herstel, onderhoud en installering van sodanige batterye wanneer dit gedoen word deur die vervaardigers daarvan,

(ad) die Telefooninstalleringnywerheid ("Telefooninstalleringnywerheid" beteken die nywerheid waarin werkgewers en werknemers met mekaar geassosieer is vir die aanlê, installering en onderhoud van telefoonroetes, met inbegrip van gepaardgaande werksaamhede soos opmeting, uitgraving, lê van kables, inplant van pale, inplant van ankers, aanbring van dwarsarms, aanbring van isolators en bedrading van telefoonroetes, die installering en onderhoud van outomatiese skakel- en interne veelkernkabeltelefoonstelsels, die installering van private outomatiese tak-sentrales en die installering en onderhoud van personeel-opspoorstelsels, met inbegrip van luidsprekerstelsels),

(ae) die monteer en/of diens en/of installeer en/of onderhoud en/of herstel van een of meer van die toestelle, uitrusting, masjiene, inrigtings of apparate in (af) genoem, wanneer dit gedoen word deur die vervaardigers daarvan of deur hulle behoorlik aangestelde agente,

(af) die bemarking van toestelle, uitrusting, masjiene, inrigtings en apparate, hetsy deur die gebruik van hand-, fotografiese, meganiese, elektriese, elektrostatiese of elektroniese beginsels of 'n kombinasie van sodanige beginsels, wat primêr bedoel is vir gebruik in rekeningkundige en/of sake- en/of reken- en/of kantoorprosedures, waar sodanige bemarking ook al gedoen word tesame met een of meer van die werksaamhede in (ae) genoem, maar nie die verbinding van sodanige toestelle, uitrusting, masjiene, inrigtings en apparate aan die bedrading van 'n gebou of struktuur uitgesonderd deur middel van 'n sok of soortgelyke uitlaat wat vir sodanige doel voorsien is nie.

Posadres van applikant — Posbus 7086, Newton Park, Port Elizabeth, 6055

Kantooradres van applikant — M B A -gebou, Worrakerstraat 82, Newton Park, Port Elizabeth

Die aandag word gevestig op onderstaande vereistes van artikels 4 en 7 van die Wet

(a) Die mate waarin 'n beswaarmakende werkgewers-organisasie verteenwoordigend is, word ingevolge artikel 4 (4), soos toegepas by artikel 7 (5), bepaal volgens die feite soos hulle bestaan het op die datum waarop die aansoek ingedien is, en wat die lidmaatskap betref, word alleen lede wat ingevolge artikel 1 (2) van die Wet op voormelde datum volwaardige lede was, in aanmerking geneem.

(b) Die prosedure voorgeskryf by artikel 4 (2) moet gevolg word in verband met 'n beswaar wat ingedien word

M. W. J. LE ROUX, Nywerheidsregistrateur.

(28 Mei 1982)

and further, for the purpose of this definition, "design, preparation, erection, installation, repair and maintenance" does not include—

(aa) the manufacture by repetitive methods of the aforementioned equipment or component parts thereof

(ab) the wiring of or installation in motor vehicles of lighting, heating or other equipment or fixtures, whether permanent or otherwise, including radios and air conditioning equipment,

(ac) the manufacture, repair and servicing of motor vehicle batteries and the manufacture of lead acid batteries and the repair, maintenance and installation of such batteries when performed by manufacturers thereof,

(ad) the Telephone Installation Industry ("Telephone Installation Industry" means the industry in which employers and employees are associated for the erection, installation and maintenance of telephone routes, including incidental operations such as surveying, excavating, laying of cables, planting of poles, planting of stays, erection of cross-arms, fitting of insulators and wiring of telephone routes, the installation and maintenance of automatic dialling and multi-core cable internal telephone systems, the installation of private automatic branch exchanges and the installation and maintenance of paging systems, including loudspeaker systems),

(ae) the assembling and/or servicing and/or installation and/or maintenance and/or repair of any one or more of the appliances, equipment, machines, devices or apparatus referred to in (af) when performed by the manufacturers thereof or by their duly appointed agents,

(af) the marketing of appliances, equipment, machines, devices and apparatus, whether utilising manual, photographic, mechanical, electrical, electrostatic or electronic principles or any combination of such principles, primarily intended for use in accounting and/or business and/or calculating and/or office procedures, wherever such marketing is carried on in conjunction with any one or more of the activities referred to in (ae), but excluding the connection of such appliances, equipment, machines, devices and apparatus to the wiring of a building or structure other than by means of a socket or similar outlet provided for such purpose

Postal address of applicant — P.O. Box 7986, Newton Park, Port Elizabeth, 6055.

Office address of applicant — M B A Buildings, 82 Worraker Street, Newton Park, Port Elizabeth

Attention is drawn to the following requirements of sections 4 and 7 of the Act.

(a) The representativeness of any employers' organisation which objects to the application shall in terms of section 4 (4), as applied by section 7 (5), be determined on the facts as they existed at the date on which the application was lodged and, as far as membership is concerned, only members who were in good standing in terms of section 1 (2) of the Act as at the aforesaid date shall be taken into consideration

(b) The procedure laid down in section 4 (2) must be followed in connection with any objection lodged

M. W. J. LE ROUX, Industrial Registrar

(28 May 1982)

132 (X 2)

Voorts word ingevolge artikel 72 (2) bekendgemaak dat 'n openbare vergadering van persone wat by die onderwerp van genoemde versoekskrif belang het, om 10h00 op 15 Julie 1982 in die Raadsaal van die Direktoraat van Waterbou sal word onder voorsitterskap van 'n beampte van die Departement van Omgewingsake, ten einde ondersoek na die onderwerp van die versoekskrif in te stel en getuienis ten gunste van of teen die voorstel aan te hoor

Alle belanghebbendes word hierby in kennis gestel dat die vergadering ook gehou sal word met die doel om stemme ten gunste van of teen die voorstel op te neem, ingevolge artikel 72 (3) bepaal dat die versoek toegestaan kan word indien minstens twee derdes van die eienaars van grond geleë in die gebied in genoemde versoekskrif vermeld, wat tesame minstens twee derdes van die grond besit wat in daardie gebied besproei word en volgens voorneme besproei gaan word, ten gunste van die voorstel is

Enige persoon wat nie die vergadering kan bywoon nie, kan 'n ander persoon deur middel van 'n prokurasie of volmag magtig om namens hom by die ondersoek te stem.
(4 June 1982)

**KENNISGEWING 380 VAN 1982
DEPARTEMENT VAN MANNEKRAG
WET OP ARBEIDSVERHOUDINGE, 1956
AANSOEK OM REGISTRASIE VAN 'N
WERKGEWERSORGANISASIE**

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrateur, maak ingevolge artikel 4 (2) van bogenoemde Wet hierby bekend dat 'n aansoek om registrasie as 'n werkgewersorganisasie ontvang is van die Cryogenic and Compressed Gas Industry Association Besonderhede van die aansoek word in onderstaande tabel verstrek

Enige geregistreerde werkgewersorganisasie wat teen die aansoek beswaar maak, word versoek om binne een maand na die datum van publikasie van hierdie kennisgewing sy beswaar skriftelik by my in te dien, p/a die Departement van Mannekrag, Mannekraggebou 449, Schoemanstraat 215, Pretoria (posadres. Privaatsak X117, Pretoria, 0001)

TABEL

Naam van werkgewersorganisasie—Cryogenic and Compressed Gas Industry Association

Datum waarop aansoek ingedien is—31 Maart 1982

Belange en gebied ten opsigte waarvan aansoek gedoen word.—Werkgewers in die Republiek van Suid-Afrika wat hoofsaaklik betrokke is by die nywerheid wat te doen het met die vervaardiging, produksie en verspreiding van kriogeniese en saamgeperste gasse wat, sonder om die gewone betekenis van die uitdrukking "kriogeniese en saamgeperste gasse" enigsins te beperk, suurstof, stikstof, waterstof, argon, geabsorbeerde asetileen, koolstofdioxide, distikstofmonoksied en gasmengsels insluit

Posadres van applikant—Posbus 1042, Johannesburg, 2000.

Kantooradres van applikant.—Vierde Verdieping 42, Jutagebou, Lovedaystraat 52, Johannesburg.

Die aandag word gevestig op onderstaande vereistes van artikel 4 van die Wet

(a) Die mate waarin 'n beswaarmakende werkgewersorganisasie verteenwoordigend is, word ingevolge subartikel (4) bepaal volgens die feite soos hulle bestaan het op die datum waarop die aansoek ingedien is, en wat die lidmaatskap betref, word alleen lede wat ingevolge artikel 1 (2) van die Wet op voormelde datum volwaardige lede was, in aanmerking geneem.

(b) die prosedure voorgeskryf by subartikel (2) moet gevolg word in verband met 'n beswaar wat ingedien word
M W J. LE ROUX, Nywerheidsregistrateur
(4 June 1982)

It is further notified in terms of section 72 (2) that a public meeting of persons interested in the subject of the petition will be held in the Council Chamber at the office of the Directorate of Water Affairs at the Fanie Botha Dam, District of Letaba, at 10h00 on 15 July 1982, under the chairmanship of an officer of the Department of Environment Affairs, to inquire into the subject of the petition and to hear evidence for or against the proposal.

All interested persons are hereby notified that the meeting will also be held for the purpose of recording votes for or against the proposal, since section 72 (3) provides that the petition may be granted if not less than two-thirds of the owners of land situated within the area specified in the petition, who together own not less than two-thirds of the land irrigated and proposed to be irrigated within such area, are in favour of the proposal

Any person who cannot be present at the meeting may, by proxy or power of attorney, delegate any other person to vote on his behalf at the inquiry.
(4 June 1982)

**NOTICE 380 OF 1982
DEPARTMENT OF MANPOWER
LABOUR RELATIONS ACT, 1956
APPLICATION FOR REGISTRATION OF AN
EMPLOYERS' ORGANISATION**

I, Mattheus Willem Johannes le Roux, Industrial Registrar, do hereby, in terms of section 4 (2) of the above-mentioned Act, give notice that an application for registration as an employers' organisation has been received from the Cryogenic and Compressed Gas Industry Association Particulars of the application are reflected in the subjoined table

Any registered employers' organisation which objects to the application is invited to lodge its objection, in writing, with me, c/o the Department of Manpower, 449 Manpower Buildings, 215 Schoeman Street, Pretoria (postal address Private Bag X117, Pretoria, 0001), within one month of the date of publication of this notice.

TABEL

Name of employers' organisation—Cryogenic and Compressed Gas Industry Association

Date on which application was lodged.—31 March 1982

Interests and area in respect of which application is made—Employers in the Republic of South Africa that are principally engaged in the industry concerned with the manufacture, production and distribution of cryogenic and compressed gases, which, without in any way limiting the ordinary meaning of the expression "cryogenic and compressed gases", includes oxygen, nitrogen, hydrogen, argon, dissolved acetylene, carbon dioxide, nitrous oxide and gas mixtures

Postal address of applicant.—P O Box 1042, Johannesburg, 2000

Office address of applicant—42 Fourth Floor, Juta Buildings, 52 Loveday Street, Johannesburg

Attention is drawn to the following requirements of section 4 of the Act

(a) The representativeness of any employers' organisation which objects to the application shall in terms of subsection (4) be determined on the facts as they existed at the date on which the application was lodged and, as far as membership is concerned, only members who were in good standing in terms of section 1 (2) of the Act as at the aforesaid date shall be taken into consideration

(b) The procedure laid down in subsection (2) must be followed in connection with any objection lodged
M W J. LE ROUX, Industrial Registrar
(4 June 1982)

KENNISGEWING 350 VAN 1982

VEILING VAN GOEDERE —DOEANE EN AKSYNS,
KAAPSTAD

Hierby word vir algemene inligting bekendgemaak dat 'n openbare veiling van ongeklarde, onopgeeste en verbeurdverklarde goedere om 09h00 op 21 Junie 1982 by die Staatspakhuis, Kaapstad, gehou sal word. Opgawes van die goedere wat verkoop sal word kan op aanvraag by die Kontroleur van Doeane en Aksyns, Privaatsak 9046, Kaapstad, 8000, verkry word.

(4 June 1982)

KENNISGEWING 351 VAN 1982

DEPARTEMENT VAN MANNEKRAG

WET OP NYWERHEIDSVERSOENING, 1956

INTREKKING VAN REGISTRASIE VAN 'N WERKGEWERSORGANISASIE —TELEVISION MANUFACTURERS' ASSOCIATION OF SOUTH AFRICA

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrator, maak hierby, kragtens artikel 14 (1) van die Wet op Nywerheidsversoening, 1956, bekend dat, aangesien ek rede het om te vermoed dat die Television Manufacturers' Association of South Africa gelikwedeer is, sy registrasie ingetrek sal word tensy redes daarteen binne 'n tydperk van 30 dae vanaf die datum van publikasie van hierdie kennisgewing aangevoer word.

M. W. J. LE ROUX, Nywerheidsregistrator

(4 June 1982)

KENNISGEWING 352 VAN 1982

DEPARTEMENT VAN MANNEKRAG

WET OP ARBEIDSVERHOUDINGE, 1956

Hierby word vir algemene inligting bekendgemaak dat die South African Motor Ferry Association met ingang van 24 Mei 1982 ingevolge artikel 4 (7), gelees met artikel 4 (8), van die Wet op Arbeidsverhoudinge, 1956, as 'n werkgewersorganisasie geregistreer is ten opsigte van werkgewers betrokke by die onderneming gemoeid met die vervoer van motorvoertuie per pad en/of see en/of spoor tussen motorvervaardigers en motorhandelaars in die Republiek van Suid-Afrika.

M. W. J. LE ROUX, Nywerheidsregistrator

(4 June 1982)

NOTICE 350 OF 1982

SALE OF GOODS —CUSTOMS AND EXCISE,
CAPE TOWN

It is hereby notified for general information that a public sale of unentered, abandoned and forfeited goods will be held at the State warehouse, Cape Town, at 09h00 on 21 June 1982. Lists of goods to be sold will be supplied on application to the Controller of Customs and Excise, Private Bag 9046, Cape Town, 8000.

(4 June 1982)

NOTICE 351 OF 1982

DEPARTMENT OF MANPOWER

INDUSTRIAL CONCILIATION ACT, 1956

CANCELLATION OF REGISTRATION OF AN EMPLOYERS' ORGANISATION —TELEVISION MANUFACTURERS' ASSOCIATION OF SOUTH AFRICA

I, Mattheus Willem Johannes le Roux, Industrial Registrar, hereby notify, in terms of section 14 (1) of the Industrial Conciliation Act, 1956, that as I have reason to believe that the Television Manufacturers' Association of South Africa has been wound up, its registration will be cancelled unless cause to the contrary is shown within a period of 30 days from the date of publication of this notice.

M. W. J. LE ROUX, Industrial Registrar

(4 June 1982)

NOTICE 352 OF 1982

DEPARTMENT OF MANPOWER

LABOUR RELATIONS ACT, 1956

It is hereby notified for general information that the South African Motor Ferry Association has with effect from 24 May 1982, in terms of section 4 (7), read with section 4 (8), of the Labour Relations Act, 1956, been registered as an employers' organisation in respect of employers engaged in the undertaking concerned with the transportation of motor vehicles by road and/or sea and/or rail between vehicle manufacturers and motor dealerships, in the Republic of South Africa.

M. W. J. LE ROUX, Industrial Registrar

(4 June 1982)

ooreengekom is om die geskil aangaande die bedrag van die vergoeding na arbitrasie te verwys of die bedrag deur 'n vergoedingshof te laat vasstel

* Gedateer te Kaapstad op hierdie 4de dag van Maart 1982.

L. FOUCHÉ, Direkteur-generaal, Gemeenskapsontwikkeling, p/a Die Streeksvertegenwoordiger, Privaatsak X9027, Kaapstad, 8000

BYLAE

Beskrywing van eiendom	Eienaar	Vergoeding aangebied
Erf 56 Stanford (4 Junie 1982)	Frederik Appel	R1 100

KENNISGEWING 346 VAN 1982

DEPARTEMENT VAN SAMEWERKING EN ONTWIKKELING

SENTRALE EGSKEIDINGSHOF —SITTINGS

Die Direkteur-generaal van Samewerking en Ontwikkeling het kragtens artikel 13 (6) van die Swart Administrasie Wet, 1927 (Wet 38 van 1927), en artikel 10 (4) van die Swart Administrasie Wet, 1927, Wysigingswet, 1929 (Wet 9 van 1929), bepaal dat sittings van die Sentrale Egskeidingshof om 09h00, of so spoedig daarna as wat gerieflik is, op onderstaande plek en datums 'n aanvang sal neem.

Bloemfontein, Woensdag, 22 September 1982

Welkom, Woensdag, 22 September 1982

(4 Junie 1982)

KENNISGEWING 348 VAN 1982

DEPARTEMENT VAN MANNEKRAG

WET OP ARBEIDSVERHOUDINGE, 1956

AANSOEK OM VERANDERING VAN DIE REGISTRASIEBESTEK VAN 'N WERKGEWERSORGANISASIE

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrator, maak ingevolge artikel 4 (2) soos toegepas by artikel 7 (5) van bogenoemde Wet, hierby bekend dat 'n aansoek om die verandering van sy registrasiebestek ontvang is van die Johannesburg Dry Cleaners' and Launderers' Association Besonderhede van die aansoek word in onderstaande tabel verstrek

Enige geregistreerde werkgewersorganisasie wat teen die aansoek beswaar maak, word versoek om binne een maand na die datum van publikasie van hierdie kennisgewing sy beswaar skriftelik by my in te dien, p/a die Departement van Mannekrag, Mannekraggebou 449, Schoemanstraat 215, Pretoria (posadres Privaatsak X117, Pretoria, 0001).

TABEL

Naam van werkgewersorganisasie —Johannesburg Dry Cleaners' and Launderers' Association

Datum waarop aansoek ingedien is —8 Desember 1981

Belange en gebied ten opsigte waarvan aansoek gedoen word —Werkgewers betrokke by die Wassery-, Droogskoonmaak- en Kleurbedryf in die landdrostdistrikte Alberton, Germiston, Johannesburg, Kempton Park, Randburg en Roodepoort

period been agreed to submit the dispute regarding amount of compensation to arbitration or to have amount determined by a compensation court

Dated at Cape Town this 4th day of March 1982.

L. FOUCHÉ, Director General, Community Development c/o The Regional Representative, Private Bag X9027, Cape Town, 8000

SCHEDULE

Description of property	Owner	Compensation offered
Erf 56, Stanford (4 June 1982)	Frederik Appel	R1 100

NOTICE 346 OF 1982

DEPARTMENT OF CO-OPERATION AND DEVELOPMENT

CENTRAL DIVORCE COURT.—SESSIONS

The Director-General for Co-operation and Development has, in terms of section 13 (6) of the Black Administration Act, 1927 (Act 38 of 1927), and section 10 (4) of the Black Administration Act, 1927 Amendment Act, 1929 (Act 9 of 1929), determined the following as a place at which and dates on which the Central Divorce Court will commence sessions at 09h00, or as soon thereafter as may be convenient

Bloemfontein, Wednesday, 22 September 1982.

Welkom, Wednesday, 22 September 1982

(4 June 1982)

NOTICE 348 OF 1982

DEPARTMENT OF MANPOWER

LABOUR RELATIONS ACT, 1956

APPLICATION FOR VARIATION OF SCOPE OF REGISTRATION OF AN EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, do hereby, in terms of section 4 (2) as applied by section 7 (5) of the above-mentioned Act, give notice that an application for the variation of its scope of registration has been received from the Johannesburg Dry Cleaners' and Launderers' Association Particulars of the application are reflected in the subjoined table

Any registered employers' organisation which objects to the application is invited to lodge its objection in writing with me, c/o the Department of Manpower, 449 Manpower Buildings, 215 Schoeman Street, Pretoria (postal address: Private Bag X117, Pretoria, 0001), within one month of the date of publication of this notice

TABLE

Name of employers' organisation —Johannesburg Dry Cleaners' and Launderers' Association.

Date on which application was lodged —8 December 1981.

Interests and area in respect of which application is made. —Employers engaged in the Laundry, Dry Cleaning and Dyeing Trade in the Magisterial Districts of Alberton, Germiston, Johannesburg, Kempton Park, Randburg and Roodepoort

Wassery, Droogskoonmaak- en Kleurbedryf" beteken-
sonder om die gewone betekenis van die uitdrukking
enigsins te beperk, die bedryf waarin werkgewers en werk-
gewers met mekaar geassosieer is met die doel om een of
meer van die volgende werksaamhede te verrig

(a) Die was, stryk, pars, skoonmaak, afwerking, kleur of
heelmaak van artikels volgens die bestelling van klante in 'n
bedryfsinrigting, en sluit die skoonmaak, was, heelmaak
of restourasie van tapyte in,

(b) die bestuur van—

(i) depots;

(ii) bedryfsinrigtings met munt- of skyfiewasoutomate
waar persone toegelaat word om artikels te was, skoon te
maak, te droog, te stryk, te pars, af te werk of te kleur,

(iii) bedryfsinrigtings waar artikels namens persone
gedroog, gestryk of gepars word,

(iv) 'n besigheid as 'n subkontraakteur,

(c) die gebruik van voertuie of persone per voet met die
doel om bestellings vir die was, skoonmaak, stryk, pars,
kleur of heelmaak van artikels te soek, aan te vra of te werf,
en sluit die insameling, ontvangs of aflewering van sodanige
artikels in,

(d) die verskaffing van artikels te huur indien genoemde
artikels deur die verskaffer daarvan gewas, gestryk, gepars,
gekleur en/of heelgemaak word na die gebruik van sodanige
artikels deur die huurder

Die aktiwiteite in paragrawe (a), (b), (c) en (d) vermeld,
sluit alle werksaamhede in verband daarmee of voortsprui-
tende daaruit in, maar sluit nie die volgende in nie

(i) Wassery in 'n privaatwoning namens 'n inwoner of
inwoners daarvan;

(ii) 'n wassery wat deur 'n opvoedkundige inrigting
gedryf word uitsluitlik vir of ten behoeve van inwonende
leerlinge of studente van 'n bepaalde inrigting,

(iii) 'n wassery wat deur 'n inrigting, geregistreer krag-
tens die Wet op Welsynsorganisasies, 1947, gedryf word
uitsluitlik vir en ten behoeve van die bepaalde inrigting,

(iv) werkgewers wat betrokke is by en wie se werknemers
werksaam is in die voorpars, pars, afwerkingspars en/of
napars van kledingstukke met 'n masjien of met die hand,
wat verrig word as deel van of in verband met die vervaar-
diging en/of maak van sodanige kledingstukke in die Kleres-
te- of die Kleremakery-op-maatnywerheid;

(v) werkgewers wat betrokke is by en wie se werknemers
werksaam is in die heelmaak van artikels, soos onderneem
deur besighede wat gedryf word uitsluitlik vir die doel van
die verstelling, herstel of heelmaak van artikels, of deur die
Kleremakery-op-maatnywerheid, en

(vi) die skoonmaak en/of kleur van artikels wat van pels
gemaak is, soos wat in verband met die besigheid van 'n
pelshandelaar onderneem word

Vir die doeleindes van hierdie omskrywing beteken—

"artikel", sonder om die gewone betekenis van die uit-
drukking enigsins te beperk, 'n voorwerp wat ingelewer
word met die doel om gewas, droogskoongemaak of
gekleur te word, en sluit dit tapyte, tapytstof, gestoffeerde
meubels en/of gordyne in,

"klant", benewens sy gewone betekenis, 'n persoon vir
wie was-, stryk-, pars-, skoonmaak-, afwerk-, kleur- of
heelmaakdienste gelewer word, asook 'n persoon wat ge-
bruik maak van die fasiliteite wat beskikbaar gestel word vir
die was, skoonmaak, droogmaak, stryk, pars, afwerk of
kleur van artikels deur middel van munt- of skyfiemasjiene
in 'n bedryfsinrigting, maatskappy, firma, besigheid, inrig-
ting, hotel of hospitaal, hetsy betaling vir of ten opsigte van
sodanige diens regstreeks gedoen word of op 'n ander on-
regstreekse wyse van watter aard ook al, maar sluit nie 'n
hospitaal of soortgelyke inrigting in nie wat aan 'n departe-
ment van die Regering van die Republiek van Suid-Afrika,

"Laundry, Dry Cleaning and Dyeing Trade" means,
without in any way limiting the ordinary meaning of the
expression, the trade in which employers and employees are
associated for the purpose of carrying on one or more of the
following activities

(a) The washing, ironing, pressing, cleaning, finishing,
dyeing or mending of articles to the order of customers in an
establishment, and includes the cleaning, washing, mend-
ing and/or restoration of carpets,

(b) the conducting of—

(i) depots;

(ii) coin or token-operated laundrettes in which per-
sons are permitted to wash, clean, dry, iron, press, finish
or dye articles,

(iii) establishments in which articles are dried, ironed
or pressed on behalf of persons,

(iv) business as a subcontractor.

(c) the using of vehicles or persons per foot for the pur-
pose of canvassing, inviting or soliciting orders for articles
to be washed, cleaned, ironed, pressed, dyed or mended,
including the collecting, receiving or delivering of such
articles,

(d) the supplying of articles on hire, if after the use of
such articles by the hirer the said articles are washed,
ironed, pressed, dyed and/or mended by the supplier
thereof

The activities mentioned in paragraphs (a), (b), (c) and
(d) include all operations incidental thereto or consequent
thereon, but do not include—

(i) laundering which is carried out in a private home on
behalf of a resident or residents thereof,

(ii) a laundry which is operated by an educational insti-
tution solely for and on behalf of resident pupils or stu-
dents of a particular institution,

(iii) a laundry which is operated by an institution regis-
tered in terms of the Welfare Organisations Act, 1947,
solely for and on behalf of the particular institution,

(iv) employers who are engaged and whose employees
are employed in the under-pressing, pressing, finishing-
pressing and/or off-pressing by machine or by hand of
garments, when carried on as part of or in connection
with the manufacture and/or making of such garments in
the Clothing Industry or Bespoke Tailoring Industry,

(v) employers who are engaged and whose employees
are employed in the mending of articles as undertaken by
businesses conducted solely for the purpose of the altera-
tion, repair or mending of articles or by the Bespoke
Tailoring Industry, and

(vi) the cleaning and/or dyeing of articles made of fur
as undertaken incidental to the business of a furrier.

For the purpose of this definition—

"article" means, without in any way limiting the ordi-
nary meaning of the expression, any object which is sub-
mitted for the purpose of laundering, dry cleaning or dyeing
and includes carpets, carpeting, upholstered furniture and/
or curtains,

"customer", in addition to its ordinary meaning, means
a person for whom washing, ironing, pressing, cleaning,
finishing, dyeing or mending services are carried out, as
well as a person who makes use of the facilities made avail-
able for washing, cleaning, drying, ironing, pressing,
finishing or dyeing articles per coin or token machines in an
establishment, company, firm, business, institution, hotel
or hospital, whether payment for or in respect of such ser-
vice is effected directly or in any other indirect manner
whatsoever, but does not include any hospital or similar
institution belonging to any Department of the Government

die Transvaalse Provinsiale Administrasie of 'n plaaslike owerheid behoort, indien en solank as wat sodanige hospitaal of soortgelyke inrigting voormelde dienste van 'n wassery ontvang wat aan genoemde Regering, Provinsiale Administrasie of plaaslike owerheid behoort,

“bedryfsinrigting” enige gebou, grond kamer, perseel, struktuur, tent, toe wa of voertuig waarin of waarop, of in verband waarmee een of meer werknemers werksaam is in 'n aktiwiteit in verband met die was-, skoonmaak- en kleurberepe en sluit enige plek in waar was- en/of stryk- en/of skoonmaak- en/of kleur- en/of pars- en/of afwerkingsfasiliteite deur middel van outomatiese of halfoutomatiese prosesse verskaf word vir gebruik deur enige persoon, en sluit dit verder enige depot en/of perseel in wat deur 'n subkontraakteur beset of gebruik word,

“afwerking” die pars, stryk, stoom of tuimel van artikels in fatsoen, met die hand of deur middel van 'n blok, kalender, mangel, vormer, fatsoeneerder of enige ander pars- of stoommasjien of deur middel van enige ander pars- of afwerkingsproses van watter aard ook al

Belange en gebied ten opsigte waarvan registrasie gehou word—Werkgewers betrokke by die Wassery-, Droogskoonmaak- en Kleurbedryf in die landdrostdistrikte Alberton, Germiston, Johannesburg, Kempton Park, Randburg en Roodepoort

“Wassery-, Droogskoonmaak- en Kleurbedryf” beteken, sonder om die gewone betekenis van die uitdrukking enigerwyse te beperk, die bedryf wat in bedryfsinrigtings uitgeoefen word waar artikels gewas en gestryk, skoongemaak of gekleur word volgens die bestelling van klante, en dit omvat depots waar sodanige artikels ontvang word om gewas en gestryk, skoongemaak of gekleur te word volgens die bestelling van klante, maar uitgesonderd die kleur van else Met dien verstande dat die woord “klante” by die toepassing van hierdie omskrywing nie klerasievervaardigers insluit nie.

Posadres van applikant.—Posbus 4863, Johannesburg, 2000

Kantooradres van applikant—Greenfields 32, Greenside, Johannesburg

Die aandag word gevestig op onderstaande vereistes van artikels 4 en 7 van die Wet

(a) Die mate waarin 'n beswaarmakende werkgewersorganisasie verteenwoordigend is, word ingevolge artikel 4 (4), soos toegepas by artikel 7 (5), bepaal volgens die feite soos hulle bestaan het op die datum waarop die aansoek ingedien is, en wat die lidmaatskap betref, word alleen lede wat ingevolge artikel 1 (2) van die Wet op voormelde datum volwaardige lede was, in aanmerking geneem

(b) Die prosedure voorgeskryf by artikel 4 (2) moet gevolg word in verband met 'n beswaar wat ingedien word

M W. J LE ROUX, Nywerheidsregistrateur.

(4 Junie 1982)

of the Republic of South Africa, the Transvaal Provincial Administration or a local authority, if and for so long as such hospital or similar institution receives the aforementioned services from a laundry belonging to the said Government, Provincial Administration or local authority,

“establishment” means any building, land, room, premises, structure, tent, van or vehicle in or on which or in connection with which one or more employees are engaged in any activity involved in the laundering, cleaning and dyeing occupations and includes any place where washing and/or ironing and/or cleaning and/or dyeing and/or pressing and/or finishing facilities are provided for use by persons by means of any automatic or semi-automatic processes, and further includes any depot and/or premises occupied or used by a subcontractor,

“finishing” means any pressing, ironing, steaming or tumbling of articles to shape by hand or by means of a block, calender mangle, former, shaper or any other pressing or steaming machine or by any other pressing or finishing process whatsoever

Interests and area in respect of which registration is held—Employers engaged in the Laundry, Dry Cleaning and Dyeing Trade in the Magisterial Districts of Alberton, Germiston, Johannesburg, Kempton Park, Randburg and Roodepoort

“Laundry, Dry Cleaning and Dyeing Trade” means without in any way limiting the ordinary meaning of the expression, the trade carried on in establishments where articles are laundered, cleaned or dyed to the order of customers and includes depots where such articles are received in order to be laundered, cleaned or dyed to the order of customers, but excludes the dyeing of fur pelts Provided that, for the purposes of this definition, the term “customers” does not include clothing manufacturers

Postal address of applicant—P O. Box 4863, Johannesburg, 2000

Office address of applicant.—32 Greenfields, Greenside, Johannesburg

Attention is drawn to the following requirements of sections 4 and 7 of the Act

(a) The representativeness of any employers' organisation which objects to the application shall in terms of section 4 (4) as applied by section 7 (5) be determined on the facts as they existed at the date on which the application was lodged and, as far as membership is concerned, only members who were in good standing in terms of section 1 (2) of the Act as at the aforesaid date shall be taken into consideration

(b) The procedure laid down in section 4 (2) must be followed in connection with any objection lodged

M W. J LE ROUX, Industrial Registrar.

(4 June 1982)

INDUSTRIAL RELATIONS

Meeting place (132)

FM 4/6/82
A course designed to aid both managers responsible for industrial relations and union officials is to be offered later this year by Wits University's Graduate School of Business Administration

A significant feature of the course is that it has strong backing from both employers and union leaders. The Certificate Programme in Industrial Relations is a part-time course which will run from July this year through to March 1983.

Anglo American industrial relations adviser Bobby Godsell says the programme has arisen from approaches by management and unions — and both groups have been involved in the formulation of the cur-

riculum. He approves of the practical orientation of the course, most of the lectures will be given by experienced industrial relations practitioners who deal with complex labour issues daily.

Cyril Ramaphosa, a senior official in the Council of Unions of SA (Cusa), believes that the course will help fulfil an important need. Tensions can be eased by bringing management and unionists into the same lecture room, he says.

Mrs Kate Jowell

Call for new system of collective bargaining

CAPE TOWN
5/6/82
132

THE price of getting political change through the workplace was not one that any reasonable manager or hard-pressed worker or even society at large should have to pay, Mrs Kate Jowell, assistant director of the University of Cape Town's Graduate School of Business, said in Cape Town.

Mrs Jowell was one of the speakers at a symposium organized by the Institute of Personnel Management on "Collective Bargaining - Which system? The Industrial Council? Plant Level? Both systems?"

The other speakers were Mr Jack Roos of the Cape Chamber of Industries and Mr David Lewis, General Workers Union.

"We should be working towards a bargaining system that gives us the best of both worlds - the advantages of industry wide or national bargaining backed up with the support and responsiveness to immediate in-house issues that plant level links are able to provide," Mrs Jowell told delegates.

This, in turn, depended on three things one of which was the need to progress further along the road to closing the wage gap, to reducing the skill and opportunity gap to equalizing education and housing, and to freeing blacks to compete on an equal footing in the workplace without the shackles of influx control.

Trade unions

"The new trade unions themselves and some enlightened managers are moving us fast along the road to closing the wage and opportunity gaps."

"However, one needs to tell them that it is those vital issues in our environment which need more fundamental and reaching change in the whole political and social structure."

Mrs Jowell said some people thought the change was going to be forced through the workplace.

To wit, One Mr Frank le Roux of the Conservative Party of Brakpan who said in Parliament recently that when the National Party's ship sank the Minister of Manpower would be remembered as the person who shot the biggest hole in it from the inside. He more than any other member of the cabinet had said goodbye through his labour reforms to the policy of separate development.

He might be right, she added, but the price we would

have to pay for political change through that route is, I think, too high."

Conditions

Two other conditions for securing a bargaining system that gave the best of both the Industrial Council system and plant level bargaining were the need to transform the Industrial Council system - to decentralize it, to debureaucratize it, and to encourage shop floor links, and the need to change those attitudes and practices of management which still saw shop floor demands as a challenge to their autonomy and "strength" rather than a perfectly legitimate exercise of individual rights.

What we need to do is to single out the best of both systems and work towards a new system for South Africa that incorporates those qualities.

Perhaps, most significantly, Mrs Jowell said the Industrial Council offered mediation on any problems in the industry through a medium that was acceptable and credible to the warring parties because they had created it.

However, under any circumstances plant level links were critically important to the stability of an industry.

"In South Africa it is even more vital both because of the short term problems of lack of representativeness of industrial councils and also because national level bargaining could not easily deal with the problems of the unskilled and semi skilled worker."

Without plant level bargaining managers were also unable to press for productivity improvements to match the wage increases imposed on them by industrial council agreements - the recent 25 percent metal industry wage increase agreement being a case in point.

Financial rand

JOHANNESBURG - Standard Bank's financial rand quotation followed by percentage discount in brackets 79 1/2 - 80 (13 69 - 13 33) - Sapa

RDM indices

Coal 1294,8
Diamonds 849,3
Gold 390,9
Metals 181,0
Mining houses 441,8
Industrial 527,4

Unless otherwise stated all financial news in this issue was compiled by Paul Doid and sub edited by E V Honeyman

RMP's chairman Mr Dammy Watt said yesterday RM3's working costs were "less than six rand a ton", and with an expected recovery of 70% and costs of R5 a ton the scheme needs a gold price of R222 an ounce to break even.

The plant will concentrate firstly on the higher grade "A" dump, a landmark on Johannesburg's south-western skyline, and at a treatment rate of 4 500 000 tons a year the huge dump will be flattened in four to five years.

The removal of the dump will leave a considerable area of land available for development, and a Johannesburg City Council official said the area would probably be zoned as commercial property, with 'good ratable potential'. The "A" dump contains an estimated 12 tons of gold, while the slimes dam is believed to contain another ton.

Mr Brown said there was an element of gold lock-up in the plant, and this would probably settle at about 90 kg, worth about R1 000 000 at the current gold price.

Gold price

A spokesman for RM3 said the 'C' dump was now being used which had values of less than 0,5gt, but sand from the higher grade "A" dump would be brought into the plant from the end of this month.

"With the gold price low we have to go for the

RM3, any additional will be come. A scheme in next year sand to be... ing, in holder... turned offer to RMP and subst... their... RM3... tons of... availab... nient... and at... duction has an years

Fu

Mr W... no... further two are... wait... has... success... before... next pla

He d... the ne... built an... "The... out all... plant in... RM3

slimes and sta... last... will... a mont... tons of... tons of... Powe... have al... 250 000... use in f

Australia and New Zealand drop all trade barriers

CANBERRA - Australia and New Zealand released draft proposals aimed at dropping trade barriers between them by 1995.

The drafts, called proposals for a Closer Economic Relationship (CER), were issued to allow for consultation before they are finalised.

Australian deputy prime minister, said final decisions and endorsement were expected in August to enable them to come into force early next year.

Under the proposals, tariffs will be reduced over five years, export incentives abolished and Zealand's import licensing scheme - Sapa Reuter

Unit trusts Meta

JOHANNESBURG - Yesterday's quotations for Mutual Funds are				LONDON - (ring) on the	
	Buyers	Sellers	Yield	Copper	
Old Mutual	332,27	311,06	8,32	36 350,00	months 78%
Ngl	196,85	186,58	8,23	743 00	Cats
Sage	382,55	314,51	8,48	cash 734,00	
UAL	332,41	314,51	8,48	759,00	60,00,
Sats	152,69	144,57	8,25	Tin	
Sanlamtr	312,52	296,16	9,09	6 520 30,	lement 6
Trust	93,28	88,39	8,68	6 520 30	lement 6
Santam	155,58	137,40	10,86	6 520 30	lement 6
Intergrow	91,70	87,17	11,02	Lead	
Guardbank	324,32	307,14	11,70	81 00	three
Standard	208,37	198,80	8,42	lement 281	
Std Income	83,96	82,09	3,88	Zinc	

Exchange rates

Barelays

In their report the directors say that in spite of a downswing in the domestic economy during the financial year, the industrial interests of the group as a whole sustained and even improved on the previous year's performance. These are industries which are very sensitive to the economic cycle.

Transvaal Sugar Corporation, the sugar producer and miller, contributed a major portion of the group's income from its industrial enterprises. Last year its income was approximately the same level as in the previous year.

On the other hand, the business sector in which the Bonuskor group of companies operate declined during the year but the board is satisfied with Bonuskor's performance.

Dunlop offer undersubscribed

JOHANNESBURG - Dunlop South Africa's rights offer of 2,7m 50c shares at 575c a share met 97,4 percent subscriptions from shareholders or renounees. Standard Merchant Bank said

The balance of the offer will be taken up by the underwriters.

The offer was to raise about R15m for modernization and expansion - Reuter

SAB appointment

JOHANNESBURG - Mr P Lailvaux has been appointed general manager of South African Breweries' recently formed footwear division which incorporates all the interests of Shoe Corporation, SA Footwear and Richeleigh.

Mr Lailvaux was managing director of SA Footwear for the past eight years - Sapa

London slow, mixed

LONDON - Gold shares ended mixed after the bullion price rallied from overnight lows but business was slow, dealers said.

An easier bias was evident in the higher-priced producers, with Vaal Reefs and Kloof both ending lower.

CLOSING MIDDLE PRICES

Mining		
Afex Corp	25	Kinross \$848
Cor Syn	29p	Kloof \$21 3/8
Portind	16p	Leslia 128c
Falcon	95	Libann \$13 1/8
Gib Phnx	48p	Lorame 193
Conrho	69p	Lydenbrg 112p
MTD (M)	16p	Manevale 163c
Nchar	6	Messina 200p
Euvar	95p	Mid Wits 375p
Wankie	20p	N Lnt Wt 300p
ZCL	15	New Wits 285c
Am Gld	\$53 1/2	P Brand \$21 3/8
Crp	8 1/4	P Steyn \$20 3/8
Av	\$41 1/2	Tongat 88p

The Anglo result was the only highlight of the shortened week, and was well-received in a market which was not sure what to expect.

However, the 10,9% dividend yield the share is sitting on remains insufficient to attract any material overseas orders.

Yesterday, Anglo added 15c to the 15c it firmed on Thursday to close at 1 040c. It was one of three rises on the mining houses board. Gold Fields rose 50c to 5 300c and Gencor, 30c to 1 540c.

Of the producers, the Free State mines fared poorly.

President Steyn lost 200c to 2 475c, President Brand 100c to 2 700c, and St Helena 50c to 2 950c. Freguls (2 375c), Harmony 1 150c, Welkom (765c) and Western Holds 3 550c all eased 25c.

The diamond stocks did a little better, with De Beers firming a marginal 2c to 470c, Anamint 100c to 5 350c, and Theron 5c to 80c.

On the industrial board, Barlow Rand continued to recover some of the ground lost following its disappointing profit announcement. Yesterday it added 9c to 729c - just 6c down on a week ago.

Others to firm included Fed Volks, 25c to 365c, and Blue Circle 5c up at 310c.

The rises were, however, heavily outnumbered by falls. Among them, C G Smith eased 25c to 1 300c, Darling & Hodgson 5c to 585c, Picfin 25c to 450c, W & A 10c to 550c, and Waverly 5c to 140c.

The food sector, which attracted a lot of interest throughout the week, was quieter with two rises and one fall. ICS and I & J rose 5c apiece at 285c and 150c respectively, while Tiger Oats eased 25c to 1 575c.

Monis and Fattis remained suspended pending further developments - which are expected on Monday.

South African financials were mixed but London-based houses eased. RTZ losing 4p to 417p.

Platinums were 2p to 4p lower and coppers were easier where changed as the metal price continued weak.

Industrials		
Abercom	120p	SA Brews 183p
Rd Nmpck	365p	Sappi Ltd 355p
CNA Inv	290p	Sasol Npv 131
Grimn A	235p	Std Ch 419p
OK Baz	700	Tvl Cn 17 1/2
Grimn O	325p	Tiger Oat 700p
Hutlets	315p	Un Stl Cr 45p
Imp Cld	120p	Unsec Gp 30c
Nthn Eng	95 1/2	Un sel \$680
Nl Crvs	295p	Utico 05p
Rennies	140p	Ver Ref 50p
CG Sug	650p	
Rex True	255p	

KENNISGEWING 386 VAN 1981

DIE SUID-AFRIKAANSE GENEESKUNDIGE
EN TANDHEELKUNDIGE RAAD

Die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad vaardig hierby die volgende reëls uit kragtens artikel 32 (1) van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974)

REËLS BETREFFENDE DIE REGISTRASIE VAN
ORTOPEDIËSE TEGNIESE ASSISTENTE

1 Die raad kan as 'n ortopediese tegniese assistent 'n persoon registreer wat 'n kwalifikasie in ortopediese tegnologie behaal het, toegeken nadat hy deur 'n inrigting of eksaminerende liggaam wat van tyd tot tyd by besluit van die raad goedgekeur is as bevoeg om sodanige kwalifikasie toe te ken, geëksamineer is. Met dien verstande dat geen kwalifikasie vir die toepassing van hierdie reël aangeneem word nie, tensy—

(a) die opleiding daarvoor oor minstens twee jaar gestrek het, en

(b) die applikant in besit is van minstens 'n standaard 8 skoolsertifikaat

2 Waar, in die geval van 'n aansoek om registrasie, die kwalifikasie waarop die aansoek gebaseer is, nie reeds deur die raad goedgekeur is nie, moet die applikant gesaghebende inligting aan die raad laat verstrek betreffende die opleiding wat vir sodanige kwalifikasie vereis word, waarna, indien sodanige opleiding deur die raad as bevredigend beskou word, sodanige kwalifikasie goedgekeur kan word

(11 June 1982)

KENNISGEWING 388 VAN 1982

DEPARTEMENT VAN MANNEKRAG

WET OP ARBEIDSVERHOUDINGE, 1956

AANSOEK OM VERANDERING VAN DIE REGISTRASIEBESTEK VAN 'N WERKGEWERSORGANISASIE

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrateur, maak ingevolge artikel 4 (2) soos toegepas by artikel 7 (5) van bogenoemde Wet, hierby bekend dat 'n aansoek om die verandering van sy registrasiebestek ontvang is van die Transvaal Launderers', Cleaners' and Dyers' Association. Besonderhede van die aansoek word in onderstaande tabel verstrek

Enge geregistreerde werkgewersorganisasie wat teen die aansoek beswaar maak, word versoek om binne een maand na die datum van publikasie van hierdie kennisgewing sy beswaar skriftelik by my in te dien, p/a die Departement van Mannekrag, Mannekraggebou 449, Schoemanstraat 215, Pretoria (posadres Privaatsak X117, Pretoria, 0001).

TABEL

Naam van werkgewersorganisasie—Transvaal Launderers', Cleaners' and Dyers' Association

Datum waarop aansoek ingedien is—8 Desember 1981

Belange en gebied ten opsigte waarvan aansoek gedoen word—Werkgewers betrokke by die Wassery-, Droogskoonmaak- en Kleurbedryf in die landdrostdistrikte Alberton, Germiston, Johannesburg, Kempton Park, Randburg en Roodepoort

NOTICE 386 OF 1981

THE SOUTH AFRICAN MEDICAL AND
DENTAL COUNCIL

The South African Medical and Dental Council hereby makes the following rules in terms of section 32 (1) of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974).

RULES FOR THE REGISTRATION OF ORTHOPAEDIC
TECHNICAL ASSISTANTS

1 The council may register as an orthopaedic technical assistant any person who has obtained a qualification in orthopaedic technology granted after examination by any institution or examining authority approved by resolution of the council from time to time as competent to grant such qualification. Provided that no qualification shall be accepted for the purposes of this rule unless—

(a) the training therefor has extended over a minimum period of two years, and

(b) the applicant is in possession of at least a standard 8 school certificate

2 Where, in the case of an application for registration, the qualification on which the application is based has not already been approved by the council, the applicant shall be required to cause the council to be furnished with authoritative information as to the training required for such qualification, whereupon, if the standard of such training is considered satisfactory by the council, such qualification may be approved

(11 June 1982)

NOTICE 388 OF 1982

DEPARTMENT OF MANPOWER

LABOUR RELATIONS ACT, 1956

APPLICATION FOR VARIATION OF SCOPE OF REGISTRATION OF AN EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, do hereby, in terms of section 4 (2) as applied by section 7 (5) of the above-mentioned Act, give notice that an application for the variation of its scope of registration has been received from the Transvaal Launderers', Cleaners and Dyers' Association. Particulars of the application are reflected in the subjoined table

Any registered employers' organisation which objects to the application is invited to lodge its objection in writing with me, c/o the Department of Manpower, 449 Manpower Buildings, 215 Schoeman Street, Pretoria (postal address: Private Bag X117, Pretoria, 0001), within one month of the date of publication of this notice

TABLE

Name of employers' organisation.—Transvaal Launderers', Cleaners' and Dyers' Association

Date on which application was lodged—8 December 1981.

Interests and area in respect of which application is made.—Employers engaged in the Laundry, Dry Cleaning and Dyeing Trade in the Magisterial Districts of Alberton, Germiston, Johannesburg, Kempton Park, Randburg and Roodepoort.

“Wassery-, Droogskoonmaak- en Kleurbedryf” beteken, sonder om die gewone betekenis van die uitdrukking enigsins te beperk, die bedryf waarin werkgewers en werknemers met mekaar geassosieer is met die doel om een of meer van die volgende werksaamhede te verrig

(a) Die was, stryk, pars, skoonmaak, afwerking, kleur of heelmaak van artikels volgens die bestelling van klante in 'n bedryfsinrigting, en sluit die skoonmaak, was, heelmaak en/of restourasie van tapyte in,

(b) die bestuur van—

(i) depots,

(ii) bedryfsinrigtings met munt- of skyfiewasoutomate waar persone toegelaat word om artikels te was, skoon te maak, te droog, te stryk, te pars, af te werk of te kleur,

(iii) bedryfsinrigtings waar artikels namens persone gedroog, gestryk of gepars word,

(iv) 'n besigheid as 'n subkontraakteur,

(c) die gebruik van voertuie of persone per voet met die doel om bestellings vir die was, skoonmaak, stryk, pars, kleur of heelmaak van artikels te soek, aan te vra of te werf, en sluit die insameling, ontvangs of aflewering van sodanige artikels in,

(d) die verskaffing van artikels te huur indien genoemde artikels deur die verskaffer daarvan gewas, gestryk, gepars, gekleur en/of heelgemaak word na die gebruik van sodanige artikels deur die huurder

Die aktiwiteite in paragrawe (a), (b), (c) en (d) vermeld, sluit alle werksaamhede in verband daarmee of voortspruitende daaruit in, maar sluit nie die volgende in nie

(i) Wassery in 'n privaatwoning namens 'n inwoner of inwoners daarvan,

(ii) 'n wassery wat deur 'n opvoedkundige inrigting gedryf word uitsluitlik vir of ten behoeve van inwonende leerlinge of studente van 'n bepaalde inrigting,

(iii) 'n wassery wat deur 'n inrigting, geregistreer kragtens die Wet op Welsynsorganisasies, 1947, gedryf word uitsluitlik vir en ten behoeve van die bepaalde inrigting,

(iv) werkgewers wat betrokke is by en wie se werknemers werksaam is in die voorpars, pars, afwerkingspars en/of napars van kledingstukke met 'n masjien of met die hand, wat verrig word as deel van of in verband met die vervaardiging en/of maak van sodanige kledingstukke in die Kleremakery- of die Kleremakery-op-maatnywerheid,

(v) werkgewers wat betrokke is by en wie se werknemers werksaam is in die heelmaak van artikels, soos onderneem deur besighede wat gedryf word uitsluitlik vir die doel van die verstelling, herstel of heelmaak van artikels, of deur die Kleremakery-op-maatnywerheid, en

(vi) die skoonmaak en/of kleur van artikels wat van pels gemaak is, soos wat in verband met die besigheid van 'n pelshandelaar onderneem word.

Vir die doeleindes van hierdie omskrywing beteken—

“artikel”, sonder om die gewone betekenis van die uitdrukking enigsins te beperk, 'n voorwerp wat ingelewer word met die doel om gewas, droogskoongemaak of gekleur te word, en sluit dit tapyte, tapytstof, gestoffeerde meubels en of gordyne in,

“klant”, benewens sy gewone betekenis, 'n persoon vir wie was-, stryk-, pars-, skoonmaak-, afwerk-, kleur- of heelmaakdienste gelewer word, asook 'n persoon wat gebruik maak van die fasiliteite wat beskikbaar gestel word vir die was, skoonmaak, droogmaak, stryk, pars, afwerk of kleur van artikels deur middel van munt- of skyfiemasjiene in 'n bedryfsinrigting, maatskappy, firma, besigheid, inrigting, hotel of hospitaal, hetsy betaling vir of ten opsigte van sodanige diens regstreeks gedoen word of op 'n ander

“Laundry, Dry Cleaning and Dyeing Trade” means without in any way limiting the ordinary meaning of the expression, the trade in which employers and employees are associated for the purpose of carrying on one or more of the following activities

(a) The washing, ironing, pressing, cleaning, finishing, dyeing or mending of articles to the order of customers in an establishment, and includes the cleaning, washing, mending and/or restoration of carpets,

(b) the conducting of—

(i) depots,

(ii) coin or token-operated laundrettes in which persons are permitted to wash, clean, dry, iron, press, finish or dye articles,

(iii) establishments in which articles are dried, ironed or pressed on behalf of persons;

(iv) business as a subcontractor;

(c) the using of vehicles or persons per foot for the purpose of canvassing, inviting or soliciting orders for articles to be washed, cleaned, ironed, pressed, dyed or mended, including the collecting, receiving or delivering of such articles;

(d) the supplying of articles on hire, if after the use of such articles by the hirer the said articles are washed, ironed, pressed, dyed and/or mended by the supplier thereof

The activities mentioned in paragraphs (a), (b), (c) and (d) include all operations incidental thereto or consequent thereon, but do not include—

(i) laundering which is carried out in a private home on behalf of a resident or residents thereof,

(ii) a laundry which is operated by an educational institution solely for and on behalf of resident pupils or students of a particular institution,

(iii) a laundry which is operated by an institution registered in terms of the Welfare Organisations Act, 1947, solely for and on behalf of the particular institution,

(iv) employers who are engaged and whose employees are employed in the under-pressing, pressing, finishing-pressing and/or off-pressing by machine or by hand of garments, when carried on as part of or in connection with the manufacture and/or making of such garments in the Clothing Industry or Bespoke Tailoring Industry,

(v) employers who are engaged and whose employees are employed in the mending of articles as undertaken by businesses conducted solely for the purpose of the alteration, repair or mending of articles or by the Bespoke Tailoring Industry, and

(vi) the cleaning and/or dyeing of articles made of fur as undertaken incidental to the business of a furrier

For the purpose of this definition—

“article” means, without in any way limiting the ordinary meaning of the expression, any object which is submitted for the purpose of laundering, dry cleaning or dyeing and includes carpets, carpeting, upholstered furniture and/or curtains;

“customer”, in addition to its ordinary meaning, means a person for whom washing, ironing, pressing, cleaning, finishing, dyeing or mending services are carried out, as well as a person who makes use of the facilities made available for washing, cleaning, drying, ironing, pressing, finishing or dyeing articles per coin or token machines in an establishment, company, firm, business, institution, hotel or hospital, whether payment for or in respect of such ser-

onregstreekse wyse van watter aard ook al, maar sluit nie 'n hospitaal of soortgelyke inrigting in nie wat aan 'n departement van die Regering van die Republiek van Suid-Afrika, die Transvaalse Provinsiale Administrasie of 'n plaaslike owerheid behoort, indien en solank as wat sodanige hospitaal of soortgelyke inrigting voormelde dienste van 'n wassery ontvang wat aan genoemde Regering, Provinsiale Administrasie of plaaslike owerheid behoort,

“bedryfsinrigting” enige gebou, grond, kamer, perseel, struktuur, tent, toe wa of voertuig waarin of waarop, of in verband waarmee een of meer werknemers werksaam is in 'n aktiwiteit in verband met die was-, skoonmaak- en kleurberepe en sluit enige plek in waar was- en/of stryk- en/of skoonmaak- en/of kleur- en/of pars- en/of afwerkingsfasiliteite deur middel van outomatiese of halfoutomatiese prosesse verskaf word vir gebruik deur enige persoon, en sluit dit verder enige depot en/of perseel in wat deur 'n subkontrakteur beset of gebruik word,

“afwerking” die pars, stryk, stoom of tuimel van artikels in fatsoen, met die hand of deur middel van 'n blok, kalander, mangel, vormer, fatsoeneerder of enige ander pars- of stoommasjien of deur middel van enige ander pars- of afwerkingsproses van watter aard ook al

Belange en gebied ten opsigte waarvan registrasie gehou word—Werkgewers betrokke by die Wassery-, Droogskoonmaak- en Kleurbedryf in die landdrostdistrik Johannesburg en die munisipale gebiede van Benoni, Boksburg, Brakpan, Germiston, Krugersdorp, Randfontein, Roodepoort—Maraisburg en Springs, soos daardie gebiede op 2 September 1943 saamgestel was

“Wassery-, Droogskoonmaak- en Kleurbedryf”, sonder om die gewone betekenis van die uitdrukking enigins te beperk, beteken die bedryf waarin werkgewers en werknemers met mekaar geassosieer is met die doel om een of meer van die volgende aktiwiteite te verrig.

(a) Die was, stryk, pars, skoonmaak, kleur of heelmaak van artikels volgens die bestellings van klante (uitgesonderd klerasievervaardigers) in 'n bedryfsinrigting;

(b) die gebruik van voertuie of die bestuur van depots, afgesien daarvan of sodanige voertuie in verband staan met of sodanige depots deel uitmaak van of in verband staan met 'n bedryfsinrigting waar die aktiwiteite in (a) genoem, beoefen word, met die doel om bestellings vir die was, stryk, pars, skoonmaak, kleur of heelmaak van artikels te soek, aan te vra of te werf, en sluit die insameling, ontvangs of aflewering van sodanige artikels in,

(c) die verskaffing van artikels te huur indien genoemde artikels deur die verskaffer daarvan gewas, gestryk, gepars, skoongemaak, gekleur of heelgemaak word na die gebruik van sodanige artikels deur die huurder

Die aktiwiteite in paragrawe (a), (b) en (c) vermeld, sluit alle werksaamhede in verband daarmee of voortspruitende daaruit in, maar sluit nie die volgende in nie—

(i) 'n Wassery wat deur 'n opvoedkundige inrigting gedryf word uitsluitlik vir en ten behoeve van inwonende leerlinge of studente van die bepaalde inrigting,

(ii) 'n wassery wat deur 'n inrigting, geregistreer kragtens die Wet op Welsynsorganisasies, 1947, gedryf word uitsluitlik vir en ten behoeve van die inwoners van die bepaalde inrigting,

(iii) werkgewers wat betrokke is by en wie se werknemers werksaam is in die voorpars, pars en/of afwerkingspars van kledingstukke met 'n masjien of met die hand, wat verrig word as deel van of in verband met die vervaardiging en/of maak van sodanige kledingstukke in die Klerasie- of die Kleremakery-op-maatnywerheid,

vice is effected directly or in any other indirect manner whatsoever, but does not include any hospital or similar institution belonging to any Department of the Government of the Republic of South Africa, the Transvaal Provincial Administration or a local authority, if and for so long as such hospital or similar institution receives the aforementioned services from a laundry belonging to the said Government, Provincial Administration or local authority,

“establishment” means any building, land, room, premises, structure, tent, van or vehicle in or on which or in connection with which one or more employees are engaged in any activity involved in the laundering, cleaning and dyeing occupations and includes any place where washing and/or ironing and/or cleaning and/or dyeing and/or pressing and/or finishing facilities are provided for use by persons by means of any automatic or semiautomatic processes, and further includes any depot and/or premises occupied or used by a subcontractor,

“finishing” means any pressing, ironing, steaming or tumbling of articles to shape by hand or by means of a block, calender, mangle, former, shaper or any other pressing or steaming machine or by any other pressing or finishing process whatsoever

Interests and area in respect of which registration is held—Employers engaged in the Laundry, Dry Cleaning and Dyeing Trade in the Magisterial District of Johannesburg and the municipal areas of Benoni, Boksburg, Brakpan, Germiston, Krugersdorp, Randfontein, Roodepoort—Maraisburg and Springs, as those areas were constituted as at 2 September 1943

“Laundry, Dry Cleaning and Dyeing Trade” means, without in any way limiting the ordinary meaning of the expression, the industry in which employers and employees are associated for the purpose of carrying out one or more of the following activities

(a) Washing, ironing, pressing, cleaning, dyeing or mending articles to the order of customers excluding clothing manufacturers in an establishment,

(b) using vehicles or conducting depots, whether or not such vehicles are connected with or such depots form part of or are connected with an establishment in which the activities specified in paragraph (a) are performed, for the purpose of canvassing, inviting or soliciting orders for articles to be washed, ironed, pressed, cleaned, dyed or mended, and includes the collecting, receiving or delivering of such articles,

(c) supplying articles on hire if after the use of such articles by the hirer the said articles are washed, ironed, pressed, cleaned, dyed or mended by the supplier thereof

The activities mentioned in paragraphs (a), (b) and (c) include all operations incidental thereto or consequent thereon, but do not include—

(i) a laundry which is operated by an educational institution solely for and on behalf of resident pupils or students of the particular institution,

(ii) a laundry which is operated by an institution registered in terms of the Welfare Organisations Act, 1947, solely for and on behalf of the inmates of the particular institution,

(iii) employers who are engaged and whose employees are employed in the under-pressing, pressing, finishing-pressing and/or off-pressing by machine or hand of garments, carried on as part of or in connection with the manufacture and/or making of such garments in the Clothing Industry or the Bespoke Tailoring Industry,

(iv) werkgewers wat betrokke is by en wie se werknemers werksaam is in die heelmaak van artikels, soos onderneem deur besighede wat uitsluitlik gedryf word vir die doel van die verstelling, herstel of heelmaak van artikels, of deur die Kleremakery-op-maatnywerheid, en

(v) die skoonmaak en/of kleur van artikels wat van pels gemaak is, soos wat in verband met die besigheid van 'n pelshandelaar onderneem word

Vir die doeleindes van hierdie omskrywing beteken—

“klant”, benewens sy gewone betekenis, 'n persoon, maatskappy, firma, besigheid, inrigting, hotel of hospitaal, vir wie of ten behoeve van wie artikels gewas, skoongemaak, gekleur, gestryk, gepars of heelgemaak word, of aan wie artikels in die omstandighede uiteengesit in paragraaf (c) te huur verskaf word deur 'n ander persoon, maatskappy, firma, besigheid, inrigting, hotel of hospitaal, hetsy betaling vir of ten opsigte van sodanige diens regstreeks gedoen word of op 'n ander onregstreekse wyse van watter aard ook al, maar sluit nie 'n hospitaal of soortgelyke inrigting in nie, wat aan 'n departement van die Regering van die Republiek, die Transvaalse Provinsiale Administrasie of 'n plaaslike owerheid behoort, indien en so lank as wat sodanige hospitaal of soortgelyke inrigting voormelde dienste van 'n wassery ontvang wat aan genoemde Regering, Provinsiale Administrasie of plaaslike owerheid behoort,

“depots” enige persele waar was- en/of skoonmaak en/of kleur en/of afwerkingsfasiliteite verskaf word vir gebruik deur lede van die publiek deur middel van 'n outomatiese of halfoutomatiese proses, maar dit sluit nie 'n hotel in nie ten opsigte waarvan daar 'n hoteldranklisensie gehou word of gehou moet word en wat uitsluitlik namens en ten behoeve van inwonende gaste van die bepaalde hotel artikels vra, neem, afhaal of ontvang ten einde sodanige artikels te laat was, skoonmaak, kleur, stryk, pars of heelmaak, afgesien daarvan of sodanige artikels in of op sodanige hotel se eie perseel gewas, skoongemaak, gekleur, gestryk, gepars of heelgemaak word en of dit deur 'n ander ondernemer gedoen word, en

“afwerking” die pars, stryk, stoom of tuimel van artikels in fatsoen met die hand of deur middel van 'n blok, kalander, mangel, vormer, fatsoeneerder of enige ander pars- of stoommasjien of deur middel van 'n ander pars- of afwerkingsproses van watter aard ook al

Posadres van applikant—Posbus 4581, Johannesburg, 2000

Kantooradres van applikant.—Agste Verdieping, Alliedgebou, hoek van Bree- en Rissikstraat, Johannesburg

Die aandag word gevestig op onderstaande vereistes van artikel 4 van die Wet.

(a) Die mate waarin 'n beswaarmakende werkgewersorganisasie verteenwoordigend is, word ingevolge subartikel (4) bepaal volgens die feite soos hulle bestaan het op die datum waarop die aansoek ingedien is, en wat die lidmaatskap betref, word alleen lede wat ingevolge artikel 1 (2) van die Wet op voormelde datum volwaardige lede was, in aanmerking geneem

(b) Die prosedure voorgeskryf by subartikel (2) moet gevolg word in verband met 'n beswaar wat ingedien word.

M. W. J. LE ROUX, Nywerheidsregistrator.

(11 Junie 1982)

(iv) employers who are engaged and whose employees are employed in the mending of articles as undertaken by businesses conducted solely for the purpose of the alteration, repair or mending of articles, or by the Bespoke Tailoring Industry, and

(v) the cleaning and/or dyeing of articles made of fur as undertaken incidentally to the business of a furrier.

For the purpose of this definition—

“customer” in addition to its ordinary meaning, means a person, company, firm, business, institution, hotel or hospital, for which or on whose behalf articles are washed, cleaned, dyed, ironed, pressed or mended or to which articles in the circumstances set out in paragraph (c) are supplied on hire, by any other person, company, firm, business, institution, hotel or hospital, whether payment for or in respect of such service is affected directly or in any other indirect manner whatsoever, but does not include any hospital or similar institution belonging to any Department of the Government of the Republic, the Transvaal Provincial Administration or a local authority if and for so long as such hospital or similar institution receives the services aforementioned from a laundry belonging to the said Government, Provincial Administration or local authority,

“depots” includes any premises where washing and/or cleaning and/or dyeing and/or finishing facilities are provided for use by members of the public by means of any automatic or semi-automatic process, but shall not include a hotel in respect of which there is held or required to be held a hotel liquor licence and which, while acting solely for and on behalf of the resident guests of the particular hotel, canvasses, invites, solicits, collects or receives articles for washing, cleaning, dyeing, ironing, pressing or mending, irrespective of whether such articles are washed, cleaned, dyed, ironed, pressed or mended in or upon such hotel's own premises or by any other operators; and

“finishing” means pressing, ironing, steaming or tumbling of articles to shape by hand or by means of a block, calender, mangle, former, shaper or any other pressing or steaming machine or by any other pressing or finishing process whatsoever.

Postal address of applicant.—P O Box 4581, Johannesburg, 2000.

Office address of applicant.—Eighth Floor, Allied Buildings, corner of Bree and Rissik Streets, Johannesburg.

Attention is drawn to the following requirements of sections 4 and 7 of the Act.

(a) The representativeness of any employer's organisation which objects to the application shall in terms of section 4 (4) as applied by section 7 (5) be determined on the facts as they existed at the date on which the application was lodged and, as far as membership is concerned, only members who were in good standing in terms of section 1 (2) of the Act as at the aforesaid date shall be taken into consideration

(b) The procedure laid down in section 4 (2) must be followed in connection with any objection lodged

M. W. J. LE ROUX, Industrial Registrar.

(11 June 1982)

Project 'first^{CAIT} in the^{11/6/82} world'¹³²

Staff Reporter

A NEW project to enhance industrial relations in South Africa was announced by the Committee for Community Relations of the President's Council at a press conference yesterday

The scheme is to be known as the inter-face project and is believed to be the first of its kind in the world. The experts involved, both local and American, hope it may serve as a model for the rest of the world.

Chaired by Dr W A van Niekerk, the panel at the conference included Dr Melvin Sorcher, a United States behavioural scientist, Professor Milton Hakel, professor of psychology at Ohio State University, Mr Norman Nossel, deputy chairman and managing director of Adcock Ingram group of companies, and Mr Rodney Spence, manager of the Anglo American Corporation's group central training unit.

One of the cornerstones of the project would be the building of employee self-esteem, which, Dr Sorcher said, was perhaps the most powerful non-financial incentive there was in terms of human behaviour.

Production rise

Investigations into the concept were begun in 1977 by Dr Sorcher and Mr Nossel. A subsequent six-month pilot study had resulted in an "unbelievable increase" in productivity at his company, Mr Nossel said, as well as a sharp drop in employee turnover.

Research on the project represented the first time anywhere in the world that attention had been given to two-way communication in this way, Mr Spence said.

An article on the project will feature in *Personnel Psychology*, a US monthly magazine distributed world-wide, in October and the committee hopes to have an interim report ready for presentation to the State President by the end of the year.

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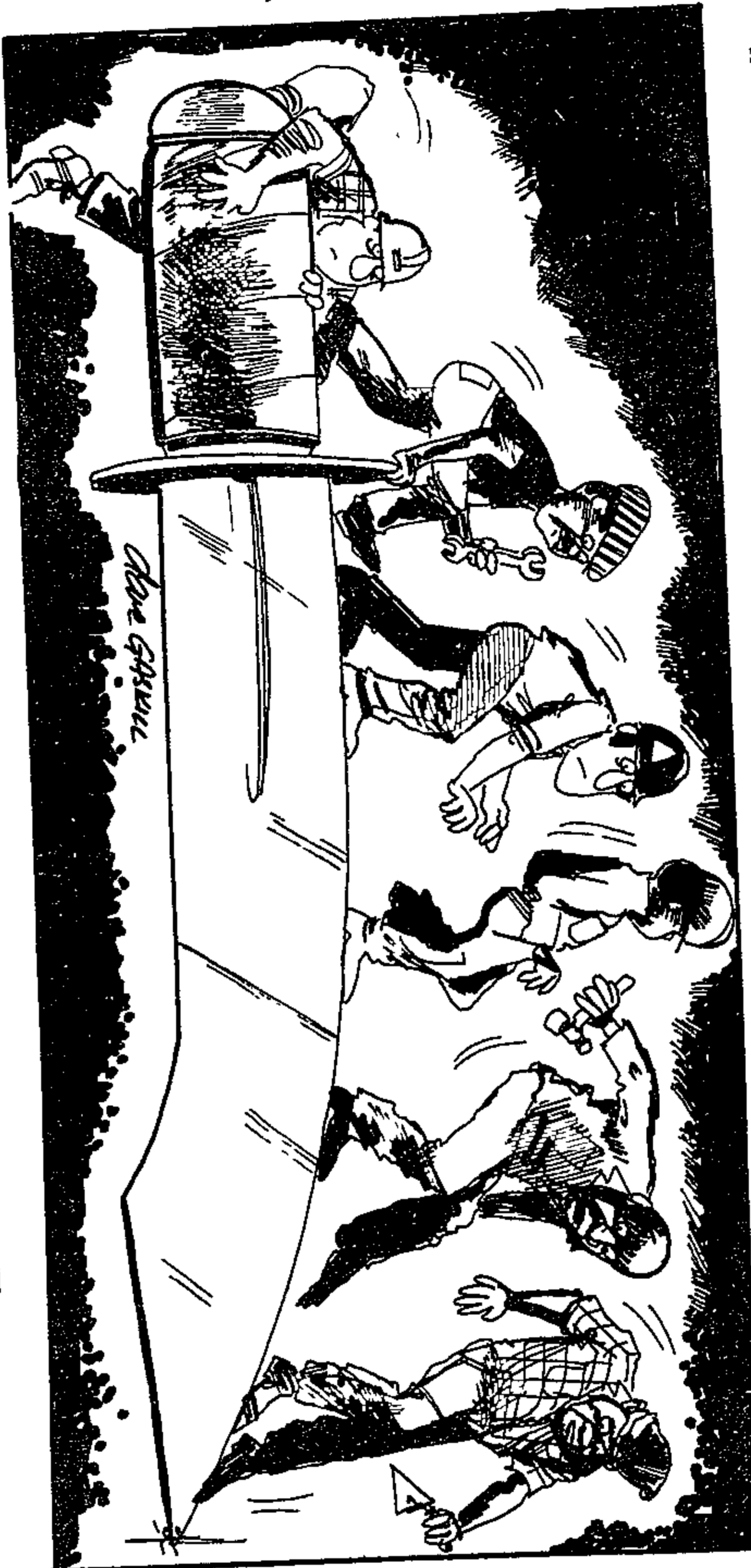
SAWWORKFORCE IS ON A KNIFE-EDGE

13/2

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S. Times

13/6/82



lock letters)

SITY OF CAPE TOWN
ATION ANSWER BOOK

DANGEROUSLY accelerated labour strife, surging unemployment, a further fuelling of already rampant inflation and even social unrest can be expected within a year unless key dilemmas in South Africa's manpower sector are defused.

This harsh threat facing the country is worsened by the growing economic downturn.

Labour and industrial-relations leaders questioned by Business Times this week say that an economic recession could ignite the already fragile labour fuse.

They warn that the situation demands exceptional wisdom and goodwill from employers and from trade unionists.

More wage increases at the levels of the past two years will exert further strain on the sagging economy — but failure by workers to accept this could have other serious consequences.

Major, far-reaching developments in the workforce are moving rapidly to a head. They include:

- Rising expectations of continued wage increases near or above the inflation rate among large numbers of newly unorganised workers.

A trend has already been set in the huge iron and steel industry, where increases ranging from 15% for whites to 25% for blacks have been granted.

EVERY CAN
Column (1) th

- Faced with rising costs, slowing growth and diminishing profits, employers are showing growing resistance to granting many of the wage increases demanded ever more stridently in the black sector.
- Retrenchment of workers as companies dig in against the downturn has already led to a rapid acceleration in the number of strikes and work stoppages.
- Problems are compounded by rivalry between unions

Fate of economy in the balance

BY ANDREW McNULTY

and by a growing polarisation between white and black union members

● Events took a dramatic new turn recently with the establishment and growth of the Black Mineworkers Union (BMWU), the first big step towards unorganisation of the 450 000 black workers in

the country's largest and most vital industry.

This union is the first black mining union to be granted some degree of recognition by the mining industry.

Jack Liebenberg, labour relations adviser to the South

LOOKING for a career? The Sunday Times's informative, 20-page Careers Supplement published this week tells you all about careers in hotels, hospitals, the building industry, the motor industry and a range of

1	2	3	4	5	6	7	8	9	10
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other professions. Also featured this week is a colourful camping and caravanning supplement which will show you how best to spend your holiday time and describes some of the exciting places you can visit.

● To Page 3

SA workforce on knife-edge

S. Times
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● From Page 1

African Chamber of Mines, confirms that two months ago the BMWU was advised that it could have access to Chamber collieries and gold mines for recruitment of members

The healthy (or otherwise) future growth of this union and responses by employers and other mining unions could be critical for the whole labour movement.

These developments are a climax to a massive unionisation — which is still in the melting-pot — of the country's black workers that has occurred since a new labour dispensation was introduced by the first Wiehahn report three years ago

Registered black trade-union membership rose from nil in July 1979 to 246 551 by the end of last year

During 1981, the number of registered black unions more than doubled from 14 to 36, while their membership jumped by 359%

Total membership of registered unions rose by the end of last year to 1 054 405, of whom 468 029 were whites, 326 794 coloureds and Indians and 259 582 blacks

There are also around 100 000 — possibly more — black members of unregistered trade unions

However, Henk Botha, director of the Institute for Industrial Relations, notes that many of the unregistered unions have shown a "heartening" inclination to seek registration

Of 21 unregistered unions, seven have applied for registration

Showing what is seen by

some labour commentators as a disturbing polarisation between white and black union members, membership of black-only unions rose last year by 500% — from 27 000 in 1980 to 162 000.

"Polarisation and multiplicity of trade unions certainly makes negotiation more difficult. But it has to be left to union members themselves to decide how to organise themselves. They can't be forced to amalgamate or go multiracial," Mr Botha says.

From negligible levels in 1979, strikes and work stoppages, with wage-related issues the leading cause, leapt to new peaks last year

According to Fanie Botha, Minister of Manpower, last year there were 283 strikes and 59 work stoppages, resulting in 1 812 434 man hours lost

While there are not yet full statistics for 1982, Henk Botha comments that the trend appears to be continuing

Of 19 strikes and other work stoppages reported in the Press in April this year, 12 were caused by wage-related issues and two by retrenchments.

"There is a lack of understanding of economic realities among black union membership and a worrying lack of sophistication among union leadership, many of whom have had little or no formal training in industrial relations

"Efforts to encourage and provide this training, and patience and care in communication, are more important than ever," he says

SA 'becoming vulnerable to labour unrest'

Cape Times 14/6/82

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Own Correspondent

PRETORIA — South Africa's economy is becoming increasingly more dependent on black labour, and more vulnerable to labour unrest, according to economists

The president of the Trade Union Council of South Africa, Dr Anna Scheepers, had agreed, and emphasizes that the danger was the misuse for political purposes of a situation where blacks were becoming massively more dominant in the labour field

Dr Scheepers and the economic sources were commenting on the latest employment figures issued in Pretoria last week by the central statistical services

72 percent

These show that at the end of last year 72 percent of the country's total labour force was either black, coloured or Asian. The actual figures total 4 898 163, of whom 1 355 390 are white and 2 774 624 black

Then, in the six major work categories — mining, manufacturing, construction, electricity transport and communications — 78,7 percent were either black, coloured or Asian.

The total labour force in the six categories was 3 047 579, of whom 648 605 were white and 2 398 974 black.

According to the statistics, the monthly average white wage at the end of last year — R1 042 — was more than four times greater than the average black wage of R257.

Dr Scheepers said the potential for labour unrest in South Africa was considerable.

This was clearly illustrated by the large number of work stoppages already this year

black labour be encouraged to organize either in terms of industrial council agreements or in other ways, and that there was a clear and responsible understanding of what was at stake if the strike threat spread

"They must be made to appreciate they cannot get everything overnight. Their expectations must be trimmed back to mesh with what is possible in terms of prevailing circumstances"

Unless this was done, overblown expectations could keep the economy in a constant state of uneasiness, if not unrest, Dr Scheepers said

Call for new personnel work view

E. Post 15/6/82 (132)

By FRED ROFFEY
Business Editor

YESTERDAY'S personnel practices are no longer capable of dealing with today's workforce and "vastly different" communication requirements are necessary

This is the view of the assistant managing director of General Motors South African, Mr Rod Ironside

Speaking in Port Elizabeth at the regional trophy presentation of the National Occupational Safety Association (Nosa), he said that over the past 20 years the nature and composition of the national workforce had changed considerably

Most of today's workers held a set of values and beliefs so markedly different to the "traditional" outlook that they demanded a specific and different approach by management

"One of their quarrels is with the 'depersonalising' aspects of large or not-so-large organisations," said Mr Ironside

"It goes further to big business, big government, big industries and even big labour organisations

"What they see and feel is that these institutions have all contributed to reducing the importance of the individual

"True or not, these charges come from frustrated people

GDP up 12,9%

PRETORIA — South Africa's gross domestic product last year at current prices was R66 071 million, representing an annual increase of 12,9%, according to statistics released here

For the same period, the country's net national income at factor cost was R53 815 million

Per capita income was R1 773 — Sapa

"Not surprisingly, some trade unions and bodies claiming to represent labour groups have picked up this theme and use it selectively to support their claims

"A more serious indictment might be that higher wages are not viewed as incentive to perform better, but as compensation for lack of job appeal"

Mr Ironside emphasised that the need for open communication, better information and acceptance of the basic facts of business management by all employees was critical, particularly at this time

"Success in a changing business environment — and success in changing a business environment — demand one vital ingredient above all else — people who can manage change"

He said Nosa had proved time and again that it could meet and beat the challenges of change, and it had to do this if it intended to continue to be an effective force

"As we look ahead to the next few years, the opportunities for Nosa to demonstrate leadership will again present themselves, and the 'quality of work life' (QWL) approach which is adaptable to Nosa's, use as to any other, may well open new doors

"Much of the labour unrest and the accompanying rhetoric reflects the frustrations of people denied any other forum to express dissatisfaction

"The workplace has become, and will continue to be, the forum until such time as alternative provision is made

"Meantime, employers are vulnerable to this deficiency and need to realise that they can, by constructive action, which is no more than good management practice, create the

right kind of work environment and a receptive climate in which many of the perceived grievances can be dealt with through dialogue with worker groups

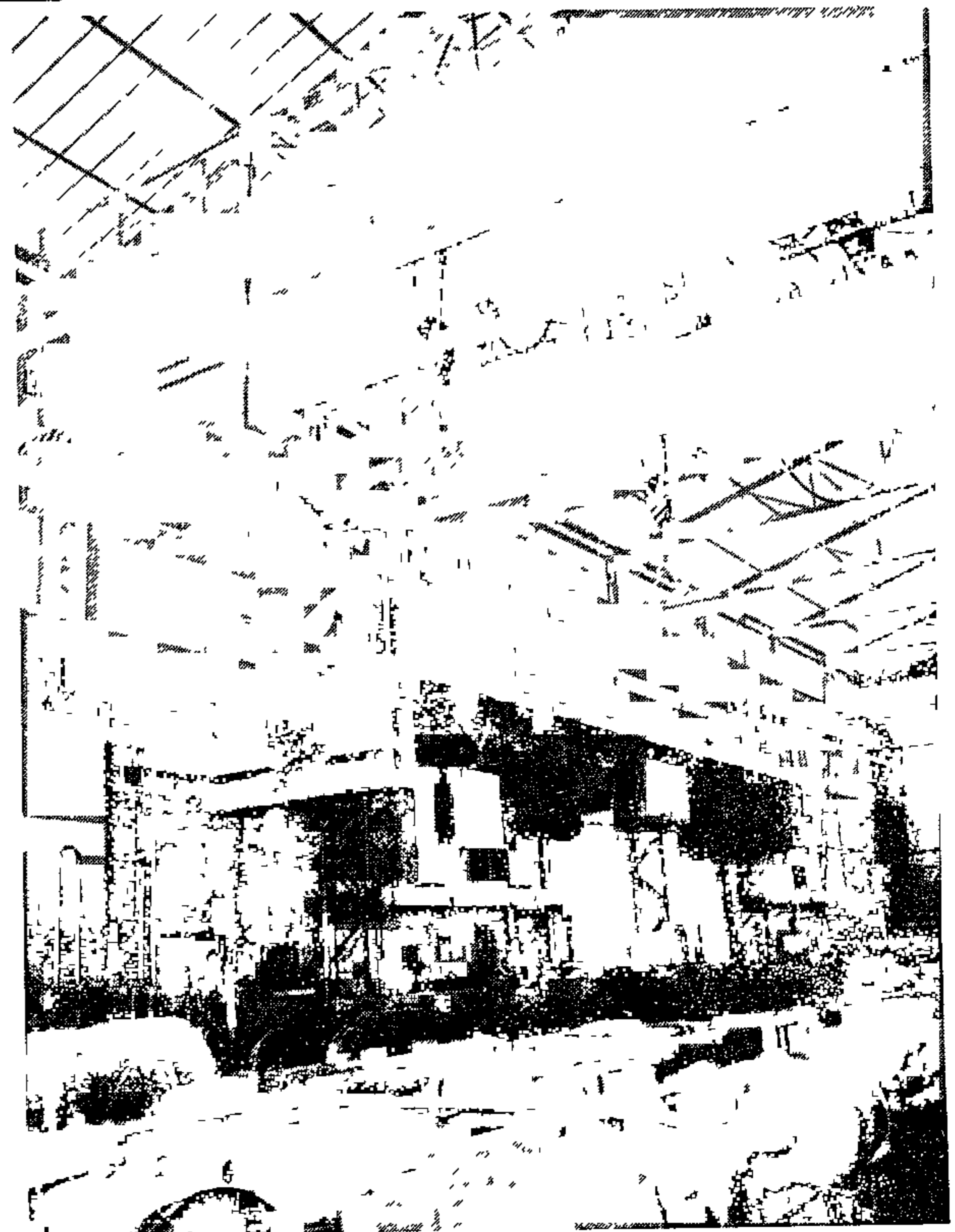
"With the accent on greater job security and socialised benefits in many industrial countries overseas, it can only be expected that South African workers will be encouraged to follow suit and to claim that in decisions which affect their interests they will want to have input"

He believed the QWL approach could make a significant contribution in this area

"In a very wide field of application, QWL has so far proved successful

"It creates a new climate for co-operative effort, and through that everybody gains in the end

"There are advantages for both sides and, in the final analysis, to the enterprise and the national economy at large," said Mr Ironside



Contracts for a total of 14 overhead electric travelling cranes to the value of R2,5 million have been awarded to H R Lasch (Pty) Ltd of Germiston by South African Transport Services. This shows two of the cranes operating in tandem to lift the body of an electric locomotive from worn bogies at the Germiston workshops of the Railways. Similar cranes are being supplied to railway workshops near Port Elizabeth, Bapsfontein and Pretoria.

LOET DOUWES DEKKER

(132) FM 18/6/82

Finding common ground



the South African labour scene

Loet Douwes Dekker lectures in industrial relations at the University of the Witwatersrand's Graduate Administration, and is a respected observer of

The skirmishes in the media between employers' associations and trade unions, on the appropriate level of collective bargaining, overlook fundamental industrial relations issues. These were sorted out before World War 2 by the then-existing parties, but now require to be re-established and re-affirmed.

The black unions are entering the industrial relations system through the workplace, where their membership strength lies. They are pushing for recognition and procedural agreements in order to obtain wage agreements.

Managers, looking back nostalgically to the labour peace of the last three decades, as well as the flexibility they enjoyed in the factory because of the low minimum wage rates and lack of union activity, hope that the industrial council system can be retained. Through their employers' associations they are actively trying to promote the councils.

These managers choose to forget that the strike-free period after World War 2 was the consequence of suppressive legislation and security police harassment and interference in what were perceived to be militant unions. The labour legislation of the post-Wiehahn era reinforces the exercising of rights by all workers and commits employers to fair labour practices.

Security police

Even if the Department of Manpower and the security police have not sorted out their respective areas, employers should openly indicate that they cannot work with the security police.

Three underlying industrial relations issues require debate. Firstly, will trade unions, and hence their members, agree to hold wage claims and demands for improved working conditions during the operation of a wage agreement? Similarly, will management agree not to lock out workers when a dispute occurs during the operation of an agreement?

This peace obligation requires commitment by the leaders even though ad-

herence might hit initial problems. The work stoppage procedure being incorporated in certain recognition agreements facilitates a learning situation for both inexperienced and resentful middle managers, as well as plant-based union leaders eager to flex their muscles.

Secondly, will compromise be accepted as a central characteristic of the collective bargaining process by both sides? The new unions will want to see injustices immediately removed as well as a narrowing of the wage gap between skilled and unskilled workers.

Employers will too readily argue that the wage demands are excessive. Acceptance of the compromise principle will be achieved if the right to strike is accepted — providing it is constitutionally exercised by unions without legislative interference from, for example, the Riotous Assemblies Act.

Industrial councils

The constitutions of many industrial councils will also have to be strengthened as established unions have lost the right to strike. Because the established unions were not representative of the labour force during the pre-Wiehahn period, collective bargaining through that sectoral level became collective begging.

Thirdly, will managerial authority be accepted as a necessary prerequisite for effective company performance? The unstated assumption is made by management that bargaining at the sectoral level of the industrial council will preserve unilateral managerial action and decision making in the workplace. This is naive.

At whatever level collective bargaining occurs — and sectors will differ according to company size, nature of technology, as well as influence of existing employers' associations — managerial authority has to be validated by the unions. This is best achieved through the process of entering and implementing recognition agreements. The need for managerial flexibility can then be legitimised.

The positive response to the above questions, and the appropriate institutionalisation through mutually accepted structures and processes, will facilitate the capitalist process of production. It will also retain the command structure of the factory system, but build in accountability of managerial actions and decisions.

The trade-off is for companies to en-

dorse freedom of association. This means moving away from the sterile observation that "the company neither supports nor obstructs unionism." The endorsement of freedom of association by companies implies:

- Support for the importance of the right to associate, and acceptance of trade unions as essential organisations for the development of a democratic society.
- Willingness to enter the collective bargaining process in terms of agreed procedure at whatever level, and
- Acceptance of the right to strike of a union provided it is done in terms of that body's constitution.

The implications are that management will face a strong labour movement with influential leaders. But industrial relations will be disciplined and uncertainty regarding unfair labour practices and action on either side will be reduced to a minimum. For workers, union commitment will carry a low-risk factor and for management the industrial relationship will facilitate future planning.

These basic issues should form the agenda for consultations between trade union federations and employer associations.

Employers' associations might add items such as the use of secret ballot procedures as well as non-support for secondary picketing. Trade unions will ask for items such as effective disclosure of information and sanction by employers' associations against companies promoting company unionism.

The time is opportune for such meetings to be convened. Experience with joint labour management agreements in other countries has shown that a number of years are needed to gain understanding and commitment to such issues by all parties.

Initiative

But the initiative has to be taken now. Wrong images and myths are being created by the parties about each other's respective intentions, and no common industrial relations ideology is being created. Certain companies and unions have demonstrated that through recognition agreements a mutually effective relationship can be built up.

Should Saccola not be strengthened — and exploratory meetings held with the union groups to achieve mutual respect for each other's goals, defining common concerns on a national level?

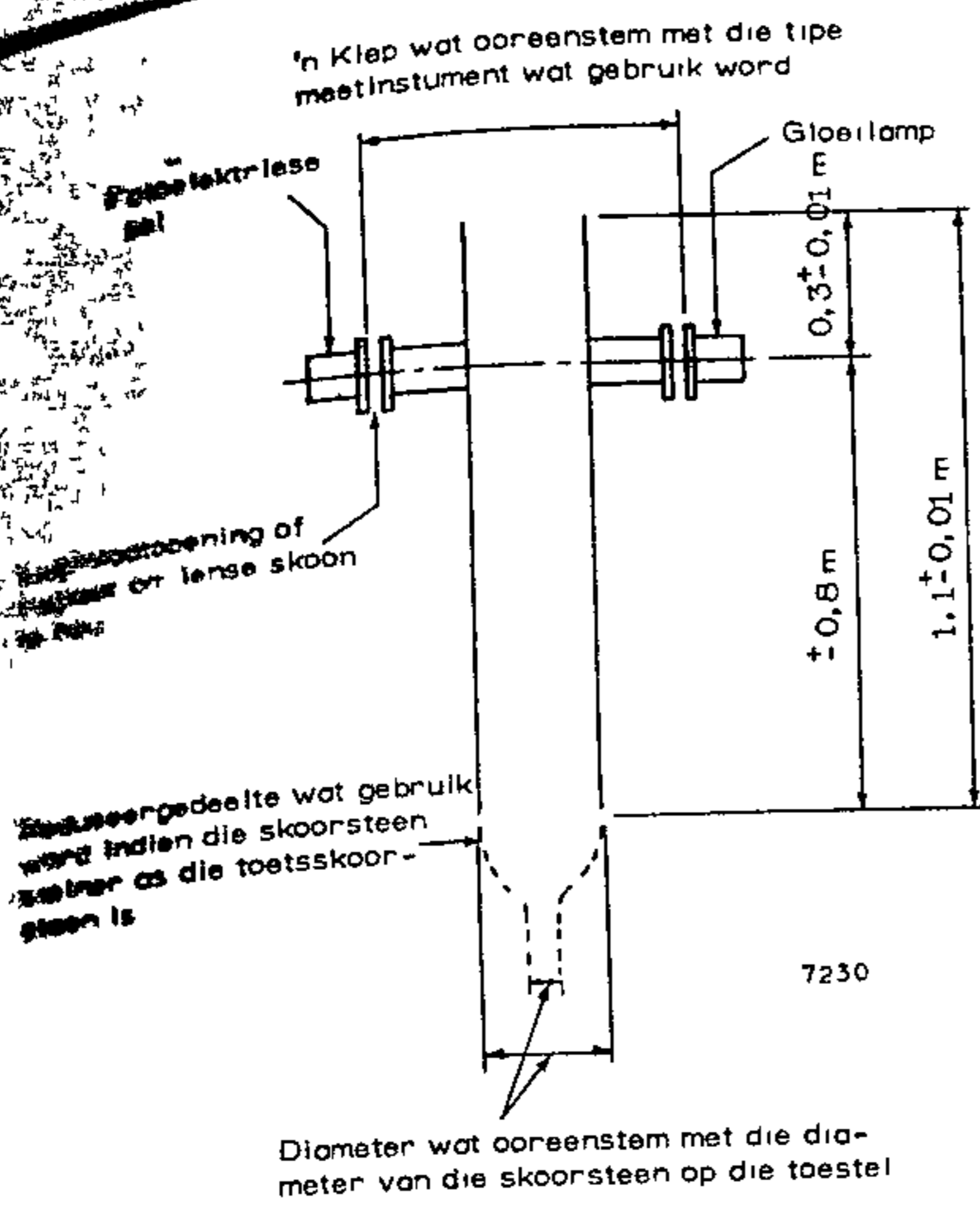


Fig. 3 - Toetskooorsteen

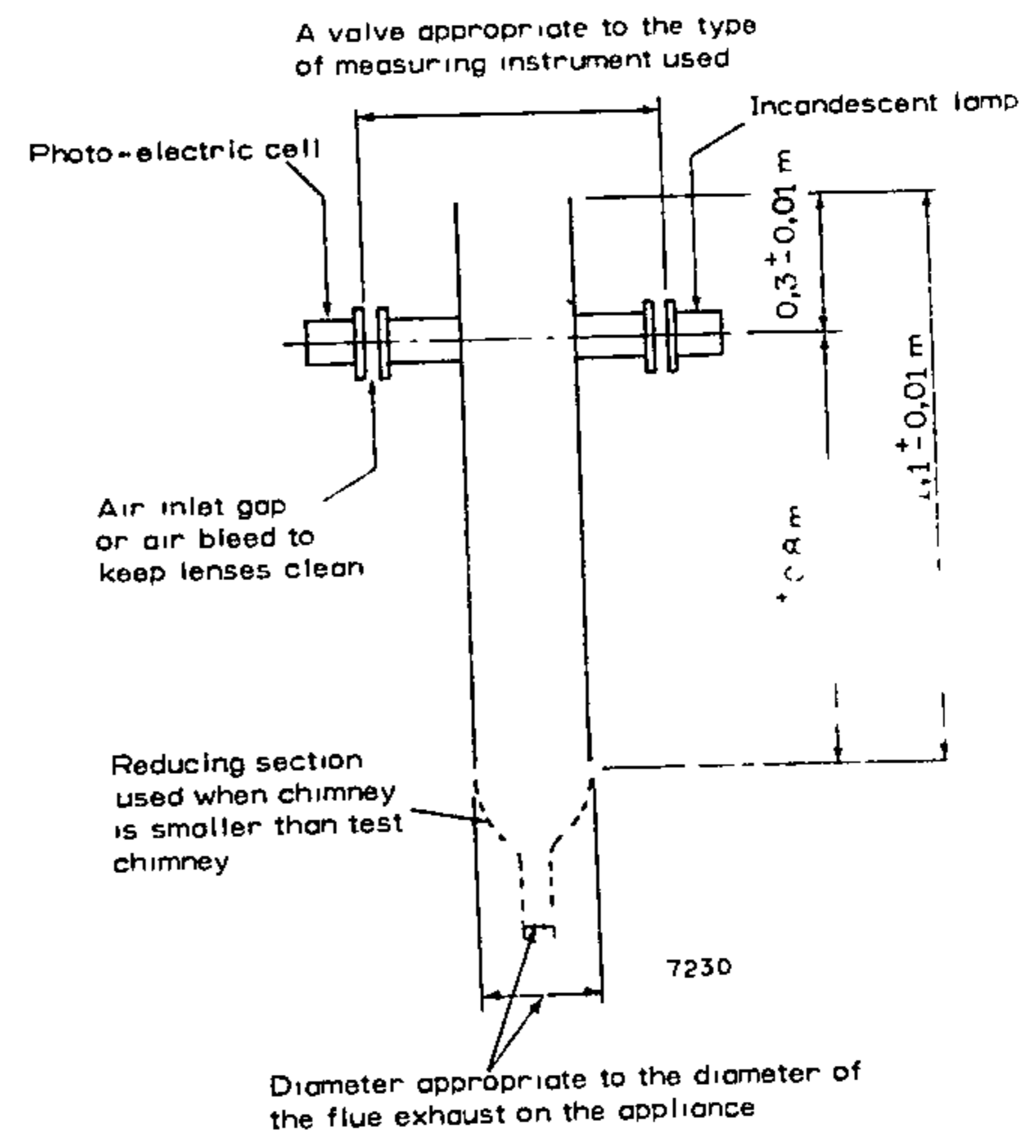


Fig. 3 - Test Chimney

KENNISGEWING 429 VAN 1982
DEPARTEMENT VAN MANNEKRAG
WET OP ARBEIDSVERHOUDINGE, 1956
INTREKKING VAN REGISTRASIE VAN 'N
WERKGEWERSORGANISASIE

Ek Mattheus Willem Johannes le Roux, Nywerheidsregistrator, maak hierby kragtens artikel 14 (2) van die Wet op Arbeidsverhoudinge, 1956, bekend dat ek die registrasie van die Cape Master Hairdressers' Association met ingang van 16 Junie 1982 ingetrek het

M W. J. LE ROUX, Nywerheidsregistrator
 16 Junie 1982
 (25 Junie 1982)

NOTICE 429 OF 1982
DEPARTMENT OF MANPOWER
LABOUR RELATIONS ACT, 1956
CANCELLATION OF REGISTRATION OF AN
EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, hereby notify, in terms of section 14 (2) of the Labour Relations Act, 1956, that I have cancelled the registration of the Cape Master Hairdressers' Association with effect from 16 June 1982

M W J LE ROUX, Industrial Registrar
 16 June 1982.
 (25 June 1982)

"THE future," said Professor Nic Wiehahn, chairman of the Wiehahn commission of inquiry into labour legislation, must feed on history"

Thus he said: "I am a firm believer that much of what has gone before will take place again."

Take the first phase of South

Africa's 'Industrial Trek' before the turn of the century. The 'uitlanders' had economic, but not political, rights and the result ended not in negotiation but the Anglo-Boer War.

Then, after the 1933 depression, came a second and a third influx of thousands of 'foreigners' into the industrial areas —

this time the 'uitlanders' were Afrikaners. At that stage they had achieved economic and political rights so conflict was unnecessary.

Today, says Prof Wiehahn, the roles have reversed as South Africa prepares for the fourth chapter in its history of industrial relations...

The great black trek

132 S. Express 27/6/82

"THEY have arrived and are present

"In fact they have been so for some time but recognition of their presence and permanence has only recently been forthcoming

"The scenes and elements of the Transvaal republican era and the post-depression years are present again just the actors, circumstances and time are different. The 'foreigners' or 'trekkers' of this, the fourth phase of the 'industrial trek', are black

"Their economic rights are restricted, but it is in the labour field that we have been able to remove many of these restrictions

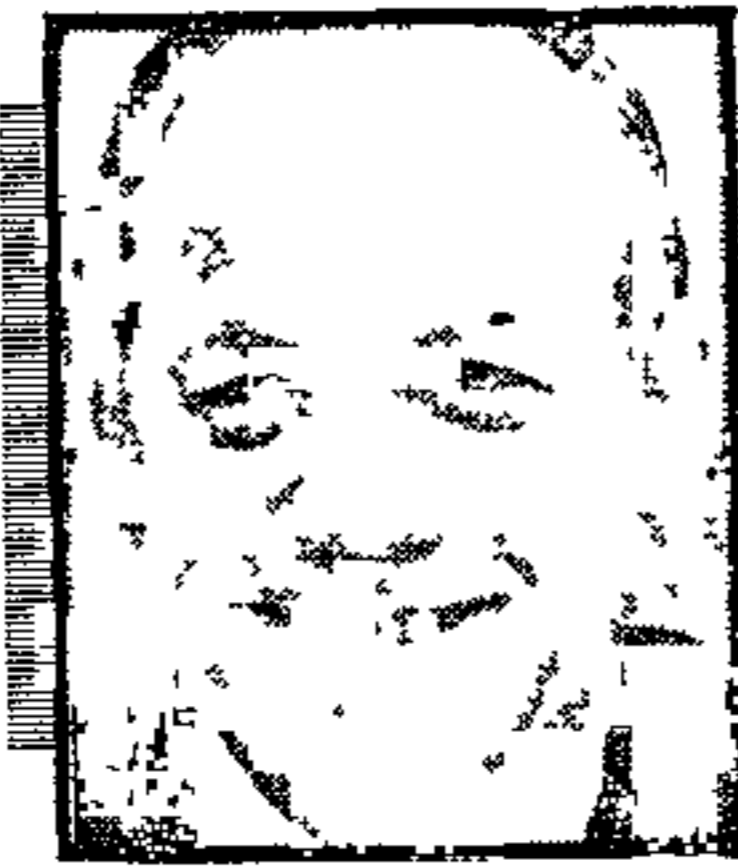
"They may now sell their white-dominated economy, though their 'entrepreneurial' rights are still confined mainly to their own areas

□□□

"Political rights for them follow the same pattern — non-existent in white areas

"That is why I see so many similarities between the Transvaal republican times of the 1880s and 1890s and the South African republic today

"May I daringly add that the alternatives for a solution would also seem to be the same as in those times — on the one hand confronta-



Professor NIC WIEHAHN, author of the revolutionary report on labour reform, this week spells out a startling message to white South Africa.

tion leading to conflict, on the other consultation, co-deliberation and negotiation"

Scenarios repeated themselves, Prof Wiehahn said. A page of history often meant much more in determining our future than a volume of logic and principles, although he had learned that people unfortunately, particularly those in South Africa, did not themselves learn from history

□□□

Reflecting on the tremendous economic development which characterised South Africa from 1956 to 1979, and increasing international involvement in trade union affairs in South Africa, Prof Wiehahn said the blacks' industrial trek to the cities had started

"Trade unionism has become a permanent and irremovable part of industrial society in South Africa —

and the 1973 strikes saw the black man knocking on the door of industrial South Africa, announcing himself, and asking us what plans we had for him

"Since then, by May this year, about 1 054 000 workers of all race groups were organised into 200 registered trade unions — slightly more than 30% of the total work force of 3-million organisable workers in the

country

"Forty-six registered trade unions represent workers of more than one race group, and 20 trade unions for black workers only have been registered"

□□□

Dismissing criticism that everything done so far in industrial relations was nothing but eye-wash or cosmetic, Prof Wiehahn said he de-

duced from this that some critics did not want reform to take place as they believed this was counter-productive to revolution

"Reforms defuse revolution and it is a manifestation of the old truism that none are so blind as those who do not want to see

"The labour scene is entirely different to what it was prior to 1979 — changes in industrial relations have been drastic and the scene is rapidly changing"

More than 4 000 black apprentices were undergoing training — only 500 more than last year — and more than 2 200 blacks (1 550 males) occupied jobs at a managerial level

"In fact these and many other changes, and the rate of change, are causing concern among many employ-

Wiehahn's forecast

THESE are the factors, in Professor Nic Wiehahn's view, that will determine the future in the field of industrial relations

□ The degree of unionisation of black trade unions would take longer than anticipated. Black workers were not as trade-union conscious as many thought or wanted them to be

Admittedly, discrimination in the work place,

poor handling of conflict situations and political activism could accelerate unionisation, though there were aspects which militated against the rapid formation and expansion of black trade unions

These included labour mobility, regionalism, ethnicity and personality clashes among black leaders

□ The backlash among white workers (to change)

would increase, as evidenced by resistance to changes in 1979 — which projected itself into the party-political field.

□ Relations on the micro level the relationship between individual employer, plant manager, foreman, on the one hand and workers on the other would continue to increase in importance

□ As a result, the industri-



TANTALUS

What you don't know



● The fourth phase of the industrial trek is happening in South Africa — black labourers are here to stay and are making their presence and demands felt on the factory floor. Labour expert Professor Nic Wiehahn sees parallels between what is happening on the labour scene now and the arrival of a white labour force in the Transvaal 100 years ago

for industry

ers and businessmen about the future of the labour market and industrial relations

in South Africa I am referring to those who want changes to be evolutionary

with greater responsibility and would be required to know more about the relationship between them and its dynamics

Industrial relations would become more internationalised, through multinational corporations based in the country adhering to the codes of conduct of international labour and trade union movements.

al council system would find itself under more pressure — due also to the reluctance of black trade unions to participate in the formal system of collective bargaining

With the State's new role, and rightly so, of minimum interference in the employer-employee relationship, employers, managements and trade unionists would be faced

and non-disruptive."

Noting that, by law, trade unions could not participate in party politics, Prof Wiehahn said there was a strong school of thought which believed trade unions should have nothing to do with politics — a view shared by many in the Western world

"At the same time, there is a rapidly growing school of thought in South Africa which believes that if that were the position, the time for that view was running out.

"They believe that trade unionism and politics are to an increasing extent becoming a merged phenomenon in South Africa — it is forced upon us by the steady but sure process of politicisation of our black trade unions and their leaders as a result of involvement by the international trade union movement.

I do not say we should

politicise our trade unions in the Russian way — but I do believe that somewhere in the framework of our society, and particularly the structure of our industrial relations system, a significant vacuum exists in regard to the relationship between our trade unions and

the subject of politics

"While we are debating the 'trade union-politics' subject of 'to-be-or-not-to-be', our black trade unions are being politicised in an ideology not favoured by us.

It seems to me that our choice in the matter is getting narrower by the day."

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S. C. / 27/6/82

Business and Shipping

132

Move with the times or lose out, warns Ironside

ONE of the most consistent protagonists of the need for better company communications is Mr Rod Ironside, assistant managing director of General Motors South African

A man of many interests, Mr Ironside is also a vice-president of the Federated Chamber of Industries as well as president of the American Chamber of Commerce in South Africa.

Better communications is, of course, an essential part of good public relations — and Mr Ironside is certainly a good PR man for his company and for the cause he espouses.

He recently emphasised the importance of communications and the need to adapt to change when he gave an address in Port Elizabeth at the regional trophy presentation banquet of the National Occupational Safety Association (Nosa)

He has again stressed this message in the latest issue of Executive Diary, the newsletter of the Port Elizabeth-based organisation Training for Management, which has branches in Cape Town and Durban and representation in Johannesburg

He warns in the newsletter that as the pace of



THIS is the last column by Fred Roffey, who leaves the Evening Post this week to take up a senior position with a major public relations company in Cape Town. His successor as Business Editor, Louis Beckerling, will join the Evening Post on July 1.

industrial change in South Africa increases, the time span in which managers can adapt decreases

Mr Ironside also warns that paying lip service to the free enterprise system is irresponsible and self-defeating

"Employers have an obligation to themselves and their workers to move with the times and to continue to petition Government for changes in legislation," he says

He points out that the days of comfortable craft associations have gone and the traditional approaches to reaching agreement are being rejected

"However, since industrial conflict is unlikely to diminish, are we simply prepared to accept the

position and do nothing about it?" asks Mr Ironside

"Attitudes are hard to change, but I believe that by influencing behaviour we have an opportunity to break down suspicion and mistrust

"Enough has been accomplished to date to show that the universe does not crumble when South Africans of all origins elect to work together

"Our combined efforts should be directed towards thinking and acting constructively to protect and preserve the future of our country," says Mr Ironside.

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ANGLO'S ALL-ROUNDER

The Anglo American Corporation has hit out at racial registration of trade unions by the authorities — a flashpoint on the labour front last year.

In its 1982 annual report, Anglo says racial registration "has influenced some black unions in their refusal to join the established industrial councils, so making the councils less representative and effective"

Six trade unions affiliated to Fosatu were last year refused non-racial registration. Subsequent appeals against the racial registration certificates were recently turned down by the Government

Anglo expresses

(132) *cup Stan*
Attack on colour-bar
29/6/82

in union licensing

the hope that the National Manpower Commission's Inquiry into registration procedures — initiated after the Fosatu debacle — will show disfavour of registration on racial terms

On the issue of unionisation among its black employees, Anglo notes union membership increased significantly last year but was still low in relation to the total workforce. The corporation

looks forward to the time when the majority of its workers are unionised," it says.

Among Anglo's industrial companies, full recognition agreements were reached with two black unions and another six agreements were under negotiation.

Turning to the mining industry, Anglo says its concern for the living standards of workers at the bottom of the wage scale has been reflected in progressively large increases in basic rates, which have risen by 600 percent since the end of 1973, compared with a 46 0 percent increase at the top of the scale

KENNISGEWING 445 VAN 1982

DEPARTEMENT VAN MANNEKRAG
WET OP ARBEIDSVERHOUDINGE, 1956
INTREKKING VAN REGISTRASIE VAN 'N
WERKGEWERSORGANISASIE

Ek, Mattheus Willem Johannes le Roux, Nywerheids-registrateur, maak hierby kragtens artikel 14 (2) van die Wet op Arbeidsverhoudinge, 1956, bekend dat ek die registrasie van die Natal Hairdressing Employers' Organisation met ingang van 21 Junie 1982 ingetrek het
M W J LE ROUX, Nywerheidsregistrateur
(2 Julie 1982)

NOTICE 445 OF 1982

DEPARTMENT OF MANPOWER
LABOUR RELATIONS ACT, 1956
CANCELLATION OF REGISTRATION OF AN
EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, hereby notify, in terms of section 14 (2) of the Labour Relations Act, 1956, that I have cancelled the registration of the Natal Hairdressing Employers' Organisation with effect from 21 June 1982
M W J LE ROUX, Industrial Registrar
(2 July 1982)

KENNISGEWING 446 VAN 1982

PRESIDENTSRAAD

Die Staatspresident het die Presidentsraad ingevolge artikel 106 (1) (a) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), soos gewysig, versoek om hom oor die volgende te adviseer

“Die beginsels waarvolgens prioriteite tussen ontwikkeling en bewaring gestel kan word, met verwysing na—

(a) die relatiewe belangrikheid vir die land as geheel van bewaring enersyds en fisiese ontwikkeling andersyds,

(b) die vraag of bewaring 'n doel insigself moet wees of slegs 'n middel tot 'n doel ”

Belanghebbende persone en instansies wat memoranda wil indien, word versoek om dit so gou doenlik maar nie later nie as 9 Augustus 1982 by die Sekretaris, Beplanningskomitee, Presidentsraad, Posbus 3601, Kaapstad, 8000, in te dien

Die Komitee kan vereis dat mondelinge getuenis voor hom afgelê word, indien hy verdere inligting oor memoranda verlang. Waar mondelinge getuenis ook afgelê word, sal die betrokke persone en instansies in kennis gestel word van die datums waarop en die plekke waar dit aangehoor sal word

J S BAUERMEESTER, Sekretaris Presidentsraad
Kaapstad, 2 Julie 1982
(2 Julie 1982)

NOTICE 446 OF 1982

PRESIDENT'S COUNCIL

The State President requested the President's Council in terms of section 106 (1) (a) of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), as amended, to advise him on the following

“The principles according to which priorities between development and conservation can be stated, with reference to—

(a) the relative importance for the country as a whole of conservation, on the one hand and physical development, on the other,

(b) the question as to whether conservation should be an end in itself or merely a means to an end ”

Interested persons and bodies wishing to submit memoranda are invited to submit it as soon as possible but not later than 9 August 1982 to the Secretary, Planning Committee, President's Council, P O Box 3601, Cape Town, 8000

The Committee may require oral evidence to be given before it if it needs further information on memoranda. Where oral evidence also has to be given the persons and bodies concerned will be notified of dates on which and the places at which hearings will take place

J S BAUERMEESTER, Secretary President's Council
Cape Town, 2 July 1982
(2 July 1982)

KENNISGEWING 447 VAN 1982

PRESIDENTSRAAD

Die Staatspresident het die Presidentsraad ingevolge artikel 106 (1) (a) van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), soos gewysig, versoek om hom oor die volgende te adviseer

“Die stand van natuurbewaring in die Republiek van Suid-Afrika, met inbegrip van nasionale parke, en die bewaring van die land se natuurêre erfenis vir die nageslag, teen die agtergrond van internasionale norme, asook daardie sisteme wat nog bewaar moet word en die finansiering van die bewaringsaksie ”

Belanghebbende persone en instansies wat memoranda wil indien, word versoek om dit so gou doenlik maar nie later nie as 9 Augustus 1982 by die Sekretaris, Beplanningskomitee, Presidentsraad, Posbus 3601, Kaapstad, 8000, in te dien

NOTICE 447 OF 1982

PRESIDENT'S COUNCIL

The State President requested the President's Council in terms of section 106 (1) (a) of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), as amended, to advise him on the following

“The position of nature conservation in the Republic of South Africa, including national parks, and the preservation of the country's natural heritage for posterity, against the background of international norms, as well as those systems that still have to be preserved and the financing of projects in the field of conservation ”

Interested persons and bodies wishing to submit memoranda are invited to submit it as soon as possible but not later than 9 August 1982 to the Secretary, Planning Committee, President's Council, P O Box 3601, Cape Town, 8000

SCHEDULE

Property description	Owner	Title Deed	Amount offered
Portion 42 (a portion of Portion 30) of the farm Elandsfontein 308 IQ	Hendrik Albert Vorster	18445/52, dated 30 July 1952	R16 500,00 plus 10%

(2 Julie 1982)/(2 July 1982)

KENNISGEWING 438 VAN 1982

DEPARTEMENT VAN MANNEKRAG

WET OP ARBEIDSVERHOUDINGE, 1956

INTREKKING VAN REGISTRASIE VAN 'N WERKGEWERSORGANISASIE

Ek, Mattheus Willem Johannes le Roux, Nywerheids-registrateur, maak hierby kragtens artikel 14 (2) van die Wet op Arbeidsverhoudinge, 1956, bekend dat ek die registrasie van die Grahamstown Master Builders' and Allied Trades Association met ingang van 17 June 1982 ingetrek het

M W J LE ROUX, Nywerheidsregistrateur
 17 June 1982

(2 Julie 1982)

NOTICE 438 OF 1982

DEPARTMENT OF MANPOWER

LABOUR RELATIONS ACT 1956

CANCELLATION OF REGISTRATION OF AN EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, hereby notify, in terms of section 14 (2) of the Labour Relations Act, 1956, that I have cancelled the registration of the Grahamstown Master Builders' and Allied Trades Association with effect from 17 June 1982

M W J LE ROUX, Industrial Registrar.

17 June 1982

(2 July 1982)

KENNISGEWING 440 VAN 1982

DOEANE- EN AKSYNSTARIEFAANSOEKE —
 LYS 15/82

Onderstaande aansoeke betreffende die Doeane- en Ak-synstarief is deur die Raad van Handel en Nywerheid ont-vang Enige beswaar teen of kommentaar op hierdie vertoe moet binne ses weke na die datum van hierdie kennisgewing aan die Raad van Handel en Nywerheid, Privaatsak X342, Pretoria, 0001, gerig word

Verhoging van die reg op.

1 Buitehortjies vir gebruik op motorvoertuigagterruite, indeelbaar by tariefsubpos 87 06 90 90, met inbegrip van dié ingevoer met ongemonteerde motorvoertuie indeelbaar by tariefsubposte 87 02 15, 87 02 24 en 87 02 60, van 20 persent *ad valorem* tot 35 persent *ad valorem* [RHN-verw T5/2/17/3/1 (B48/82)]

Applikant:

Tolima (Edms) Bpk., Posbus 1608, Edenvale, 1610

2 (a) Tekstielstowwe gebed in of aan albei kante bestryk of bedek met preparate van poliuretaan, indeelbaar by tariefsubpos 39 01 51 20, van 30 persent *ad valorem* tot 30 persent *ad valorem* of 1 500c per kg min 70 persent *ad valorem*,

(b) verbonde veselstowwe, deur vervanging van tarief-subpos 59 03 20 deur die volgende

Tariefpos	Skaal van Reg
59 03 20	Ander stowwe wat deurlopend of met tussenpose met sellulose-derivate of ander kunsplastiekstowwe geïmpregneer of bestryk is, en reghoekige artikels daarvan gesny
10	Met viniekloriedpolimere geïmpregneer of bestryk
30	Met poliuretaan geïmpregneer of bestryk
90	Ander
	25% of 320c per kg min 75%
	30% of 1 100c per kg min 75%
	30% of 1 100c per kg min 75%

NOTICE 440 OF 1982

CUSTOMS AND EXCISE TARIFF APPLICATIONS —
 LIST 15/82

The following applications concerning the Customs and Excise Tariff have been received by the Board of Trade and Industries Any objections to or comments on these representations must be submitted to the Board of Trade and Industries, Private Bag X342, Pretoria, 0001, within six weeks of the date of this notice

Increase in the duty on

1 Exterior rear window louvres for motor vehicles, classifiable under tariff subheading 87 06 90 90, including those imported with unassembled motor vehicles classifiable under tariff subheadings 87 02 15, 87 02 24 and 87 02 60, from 20 per cent *ad valorem* to 35 per cent *ad valorem* [BTI Ref T5/2/17/3/1 (B48/82)]

Applicant

Tolima (Pty) Ltd, P O Box 1608, Edenvale, 1610

2 (a) Textile fabrics embedded in or coated or covered on both sides with preparations of polyurethane, classifiable under tariff subheading 39 01 51 20, from 30 per cent *ad valorem* to 30 per cent *ad valorem* or 1 500c per kg less 70 per cent *ad valorem*,

(b) bonded fibre fabrics, by substituting for the existing tariff subheading 59 03 20, the following

Tariff Heading	Rate of Duty
59 03 20	Other fabrics continuously or intermittently impregnated or coated with cellulose derivatives or other artificial plastic materials, and rectangular articles cut therefrom
10	Impregnated or coated with vinyl chloride polymers
30	Impregnated or coated with polyurethane
90	Other
	25% or 320c per kg less 75%
	30% or 1 100c per kg less 75%
	30% or 1 100c per kg less 75%

KENNISGEWING 444 VAN 1982

DEPARTEMENT VAN MANNEKRAG
 WET OP ARBEIDSVERHOUDINGE, 1956

AANSOEK OM REGISTRASIE VAN 'N
 WERKGEWERSORGANISASIE

Ek, Mattheus Willem Johannes le Roux, Nywerheidsregistrator, maak ingevolge artikel 4 (2) van bogenoemde Wet hierby bekend dat 'n aansoek om registrasie as 'n werkgewersorganisasie ontvang is van die Southern Cape and Central Karoo Licensed Victuallers Association. Besonderhede van die aansoek word in onderstaande tabel verstrek.

Enige geregistreerde werkgewersorganisasie wat teen die aansoek beswaar maak, word versoek om binne een maand na die datum van publikasie van hierdie kennisgewing sy beswaar skriftelik by my in te dien, p/a die Departement van Mannekrag, Mannekraggebou 449, Schoemanstraat 215, Pretoria (posadres Privaatsak X117, Pretoria, 0001).

TABEL

Naam van werkgewersorganisasie —Southern Cape and Central Karoo Licensed Victuallers Association

Datum waarop aansoek ingedien is —23 Februarie 1982

Belange en gebied ten opsigte waarvan aansoek gedoen word —Werkgewers betrokke by die Hotel-, Drankwinkel-, Restourant- en Kantienlisensiebedryf in die landdrostdistrikte Beaufort-Wes, Calitzdorp, Fraserburg, George, Heidelberg (Kaapprovinsie), Joubertina, Knysna, Mosselbaai, Oudtshoorn, Prins Albert, Riversdal, Robertson, Victoria-Wes en Willowmore

“Hotel-, Drankwinkel-, Restourant- en Kantienlisensiebedryf” beteken die bedryf waarin werkgewers betrokke is by die verkoop van drank vanuit bedryfsinrigtings ten opsigte waarvan een of meer van die volgende lisensies kragtens die Drankwet, 1977, soos gewysig, gehou moet word

- Restourant-dranklisensie,
- Hoteldranklisensie,
- Kantienlisensie,
- Wyn-en-bierlisensie,
- Geleentheidslisensie vir Laat Ure,
- Drankwinkellisensie,
- Teaterdranklisensie;
- Sportterrein-dranklisensie,
- Maaltyd-wyn-en-bierlisensie,

en houers van lisensies uitgereik ingevolge artikel 23 (1) (b)

Posadres van applikant —Posbus 247, Mosselbaai, 6500

Kantooradres van applikant —Cuffstraat 6, Mosselbaai

Die aandag word gevestig op onderstaande vereistes van artikel 4 van die Wet.

(a) Die mate waarin 'n beswaarmakende werkgewersorganisasie verteenwoordigend is, word ingevolge subartikel (4) bepaal volgens die feite soos hulle bestaan het op die datum waarop die aansoek ingedien is, en wat die lidmaatskap betref, word alleen lede wat ingevolge artikel 1 (2) van die Wet op voormelde datum volwaardige lede was, in aanmerking geneem

(b) Die prosedure voorgeskryf by subartikel (2) moet gevolg word in verband met 'n beswaar wat ingedien word

M W J. LE ROUX, Nywerheidsregistrator
 (2 Julie 1982)

NOTICE 444 OF 1982

DEPARTMENT OF MANPOWER
 LABOUR RELATIONS ACT, 1956

APPLICATION FOR REGISTRATION OF AN
 EMPLOYERS' ORGANISATION

I, Mattheus Willem Johannes le Roux, Industrial Registrar, do hereby, in terms of section 4 (2) of the above-mentioned Act, give notice that an application for registration as an employers' organisation has been received from the Southern Cape and Central Karoo Licensed Victuallers Association. Particulars of the application are reflected in the subjoined table.

Any registered employers' organisation which objects to the application is invited to lodge its objection in writing with me, c/o the Department of Manpower, 449 Manpower Buildings, 215 Schoeman Street, Pretoria (postal address Private Bag X117, Pretoria, 0001), within one month of the date of publication of this notice.

TABLE

Name of employers' organisation —Southern Cape and Central Karoo Licensed Victuallers Association

Date on which application was lodged —23 February 1982

Interests and area in respect of which application is made —Employers engaged in the Hotel, Liquor Store, Restaurant and Bar Licences Trade in the Magisterial Districts of Beaufort West, Calitzdorp, Fraserburg, George, Heidelberg (Cape), Joubertina, Knysna, Mossel Bay, Oudtshoorn, Prince Albert, Riversdale, Robertson, Victoria West and Willowmore

“Hotel, Liquor Store, Restaurant and Bar Licences Trade” means the trade in which employers are engaged in the selling of liquor from establishments in respect of which one or more of the following licences are required to be held under the Liquor Act, 1977, as amended

- Restaurant Liquor Licence,
- Hotel Liquor Licence,
- Bar Licence;
- Wine and Malt Liquor Licence,
- Late Hours Occasional Licence,
- Liquor Store Licence,
- Theatre Liquor Licence,
- Sportsground Liquor Licence,
- Meal Time Wine and Malt Licence,

and holders of licences issued in terms of section 23 (1) (b)

Postal address of applicant —P O Box 247, Mossel Bay, 6500

Office address of applicant —6 Cuff Street, Mossel Bay

Attention is drawn to the following requirements of section 4 of the Act.

(a) The representativeness of any employers' organisation which objects to the application shall in terms of subsection (4) be determined on the facts as they existed at the date on which the application was lodged and, as far as membership is concerned, only members who were in good standing in terms of section 1 (2) of the Act as at the aforesaid date shall be taken into consideration

(b) The procedure laid down in subsection (2) must be followed in connection with any objection lodged

M W J LE ROUX, Industrial Registrar
 (2 Julie 1982)

(32) **Unions and bosses have common goal**
Industrial Week
6/7/82

By Lynn Carlisle

GREATER co-operation between workers, trade union representatives and employers is vital if the most serious consequences of the economic downswing are to be avoided.

Sounding this warning, Sigma Motor Corporation personnel and industrial relations director "Mof" Lemmer told a Manpower and Management Foundation conference that "insensitive employment practises" will undermine both employers and unions and "cannot be tolerated"

"An employer can no longer justify poverty wages, poor service and bad working conditions

"They will not be accepted by his workers, the trade unions or today's business community," says Lemmer

On the other hand, he adds that workers and trade unions cannot continue to live in a dream world and believe they can make demands irrespective of the consequences that these may inflict on businesses

"The fortunes of workers, trade unions and businesses are inseparably linked"

Lemmer points out that only successful businesses can improve wages, service conditions and the working environment of their employees

He says that the management and workers must jointly ensure that the business is kept suc-

cessful, so that both parties can benefit

"Under these circumstances there is no place for excessive wage demands or unrealistic pay levels, particularly in an economic downturn, and all parties have a grave responsibility to ensure the survival of business," says Lemmer

He suggests that greater worker motivation to increase quality and productivity could help eliminate unnecessary supervisors, quality controllers and stock chasers, keeping business more profitable

Lemmer adds however that in the next two years businessmen will face some tough labour decisions and it is pointless to pretend that lay-offs and retrenchments will not occur

He says that people will have to be laid off when demand reaches its lowest level

"It's important that management has a sound lay-off policy which will enable workers to continue to live during such periods

"Life does not stop for them, and they have to keep body and soul together"

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1/1/82
**'Govt
is way
ahead'**

Labour Correspondent

MANY employers' labour relations attitudes were lagging behind those of the Government, the Director-General of Manpower, Dr Piet van der Merwe, said yesterday.

Addressing a labour conference organised by the SA branch of the International Association of Economic Science and Commerce Students (AIESEC), Dr Van der Merwe said that, for the first time in many years, "labour relations practice is lagging behind legislation".

His department still received many requests to intervene in disputes, "despite our stated policy that these should be left to the parties concerned", he said.

It also had to "prod, push and cajole" some employers on labour relations and industrial training issues, he said.

Dr Van der Merwe said it was also the responsibility of trade unions to ensure that the new labour system devised by the Government worked.

Although the new labour system introduced by legislation had been criticised he believed that the problem did not lie with the system.

Its success depended on the willingness of employers and worker groups to implement it.

Dr Van der Merwe was questioned on his department's view that detentions of union leaders by the Security Police were not its responsibility.

He said he felt it was "unfair" for the Manpower Department to be drawn into the debate over "something which we are not responsible for".

Asked by one questioner whether he believed that "the Security Police are also lagging behind the Government", Dr Van der Merwe said he believed they were aware of the new policy directions taken by his department.

LABOUR REFORMS

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Employers lagging

FM 9/7/82

Employers are lagging in their implementation of government's labour reforms says Manpower Director General Dr Piet van der Merwe.

When he spoke at the Aisec conference in Johannesburg this week, Van der Merwe warned that the success of the new labour relations system depended on the willingness of employers and unions to implement it.

He said that where in the Seventies, labour legislation and government labour policies lagged behind actual practices in the private sector, employers were now not keeping pace with what government had done. They were slow to apply reforms which had been made in the areas of industrial relations, training, productivity and social security. Government was having to "prod, pull and coerce" employers into taking action in these areas, he said.

Government believed there should be a minimum of state interference in the private employer/employee relationship. But, said Van der Merwe, "it is not always possible to convince both sides that the age of paternalism is past and that it is now the age of self-management."

"The ball is now in the court of the private sector and the trade unions. They must

prove that the system they have asked for can work. Government is accused that the system is not working. I believe it is a good system and that it can work."

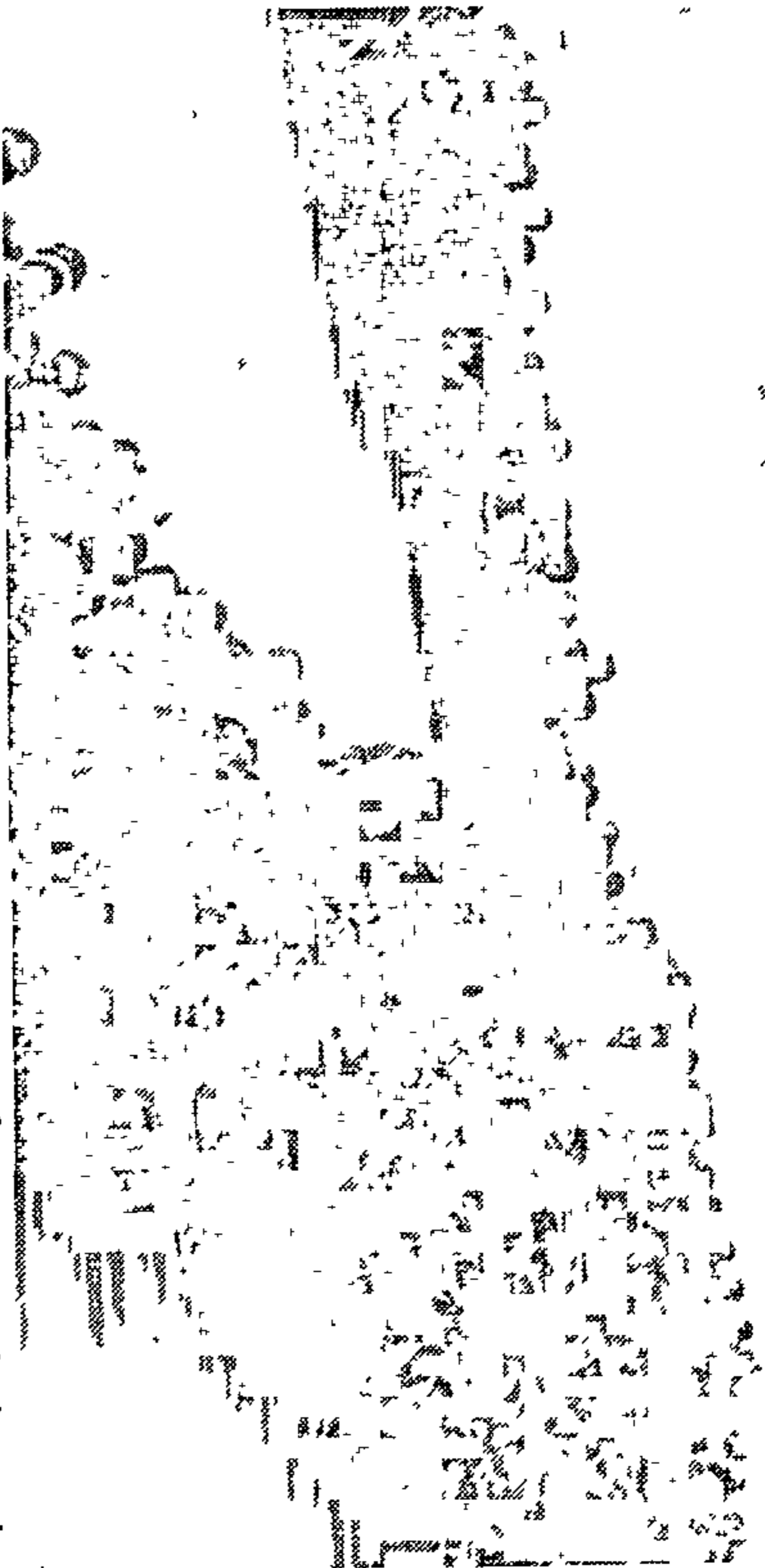
He conceded that the system had faults, but emphasised that these could be overcome. However, it was self-defeating to ignore the positive and to accentuate the negative.

Van der Merwe was closely questioned by members of the audience about police action against unionists and the Department of Health, Welfare and Pensions' prohibition of certain unions from receiving funds from abroad. He replied that he could not comment on the actions of other government departments.

He said matters to be dealt with in legislation due to go before Parliament next year included conditions of employment, occupational safety and hygiene, and the regulation of the activities of labour brokers.

TROUBLE AHEAD WARREN UNION LEADERS

Miners wait anxiously after the recent disturbances at Kloof Gold Mine to hear if they are to be dismissed or re-employed.
Picture courtesy of The Citizen



*Indus tried
week*

By Lynn Carlisle

13/7/82

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~~135~~
~~154~~
~~152~~

IN THE WAKE of this month's labour unrest deep concern has been expressed by leading unionists who anticipate that employers will offer "unrealistic" pay increases, sparking off even worse trouble.

While assuring Industrial Week of their desire for co-operation to keep businesses successful — particularly as the first signs of recessionary lay offs occur — unionists representing about 80% of all union members warn that pay rise uncertainties could lead to shut downs this year.

Industrialists should sensitive employer practices", the unionists deny they want their bread buttered on both sides, at a time when the recessionary bite will eat away company profits.

"However it is vital that industrialists continue their training programmes throughout the recession so that there is not another skilled worker shortage when the upturn begins," says Dr Scheepers.

A more genuine effort by all to fight inflation is needed — belt tightening is always left to the worker and consumer — now

Miners wait anxiously after the recent disturbances at ...
Picture courtesy of The Citizen

LEADERS

Industrial week

13/7/82
By Lynn Carlisle

IN THE WAKE of this month's labour unrest deep concern has been expressed by leading unionists who anticipate that employers will offer "unrealistic" pay increases, sparking off even worse trouble.

While assuring Industrial Week of their desire for co-operation to keep businesses successful — particularly as the first signs of recessionary layoffs occur — unionists representing about 80% of all union members warn that pay rise uncertainties could lead to shut downs this year

Industrialists should note that the recent dispute between the Council of Mining Unions and Chamber of Mines was resolved only after the Chamber had increased its pay offers several times due to union pressure

"With high inflation continuing to rise workers are really going to fight for decent wages

Beware

"Employers should be aware of offering low increases as these will cause haggling, disputes and strikes which will lead to lower productivity throughout the long economic downturn," says Dr Anna Scheepers, president of the 404 000-strong Tucsasa

Backed by leaders of several other "mixed" and all-White umbrella unions over expected "in-

sensitive employer practices' the unionists deny they want their bread buttered on both sides, at a time when the recessionary bite will eat away company profits

"If employer organisations are honest, put all their cards on the table and say 'we can only afford this much we will co-operate

Begging

'But they should not pick the ticks off our backs otherwise they will waste everyone's time,' says a senior spokesman from the 120 000 strong all-White SA Confederation of Labour

After visiting the Richards Bay area last week he observed that long queues of Zulus were "literally begging" for employment

Dr Scheepers adds that in the Transvaal queues of out of work machinists from the clothing industry are beginning to appear

Something which never occurred during the long recession in the 1970s

"The unemployment situation across-the-board will probably turn ugly before next year

'However it is vital that industrialists continue their training programmes throughout the recession so that there is not another skilled worker shortage when the upturn begins' says Dr Scheepers

A more genuine effort by all to fight inflation is needed — belt tightening is always left to the worker and consumer — now that unemployment is expected to increase she says

"If food prices continue to go up and people get hungry we will see far more strikes, riots and looting," warns Dr Scheepers

Unreasonable

Another influential unionist has appealed to employers not to make "unreasonable" pay offers in spite of the downswing, and to come forward early with clear proposals

"We cannot lower our standards. If we get pushed around we will hit back hard

"The unions have woken up and their members are right behind them this is not a dream world situation," he says

MR JIM Power is an unlikely-looking missionary. Burly grey-haired and a keen pipe-smoker he looks more like a businessman from America's midwest

But on a recent tour of South Africa he was very much the labour relations missionary as he spoke to employers and unionists throughout the country and gave courses on his speciality — mediating in labour disputes

Mr Power is Director of Mediator Training and Development at the Federal Mediation and Conciliation Service in Washington DC a US Government agency set up in the late 1940s

And his message was that mediation — which has been used only rarely here in labour disputes — could help SA employers and unions to build a bargaining structure. How does mediation work?

Mr Power stresses it is no handy substitute for bargaining. 'It's not to be confused with arbitration'

An arbitrator is called in by the two sides to actually decide on a settlement. Both agree to be bound by his decision and once arbitration starts negotiation ends

Mediators have no power to dictate a settlement — any agreement is the result of bargaining between the two sides. Their job is not to replace bargaining but to help it along when it breaks down or threatens to do so

'A mediator's real dedication is to bargaining — and ultimately to building a relationship between the two sides which will enable them to settle issues by negotiation. Our real successes are when we can tell the two sides they don't need us any more' says Mr Power

Which leads him to two observations with a direct message for South Africa where official attempts to control bargaining have often been criticised

'Our experience is that when the two parties try negotiation the result of their bargaining is usually in the

A case for middlemen

132 ROOM
14/7/82

Could professional mediators help to bring warring managements and unions to the bargaining table in South Africa? Labour Correspondent STEVEN FRIEDMAN talks to a leading American mediator who believes they can

public interest

This means labour law should be kept to a minimum to leave open the maximum range of issues for negotiation. All labour issues should be negotiable and the more laws there are the less is open to negotiation

The second is that the right to strike is essential to bargaining. If strikes are allowed there is always an urgent incentive to settle disputes. Far from hindering negotiations we believe the strike right helps them along by ensuring that both sides are serious' says Mr Power

In the US mediation has been established for decades and the country has 240 mediators

Because of the Federal status of the mediation agency US mediators can quickly identify potentially difficult negotiations

US labour relations are governed by union-management contracts and the two parties notify the government when contracts are due to expire

The mediation service looks at these and decides which negotiations may run into difficulties. It then assigns a mediator to them

But both parties must agree to mediation. Sometimes they may refuse a mediator and then call him in later in the talks says Mr Power

About 120 000 contracts expired last year and the mediation service intervened in about 20 000. It was involved

directly — holding joint management-union sessions — in about 11 000

The mediator's key task is to identify the issues and then find issues which could get talks going again

'Often one side knows what it wants but doesn't know how to say it. Often one or other side will support a possible solution but won't suggest it for fear of being seen to back down

'Invariably a great deal of personal anger has been generated. One side might reject a solution simply because it has been proposed by the other — as third parties we can suggest anything without losing face' says Mr Power

So mediation requires special skills and a thorough knowledge of labour relations. Most US mediators must have at least 8 years practical experience at the bargaining table and they are then trained thoroughly

And a particular type of personality is needed as well

'A mediator must try not to be seen as the source of the solution to a dispute — he must avoid direct judgments and statements. He must always defer to the parties — if they want to kick him out he must go and if a settlement is reached he must never claim credit for it. And confidentiality is essential

'It's a self-effacing job but with great responsibilities. We have a high rate of heart trouble among our mediators' says Mr Power

But there is 'great person-

al satisfaction' in the job and US mediators 'are now respected members of the industrial relations community

Although some US employers and unionists are suspicious of mediators many of the critics don't hesitate to use their services he says

He tells of an employer who never ceases to criticise us in theory — but when his workers threaten a strike he's on the phone demanding a mediator

How successful are American mediators? According to Mr Power, about 12% of the disputes they handle end in strikes and out of around 11 000 disputes that's a pretty good record'

And one of their key achievements, he believes is to demonstrate the importance of negotiating disputes — this he believes, is partly responsible for the decline in violent strikes in the US

Thus the US mediation agency doesn't only intervene in disputes. It also runs informal labour relations training for management and shop stewards

Could mediation work here? Labour law does provide for mediation but the Government does not have a corps of trained mediators

And the mediator must be appointed by the Government — a factor which would deny him the confidence of black workers

So any mediation service here would have to be privately run by a joint manage-

ment labour body to ensure it was seen to be neutral

Private mediator has been tried here in three disputes — and has helped settle two. But the mediator has always been called in after a strike firings and consumer boycott — well after much of the damage has been done

There are strong factors against the success of a mediation service here

Labour relations are still in their infancy and there is great labour-management hostility often with police intervention

This is complicated by a political system which inevitably charges labour relations with black white tensions

Thus joint management-labour bodies have not had much success here

The most likely situation, critics argue is that those employers who would be willing to accept mediation wouldn't need it anyway and that the hard-liners who do need it wouldn't want it

At the same time many of the emerging unions may see mediation as a ploy

And because it would have to be private, a mediation service would not enjoy the resources of official mediation services. If it got those resources from business, it would be seen as a management-controlled body

But Mr Power believes mediation can take root in South Africa

'I received a tremendous response from both union and management people during my tour. Both sides are obviously looking at ways of building industrial relations and see mediation as an important possibility'

Only 'traditionalists on both sides' were hostile, he says

He concedes that most of his audience would have been those already committed to the idea of bargaining, but mediation, he argues, has an important role to play in plants where unions have been recognised

Inexperience on both sides has led to messy disputes in factories where unions are recognised and mediators may have a role there

'You have to start somewhere. If mediation succeeds in plants where labour and management are already talking, that example may win converts'

He also believes there are excellent potential mediators here. 'Two or three people have tried it here and succeeded. In one meeting I addressed, there were seven unionists who hadn't been talking to each other for years. The man who got them all in the same room would make a first-class mediator'

Although no other country has a private mediation service, Mr Power believes one could work. 'There are many private arbitrators in the States and some have mediated successfully'

The key issue, he stresses, is a commitment to bargaining. And, where that exists in South Africa, he believes, mediation can play a key role in building union-management relationships

Wiehahn predicts emphasis on job security

AGUS 29/7/82

146 1132

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WITH the downturn in the economy job security could assume prime importance in collective bargaining between employers and trade unions, Professor Nic Wiehahn, of the School of Business Leadership at the University of South Africa, said in Cape Town last night.

Retrenchments could become issues of negotiation, as could the causes of strikes and other forms of labour unrest, he added.

"This could also, however, have a mitigating effect on labour unrest since trade unions fear that some employers could use a strike as an opportunity to rationalise their work forces, to mechanise, to computerise or automate their operations thus reducing their work forces," said Professor Wiehahn.

He was speaking on "Future Perspectives for Industrial Relations in South Africa" at the annual meeting of the National Occupational Safety Association (NOSA).

Advance

Professor Wiehahn said that in the immediate future blacks could be expected to advance more rapidly into higher jobs, particularly in multinational companies.

However, if this advancement took place without the approval and support of non-blacks it could lead to polarisation between industries.

"Whites, the coloured and Asians, who would be unhappy to work under a black manager or foreman, could choose to leave and work for another company where the advancement of blacks was perhaps more conservative."

Another possible development was that the number of trade unions that would affiliate with international trade union movements would increase.

In other words industrial relations would receive more attention from international labour bodies.

Pressure

He said "For example strikes in South Africa nowadays are reported in overseas media almost the same day they occur here putting the local management of the multinational company under pressure from two sources."

There was already strong evidence that many of our trade unions, particularly black ones, are becoming politi-



Professor Nic Wiehahn

cised in an anti-free enterprise philosophy."

He described this as a micro form of political ideology which could be summarised as "socialism versus capitalism," and it placed a new importance on industrial relations at the micro level.

"All these developments will further accentuate the importance of industrial relations in South Africa — its development, financing, the management of it, and the need to keep up with developments in this field," he said.

Earlier, Professor Wiehahn warned of the consequences had South Africa not introduced changes in 1979.

Alienation

"Had we not changed our policies, scrapped many laws and rationalised others, had we not abolished discrimination on the basis of colour race and sex the labour unrest would have been much worse, and would probably have caused much more harm, than in fact it has done," he said.

"We would have alienated moderate blacks who willingly, and in great numbers, would have joined intimidators and agitators, and we would have exposed multinational companies in South Africa to anti-discrimination and desegregation legislation against them in their parent countries."

"We would have torpedoed the industrial council system completely for the black workers and we would have continued to prostitute our consciences on moral and ethical grounds by allowing blacks to work for us and with us, yet excluding them from the basic principles and mechanisms of industrial democracy."

Labour reforms 'defused' revolt

Cape Times 29/7/82

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Staff Reporter

MR Fanie Botha's labour reforms had helped defuse revolution in South Africa, Professor Nic Wiehahn told the annual meeting of the National Occupational Safety Association (Nosa) in the City last night

Professor Wiehahn, a director of companies, academic and chairman of the Wiehahn Commission on Labour Legislation, said industrial reforms introduced after 1979 — for which Mr Botha, the Minister of Manpower, should take most of the credit — were "fundamental and drastic"

They did not appeal to "those who believe change in South Africa must be revolutionary and not evolutionary"

Professor Wiehahn said a number of people, including journalists and other writers, would do everything to create the impression that labour reforms were cosmetic and a sham "To these people, reforms are counter-productive to revolution — the means by which they want to change our society"

Pessimists viewed the labour unrest of the years since 1979 as alarming, even calling it the "Wiehahn disease" but

labour unrest had been on the increase since the mid-seventies

"Had we not introduced the changes in 1979, had we not abolished discrimination on the basis of colour, race and sex, the labour unrest would have been much worse

Alienated

"We would have alienated moderate blacks, left many employers completely destitute of any officially recognized system to regulate their relations with black workers and exposed multinational companies in South Africa to anti-discrimination legislation against them in their home countries

"We would have continued to prostitute our consciences on moral and ethical grounds by allowing the blacks to work for and with us and yet exclude them from the basic mechanisms of industrial democracy"

At the annual Nosa (Western Cape) meeting last night, Professor Wiehahn presented safety awards to Rembrandt (Paarl), Reckitt and Colman (Ndabeni), AECI (Somerset West) and Somchem (Faure). In the safety effort and experience competition, S A Nylon Spinners-Yarn Works (Bellville) won the Blumberg Shield for firms employing more than 500 workers and Brooke Bond Oxo (Retreat) won the Blumberg Shield for less than 500 workers

Govt urged to end labour discrepancies

By DON MARSHALL
Pretoria Bureau Chief

THE Government should sort out departmental differences in dealing with labour problems in South Africa, Mr Theo Heffer, a manpower consultant, said in Pretoria yesterday

Speaking at a meeting of the Institute for Strategic Studies, he said under the present situation the Department of Manpower advocated a reformed labour policy while other departments, such as the police, took action which hindered trade union activities and harassed union officials and members

"I fear for my children and

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ROM 30/7/82
their generation when I see how labour unrest is handled at many factories. The police move in with batons and teargas to control a situation where workers are demonstrating peacefully and where there is no threat to life or property

"I believe there is no place for that kind of unnecessary action and something needs to be done about it. I know it is difficult, because in South Africa it is impossible to divorce labour from politics"

He did not want to place the blame specifically on the police because in many instances they arrived on the scene at the request of the

employers
He also mentioned the prohibition on funds from overseas which affected union groups such as the Federation of SA Trade Unions (Fosatu) and detentions without trial, which he said undid some of the good done by the Department of Manpower

"These are emotional issues but it is just not good enough for spokesmen for the Department of Manpower to say they do not fall under the department's control. Much of the good which is being done — with its positive effects internationally — is negated by such actions on the part of the authorities," Mr

Heffer said

All workers in South Africa — with the exception of domestic workers, civil servants and workers in the agricultural sector — had the right to freedom of association, to organise and to collective bargaining

"The Government has provided a framework for achieving industrial peace through the collective bargaining process. It has recognised the existence and legitimate role of the employer and employee and made possible a reformed industrial relations system which does not see race as the major determinant

"It did so because it realised that monetary and fiscal policies alone were not sufficient to tackle problems

"Effective manpower policies had to supplement and complement monetary and fiscal policies. The Government realised, too, that labour legislation had become outdated

The panel discussion at the institute's headquarters at the University of Pretoria was attended by representatives of the Department of Foreign Affairs and Information, the National Institute for Security, the Security Police and academics

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RESPICE EINEY

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Industrial Week

Industry looks to workers' needs

17/8/82

By Priscilla Whyte

STABILISATION of labour is one of the main tasks that the Boksburg Industrialists' Association is concerned with

Providing adequate housing for the labour force is critical because the further growth potential of Boksburg hinges on it

Adrian Gray, chairman of the Association said "Central and municipal authorities are equally concerned about the problem"

There is a community of 88 000 blacks in Boksburg and a survey done by the Association has found that 60% of the community are in favour of taking title of property in terms of the 99 year leasehold scheme

However in the

developed section of Vosloorus not one property has been transferred

The problem is that the developed section of Vosloorus has to be resurveyed at a cost of R320 a house. The Association has however established that if the surveyor

is commissioned to survey all 5 500 houses in Vosloorus, the survey will cost between R20 and R25 a house

Gray said the dilemma facing Boksburg industrialists is how to get the necessary funds to have the area resurveyed

"On behalf of the people of Vosloorus I appeal to industrialists to contribute to a fund for the resurveying of the area. We need a ballpark

figure of R137 500 for the resurveying, said Phineas Xulu, chairman of the Community Council of Vosloorus

"The Boksburg Industrialists' Association is trying to do something for this community of 30 000 people"

Gray admits that certain "unscrupulous" industrialists are partly to blame for the housing shortage

Certain Western Cape industries moved to Boksburg and workers were told that if they moved to the Reef they could have a job

However the accommodation facilities for coloureds in Reiger Park are inadequate

Leon Ferreira, town clerk of Boksburg told Industrial Week "Fifty

two houses have been completed for coloureds and another 54 are envisaged but had to be held over due to lack of funds

"This is a drop in the ocean, but new coloured areas have been proclaimed at Delmore and Delmore Park and we trust that in time to come this will alleviate the housing position"

Gray said there will be 500 houses available in Delmore and Delmore Park, but there is an official waiting list for 2 000. The population is growing by leaps and bounds

The Boksburg Industrialists' Association is on a favourable footing with Putco for providing extra transport services for shift workers

Hang on to jobs

E. Post

— De Villiers

14/8/82

tells Uitenhage

788/5

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By JERRY McCABE

UNREALISTIC pay demands by trade unions could destroy many jobs and escalate an already serious unemployment problem, the Minister of Industry, Commerce and Tourism, Dr Dawie de Villiers, said last night

Addressing about 350 people at a National Party meeting in the Uitenhage Town Hall, he said "Those who are at present employed should look after their jobs — particularly in this period of an economic decline"

Dr De Villiers cautioned unions and employers to look to see the disastrous effects of economic decline on some African states to the north

"It is only the radicals and revolutionaries who would like to see that happen in South Africa. It is in the interests of all the people that the economy of this region remains strong," he said

"We must understand that after the good years

the hard times are coming. We are entering a period where everyone will have to tighten their belts"

Dr De Villiers said economic development was a top priority "It is important that we grow so that we can provide jobs and also contribute to stability and peace"

Although many South Africans complained they were unable to make ends meet, "nowhere in the world does the average white person live as well as he does in South Africa"

Despite all problems, Dr De Villiers felt confident that the 1980s would be South Africa's "golden years" and trusted that the Eastern Cape area would not be left behind in the country's growth

There were people who said South Africa overplayed the role the Soviet Union was playing in Africa

"It is not Africa's commitment to the Soviet Union which gives rise to concern but rather the So-

viet Union's commitment to Africa"

South Africa could not be accused of overplaying a Soviet threat when two of her closest neighbours — Angola and Mocambique — were Marxist and while there were 15 000 Cuban troops and 5 000 East German military advisors in Southern Africa

The Soviet threat made decision-making the more difficult

With regard to the revolutionary constitutional proposals recently announced by the Prime Minister, he said the Government's aim was not to destroy the balance of power but to grant the coloured and Indian people their rights

Dr De Villiers said, to half-hearted heckling from a section of the audience, that he was saddened to think that the people who had formed the Conservative Party had recently supported the National Party's policies "Where is their political honesty?" he asked

D. Dispatch
20/8/82
132

Pay demands minister warns

PORT ELIZABETH — Unrealistic pay demands by trade unions could destroy many jobs and escalate an already serious unemployment problem, the Minister of Industry, Commerce and Tourism, Dr Dawie de Villiers, said here

Addressing about 350 people at a National Party meeting in the Uitenhage town hall, he said "Those who are at present employed should look after their jobs — particularly in this period of an economic decline"

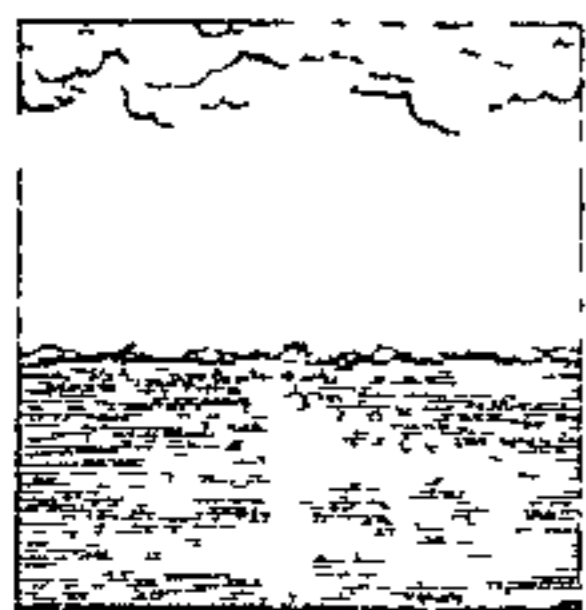
Dr De Villiers cautioned unions and employers to observe the disastrous effects of economic decline on some African states

"It is only the radicals and revolutionaries who would like to see that happen in South Africa. It is in the interests of all the people that the economy of this region remains strong," he said

"We must understand that after the good years the hard times are coming" — SAPA



Trying to defuse the strikes



Industrialists facing labour unrest must have perked up when details of proposed amendments to the Labour Relations Act were made public last week. They are fairly precisely aimed at

taking the heat out of labour disputes. Even if the changes have only limited success in curbing the rapidly escalating number of strikes and work stoppages they represent a significant shift in government's attitude towards the needs of unregistered unions. The necessity of accommodating those needs is at the very least, symbolically affirmed.

The unregistered unions, representing mainly black workers, have emerged as a strong force in the wake of government's labour reforms. They have displayed a marked willingness to enter into damaging trials of strength with employers. The draft Bill, published for comment last Friday, contains measures which will open up dispute-settling machinery to these unions, and attempt to speed up conciliatory procedures to resolve or prevent strikes. Key proposals are:

- Unregistered unions in industries where there is no industrial council will be allowed to apply for a conciliation board. At present they are barred from doing this, although their members can make such applications in their own right.
- The Minister of Manpower will be empowered to act with great speed to offer the services of an independent mediator to management and unions involved in a dispute.
- The Minister will also be given the right to appoint a conciliation board on his own initiative if he believes circumstances warrant this, and
- Direct arbitration will be available if both parties in a dispute believe a conciliation board will not help them re-

solve their differences.

The Bill is government's response to a sharply rising level of labour conflict. The number of strikes and work stoppages has risen from about 100 a year between 1977 and 1979 to 207 in 1980 and 342 last year. Indications are that the figure will become even higher. In the first half of this year there were 182 strikes and stoppages involving 51 000 workers (compared with 111 involving about 30 000 workers during the same period in 1981).

Senior government men have been heartened by calculations which show that the average number of days of production lost by each worker taking part in a strike has declined — from about three days last year to 1.9 so far this year. This is attributed to the effective usage of official dispute-settling machinery and a further decline resulting from the proposed changes to the Labour Relations Act is predicted.

Will this hope be fulfilled? That remains to be seen. The decision to make conciliation boards available to unregistered unions is welcome. These boards are used to resolve disputes in industries and areas where no industrial council exists. Because only about 1.3m of SA's total workforce of 5.5m are covered by industrial council agreements the concession is an important one for unregistered unions, long deprived of direct access to dispute-settling machinery.

As Manpower Minister Fanie Botha points out, because these unions are deprived of such machinery, there is the danger that the strike is the only weapon at their disposal when they enter a dispute.

Given many unregistered unions' deep distrust of official negotiating systems, it is understandable, if unfortunate, that this concession has received a cool reception from some — but by no means all — of them. The fear is that such boards operate

in favour of employers and result in a highly bureaucratic and protracted grievance-settling process.

But the concession does offer advantages as well. Not only will it enable unregistered unions to hold legal strikes but it can also force unwilling employers to negotiate.

An important proviso is that a union applying for a board will have to represent more than 50% of workers in the particular industry or concern where the dispute has occurred. Although this has been the practice in the past when registered unions have applied for a board, some observers question whether it is wise to set such a high figure. Unions representing only a small percentage of some companies' workers can be a potent force. Fortunately, senior officials in the Department of Manpower indicate they are willing to reconsider the figure, and say they look forward to comment from both unions and employers on the issue.

Government's desire to encourage the increasing use of mediation opens up interesting possibilities. Mediation is the process in which a trusted outsider, who cannot impose binding decisions, attempts to reconcile two warring parties. It has for long been part of official dispute-settling machinery.

However, at present, a mediator can only be appointed after a dispute has been considered by a conciliation board or an industrial council. Private mediation has been used successfully on a few occasions, but a mediation has generally been called for only after much harm has been done by strikes, firings and consumer boycotts.

Government's hope, therefore, is considerably to speed up the process of appointing a mediator. The Minister will be given authority to offer mediation to the parties in a dispute either before a strike has occurred, or very soon after workers have downed tools. Botha says many disputes result from relatively minor misunderstand-

Mayor may initiate ~~152~~ meeting on labour ~~132~~

20/8/87 Post Reporter ~~263~~

THE mayor of Port Elizabeth, Mr H Van Zyl-Ellie, has been asked by city councillor Mr Bill Hayward to call a meeting of top industrialists to discuss "labour unrest"

Mr Hayward said the mayor had asked for a list of those who should attend

Mr Hayward also intended raising the issue at a meeting of the Greater Algoa Bay Development Committee (Gabdec) on Monday

"It is important that labour unrest, as a disincentive to potential entrepreneurs, should be removed as soon as possible," he said

Industry understood the importance of negotiation but deplored wild-cat strikes and could not accede to "high" wage demands, he said

Miller: rights affect union function 132

EAST LONDON—Trade unions would become increasingly politicised if the new constitutional dispensation did not include political rights for all population groups in the country, Mr Ron Miller, Natal leader of the New Republic Party, said here yesterday.

Speaking at the Cape congress of the NRP, Mr Miller said the sound functioning of trade unionism in the country would depend on whether proper channels for political ex-

pression were provided for all groups. He warned that the welfare of all people in South Africa would become the "victim" if trade unions were not handled correctly.

Trade unions worldwide worked for both political ends and the improvement of working conditions.

In Britain unions had become so involved in politics that they had attempted to take over the economy of that country, and there was a

"lesson" for South Africa in this, said Mr Miller. It would be beneficial to the country to have organised and disciplined labour within trade unions.

The country was in the process of developing a "plethora" of trade unions, and rivalry between union leaders was rife.

"It is very easy to mobilise workers for radical trade unionists," he said adding that union leaders would grasp

at "anything" to "sort out the strength" of different leaders within the union.

The Johannesburg municipal workers' strike of 1980 was an example of this. The draft legislation on transferability of pensions had been "deliberately misused" by trade unions, he said.

However, trade unions would learn that it "doesn't pay" to act unilaterally.

"Trade unions are a

very essential institution in the capitalistic economic society. And trade unionism is also an evolutionary process," said Mr Miller.

Mr Miller said he believed South Africa had the "finest" industrial legislation in the Western world, and that considerable progress had been made by implementing the recommendations of the Wiehahn and Riekerk commissions.

Unions would not produce a "Pandora's Box" if the authorities acted correctly.

Problem-free trade unionism in South Africa depended on the responsibility and education of union leaders, as well as the government's preparedness to create a political dispensation acceptable to all groups.

"Politics and politicians should stay out of labour relations. The best people to deal with trade unions and labour are the industrialists," said Mr Miller — DDR

D. Disputch
Unions (32)

no threat
2/18/82
says
minister

DURBAN — Trade unions in South Africa had not become militant and posed no threat politically or to the South African economy, the Minister of Manpower, Mr Fanie Botha, told the Natal National Party congress here yesterday

Mr Botha, in a brief summary of the labour situation, reassured the congress in this regard and said there were no plans to create unions or lay down minimum wages for farm labourers

The work stoppage situation in South Africa compared favourable with the rest of the world and South Africa had become the model country in the field of labour relations

The government had decided to have the National Manpower Commission investigate labour conditions in agriculture to forestall the possibility of a boycott of South African agricultural exports in protest against possible allegations of "slave labour"

"This is a dangerous angle and we must remove that sting as soon as possible from our enemies

"It is important that we know whether the situation is in fact slave labour or not," he said

"It is not true that we want to lay down minimum wages or create labour unions for farm workers."



Star 132

27/8/82

Employers in dilemma on negotiations

does not always involve the parties concerned as much as it should

● Because the council system meets the needs of centralised collective bargaining, it is not programmed to meet certain shop floor needs

Professor Piron argues that there are also weaknesses in relying solely upon plant level bargaining as there is little done in regard to medical aid or pension issues and the system is young and in "dire need of expertise and experience"

"The industrial council is an established system which will not go away or be pushed away in the near future," he says

Plant level agreements can also encourage inter-union rivalry for membership at a company

In his conclusion Professor Piron recommends that the recognition practice be allowed to develop more extensively before any attempt is made to legislate such agreements. Once the practice has been allowed to develop further then legislation could be introduced in line with current practice

● Professor Piron spoke on the subject of recognition agreements at a seminar organised in Johannesburg this week by Unisa's Institute of Labour Relations

Plant level bargaining is unlikely to replace industry wide negotiations in South Africa in the near future

As a result of recent dispensations in labour law and the emergence of black trade unions, employers have been caught up in the dilemma of how best to conduct negotiations

While established unions and many employers are satisfied with the "tried and tested" system of industrial councils to decide on wages and working conditions in the labour arena, emergent unions have demanded plant or shop level negotiations

This ticklish problem for managements is discussed in a new study of recognition agreements by Professor Johan Piron of Unisa's School of Business Leadership

In "Recognition or Rejection?" Professor Piron says union demands for recognition often indicate an opposition to the industrial council system

Emergent unions chose plant level recognition agreements as an alternative to the council system, which operates on a regional industrial level, professor Piron says

This system is satisfactory for many established unions which also operate on that level but not for emergent unions which are seeking redress

Union demands for recognition often indicate opposition to the industrial council system, thus presenting managements with a ticklish problem. Labour Reporter Tony Davis looks at a new study by a Unisa professor.

from managements at plant level

While the established unions usually represent skilled workers, emergent unions represent unskilled or semi-skilled workers and these unions feel their members' rights cannot be adequately protected at council level, he argues

Many black workers are not protected by their skills and the unions seek through a plant level recognition agreement to protect their members

Some plant level negotiations are seen to reflect political aspirations and at the same time emergent unions may reject industrial councils because of their long-standing association with only white member unions

Professor Piron says that whether or not one agrees with such views they do carry weight in industrial relations and have to be dealt with

On agreements with only registered trade unions Professor Piron says this should not be made a requirement

The question of whether a union supports the statutory system of collective bargaining hardly affects its ability to represent the employees of the company

He also discusses the difficulty of the criterion of representivity and the concept of "50 plus 1" percent for a union to be accorded recognition

If a union with only 10 percent membership

in a plant can bring that plant to a standstill in the event of a strike, then the management should not be too fast in refusing to deal with the union

A recognition relationship can only be successful if it operates on the level of "good faith," says Professor Piron. Emphasis on legal obligations by the parties involved and the threat of legal intervention tends to polarise attitudes

There are a number of weaknesses to the industrial council system, according to Professor Piron. These include

● It does not always meet worker needs at the plant level

● It is a "slow-moving machine" and

Labour relations vital to productivity expert

Bus Argus 4/9/82
132 247

By Audrey d'Angelo
LABOUR relations will become increasingly important in South Africa if productivity is to be improved, says Mr Hugh Brown managing director of Integrated Productivity Systems.

He has won a national award from the Institute of Personnel Management of South Africa for a system of productivity improvement tailored to South Africa's special needs and taking six inter-related aspects into account

The system will be explained at a seminar at the Holiday Inn, Bellville, on September 10

Mr Brown told Business Argus it was developed by him and Mr Yacov Kedem industrial engineering manager at AECI Somerset West, after 18 months' research in this country and overseas

It involved a combination of scientific management and organisational-behavioural approaches

KEY ROLE

These would play a key role in the South African economy in future, as its sophistication increased

Profits made here had been far too high, but they would now have to be channelled over a broader front

One reason for this was the rising expectations of the lower income

group, with the growth of education and of trade unionism

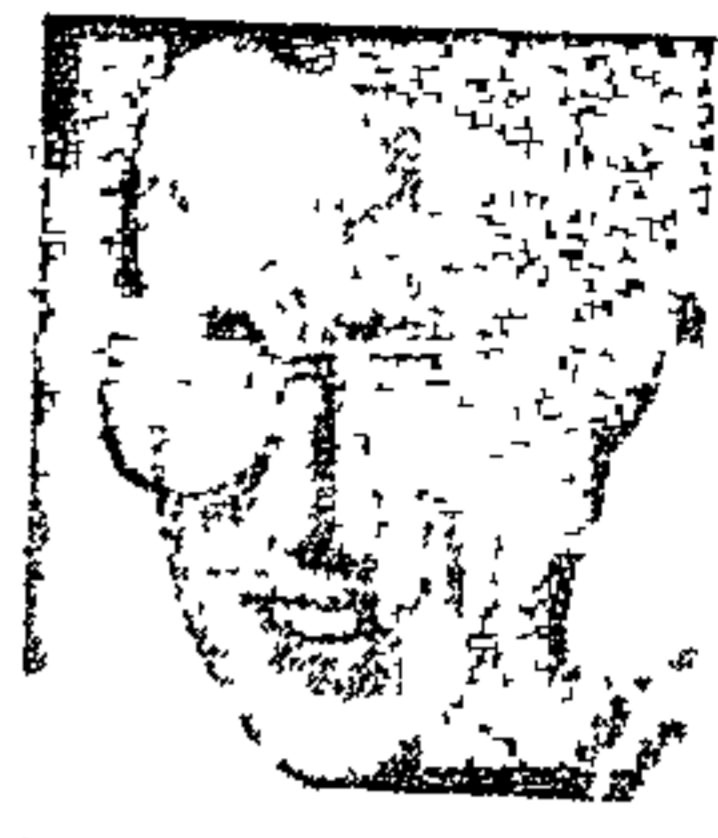
Wages would continue to rise because of inflation and these higher expectations and productivity would have to be improved

DEVELOP LOYALTY

There had never been a better time to develop loyalty and commitment in the work force but to do this better conditions and pay would have to be provided and top management would have to learn to negotiate with the unions

It would also have to institutionalise productivity and spend more on the development of middle management

Employees and the unions would have to be involved in moves to increase productivity and efficiency



MR Hugh Brown, managing director of Integrated Productivity Systems (Pty)

Increased productivity did not lead to unemployment but to growth and increased consumer demand

The opportunity for South Africa's economy to expand was "enormous," particularly in the export field, and small firms would increasingly need connections overseas to take advantage of this

TOMORROW
 was slightly injured
 had been taken to
 said Mr Scribante
 because he wanted to
 caption of Captive
 and reserve
 horse owner, Mr Eric
 for auction
 three or four horses

Pickpocket victims may help police

Crime Reporter
DETECTIVES are keen to contact any bus commuters who might have been robbed on buses in Port Elizabeth — especially in the Central area — during the past month

A man was arrested by the bus driver on a bus in Central on Monday, after he was caught trying to rob a passenger Detective Sergeant Andre Puren, at Port Elizabeth 543356, would like to hear from commuters who might have been pickpocketed but had not notified the police

Employer flexibility seen as vital for labour stability

By SANDRA SMITH
EMPLOYERS faced with a workforce which is becoming more organised will have to be seen by workers to be more flexible in their approach to industrial relations, if industrial stability is to be assured
 This was said by Rhodes University sociologist Professor Marianne Roux in an article in a Grahamstown newspaper
 The controversial issue of large-scale layoffs in a region with such a high level of unemployment would also have to be resolved if industrial conflict in the Eastern Cape was not

to increase Prof Roux said
 Unions and management should together decide alternative ways of handling these problems
 Statistics revealed that a much higher level of strike activity occurred in the Eastern Cape than elsewhere The most important disputes this year would probably be the wage issue at the three motor manufacturing companies Ford General Motors and Volkswagen and the campaign to get the SA Transport Services to recognise the General Workers Union
 Increasing worker militancy had been viewed with

concern by employer organisations who were worried that strikes could discourage industrialists from taking advantage of the Government's decentralisation incentives
 Two major factors had been identified as contributing to this labour militancy — massive unemployment and the ever present threat of the jobless being endorsed out to the nearby homeland.
 This vulnerability was especially keenly felt among the East London workers who commuted daily from Mdantsane in Ciskei

Release of jailed fishermen sought

CAPE TOWN — An urgent attempt is being made to secure the release of the 19 crew of the 44-ton Cape Town-owned fishing boat Plumstead who are in jail in Maputo
 They were found guilty of operating inside Mozambican territorial waters
 Mr Hugo Prigge owner of the 37-year-old vessel, said he had made urgent application to the Mozambican authorities for a visa to allow him to travel to Maputo where he intended appealing against the conviction
 "As I understand the Mozambican court officials based their findings on allegations that the Plumstead had been noted operating in Mozambican waters 18 times, but this is not true," he said
 "The boat moved its operational base from Cape Town to Durban only 10 months ago and this was the first time I had sent it up the Natal North Coast
 Skipper Mr Lefty Smit and his 18 crew were fined R30 000 and the boat was confiscated
 Mr Prigge said the first he heard of their arrest was from the master of a ship which had just called at Maputo
 "The Plumstead was overdue and I had a radio message broadcast asking for a lookout," he said — Sapa

Weather

FORECAST for the coastal belt from Plettenberg Bay to Port Alfred for the period ending 6pm tomorrow
CONDITIONS Partly cloudy and cool today becoming fine and somewhat warmer tomorrow
WIND Moderate easterly to north easterly becoming northerly to north-westerly tomorrow
EXPECTED TEMPERATURES
 Maximum 22C
 Minimum 10C
TODAY'S CONDITIONS (1pm)
 Sea Temperature 16C
 Temperature 18C
 Pressure 1 027mbar
 Humidity 53%
 Wind E 20km/h
THE MOON
 Last Quarter September 10
 New Moon September 17
 First Quarter September 25
 Full Moon October 3
THE SUN
 Sets today 6 03pm
 Rises tomorrow 6 26am
 Daylight yesterday 11hr 35min
THE TIDES
High Water
 Today 6 22am 6 49pm
 Tomorrow 7 06am 7 38pm
Low Water
 Today 12 18am 12 19pm
 Tomorrow 1 00am 1 01pm



Jackpot

Evening Post Checkers
Evening Post - (

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Cholera danger clarified

Post Reporter
THE Regional Director of the Department of Health in Port Elizabeth, Dr J D Krynauw, stressed today that people without symptoms of cholera were in no danger at all
 He was commenting on a report in the Evening Post yesterday in which the impression may have been given that the symptoms of cholera did not always show
 "The mortality rate is usually at the beginning of an outbreak because those who develop severe symptoms do not always realise

Full circle for new principal

Post Reporter
THE Collegiate High School for Girls in Port Elizabeth is to get as its new principal someone who 15 years ago began her teaching career as a mathematics teacher at the school
 Miss Helen Pamela Cameron Ellis will take over the reins of the school in January when the present principal, Mrs Violet Jenkins retires
 Miss Ellis has been the deputy principal of Wynberg Girls' High School in Cape Town since 1980

THE WORLD

	Min C	Max C	Weather
Amsterdam	15	24	cloudy
Athens	22	33	clear
Berlin	11	20	cloudy
Brussels	12	22	cloudy
Buenos Aires	7	16	clear
Chicago	15	16	cloudy
Copenhagen	11	12	cloudy
Dublin	10	16	cloudy
Frankfurt	13	25	cloudy
Geneva	14	20	rain
Helsinki	5	13	cloudy
Hong Kong	27	29	cloudy
Jerusalem	15	29	clear
Lisbon	16	26	clear
London	14	20	cloudy
Los Angeles	20	30	clear
Madrid	15	31	clear
Miami	27	31	cloudy
Montreal	9	17	cloudy
Moscow	8	16	cloudy
New Delhi	25	36	clear
New York	17	28	cloudy
Paris	16	22	cloudy
Rio de Janeiro	17	32	rain

Evening Post Checkers
 Race 3
 Race 4
 Race 5
 Race 6
 Race 7
 Race 8
 Name
 Address
 Entries on a card or the back of a form to be posted to the Evening Post Jackpots at Port Elizabeth 6000 or handed to the Checker Greenacres before 11am on Saturday and Despatch entries are accepted Friday and East London entries at office in Terminus Street up to Grahamstown entries can be deposited in High Street up to 1pm on Friday entry forms carrying the current date

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ARGUS 8/9/82

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A 'humane approach' needed in the work place

MOST of the problems faced in the work place today could be overcome if employees were treated with humanity and there was personal contact between them and the employer

This is the opinion of Professor "Blackie" Swart, of the Graduate School of Business at Stellenbosch University

Speaking on the second day of the national congress of the Federation of South African Country Retail Butchers, Professor Swart, who is also chairman of the Manpower Commission's committee on labour relations, discussed labour relations problems

FULL POTENTIAL

He said the biggest problem among non-whites in the work place was victimisation, but, with a humane approach, this source of conflict could be overcome.

Equality of employment conditions and opportunities, promotion of employees purely on merit, and neutral and honest self-monitoring of employment practices all had to be seen to be done before the full potential of South Africa's workforce would be realised.

EXECUTIVES

There also had to be a removal of wage discrimination based on sex, colour or race

Professor Swart pointed out that the present growth rates of the executive workforce and of the unskilled and under-utilised workforce were, respectively, 0,9 percent and 3,1 percent

This would mean the proportion of executive personnel to all others would shrink from one to 52 to one to 76 by the end of this century

The white population group, now 18 percent of the nation's manpower, would be only seven or eight percent of the total work force at this time.

Training unskilled and under-utilised workers was, therefore, of primary importance to help supply the necessary manpower to fill semi-skilled, skilled and executive positions and to help satisfy workers' aspirations

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Equal opportunity is vital, says Ackerman

Own Correspondent

PORT ELIZABETH — Equal opportunity in the business world would create a climate which would give politicians the chance to sort out the constitutional side, Mr Raymond Ackerman, head of Pick 'n Pay, said here

In an address to the Cape Midlands branch of the Institute of Management and the East Cape branch of the Institute of Personnel Management he said businessmen could do more than politicians to make people feel that South Africa had a place for everybody

He urged businessmen to become involved in politics because equal opportunity was partly political, partly social and partly economic and said they could change the face of the country to allow the political moves needed to give everybody a share in it

"The social and economic consequences of equal opportunity will be

said and led by business men They have a role to play as important, and possibly more effective, than the government"

He saw social responsibility and equal opportunity as two of the cornerstones of management's priorities in the next five to 10 years The aim must be to create a climate of human dignity where people felt they had a place in the sun

This would lead to increased morale and motivation which meant higher productivity and better profits, or possibly lower prices to the consumer, because improved productivity went hand in glove with lower prices

Mr Ackerman said a Soweto survey had shown that better housing and education were the two most cardinal points and higher on the list than a fair wage

It was important, therefore, not to have different housing and education policies for the different

race groups if equal opportunity really was to work.

Selection, training and promotion must be entirely on merit. Although he was not a pro-union man but he believed that an equal opportunity programme needed to be tackled in close liaison with the unions on the understanding that things do not happen overnight in South Africa

Businessmen must work closely with their staff, works and liaison committees and unions to make them realize that growing expectations would be satisfied through fulfilment

He said it was important to put words into deeds and prove to staff that a equal opportunities existed by providing equal facilities for equal positions It was equally important to keep staff informed about what was being done to provide equal opportunities

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5. In the light of the 1979 amendments to the Industrial Conciliation Act, could you please indicate if your union has made any application

Federation of Salaried Staff Associations of South Africa	
Pulp and Paper Industry's Joint Committee	
Rand Water Board Unions Joint Committee	
South African Council of Mining Unions	
South African Federation of Leather Trade Unions	
South African Council of Transport Workers	
South African Federation of Chemical and Allied Workers Union	

4. AFFILIATIONS TO INDUSTRIAL FEDERATIONS CONTINUED:

Communicate with govt ⁽¹³²⁾ and workers, industry ^{D. Bigutch} told ^{10/9/82}

EAST LONDON — The application of First World technology combined with Third World human resources and an abundance of natural resources had created a unique opportunity for South Africa to disprove the statistics of Africa, the senior general manager of Sentrachem, Professor J. van der Walt, told delegates at the Southern African Communication Association congress here last night.

Statistics in Africa told a sad story of a lowering of the standard of living, starvation, over-population and disease to the extent that Africa had been described by its own leaders as a "dying continent", he said.

However, in order for South Africa to disprove the statistics, a clear understanding of the needs of both the First and Third Worlds was essential, Professor Van der Walt said.

This could only be brought about through clear and adequate communication between the state and industry, the state and the individual and industry and the individual, he added.

"This is the real challenge facing us in South Africa." Referring to change in South Africa, he said this was taking place at an increasing pace which would accelerate during the next 20 years. As a result strains were going to develop at the socio-political and socio-economic levels, creating a high level of stress.

"However, whether we are always capable of avoiding confrontation by good communication is an open question," Professor Van der Walt added.

Reasons for lack of success on occasion were related to cultural, racial and historic structures within the South African society. Often

these factors presented serious obstacles to industrial development as well as major challenges to industry to reconcile the interests of industry with that of its numerous publics through effective communication.

Professor Van der Walt then outlined the different "target groups" industry should identify and focus on if it wished to be effective in its communications.

Referring to external targets, he said industry should focus on the state, because of the dominant role it played in all lives, the market, because a company or an industry existed because a need for its products existed, and shareholders, because their confidence was essential.

Internal targets should be good communication with employees, particularly in the rapidly and radically changing world of employer-employee relations. In the past changes to an employee's salary, work conditions and bonuses were made in the form of a management announcement. Today, however, workers were demanding more say. He stressed, however, that unless there was an improvement in communication between the state and individuals at certain levels, efforts on the part of industry would be doomed to failure.

He cited the recent compulsory pension issue which resulted in wide-spread strikes, even though the government's aim was to protect the individual. Poor communication with workers by the government had left workers feeling threatened by legislation and resulted in strike action.

The answer, he said, lay in good communication and not confrontation — DDR

Politics not motive of unions experts

~~1/9/92~~ ~~1/9/92~~ ~~1/9/92~~ 132 11/9/92

LAST week saw the sacking of several hundred dockworkers in Port Elizabeth after a go-slow aimed at forcing the South African Transport Services to hold talks with the General Workers' Union

For almost a year, the union has attempted to meet the SATS management. But the Transport Services are adamant that they cannot deal with any body representing workers other than their staff associations

Employer representatives, trade unionists — nationally and internationally — and Opposition spokesmen are united in their criticism of SATS' refusal to concede an internationally-recognised right — that of workers to be represented by a union of their choice

The SATS has never refuted the GWU's claim that most of the dockers — about 900 out of a workforce of 1100 — belong to the union

Against this background, the belief is still widely held that the South African trade union movement is being used as a political platform and that this is the root of labour unrest

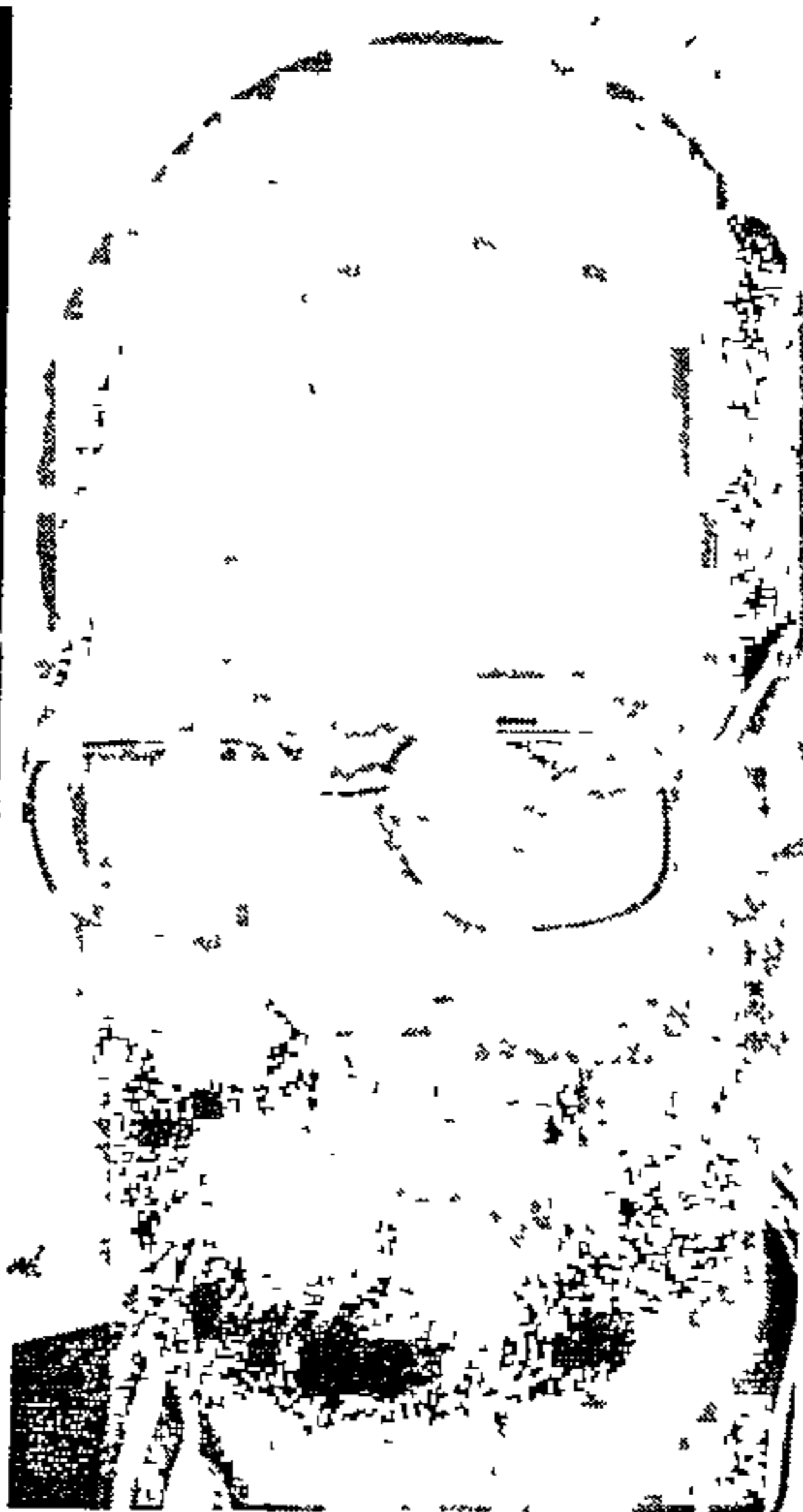
Weekend Post asked trade unionists, major employer representatives, a sociology lecturer and an industrial relations expert how they viewed statements that action by workers or trade unions was largely politically motivated

The Executive Director of the Federated Chamber of Industries, Dr J van Zyl, felt such generalised statements were often aimed at undermining the status of all trade unions.

"If the intention of such allegations about political motivation is to cast doubt on the whole black labour movement, they should be rejected. They are not true, and possibly dangerous," he said

On the other hand, how-

By SANDRA SMITH
RECENT increases in trade union activity and worker militancy in South Africa have led to speculation that the labour movement is being used largely as a channel through which blacks can achieve political expression. There have also been claims that overseas union groupings are manipulating the South African labour situation for political aims. Weekend Post spoke to authorities in the field to canvass their opinions.



Manpower Minister Mr FANIE BOTHA called for dialogue. Naawu's Mr FREDDY SAULS says labour demands reflect need.

ever, it was probable that political influences motivated by considerations other than the welfare of workers were at work, he said

The executive director of the Midland Chamber of Industries, Mr Brian Matthew, pointed out that trade unions had never raised political issues or demands in strikes or labour action in the Eastern Cape

The Director of the Institute of Industrial Relations, Mr Henk Botha, said all trade unions had political views but this was not necessarily sinister

The fact that South African blacks did not have political rights meant the trade union movement would be used to express political views. This was not necessarily a bad thing as long as it did not effect the employer-employee relationship.

"A worker's existence is

not merely in the workplace — and that is why trade unions will always be used to express political views — in black as well as white trade unions," Mr Botha said

However, workers' real concerns were with wages, and the long-term political situation was a secondary concern

A political interest expressed through a trade union did not invalidate wage demands, Mr Botha felt

Mr Jan Theron, general secretary of the Food and Canning Workers' Union, felt the Port Elizabeth dock dispute made nonsense of statements that the trade union movement was being used as a political platform

"I do not believe workers choose strikes as a way of resolving disputes. It is a last resort when it appears to them that no other

course of action is available," he said

Those acting on the supposition that strikes were orchestrated by union leaders or outside forces had no conception of the working class, particularly in the face of high unemployment

"People who are well-paid and have a say in determining their working conditions are not going to place everything at risk at the urging of some outside agent. Neither do workers expect employers to change the political status quo," Mr Theron said

Far from attempting to "cause chaos" to focus international attention on South Africa, unionists were trying to build organisations for the benefit of workers

While there were political implications in people belonging to trade unions, it was not possible for them to be content with having a

say in the running of factories without having any say in the running of the country, he said

Referring to the dispute between SATS and the GWU in the Port Elizabeth harbour, a Rhodes University sociology lecturer, Mr Paul Stewart, said the Government's present stand on labour relations was "riddled with contradictions"

These contradictions forced trade unions into the political arena, to the detriment of attempts in the private sector to establish sound labour relations

On the one hand, the Government was attempting to provide a framework for collective bargaining, while on the other it employed "its traditional strong-arm tactics to squash worker organisation"

The contradictions between, for example, the call by the Minister of Manpower, Mr Fanie Botha, on the private sector to keep open the channels for dialogue with unions, and the SATS refusal to talk with the GWU, served to politicise the labour situation:

The general secretary of the National Automobile and Allied Workers' Union (Naawu), Mr Freddy Sauls, said people who believed the trade union movement was primarily political in nature "show a clear lack of understanding of what is really taking place in the South African labour situation"

He cited the example of the wage demands in the Eastern Province automobile industry which were based purely on the socio-economic needs of the workers and have nothing to do with political aspirations

The reason for the widespread view that trade unions were politically motivated was that often those confronted with workers' demands needed to avoid the issues with which they were confronted — to invalidate them

"Workers are not going to listen to someone else dictating to them what they should do," Mr Sauls said

Connections between South African and foreign trade unions were based on co-operation on matters of mutual interest

Firms set to defy board on wages

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S. Tribune
12/9/62
Finance
Reporter

CIVIL engineering workers in the Richards Bay-Empangeni area are likely to be paid a minimum wage of R1.01 an hour from the end of this month, despite the fact that the Wage Board will probably lay down a statutory minimum of 89c

Even now contractors in the area are paying 89c an hour which is well above the existing statutory minimum of 75c.

The 30-odd South African Federation of Civil Engineering Contractors members in the area decided recently to go for a R1.01 minimum wage because they felt the cost of living for black workers there was just as high, if not higher in some respects, as in Durban.

There had also been some labour unrest in the district — mainly because of money — and it was established that workers' needs were geared to a rand an hour, particularly as some employers in the area pay well above that rate.

Avoid unrest

Contractors felt they had to get to the R1 an hour level to avoid further labour unrest and made application through the Natal branch of Safcec to campaign for urgent change to the wage policy in respect of Richards Bay-Empangeni.

The chairman elect of the Zululand sub-branch of Safcec, Ian Massey, said this week that when the request for a rate of R1.01 was put to the Safcec national executive it was turned down.

"They said no, 89c an hour minimum was all they were prepared to go along with," he said.

As such it is likely that the Wage Board will agree to a statutory minimum of 89c for the area and contractors, should they stick to the decision to pay R1.01 irrespective of the gazetted minimum, will be faced with the problem of paying the extra without any labour index recovery.

Massey said he had spoken to some of the main contractors.

"We were all in agreement that we should pay R1.01 and why we should be paying that. We are trying to get on to a living wage for workers where we can talk about productivity being linked to any increase thereafter

"If they are only prepared to go to 89c then as far as we are concerned we will have an agreed minimum rate for the area. That's the way we all feel. I think we'll be proved right in the long run"

The Zululand sub-branch is due to have a meeting in the next two weeks when a decision on whether to pay 12c an hour more than the likely statutory minimum will be taken.

Massey believes the contractors will elect to pay R1.01.

MCI bulletin sets out workers' rights

Post Reporter

IN an editorial in its latest Information Bulletin, the Midland Chamber of Industries has laid down some of the principles involved in labour relations

Freedom of association and the right of workers to organise were accepted as inalienable human rights in

the Western world, to which South Africa was linked both in investment capital and technology, the editorial said

As a result of a difference of opinion over the interpretation of these basic rights, Port Elizabeth had once again been the scene of management-worker

confrontation

The editorial was referring to the dispute between the South African Transport Services and the General Workers Union which led to the sacking this month of 425 dockworkers after a go-slow

The GWU, which represents most dockworkers,

has tried for nearly a year to hold talks with SATS on working conditions

Freedom of association and the right to organise were entrenched in two International Labour Conventions of 1948 and 1949, the bulletin said

Convention number 87 stated that workers and

employers should have the right to establish and join organisations of their own choosing, and the rejection of any interference by any public authority was spelled out clearly

South African labour legislation followed the principles in the Labour Rela-

tions Act which stated that an employer "and all or any of his employees" could set up a Works Council.

"It is this concept that this chamber believes should be applied to all labour, irrespective of which Act it may fall under," the editorial said

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Post

14/9/82

Productivity a 'side issue in labour relations'

Mercury
16/9/82

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Finance Reporter

PROFESSOR Nic Wiehahn, Labour Adviser to the Minister of Manpower Utilisation, yesterday expressed reservations about the issue of productivity being included in wage negotiations.

He said this type of bargaining would not be seen in South African labour relations for some time

He was speaking at a seminar on 'Productivity and its effect on Inflation,' which was organised by the Natal branch of the

Plastics and Rubber Institute in Durban

'Black unions have said they first want to see equality in practice and not in theory, before discussing issues like productivity. They have told us that wages and conditions of service will remain the focal point of bargaining, while demands will be linked to the increases in prices.

'I personally feel productivity is a rather peripheral issue in the field of labour relations and should stem from loyalty to the company, improvement in management, quality and the image of the company and the country. It has more to do with technological improvements than wage bargaining,' Professor Wiehahn said.

Inflation

Dr Johan Cloete, the group economic consultant of Barclays Bank, said organised labour needed to be educated about the connection between wage bargaining, production growth and inflation

'To ask for an increase in wages before productivity rises only pushes up prices, increasing inflation which leads to a reduction of real wages in the medium term.

'But productivity is also influenced by the stage of economic development of the society, the attitudes of the society and the size of production units,' he said.

Mr Tony Hesp, managing director of BTR Sarmcol, said the labour force was not yet ready for this type of bargaining.

No local takers for 'spy on unions' firm

72211 (132) E. Post 22/9/82

By SANDRA SMITH

THE Institute for Industrial Relations recently criticised the growth of security services supplying "industrial spies" whose agents informed companies about trade union activities and named "ringleaders"

Eastern Cape companies said today they had not been approached by such services and would not consider using them

A major employer of black labour in Uitenhage, who did not wish to be named, said "When you start that kind of thing you're asking for trouble"

An article in a Sunday newspaper has revealed that a former security policeman, Mr Gerard Ludi — once known as agent Q-018 — is offering to help industrialists deal with strikes and labour unrest

Mr Ludi has set up a company which claims it will aid industrialists to "devise contingency plans" when they face industrial unrest, curb theft, fraud, robbery, white-collar crime and industrial sabotage

The Institute for Industrial Relations said in an article the security services had indicated that their spies were often able to pre-empt strike action

Their methods included introducing a "plant" known only to a few senior management personnel into a factory. The plant supplied regular information to the security service which, at its discretion, passed it on to the company concerned

The use of such services was commonplace overseas, the article said

During a workshop on the issue involving trade unionists, academics and industrial relations managers one participant said he found it difficult to ascertain why questionable methods were being used to inform on a legal activity such as unionism

The workshop concluded that action was required of managements and unions to strengthen their own relationship to obviate the need for "undercover" ways of gathering information

Participants decided that security services should be bound by a code of ethics and should be licensed

The article said security services had a legitimate place in factories, but spying roles were not acceptable in terms of the development of a sound industrial relations climate and practices in South Africa

If existing methods of communication between managements and unions were proving ineffective, spy services were likely to lead to the deterioration of such relations — not improve them

Strong stands against crime in the workplace and efforts by unions to assist managements to combat such activities would do much to promote a feeling of confidence on the "other side"

The use of such spy services was likely to undermine the development of sound worker-management relations and aggravate mistrust, the article said

Reforms

defuse (132)

anger

says 23/9/82

Wiehahn

Property Editor

FUNDAMENTAL and drastic reforms in industrial relations since 1979 do not appeal to all people, particularly those who believe change must be revolutionary and not evolutionary, Prof Nic Wiehahn said in Durban last night.

He told the Natal regional conference of the Federation of Civil Engineering Contractors. 'If there is something a revolutionary detests and will fight on all fronts, then it is reform of any kind in a society

'Reforms defuse revolution. If there are no reforms, then stagnation and frustration will eventually blow the lid off the pot and revolution is the result. This is their belief'

Suspicion

The man who headed the Wiehahn Commission criticised people who had cast suspicion on the changes and reforms

He said 'Those of us who carefully follow the developments in this field and reactions in the country cannot avoid the impression that a number of people, including some journalists and other writers, will do everything they can to create the impression that reforms in this field are cosmetic and a sham and, in fact, steps to tighten up control over trade unions and their activities'

A time to listen

FM 24/9/82

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Theo Heffer is group manpower consultant of Grmaker Holdings and former personnel director of Chloride SA. He has had much experience in building constructive relationships between employers and emerging unions.

Employers and emerging unions

There is a real danger in SA that we will create an "emergent trade union" that exists only in our own prejudiced imagination. We must realise how conditioned we are by the society we live in. We think of blacks as victims of a discriminatory society, but it is important to remember that whites are victims, too, victims of a different kind, but victims nonetheless.

Fear has become our real enemy, in a wide and general sense. It is important to look at the prevailing lies which feed the

fear that blocks real progress in the development of relationships in industry.

"Before recognising a union (and especially before signing an agreement) it is essential that every possible eventuality is checked, covered and agreed."

In developing constructive relationships with emerging trade unions, it is vital to bear in mind that "developing" carries the sense of unrolling, laying open by degrees. My experience has been that many of the structures and processes have to be worked out, adapted and established through negotiation after the formal relationship is entered into.

This was recognised in the agreement Chloride signed in 1980 with the SA Allied Workers' Union (Saawu) and is clearly stated in a more recent agreement with the Metal and Allied Workers' Union (Mawu). A clause in this agreement states that the union and the company acknowledge that

recognition is a developing process which will be built on the foundation of mutual acceptance, that there are two independent parties in the relationship who both have rights and responsibilities.

Industrial relations is about relationships. One cannot legislate healthy relationships. The one essential question to answer before recognising a union is whether it is the body that the workers have freely chosen to represent them.

"Employers must stipulate the level at which collective bargaining can take place, and collective bargaining at enterprise level is undesirable."

I have a feeling that we may perhaps be too concerned about this at the moment. Perhaps we need to remind ourselves that the earliest and still the most widespread form of bargaining in the world is that which takes place at the level of the enterprise or plant.

11. 178

Dr Piet van der Merwe, SA's Director of Manpower, has pointed out that this is the only real form of bargaining in countries where collective bargaining is in an early stage of development. He says it may be necessary for us to closely re-examine our hitherto strong preference for industry-level bargaining. He believes we should try to structure enterprise-level bargaining so that it complements industry-level bargaining instead of replacing it.

I have found that this can be reasonably worked out by negotiation between all the interested parties. Refusing to deal with a representative union at plant level will surely preclude meaningful bargaining at any other level.

"Recognition agreements and industrial councils are mutually exclusive choices."

Recognition agreements, including plant-level collective bargaining, can operate together with, and alongside, the industrial council system.

To point to the "past success" of the system of the block on the question you are answering

- 2 Blue or black ink must be used for written answers. The use of a ball point pen is acceptable. Red or green ink may be used only for underlining, emphasis or for diagrams, for which pencil may also be used.
- 3 Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.
- 4 Do not write in the left hand margin.

tern without asking "For whom?" is to ignore the fact that there are two parties in the relationship. The emergent unions clearly accept the principle of collective bargaining. To try to impose the structure of the industrial council system on them will, however, inevitably lead to a total rejection of that structure.

We must realise that emergent unions are not rejecting the principle of industry-wide bargaining, but the industrial council system in its present form. Building constructive relationships at plant level will naturally lead to bargaining at wider levels, when this becomes advantageous to both parties.

"Some unions are worse than others."

Attempts to categorise unions into more or less desirable or undesirable types are unnecessary once the principle of freedom of association is accepted. Employers should be concerned with representativeness alone.

When Saawu approached Chloride early

in 1980 very little was known about this union. All that can be said two and a half years later is that virtually everything that was said about their approach, technique, strategies, officials or anything else, has proven to be untrue.

"We know what our workers want."

This type of thinking was prevalent during the period when the preservation of pensions became a major issue and managers were repeating *ad nauseam* "They don't understand" until one leading unionist went on record as saying "We do understand it — we don't like it."

Moshe Dayan once said "You cannot get the Arab opinion by sitting and talking to Jews." How often do we think we know what our workers are thinking while we sit and talk to everyone else? But you won't get your workers' opinions by talking to them either. The essence of communication is listening, and it is time that we as managers (and white South Africans) stopped "knowing" and started listening.

unless candidates are so instructed

- 2 Candidates are not to communicate with other candidates or with any person except the invigilator.
- 3 No part of an answer book is to be torn out.
- 4 All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University

~~Gerard~~ (132)
E. Post (206)
Ludi and
trade 27/9/82
unions

A REPORT in the Evening Post of September 22 quoted an article in a publication of the Institute for Industrial Relations in which there is reference to placing spies or informers in trade unions.

Earlier in the Evening Post report it was mentioned that Mr Gerard Ludi was running a company which offered to help industrialists to deal with strikes and labour unrest.

It was not intended to link Mr Ludi's company with the claims made in the institute's article. If that was the impression given, we apologise to Mr Ludi.

Mr Ludi has asked us to point out that the service provided by his company to corporations relating to unions is limited to

"Political risk assessment and evaluation as far as union activity is concerned, the quantification of potential losses suffered through strike disruption.

"The preparation of contingency plans for a strike situation. The development of better lines of communication between top management and the labour force.

"We never have had or will have any interest whatsoever of infiltrating agents into a trade union," said Mr Ludi.

to its future

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**Better work
links planned**

~~132~~ Pretoria Bureau ~~132~~

THE Minister of Manpower Mr Fanie Botha announced in Pretoria yesterday the Government would make funds available for training in labour relations

Launching a training course for officials of the SA Iron and Steel and Allied Trades Association, the Minister said the basis on which grants would be made was still being considered and he hoped to make an announcement soon

PE Technikon preparing a course on labour relations

By NOREEN SUTCLIFFE
A BETTER understanding between employers and trade unionists in the Eastern Cape is likely to flow from a unique three-year course being prepared by the Port Elizabeth Technikon

The diploma course is devised to assist both sides of industry. Bringing both together on an academic footing could lead to closer co-operation and hopefully short-circuit strikes.

Mr Theo Pullman, lecturer in the School of Management, told Weekend Post "The course will be as good for employers as it will be for the trade unionists. It will not be slanted one way or the other."

"I see the course offering what the Wiehahn Commission referred to as tripodism in labour relations, that is bringing together of employers, trade unionists and

hopefully members of Government departments and local authorities.

"All will be students together at an academic level of education and what I would term cross-fertilisation can then take place and dialogue will be free of the explosive situation and take place in an academic environment."

"I believe that a course of this nature can smooth out labour problems and another advantage is it will be able to remove the current lack of knowledge on the subject."

Approval is still being awaited from the Department of National Education for the planned national diploma course in labour relations which will be offered by the School of Management.

Mr Pullman, who holds a master's degree in labour relations, said 18 months of

Open to both sides of the fence

research and preparation had gone into the project and the subject was being offered for the first time at technikons in South Africa. Included in the course is a section on labour administration, never before offered at any learning establishment.

Mr Pullman said the Minister of Manpower, Mr Fanie Botha, had repeatedly stated there was a need for such a course and in the Manpower Commission this point was again stressed.

But the course could only be a success, said Mr Pullman, if employers and

trade unionists alike gave it their support.

"We do not have the expertise needed in labour relations in this country. There is a handful of informed people dotted around the country, the majority of whom are academics while the others are within industries."

"These people would be with the big organisations like Anglo American and the motor companies and their equivalents."

"The medium or small employers are confused and don't know how to handle the labour situation. They, one could say, have been pounced on too quickly and both employers and trade unions are uncertain what to do and how to do it," he said.

He explained that universities offered the course from time to time, but only at a post-graduate level.

"The technikon envisages the training to be directed towards the man who sits behind a desk or in

the factory and he must be able to put into practice what he has learned in theory. Here we intend to bring in the practical side by means of case studies."

"Students can enrol for the course either on a full-time or part-time basis, depending on the numbers interested in the new venture."

"But, for this important national diploma to get off the ground we are going to need the support of all employers, whether big, medium or small, the trade unionists and hopefully the government and local authorities," Mr Pullman said.

Such is the optimism about the new venture that already plans are envisaged for expanding the three-year course to take in what would be the equivalent of an honours degree during the fourth year, a masters in the fifth year and on a doctorate level in the sixth year of study, but this avenue has still to be further developed.

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UK mediation expert at

talks in PE on dispute settling

By JERRY McCABE

THE question of mediation as a dispute settlement procedure was extensively discussed at a meeting attended by trade union leaders, industrialists and academics in Port Elizabeth this week.

Mr Andrew Kerr, the recently-retired chief conciliator of the Advisory Conciliation and Arbitration Service of the British Department of Labour, explained to those present how the mediation system had been successfully operated in Britain

Mr Kerr was accompanied by Mr Loet Dowes-Dekker of the University of the Witwatersrand.

Professor Roux van der Merwe, head of the Department of Industrial Relations at the University of Port Elizabeth, confirmed that the meeting had taken place

"Constructive discussions were held in which both trade unions and employers discussed some of the problems of recent weeks.

"A decision was taken in favour of further moves being made to look into the possibility of starting a non-State mediation

service in this country," he said

Prof Van der Merwe said the union leaders and employers had been able to discuss the policies of mediation as a dispute settlement procedure in South Africa

He said the discussions had given those present a clear idea of what was required and that there was a role to be played by mediation in industrial disputes.

"The system of mediation leaves parties entirely free to negotiate their own settlement but it uses a third party to help should there be a deadlock situation," Prof Van der Merwe said

Mediation had proved the most successful system in Britain, where 80% of disputes that go to mediation are settled without strike action being resorted to

Prof Van der Merwe said it

was difficult to comment on whether the system could be successfully used in this country

"There is a lack of available mediators who would be acceptable to both parties.

"We are well aware of all the obstacles that exist."

He was not prepared to disclose which unions attended the meeting because "negotiations are at a very delicate stage and I don't want to expose the trade unions to flak from politicised groups in their own unions".

Several trade unions who were invited to attend had declined to do so.

"I am personally delighted that a sector of the black trade union movement was prepared to talk and put across their points of view

"This sort of thing can only work with their acceptance and they made a

very constructive input into the discussions," Prof Van der Merwe said

Local trade union leaders could not be contacted for comment on the issue

One of those who attended the meeting was Mr Brian Matthew, executive director of the Midland Chamber of Industries

Mr Matthew said he had been invited to attend as a guest and had found the discussions informative, but felt the system "probably works in Britain because both industrialists and unions feel it is a good system"

He said Mr Dowes-Dekker headed a steering committee which was looking at the mediation process and talking to all elements in the labour situation to see if there would be a consensus for such a system

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E. Post

2/10/82

LABOUR RELATIONS (132)

Free to choose?

FM 21.1.82
Established unions are becoming increasingly critical of emerging unions' refusal to participate in the statutory labour relations system. But this week Manpower Minister Pame Botha reaffirmed the principle that participation in the system should be voluntary.

Employers and employees are not forced to belong to labour organisations, said Botha, when he addressed the annual convention of the Institute of Personnel Management (IPM). "Even less are these organisations compelled to establish industrial councils," he added.

"As long as employers and employees of their respective organisations do not negotiate wages and conditions of service which are less beneficial than those provided for in basic legislation, they are free to struc-

ture and regulate the relationship between themselves.

"This is what self-government in labour relations means and this principle applies from the factory floor to industry level."

Some observers believe these remarks by Botha are important because they reflect government's appreciation of the emerging unions' reluctance to join industrial councils. Many of these unions have sought to create relationships between themselves and individual employers outside the official bargaining system.

However, recent statements by leaders of some established unions reveal a desire for emerging unions to be made subject to the discipline of the official system.

Botha's statement that employees are not forced to belong to labour organisations is however open to criticism. Government may not exert direct pressure on workers to join a particular organisation, but some established unions use the closed shop to compel many workers to belong to them.

The closed shop is being investigated by the National Manpower Commission (NMC) and a case involving its usage in one industry is pending in the Industrial Court. In an article appearing in the latest edition of the *Industrial Relations Journal* of SA, NMC chairman Dr Hennie Revnders says that on balance retention of the closed shop in SA will have more advantages than disadvantages.

LABOUR MATTERS ~~104~~ 132

Seeking uniformity

FM 8/10/82 ~~104~~ 329

If one accepts that industrial relations are essentially a tripartite relationship between government, employers and trade unions, the managements of companies operating close to the independent homelands deserve sympathy. Some have to contend with the conflicting labour policies of three different governments.

It seems, however, that Pretoria is aware of the problems they face, and has had discussions with the independent homelands in an effort to find common ground over basic labour issues.

The problems arising from the differing labour policies are felt especially by employers in the eastern Cape. They have to reckon with the anti-union stance of the Ciskei and Transkei governments, who perceive emerging unions as a threat to their authority. Tough crackdowns on trade unionists — the Ciskei detained hundreds of union members last year — have soured labour relations in some factories.

Respected labour academic Professor Blackie Swart, of the University of

Stellenbosch, has pointed out for some time that a co-ordinated labour policy is an essential component of government development plans. These plans are based on the acknowledgement that SA and the homelands operate within a single economic system. He believes it is vital that there should be agreement among SA and the independent homelands on certain broad principles.

Department of Manpower sources confirm that high-level discussions on labour matters have been taking place with the independent homelands. They say it has been possible to find common ground on issues such as the provision of social security benefits and co-ordinating and standardising tax incentives for training.

However, it seems as if resolution of more difficult matters, such as a more uniform approach towards trade unionism, will take much longer to achieve. "We cannot prescribe to them what they should do," says a senior official in the department.

There are indications that Bophuthatswana will soon adopt legislation which, in many respects, is very similar to SA's Industrial Relations Act. A senior Bophuthatswana government official told the *FM* this week that a draft Bill has already been compiled. There are hopes that the Bill will go before the territory's Parliament when it meets for a short session before the end of the year.

Decriminalise strike action, calls professor

By Tony Davis,
Labour Reporter

Strike action in South Africa should be decriminalised, a labour expert told a productivity conference at Sun City this week.

Professor Blackie Swart told the conference it should be left to workers and employers to agree on procedures for strikes or lockouts.

Professor Swart is a professor of industrial relations at the University of Stellenbosch. He sits on the Government's National Manpower Commission.

He said workers went on strike in spite of laws against illegal

strikes. At the same time, employers were not allowed to lock out striking workers.

Most strikes in the last few years have been illegal although little action has been taken under labour laws against strikers.

The Government should sanction plant level collective bargaining, Professor Swart said. While it was impossible for all plant level agreements to be promulgated and thus supplement legislation, guidelines could be established as to the method of granting recognition and bargaining methods.

Some form of redress should also be granted in cases where workers or employers refused to cooperate, or reneged on the terms of an agreement, he said.

Because plant agreements were mainly negotiated for unskilled workers it was unlikely that wage demands at this level of bargaining would ever be pushed beyond realistic levels, Professor Swart said.

It was also possible that regional employers could co-ordinate bargaining procedures in addition to industrial employer bodies, he added.

KDM 13/10/22

Unions asked to aid ailing SATS

Pretoria Bureau

MORE drastic measures to save the SA Transport Services from crippling losses at the close of the current financial year were discussed in Johannesburg yesterday.

The general manager of SATS Mr Kobus Loubser met the Federal Council of Railway Staff Associations representing the several railway trade unions to discuss the matter.

But it is understood that suggestions for further economies which affected the living standards of railway workers, were rejected by the Federal Council.

Background to the meeting is the loss of nearly R130-million during the first four months of the financial year.

The August loss alone was R37-million against a budget expectation of a R19-million surplus.

Already stringent economy measures have been imposed. They include cuts in overtime, the abolition of

certain under-utilised suburban train services and economies in South African Airways.

But economists said yesterday the heavy losses on the railway would intensify as the economic slowdown accelerates.

The Federal Council it was learnt is to ask for a meeting with the Minister of Transport Affairs Mr Hendrik Schoeman to suggest full Government subsidies if the railways continue to run uneconomic services.

Railwaymen believe their own welfare and living standards could be threatened if this does not happen.

They also fear Government insistence on no wage increases next April or even cuts in earnings in a desperate bid to halt the losses.

Mr Schoeman has already indicated to the unions there will be no increases next year unless there is a big upturn in the economy — an unlikely happening economists say.

INDUSTRIAL RELATIONS

Flexibility now

FM 15/10/82

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Far-reaching proposals for changes to industrial relations legislation and practices have been made by Professor Blackie Swart of the University of Stellenbosch Graduate School of Business. Swart is also a member of the National Manpower Commission.

When he spoke at the Institute of Personnel Management conference last week, Swart said the solution to industrial rela-

tions problems in SA does not lie in the creation of strict, formal structures for collective bargaining. Instead, sufficient flexibility is needed to enable collective bargaining to develop at its own pace and in its own directions.

To achieve this, he suggested the following changes:

- The State should give its "official" sanction to plant-level collective bargaining. "It may not be possible for all plant-level agreements to be promulgated as subordinate legislation, but guidelines could be set as to the circumstances in which recognition should be granted and the substantive issues around which bargaining should take place," he said.
- Although it has been contended that plant level recognition and agreements constitute a voluntary relationship of trust, the situation in SA is such that some form of redress should be granted in cases where one party refuses to "co-operate" or reneges on the terms of an agreement.
- Unions which prove representativeness and gain recognition from an employer should accept full responsibility for the workers represented by them. To this end, provision should be made, either in the recognition agreement or by law, for action against or rejection of a union should it lose control over its members.
- Strike clauses in legislation should be decriminalised. It should be left to employers and unions to agree on strike and lock-out procedures, and
- The industrial council system will have to be modified. Initial steps should include the cancellation of the power of existing party unions and employers to veto the entrance of new unions, and cancellation of the Minister of Manpower's power to extend council agreements to non-parties.

By Stuart Flitton

Lively debate is expected at the Methodist Church conference in Johannesburg today when political, social and economic issues are discussed

The Christian Citizenship Department (CCD) will table its report on the seventh day of the 100th annual conference at the Central Methodist Church

The Rev Austen Massey, general secretary of the CCD, said the conference would be asked to approve the establishment of a department to examine the church's role in labour issues and trade unionism.

"The Methodist Church has always been sympathetic to the struggle of the lower class and underprivileged," he said

"It has been said in Britain that the trade union movement was born in the Methodist Church"

Mr Massey said the church should provide facilities for trade union meetings. There were no such facilities in the black communities

"Many black ministers may be reserved about this because of restrictions on them such as leases on their church property," he said

Mr Massey said the debate on a draft resolution concerning alleged racial discrimination against black pensioners would be lively. He said some black delegates might tell the conference of personal experiences of inadequate pensions, and the difficulty of collecting the money from the

Church tackles labour issues

Department of Co-operation and Development

Mr Massey said the conference would be asked to refer to the Methodist justice and reconciliation committee and the ecumenical committee a resolution by the South African Council of Churches condemning apartheid as heresy

He said some delegates might want the conference to agree strongly with the SACC resolution

Mr Massey said the CCD hoped the conference would adopt a resolution concerning the Government's homelands policy which was more detailed than those adopted in the past

"We have not moved from non-acceptance of the policy, but we are not refusing to work in the homelands," he said

He said the conference would be asked to appeal for the release of jailed ANC leader Nelson Mandela

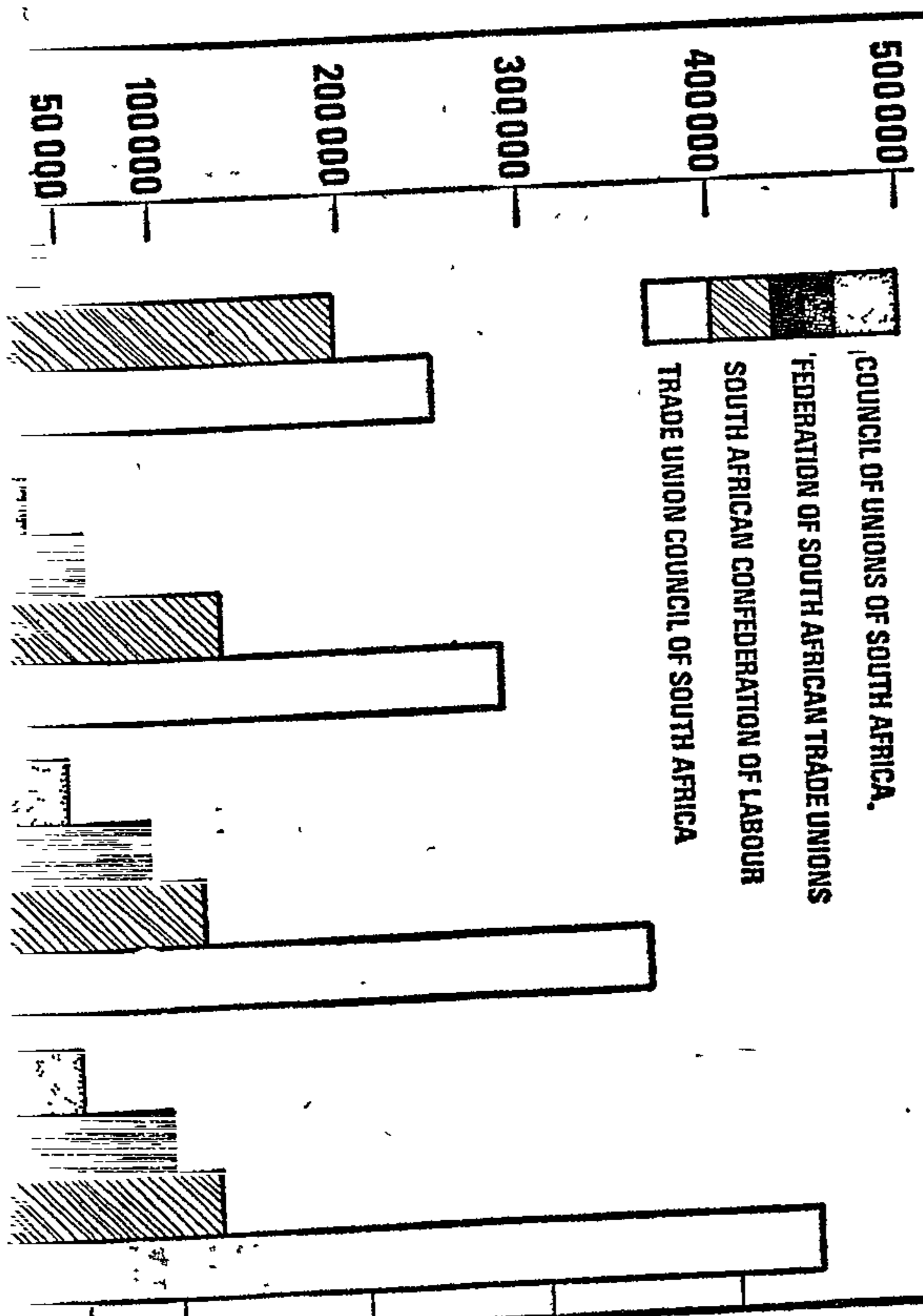
"Depending on what happens to the people whose five-year banning orders expired yesterday, the resolution about Nelson Mandela might include mention of people such as Bevers Naude," he said

A guide to South African trade union federations

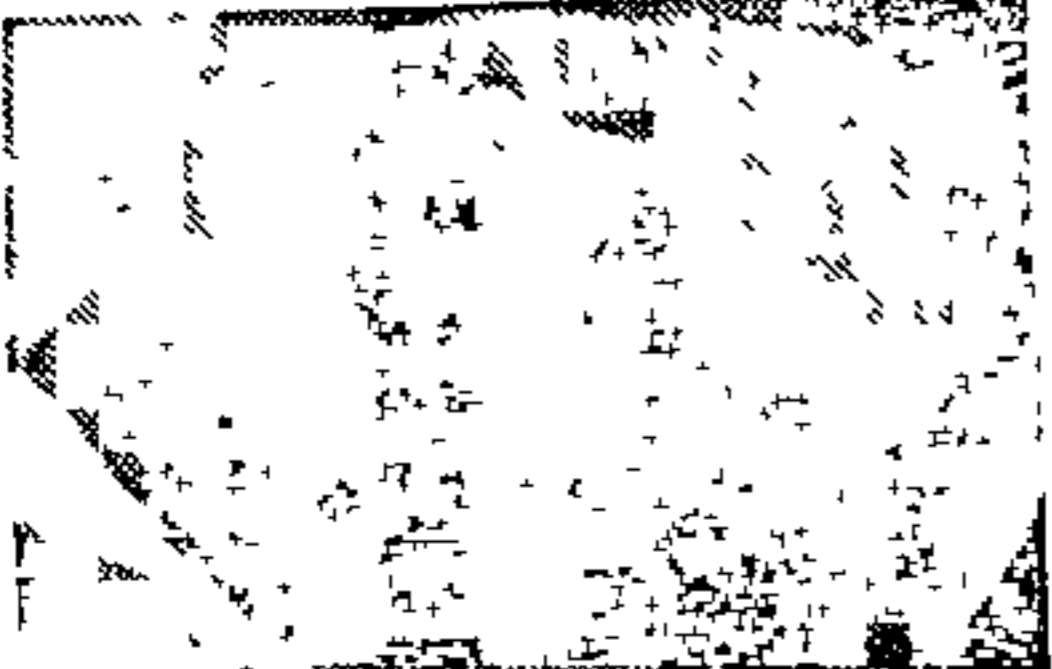
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This study of trade unions in South Africa is meant to be a general guide for the man-in-the-street. Some of the figures may be open to question, but are the best available. Not all aspects of the current trade union scene could be covered in this study.

HOW THEY'VE GONE UP... AND DOWN



Mr Arrie Paulus, general secretary of the SACLU's Mineworkers Union.



Tucsa's general secretary, Mr Arthur Grobbelaar.

By Tony Davis, Labour Reporter
 More than one million workers in South Africa are members of trade unions.

This figure is constantly on the increase as there are still many, unorganised workers throughout the country.

The trade union movement is an old institution in South Africa but it was only a few years ago that rights were opened to black workers in 1979 that membership bloomed.

There are four major trade union federations. These are:
 ● The Trade Union Council of South Africa (Tucsa).
 ● The South African Confederation of Labour (SACL).
 ● The Federation of South African Trade Unions (Fosatu).
 ● The Council of Unions of South Africa (Cuse).

TUCSA
 Tucsa has the largest membership of the trade union federations with about 482 000 members in 57 affiliates.
 Tucsa is a co-ordinat-

4 Do not write in the left hand margin

Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University

Tucsa's general secretary, Mr Arthur Grobelaar.



Fosatu's general secretary, Mr Joe Foster.

decision to open its ranks to coloured workers.

The SACL's strength lies largely in several affiliates, the Mine Workers Union, The SAR & H Salaried Staff Association and the SA Iron, Steel and Allied Industries Union.

Fosatu was founded in early 1979, a product of several worker advisory bodies that had been in existence throughout the 1970s. The federation has about 100 000 members.

AFFILIATES

Fosatu has been at odds with the Department of Manpower and recently resolved to take interest in community issues which affect workers.

Fosatu affiliates are largely concerned with organising and negotiating at the factory-floor level as opposed, for example, to the Tucsa view of industrial council bargaining.

The federation's fastest growing affiliate is the Metal and Allied Workers Union.

Other large Fosatu affiliates include the

Tucsa has the largest membership of the trade union federations with about 482 000 members in 57 affiliates.

Tucsa is a co-ordinating body for its affiliates and is managed by a national executive committee and appointed sub-committees.

The federation was formed in 1954 and has a history of vacillation over membership for black unions and registered or unregistered unions.

Tucsa's growth has been rapid over recent years — from 283 000 in 1980 to 361 000 in 1981 and 432 000 in 1982.

Critics have said that the large membership is in part due to the fact that Tucsa affiliates can be found in industries where there are closed shop agreements and workers have no choice other than to belong to the Tucsa union.

Tucsa has lost some of its more black member unions in recent years and its membership has been boosted by largely white-member unions.

SACL

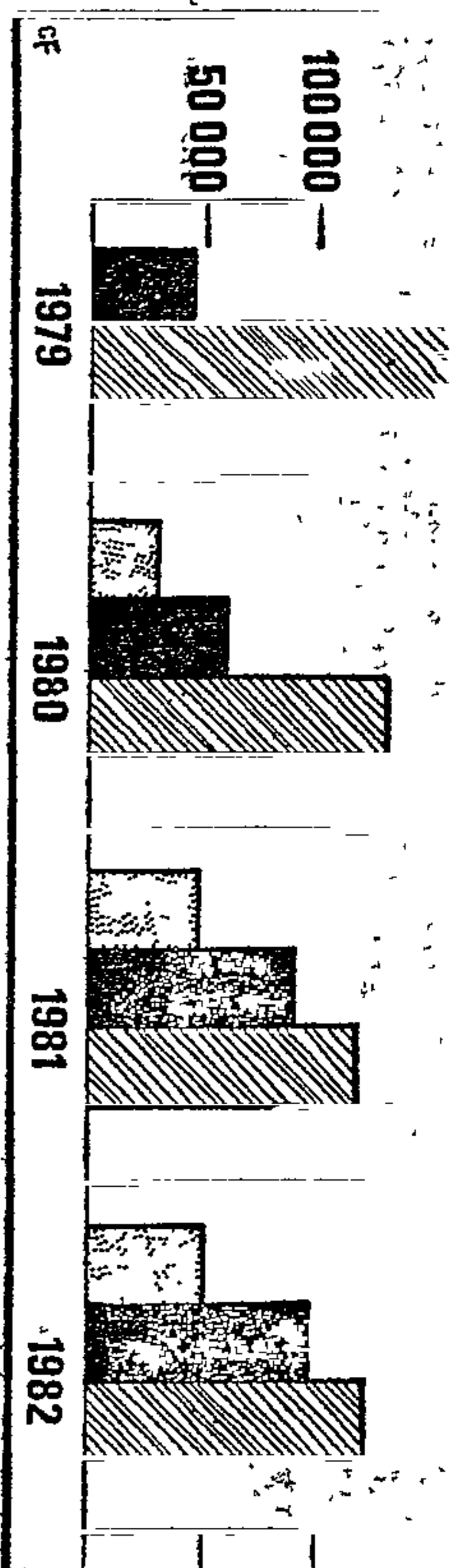
The federation's major affiliates are: the SA Boilermakers Society, the SA Typographical Union, the Garment Workers' Union, the Artisan Staff Association and the SA Society of Bank Officials.

The SACL's membership has been steadily dwindling over the last few years.

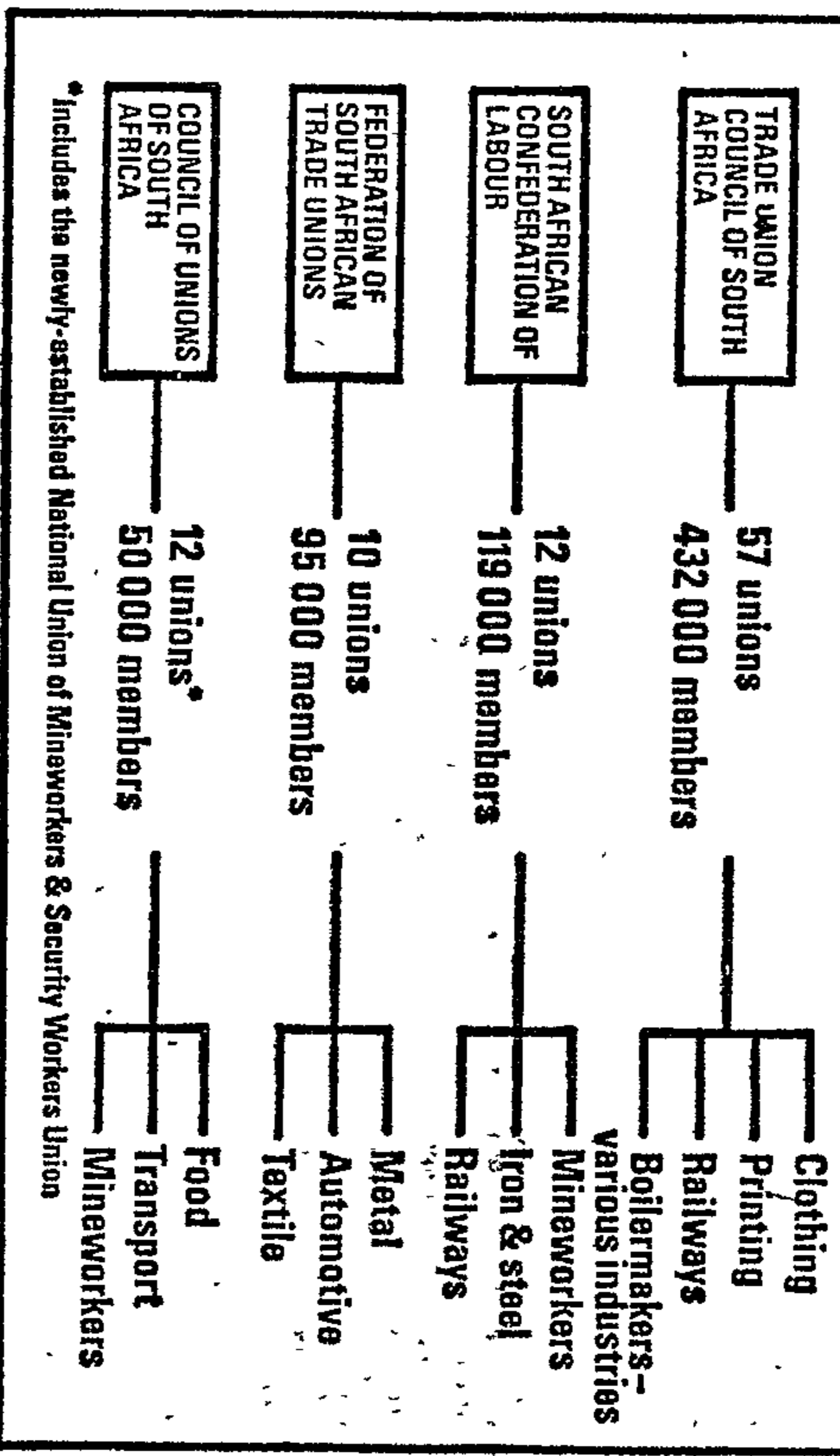
During the last 10 years, its membership has shrunk from close to 200 000 to 119 000 this year.

FOSATU

A major reason for



HOW MANY... AND WHERE THEY ARE



Cusa is concerned with labour and community issues and is active in the transport, food and beverage and mining industries.

Two new affiliates were established at the end of Cusa's annual conference in August this year — a mineworkers and a security workers union.

The federation has strong links with over-

can Allied Workers Union (Sawu), the General and Allied Workers Union and the National Federation of Workers.

SAAWU

Sawu has 26 affiliates and claims a membership of 94 000.

The Federation has adopted a non-racial stance and has a strong base in East London, with Johannesburg and

ship of about 300 000. There are more than a dozen unaffiliated and unregistered trade unions which are involved in organising workers.

Among the largest of these unions are

- The General Workers Union
- The African Food and Canning Workers Union.
- The Media Workers

collective bargaining at the factory floor level. The proliferation in recent years of "general" unions is seen as a means of organising the unorganised.

The National Manpower Commission is investigating the possibility of trade union rights for farm and domestic workers. Organising black mineworkers has recently

Mineworkers

over racial registration and recently resolved to take interest in community issues which affect workers.

of affiliates are: the S.A. Boiler Makers Society, the S.A. Typographical Union, the Garment Workers' Union, the Artisan Staff Association and the S.A. Society of Bank Officials.

The SACL's membership has been steadily dwindling over the last few years.

During the last 10 years, its membership has shrunk from close to 200 000 to 119 000 this year.

FOSATU

A major reason for the loss of about 60 000 members was the SACL's opposition to the recent Wiehahn labour reforms and the opening of union membership to black workers.

The Cusa federation was established at the end of 1980 and has more than 50 000 members.

CUSA

Other large Fosatu affiliates include the National Union of Textile Workers and the Chemical Workers Industrial Union.

Cusa is concerned with labour and community issues and is active in the transport, food and beverage and mining industries.

Two new affiliates were established at the end of Cusa's annual conference in August this year — a miners' union and a security workers union.

The federation has strong links with overseas union federations.

The Black Allied Workers Union was formed in 1972 and adopted a black consciousness platform.

Bawu claims 51 000 members in 15 affiliated unions. Its strength lies in Natal where it is active in the collieries, but Bawu also has a Johannesburg branch.

Internal feuding within Bawu led to the formation of several other union bodies, including the South African

can Allied Workers Union (SAAWU), the General and Allied Workers Union and the National Federation of Workers.

SAAWU

SAAWU has 26 affiliates and claims a membership of 94 000.

The Federation has adopted a non-racial stance and has a strong base in East London, with Johannesburg and Durban its other major centres.

SAAWU's leadership has come under close security police scrutiny and most of its officials have been detained, though usually released without being charged.

SAAWU organises unemployed workers with the aim of strengthening its ranks when such people are employed.

There are more than 100 unaffiliated, registered trade unions with a combined membership

of about 300 000.

There are more than a dozen unaffiliated and unregistered trade unions which are involved in organising workers.

Among the largest of these unions are

● The General Workers Union

● The African Food and Canning Workers Union.

● The Media Workers Association of SA

● The Motor Assemblers and Component Workers Union of SA

and its sister union, the General Workers Union of SA

● The Commercial, Catering and Allied Workers Union of SA

● The Municipal and General Workers Union (formerly the Black Municipal Workers Union).

These unaffiliated unions are, with few exceptions, opposed to registration and prefer

collective bargaining at the factory floor level.

The proliferation in recent years of "general" unions is seen as a means of organising the unorganised.

The National Manpower Commission is investigating the possibility of trade union rights for farm and domestic workers.

Organising black mineworkers has recently become a reality and several unions have been granted access by the Chamber of Mines to recruit members.

These are: Cusa's National Union of Mineworkers, the Black Mine Workers Union and the Federated Mining, Explosives and Chemical Workers Union.

Trade unions have encountered difficulties in trying to organise workers in Transkei and Ciskei.

FM 22/10/82
LABOUR RELATIONS

Casting for trust

132 H.D. 189
Important changes to industrial relations practices in SA's giant metals industries are being contemplated in a renewed effort to make these practices more acceptable to black workers and emerging unions

In his annual address earlier this month, Bill Bramwell, outgoing president of the Steel and Engineering Industries Federation of SA (Seifsa), pointed to a serious level of distrust of the industrial council system among black workers

Reiterating Seifsa's support for the system, he said it would be important to the industrial council for the industries to demonstrate that it can provide effective protection and procedures for the resolution of all workers' problems. He said parties to the council were in the process of establishing effective mechanisms for handling the labour tensions which had prevailed during the past year

It is understood that these include changes which will allow employers to sign limited recognition agreements with unions on the shop floor, and efforts to speed up the industrial council's dispute-settling procedures

A decision on changes is expected in November, and some observers believe they will be approved, despite the reservations of some established unions. The changes do, however, fall short of the demand by emerging unions, such as the Metal and Allied Workers' union, for wage negotiations at plant level. It remains to be seen whether these unions perceive the changes as part of a sincere effort to accommodate their needs

Learning the ropes

FM 22/10/82

Valuable insights into the use of conciliation, mediation and arbitration to resolve industrial relations disputes have been given to SA employers and unionists in recent weeks. Workshops and seminars held in major centres by Andrew Kerr, widely regarded as Britain's most experienced conciliator, have added impetus to efforts to establish a mediation service in SA.

Kerr is the recently retired chief conciliation officer of Britain's Advisory, Conciliation and Arbitration Service (Acas).

He was invited to SA by a group of labour academics, unionists, employers and lawyers who are exploring the possibility of establishing an independent mediation service which is acceptable to both management and labour.

Acas was formed about eight years ago in response to a loss of confidence in the conciliation and arbitration services provided by a government department. There was a fear that this service was being influenced by the incomes policy being pursued by government.

Acas is a statutory body, but it has managed to remain impartial and independent from government. It provides advisory services to management and labour on all industrial relations and general employment matters. These include payment systems, job evaluation, trade union recognition and disciplinary, dispute and redundancy procedures. The services provided by Acas are free and readily available throughout Britain.

It also provides a conciliation service on individual rights of workers, in particular those concerned with unfair dismissals. British workers can appeal to an industrial tribunal if they feel they have been unfairly dismissed. To lessen the burden placed on the tribunals, Acas conciliators try to settle the appeals before they go to the tribunals. They deal with about 30 000 cases a year and settle about two-thirds of these.



Conciliator Kerr ... message from Acas

However, it is the collective conciliation service in industrial disputes which is central to the concept of Acas. Kerr points out

that the British make a clear distinction between conciliation and mediation. Conciliation to them is a process in which a third party, the conciliator, who is a member of the staff of Acas, assists parties in dispute to reach a settlement. This is done with the consent of the parties and the settlement is the responsibility of the parties. The conciliator may make suggestions about how the dispute may be settled, but he will not record these suggestions as written recommendations.

The service operates by means of contacts and discussions, obtaining information and holding joint and separate meetings of the parties to explore the possibility of a settlement. Areas of agreement and disagreement are probed and identified.

In mediation, the mediator who is not a member of Acas's staff, but probably a labour academic who is regarded as impartial, will, after listening to the parties, make written recommendations to them about how to resolve the dispute. The parties are not obliged to accept these recommendations, but they often form the basis for further negotiations leading to a settlement.

In arbitration, the parties have to agree, before the arbitration is arranged, to accept the arbitrator's award. This is not a legal obligation, but is regarded by Acas as morally binding. "In the eight years of

Acas's existence, no arbitrator's award has been rejected," says Kerr.

The number of cases dealt with by either mediation or arbitration in Britain is small compared with those dealt with by conciliation, says Kerr. Unions and companies tend to avoid arbitration over serious issues because they feel this takes control of the dispute out of their hands. But arbitration has been useful in resolving some major disputes.

During his visit to SA, Kerr was often asked how Acas has retained its independence, despite the fact that it is funded by government. He says there are two main reasons. The first is that under the Act that set Acas up, no government minister can tell Acas how to carry out its functions. Secondly, Acas is run by a council consisting of a full-time chairman, who is acceptable to both management and labour. Among the nine part-time members are respected academics and people nominated by unions and organised industry. Kerr says government never tried to influence him during the time he worked at Acas.

Acas tries to conciliate before industrial action is taken. In about 80% of the cases dealt with by it in conciliation, no industrial action has occurred. Pay disputes form more than half the disputes that Acas deals with, but recognition cases, dismissal and discipline cases form a fairly substantial part of the total.

Mistakes on both sides, says labour expert

INEXPERIENCE often led to needless confrontation in the South African labour field, the head of the Department of Industrial Relations at the University of Port Elizabeth, Professor Roux van der Merwe, said today.

Both labour leader and companies still had a great deal to learn and made unnecessary mistakes, he said.

When approached by a trade union a company's first response was often to resist establishing a sound working relationship, because it did not see the benefits of such a relationship.

The Port Elizabeth dock dispute between the South African Transport Services (SATS) and the General Workers Union (GWU) was an example of unnecessary industrial confrontation, said Prof Van der Merwe. Early contact between a union and company was of vital

importance as this was when the climate of the subsequent relationship was established. A company had to avoid establishing a pattern of "sour" relationships.

Many emerging trade unions were not skilled in the "complex business of the day-to-day running of a trade union.

"Starting is easy because you might say they have a built-in market. However, a trade union cannot be run on enthusiasm and dedication alone," Prof Van der Merwe said.

The black trade union movement still had many skills — such as administrative ones — to learn.

"When both companies and trade unions are unskilled you have a fairly good recipe for things coming unstuck," he said.

The optimal situation was not necessary a peaceful, totally conflict-free relationship, but it was possible to develop constructive differences.

Unions and managements could recognise a difference in objective, but it was not impossible for them to work together and have mutual respect.

"The trend is for conflict to be dealt with destructively, with unions being seen as unreasonable and beyond the pale if they conflict with management," he said.

There was an urgent need for industrial relations training, which was increasing at management level.

Trade unions did not stress the importance of industrial training because of their limited resources.

However, training at management level was bound to lead to an improvement in the situation.

Post 25/10/82

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Cotton dust can kill, claims union

Rem 26/10/82
Labour Correspondent

FOSATU's National Union of Textile Workers (NUTW) has launched a nation-wide campaign to alert workers to a lung disease which, it charges, has killed "thousands of workers throughout the world" and urging them to demand safeguards against it in the factories

The union says the disease, "brown lung", is caused by contact with cotton dust, that textile workers are particularly prone to it, and that some South African workers have contracted it

It lists six demands which it urges its shop stewards to raise with employers "to safeguard the health of workers in cotton factories" According to the latest issue of Fosatu's journal, Fosatu Worker News, the "brown lung" issue has already been the source of conflict at a Springs cotton factory.

NUTW has produced a booklet, "Cotton Dust Kills", written by a Cape Town doctor and published by Wits University's Centre for Applied Legal Studies, to alert workers to the campaign It is also distributing posters with a similar message

The six demands which worker leaders are urged to take up are

- That the lungs of workers at cotton factories be tested,
- That only the union's doctor conduct the tests so workers "will be sure they will be told the results and that they will not be used against them",
- That dust levels be measured in factories with union co-operation and shop stewards told of the results,
- Factories must provide "efficient exhaust ventilation machines" to reduce cotton dust,
- Machines and factories must be cleaned with vacuum cleaners rather than with compressed air or sweepers,
- That workers affected by brown lung be moved to dust-free departments and not be dismissed

At the Springs factory, the union says that after a dispute over which doctor would test workers, NUTW's own doctor tested workers in the townships

The results, it says, have been sent to "one of the best lung specialists in the country" to see whether there is brown lung in the plant

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19th May, 1975.

Prepared by: DALE
in consultation with

The Committee is asked to endorse the directions and priorities indicated or suggest alternative priorities. The pilot project in Urban and Industrial Mission is proceeding gradually and the Executive Committee has been given regular progress reports. The response of people approached or generally involved in enthusiastic and all engaged feel that a valuable contribution to their effort is being made.

CONCLUSION:

4. Joint Action for Industrial Mission to migrant workers. This practical scheme proposes to bring together the churches in Lesotho and the OMS goldfields to look at their ministry to migrant workers in the new perspectives of UIM as a pilot project.
5. The Investigation and Research project is conducting in close co-operation with the Women's Research Unit, a survey into go-operation with the OMS goldfields in attitudes and behaviour and how these contribute to conflict and consensus in Church and Society.
6. So far the work of consultation has led to the establishment of a contact group of eight ministers concerning UIM at the local level of their parish in Transvaal, Natal and Eastern Cape. It has also brought a request from UIM's Committees for literacy training and advice on problems relating to work.

Grobbelaar warns on militant action

Sts 27/10/82

'Deny demands at own risk'

132

By Frank Jeans

CAPF TOWN — Business can expect much more militant action if it ignores the drive by blacks to achieve equal status with privileged whites. Mr Arthur Grobbelaar, general secretary of the Trade Union Council of South Africa, told the Bifsa congress yesterday

"We have to recognise that, at long last, the black workers now have a secure bargaining position backed by law," he said

"We should also expect that the black workers will use their new positions in an increasingly effective manner, and, as a consequence, we have to

assume logically that there will be some radical changes in bargaining patterns"

The Tucsa chief added "The established unions and their members, who have attained a position of relative well-being, will seek to maintain the status quo but the less-privileged workers in the newer organisations will not be in a position to appreciate the status quo, and they will be bargaining not only for improved wages in the labour market, but for status itself"

"The privileged groups are likely to view the increasing attempts on the part of the lesser privileged for better training and status with apprehension, especially since these demands are now being made from a much more secure position," he said

PARTNERSHIP

Urging managers to end the "baas and boy" approach to labour relations Mr Grobbelaar said workers would have to be treated as partners when essential changes were made

"South Africans of all races have been working together for many years. Now some of the basic rules are going to be changed, some long-standing attitudes about status are going to be knocked sideways, and workers of all groups will have to start working together on a new basis," he added

"There will be what could be called a new social dispensation in the workplace and although this change will not take place overnight, it cannot be denied that the beginnings of this social revolution are already with us"

Not only labour needs reforms — labour expert

28/10/82

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Post Reporter

ONE of the major flaws of the post-Wiehahn labour legislation was the belief that one segment of the country — labour — could be isolated for reform and other segments neglected.

This was said by Ford's director of industrial relations, Mr Fred Ferreira, addressing the Institute of the Motor Industry of South Africa last night

Mr Ferreira said the failure to introduce significant reform in spheres other than labour could only breed frustration and the consequences were suspicion of the law and a decision to operate outside it

Opportunities were being created for people to increase their material well-being, and this increased expectations. However, there was no concurrent social change in South Africa to accommodate the increased expectations

Trade unions had there-

fore become conduits for factors extraneous to the labour situation with "community issues" being taken up on the factory floor

There was a growth in "community-based" unions, which endeavoured to enlist the material and moral support of the community during, for example, strikes and boycotts

The objectives of these emergent unions was to improve working conditions, undermine employer power in order to establish a more balanced bargaining situation, strengthen their hold on the economy and to use these to attain social change

While any unions could act as a stabilising force in South Africa, it could be argued that change could not be attained in a stable society. Unions could, therefore, aim to destabilise the economy to achieve change

The causes of strikes

could be divided into internal issues, including wages, conditions, discriminatory practices, recognition, and external ones

These included housing and services, education, which was widely viewed as inferior, and transport, which was "totally inadequate in every industrial city in South Africa, and probably more so in Port Elizabeth", Mr Ferreira said

Employers should also take a stand on issues and protest about those which affected their workers

Training also had to be undertaken with a view to absorbing black workers into "meaningful positions in an existing organisational structure"

Unless there was a noticeable degree of change in the social-political structure, it could be forecast that unrest would continue and its incidence might even increase, Mr Ferreira said

Warning on effects of worker repression

By SANDRA SMITH

INCREASING use of security legislation against trade unions and their officers served to negate much of the efforts made by private sector management in trying to distance business practice from "the repressive manifestations of apartheid"

This was said by a senior lecturer in industrial relations at the University of Port Elizabeth, Mr Robin Smith, at a Midland Chamber of Industries seminar yesterday.

Talking on South African industrial relations in the international perspective, Mr Smith said antagonism towards South Africa was growing

While racism might be a worldwide phenomenon, institutionalised racism in one of the Western world's increasingly important members was morally objectionable and politically embarrassing, Mr Smith said

Although legislative reform relating to industrial relations had been welcomed, its effect had been marred by the increasing use of security legislation against unions and their officers, which was widely reported overseas

While many businesses manifested a concern for improving social conditions like housing, they could not expect blacks to be grateful for "paternalistic largesse", at least until they had an opportunity to engage with employers in jointly identifying appropriate projects

A third problem was highlighted by the Port Elizabeth dock dispute, which illustrated "the folly of not talking to people, the sin of arrogance".

However unrepresentative an organisation or trade union was, it was prudent to set up lines of communication, Mr Smith said

The most important immediate cause of strikes in the private sector was managements' arbitrary action over dismissals, either allegedly unfair dismissals of individuals or "punishment" dismissals for disciplinary offences.

What was needed was a procedure which was fair and equitable and negotiated with trade unions

In addition, trade unions concerned themselves with the whole of a worker's life and not only the period at work, and trade unionism could not be easily separated from politics

"It is easy to dismiss trade unions as dangerously subversive organisations — part of the "total assault" on existing South African society," Mr Smith said

However, "conspiracy theories" were the refuge of those who did not wish to unravel the complications of history

The human rights of workers could be guaranteed by free and independent trade unions operating to channel worker grievances through jointly negotiated machinery, and to improve wages, conditions of service and the environment in which they lived.

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22/10/82

Sowetan 29/10/82 (132)

Union leaders look at strikes

THERE have been more than thirty strikes by black workers throughout the country this year, the latest being the one at CNA in Johannesburg this week.

What is it that the black workers are demanding? Why can't they use the "correct channels" to voice their complaints? Is the black worker too demanding, or is he underpaid? Do the companies have healthy and effective communication channels?

Mr Gattsby Mazwi, president of the Municipal and General Workers Union of South Africa, said inadequate pay more than anything else was responsible for so many strikes in our country.

He added "Some surveys have shown that black workers in Johannesburg are taking a decline in their wages and salaries. If there is an increment in their wages that increment is not moving concurrently with the cost of living. You find that workers now earn less than they did a year ago."

He added that poor treatment, intolerable working conditions and assaults by supervisors also contributed to causing strikes.

When asked why workers would rather strike than use the correct channels for voicing their complaints, he said these channels existed only in company policies but in essence they were not available to most workers.

He added that a worker expressed his dissatisfaction in a way he felt was appropriate to the situation that was giving rise to the dissatisfaction.

Mr Bilcher Camay, general secretary of the Council Union of South Africa (Cusa), said that strikes were caused by wage disputes, unfair

treatment of workers by their employers, and the unwillingness of the employer to listen to workers' grievances.

He added that as long as the worker was not respected he would always resort to a strike when he had grievances.

The President of the South African Black Municipal and Allied Workers Union of South Africa (Sabmawu), Mr Moeletsi Mokgeseng, said lack of proper communication between the worker and management was the main cause of a strike.

He added that the unpreparedness of management to discuss important issues concerning the worker with the union which was a worker's mouth-piece, left the worker with no other avenue to express his grievances but to strike.

"If workers could be given a fair hearing there would be no strikes in the country", he said.

Dr Anna Schéepers, president of the Garment Workers Union, did not think that strikes were a good weapon for workers to use to voice their complaints. She added that workers should negotiate to get whatever they wanted.

She said "In most cases employers give an ultimatum resulting in thousands of workers being sacked. Trade unions should try and obviate such trouble for workers."

She added that the majority of employers were now ready to discuss their workers' problems at any time.

"Unions should pursue with negotiations no matter how hostile the management is," she said.

She also said she was in favour of foreign investment as the country was expecting about 2 500 students to join the labour force next year.

"With so many strikes in the country nobody will be encouraged to open a firm in South Africa," she lamented.

Mrs Lucy Mvubelo, secretary general of the National Clothing Union of South Africa, said the unreliability of employers was the main cause of strikes.

"If employers fail to keep their promises workers lose their patience and the ground is now fertile for a strike," she said.

"The employer-employee relationship needs to be improved. Strikes should be the last resort," she said.

Action against unions 'mars reform effort'

PORT ELIZABETH. — Increasing use of security legislation against trade unions and their officers served to negate much of the effort made by managements in the private sector in trying to distance business practice from "the repressive manifestations of apartheid".

That was said yesterday by a senior lecturer in industrial relations at the University of Port Elizabeth, Mr Robin Smith, who was speaking at a seminar of the Midlands Chamber of Industries.

Speaking on South African industrial relations in the international perspective, Mr Smith said antagonism towards South Africa was growing.

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cally embarrassing, Mr Smith said.

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"It is easy to dismiss trade unions as dangerously subversive organisations — part of the 'total assault' on existing South African society," Mr Smith said.

However, "conspiracy theories" were the refuge of those who did not wish to unravel the complications of history.

The human rights of workers could be guaranteed by free and independent trade unions operating to channel worker grievances through jointly negotiated machinery, and to improve wages, conditions of service and the environment in which they lived, Mr Smith said — Sapa

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(132)

Workers in the factories

Blacks are

hungry for

promotion

— but it

must be

based on

merit,

not on

tokenism

By Tony Davis
Labour Reporter

Most black workers on the factory floor in South Africa see marked differences in the way they are treated and the treatment their white colleagues get

This emerges from a survey by a Johannesburg firm. It examined what black employees think of their working conditions. Mr Dave Jackson, director of the Centre for Black Advancement, said the survey looked at the attitudes of some 70 000 black workers in industries across the country.

- There were three main sections to the survey
- Attitudes of non-supervisory and supervisory black workers to conditions of employment
- Attitudes of non-supervisory and supervisory black workers to their jobs, prospects and supervisors

Attitudes of non-supervisory and supervisory black workers to corporate social responsibility

Black workers at factory floor level were concerned most about what they see as discrimination in pay, leave, working conditions, company facilities and grievance and disciplinary procedures

But black workers in supervisory positions were more concerned with the removal of barriers

to their own advancement and the consequences of harsh supervision

According to Mr Jackson, managements tended to treat both supervisory and non-supervisory black workers as a homogeneous group, though the survey found there were marked differences in attitudes to their jobs

The primary viewpoint of non-supervisory factory floor black workers towards conditions of employment was that managements should ensure that blacks and whites were treated equally when it came to leave and time off

Supervisory black workers, on the other hand, were primarily concerned that managements develop manpower plans to advance black workers to higher-level jobs

The second feature — attitudes towards jobs, prospects and supervisors — found it was a major concern among non-supervisory black workers that supervisors hold regular meetings with the rank-and-file to discuss problems in the workplace

Supervisory black workers were also concerned about better training and promotions, as well as a forum for black and white supervisors to discuss their inter-relationships at work

On the subject of companies' corporate responsibility to the community, both supervisory and

non-supervisory black workers felt there was a major need for firms to provide bursaries and scholarships

Other priority issues included career guidance facilities, recreation facilities for children, and the need for liaison with local authorities

"The high ranking given to the suggestion that companies should assist their employees in dealing with local authorities is interesting, and indicates that this must be an area of considerable frustration," the survey says

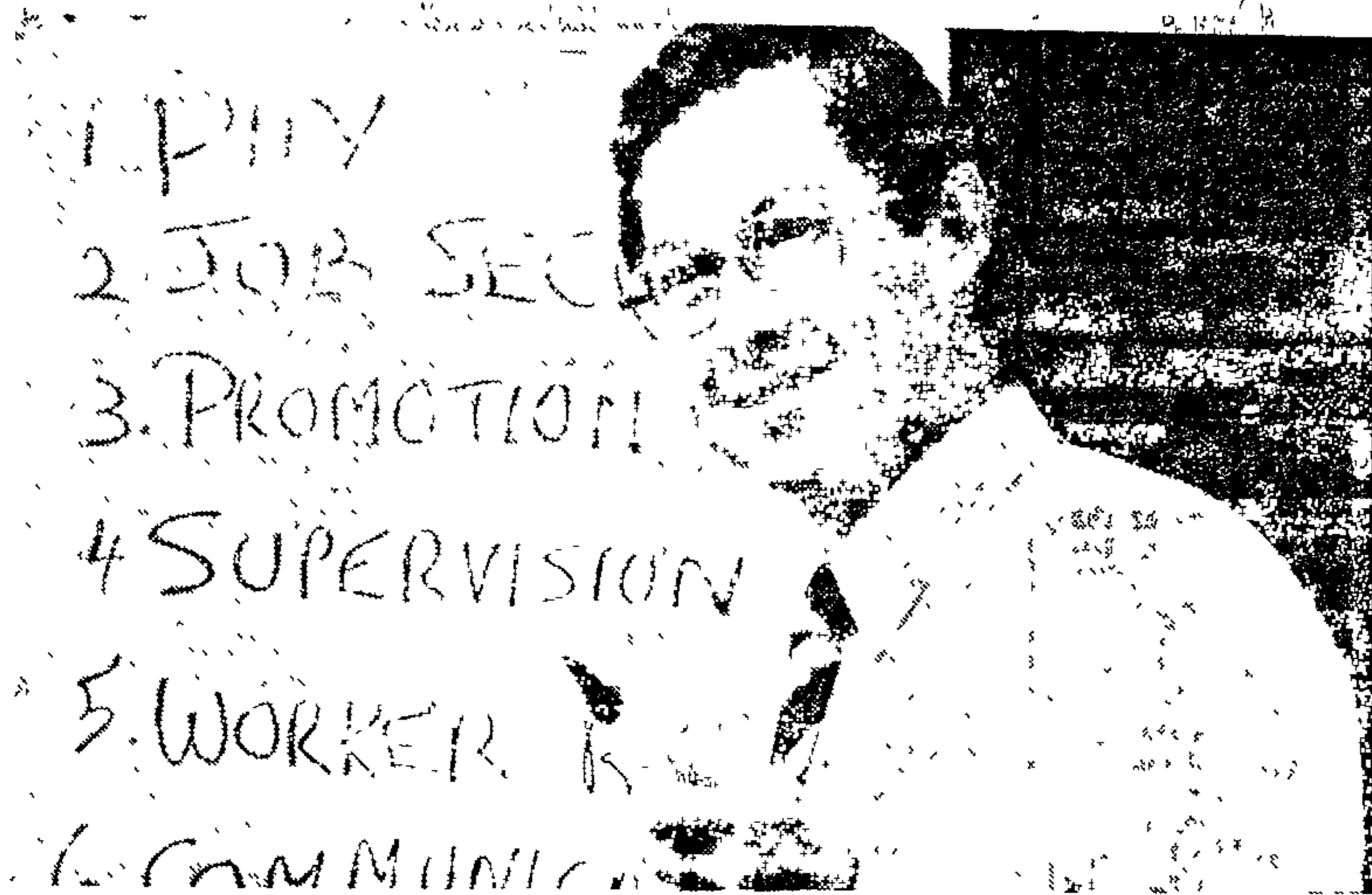
Mr Jackson added that it is important for top managements to consult the different levels of middle management and supervisors to ensure reforms are carried out

On the problem of discrimination on the factory floor, managements had to either rectify the imbalances or try to communicate the true state of affairs in existence

Shop floor communications were far from satisfactory, and managements had to ensure that something effective was done to resolve this problem area

Black workers also wanted promotions — not tokenism but on a basis of competence

Managements had to constantly keep in touch with the attitudes of black workers to improve industrial relations, the survey concluded.



Survey director Mr Dave Jackson.

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FM 29/10/82

UNIONS AND POLITICS

A question of time

Popular opinion is that SA businessmen will increasingly face black militancy on the shop floor. Yet, according to a recently published report by the Washington-based

US Investor Responsibility Research Centre (IRRC), this may not happen as soon as some think.

The IRRC is an independent, non-profit corporation whose work is financed primarily by annual subscription fees from over 170 institutional investors. It reports on current social and public issues.

The report, by David Hauck, is called "Black Trade Unions in SA". It warns investors that "the possibility that the organisational strength of black unions might be used to translate political concerns into widespread industrial action increases as the black union movement

Continued on page 523

expands. And as it does, companies are likely to find themselves under uncomfortable pressures, sandwiched between the increasingly political demands of black workers and the government's continued defence of apartheid policies."

Hauck says businessmen "are nearly unanimous in their belief in the strong possibility that the black union movement will become politicised if a structure granting blacks some political say within the country is not adopted soon."

Business Environment Risk Information, an American political risk analysis firm, supports this view. It predicted in June 1982 that SA will be faced with "frequent strikes and worker militancy related to political and social issues outside the workplace."

Hauck notes "The frustration of blacks over the absence of change in SA, coupled with the fact that trade unions are now the only secular black organisation with a national reach, does increase the pressures on unionists to take up non-economic issues."

"However, countervailing pressures — including a pre-occupation with economic issues during a recessionary period — sharply reduces the likelihood that the unions' support for political and social change will lead them into a head-to-head general strike confrontation with government."

Nonetheless, relations between manage-

ment and unions could be sorely strained by the recession. "Union demands for substantial wage increases to compensate for the effects of double-digit inflation come at a time when the profits of many companies have slipped as a result of SA's poor economic showing in 1981 and when economic prospects are worrisome through 1983."

Rbm 2/11/82

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Contract bombshell for SA employers

By STEVEN FRIEDMAN
Labour Correspondent

BLACK contract workers who are retrenched before their contracts run out can sue their employers, lawyers have told the Steel and Engineering Industries Federation.

This news will come as a bombshell to scores of employers who have already retrenched contract workers this year. Trade unionists say "thousands" of contract workers have been laid off in the past few months.

And yesterday a spokesman for the Legal Resources Centre agreed with Seifsa's lawyers' interpretation and said the LRC had a number of cases pending in which retrenched contract workers are demanding damages from employers.

This interpretation means employers who want to retrench contract workers must wait until the worker's contract runs out and then not renew it. If they do not wait they risk a damages action.

The advice to Seifsa is contained in redundancy guidelines it has circulated to member companies.

The guidelines point out that black migrant workers — any worker who does not qualify to live in the cities permanently according to influx control laws — work on fixed contracts

with their employers which last at most one year.

"Legal opinion given to Seifsa is that an employer may not unilaterally retrench an employee before the end of the contracted period and that if (he) does so, the employee will in appropriate circumstances have the full range of remedies available for the breach of his contract," Seifsa says.

It adds that workers retrenched in this way could demand reinstatement and wages to the period after they were retrenched until the contract was due to end or for his wages only.

A legal source pointed out that in terms of the Black Labour Act, workers from the rural areas can only work in the cities if they sign a 12-month contract with an employer.

Regulations in terms of the Act laid down grounds on which a contract could be ended, including the employer's "failure or inability to provide regular employment."

No precedent suggested this referred to retrenchment, he said, adding "Even if it does this does not stop a worker suing. The employer has contracted to provide a job for a year. If he doesn't, the worker has a claim."

● See Page 2

MD calls for law on 'equal amenities'

CAPL Times 8/18/82

CAPL Times 8/11/82

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Staff Reporter

FAR-REACHING changes in labour relations have been recommended to the Community Relations Committee of the President's Council by Mr P E Streicher, managing director of SA Manganese Amcor

In a report released last week on submissions which he made to the committee on Monday, Mr Streicher, also a member of the Mineral Advice Committee of the Department of Mineral and Energy Affairs, said most South Africans favoured peaceful change

"If the politicians carry out their promises we will



Mr P E Streicher

do our share in the industry," he said

"We appreciate that the bureaucratic system is slow-moving, but state officials are not receiving clear guidelines which in the short term may not be politically convenient but in the long run will improve labour relations"

He called for workers on the same grade to be granted access to the same amenities, otherwise labour relations would be undermined. Laws on separate amenities should be replaced by laws on equal amenities, he said

"It cannot be over-emphasized that the business leader must gain his workers' confidence by accepting their right to negotiate industrial differences, their right to legal strikes, promotion based on merit, equal pay for equal work, training and security benefits. This will put the manager in the position of a change agent"

He said that pass laws and influx control were "hard to justify" as they were seen as the infringement of the individual's freedom

"But I believe that some sort of influx control should be negotiated with the black local authorities. I also believe that the worker has the right to belong to the trade union of his choice. If businesses maintain an honest and open relationship with the union it can only be beneficial to labour relations"

Shift in emphasis

Mr Streicher criticized the education system, saying it had to shift its emphasis from differences among people (andersheid) to their equality (eendersheid). Educational standards and facilities had to be equal for all races

"While our educational establishments are producing academics we need technicians

"Technical schools and technicians should get much more support and vocational education must be instituted as soon as possible. To achieve this there must be much closer liaison between educational institutions and industry"

He said it was a "miracle" that there were "so few" strikes in South Africa

"Free enterprise is a foreign concept in our education system. Concepts such as labour costs, mechanization and long-term profits are foreign concepts to trade union officials and Greek to members"

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hospital for the past
 four years, said. "I
 have nothing to
 hide. What we are
 paid is a disgrace
 "I started off with
 a salary of R70 a
 month. Until April
 this year before my
 salary increased to
 R140, I was earning
 R90 a month.

"I save by eating
 one meal at the hos-
 pital and not having
 supper at home"
 Mr Ramoshebi
 lives with his grand-
 children and
 22-year-old daugh-
 ter. His wife died
 some years ago

Some of the grie-
 vances in the me-
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 are.

- Long working hours without over-time pay
- Women who fall pregnant during their one-year probation period are dismissed
- Because of the shortage of staff, cleaners have had to work overtime without extra pay.

Labour mobility call by Wiehahn

Labour Reporter
 Statutory restrictions on labour mobility inhibit the best use of manpower in areas where manpower is needed, according to Professor Nic Wiehahn of Unisa.

Addressing a meeting at the Pretoria campus yesterday on the subject of industrial relations in the 1980s Professor Wiehahn said there are several major areas of responsibility in the field of industrial relations:

- The preservation of industrial peace which rests with managements and workers
- Employment creation and security.
- The right to work

He also spoke about the "evil" of retrenchments which have to be seen as a rationalisation of staff in economically difficult times rather than as a means of disciplining workers

The small business sector and the informal sector have to be freed from restrictions and stimulated as an important area for the creation of job opportunities, he said

And statutory restrictions on labour mobility also inhibit the maximum utilisation of manpower

In the 1980s the role of multinational companies will be increased and this relates to the various codes of employment practices which local managements will be implementing

Improved productivity is an important re-

sponsibility and it can only be acquired through a concerted effort by managements and workers. But to do this, the relationship between the two parties has to be sound, Professor Wiehahn said

Trade unions will become more sophisticated through international ties and he questioned whether the economy could cope with an unlimited number of unions and employers organisations. Levels of collective bargaining and the industrial council system have to be examined

closely in the 1980s and the issue of legal or illegal strikes also has to be re-evaluated

Professor Wiehahn concluded that recommendations made in Part V of the Wiehahn Commission report which relates to extending industrial democratic rights in the public sector will hopefully be implemented in the coming years

Paternalism in the private sector has been abolished and it is time for paternalism in the public sector to be phased out

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Saawu hits out at SP

Labour Reporter

The South African Allied Workers Union (Saawu) has criticised the Security Police

The union's national organiser Mr Herbert Barnabas said Security Police had visited the Estcourt offices on Wednesday and had taken down information regarding Saawu. He said the same policemen later questioned township workers about their membership of Saawu

Mr Barnabas said police questioning about Saawu's activities tended to be "routine harassment"

More blacks want to study French

Staff Reporter
 A branch of the French cultural and educational organisation, Alliance Française, was opened in Diepkloof Soweto, today

The president of the international organisation, Mr Marc Blancpain, presided over the opening. On Tuesday a similar centre was opened at Mitchells Plain near Cape Town

A spokesman said they were opening the centre in Soweto because of a growing demand for instruction in French language and literature by the black community

This stemmed partly from the fact that

there were a large number of French-speaking countries in Africa

At a special presentation at the headquarters of the Alliance Française in Johannesburg last night, Mr Blancpain presented a Sandton student, Mark Gevisser, with a prize for coming first in a French literature competition last month

The prize is a week's stay with a French family in Marseilles. The competition involved South African students who study French. They answered questions on a novel by French author Marcel Pagnol

The French Ambassador to South Africa, Mr F M Plaisant, attended today's opening

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10 PRICES

Plea for black trade unions

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25/11/82
POST

ANGLO AMERICAN director Mr Nicholas Oppenheimer last night urged Port Elizabeth businessmen to accelerate the trend towards establishing representative trade unions for black workers

Delivering the main address at the Midland Chamber of Industries revived annual banquet, Mr Oppenheimer told some 250 guests the idea of unions and capitalism "may sound contradictory".

"But I am convinced that for capitalism to flourish it is vitally important that there should be strong and established unions. If they do not exist capitalism is replaced by exploitation, and though exploitation may be very profitable for the employers in the short run, it contains the seeds of its own destruction."

Echoing the appeal delivered earlier in the day by MCI president Mr Peter van der Merwe, Mr Oppenheimer said with the economy now entering a recession there existed an urgent need for management and unions to meet and discuss matters of mutual concern

"It is all too easy to re-trench workers who are not union-represented. It is also easy to demand higher productivity from these workers and to tell them that this year, due to the economic situation, there will be no wage award.

"Easy in the short run, but destructive in the long."

Mr Oppenheimer said it was vital for the future of South Africa that "all people who are part of the industrial society should feel that capitalism is the system that benefits them most"

SP Botha urges a review of labour policies

Financial Staff
The Minister of Manpower, Mr S P Botha, has urged business to consider ways of bringing the skewed pattern of labour back into balance, and to promote blacks to management.

He told the South African Institute of Management last night of the current imbalance of the labour force.

National Manpower Commission studies had shown that the ratio between high-level manpower (management) and the rest of the economically active population was worsening.

Mr Botha said: "South Africa compares very unfavourably with the same ratios in countries like the United Kingdom, US, countries in Europe and even Australia. There is a clear need to improve the situation."

"In South Africa, more than 70 percent of all high-level manpower is in the services sector, 10 percent in manufacturing, nine percent in commerce and the balance in all other sectors."

"It appears that the contribution of white men to the country's male high-level man-

power cannot be increased to more than the present 82 percent.

"The participation of women in the country's high-level work force could be increased, and high priority should be given to increasing the participation of the black population in high-level occupations."

The latest figures showed that although whites accounted for only 17 percent of the population, they provided 96 percent of management.

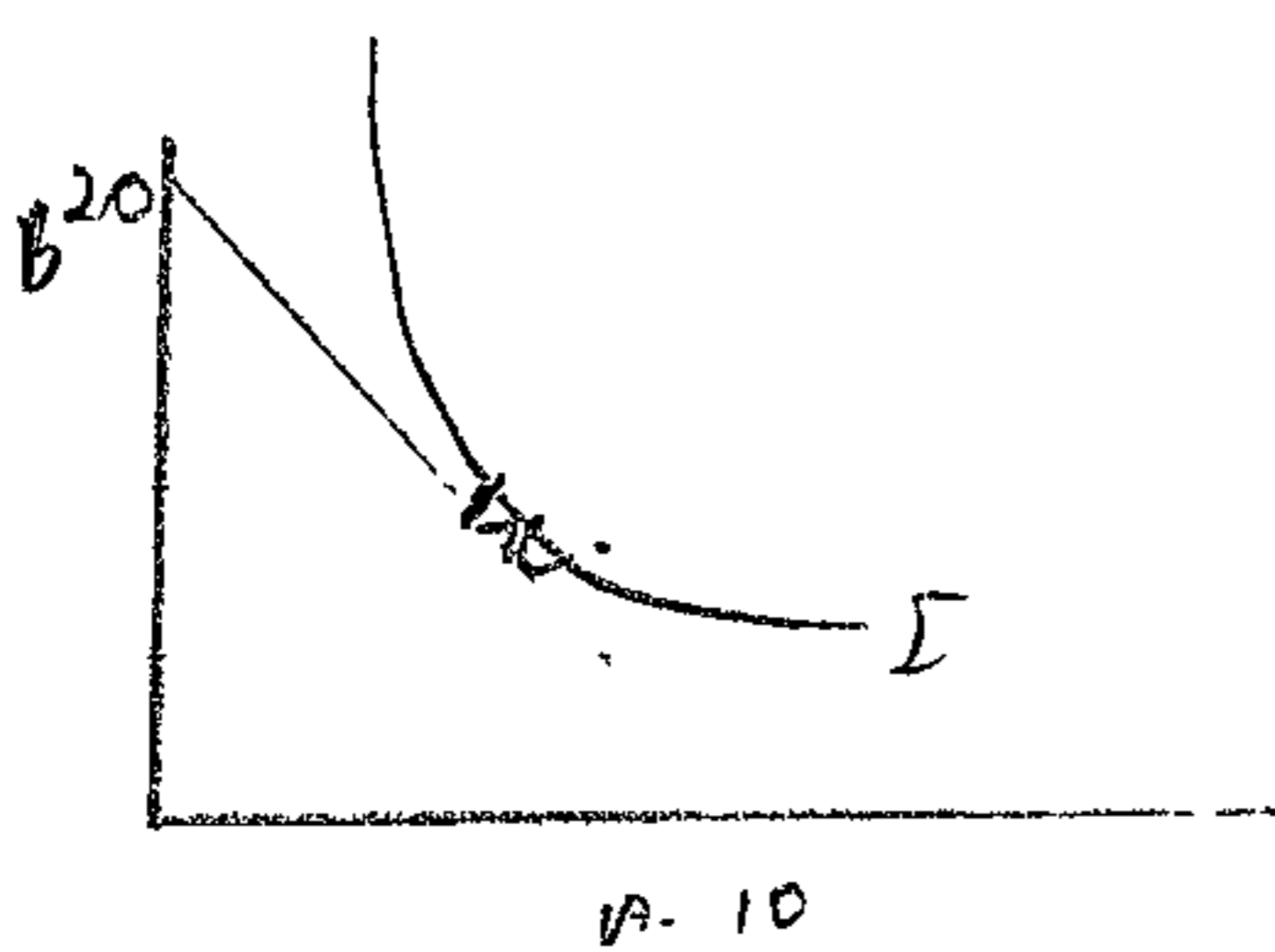
Promoting and maintaining healthy labour relations "cannot be over-emphasised," said Mr Botha. This was primarily the function of management and required sound practices by trained managers.

Mr Botha said there had been neglect in these areas:

- The proper selection and placement of workers
- The service contract entered into with individual employees.
- Communication between management and workers.
- The training and retraining of workers.
- Fair employment practises

The allocation of implies a free market in the market individual buyers market mechanism a centralized system often found in the price mechanism the other system reflected in market value it can be chosen where purchases are made eg. suppose he

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X Creighton supports plea for industry ¹³² and labour compact

Business Editor

CHAMBER of Commerce president Mr Denis Creighton has endorsed an appeal from organised industry in Port Elizabeth for a compact between management and trade unions in the Eastern Cape

Reacting to the call last week from the outgoing president of the Midland Chamber of Industries president Mr Peter van der Merwe, Mr Creighton said yesterday he supported the idea of a code of conduct signed by both groups

"It will go a long way towards removing the element of distrust that seems to exist between management and unions at the present time

"I don't know whether it will ever emerge as a binding document, perhaps rather a commitment to the spirit of partnership between management and labour, embodying an accep-

tance of each party's natural interests"

The appeal for a code of conduct came from Mr Van der Merwe at the annual banquet of the MCI, held in Port Elizabeth last week. Mr Van der Merwe said that would-be investors rightly or wrongly "believe our region is the battlefield for labour confrontation

"There is therefore need for our organised industry and our trade unions to get together to establish a code of conduct for the role management and the unions must play in order to convince investors that they have nothing to fear if they locate their businesses here"

Immediate reaction from trade unionists in Port Elizabeth was guarded, though spokesmen said they were willing to meet representatives of management

Cap's Times 3/12/82

Industrial relations a 'political arena'

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Own Correspondent

DURBAN — In South Africa, workers who were denied "effective" political rights saw industrial relations as an arena in which their political aspirations could be articulated and pursued, according to the chairman of the giant Barlow Rand Group, Mr Mike Rosholt.

"As a consequence," he said in his chairman's statement, "private enterprise is inevitably called on to play a part in promoting reforms, a far

wider role than is the case in other industrialized countries."

Orderly negotiations between employers and employee representatives remained a high priority, he said.

"Centralized negotiation through industrial councils has much to commend it, but it can succeed only when it accords to the wishes of employers, trade unions and employees."

In a report on group labour developments,

Barlow's industrial relations director, Mr Reinald Hofmeyr, said that because the employment and industrial relations scene was a constantly changing one, the group was revising its code of employment practice.

He said the group accepted the right of employees to decide how they wish their interests to be represented and increasing numbers had demonstrated a wish to be represented by black trade unions.

Municipalities face labour challenge

EAST LONDON — Increasing trade unionism and changing labour laws would create new challenges for local government in the future

Municipalities are going to have to face the problems of collective bargaining with employees and increasing productivity to protect ratepayers' money

In a detailed statement yesterday, East London's director of management services, Mr Leon Deetlefs, examined the future challenge of industrial relations in local government

The full text of the statement reads

Municipalities, like private industry, are now having to face the changes in labour relations brought about by the new labour dispensation announced by the Minister of Manpower.

The present trend seen in private enterprise of increased union activity and resultant bargaining processes leading to negotiated settlements are slowly but surely becoming a reality to local authorities

The consequences of this trend only becomes apparent if one notes the fact that local authorities are labour intensive organisations, with staff costs being estimated in the region of 30 to 35 per cent of the total income of a local authority. Obviously, this figure increases for smaller authorities

The problem is compounded by increasing inflation and rising costs which force methods of pay determination used by local authorities to become obsolete

Employees are becoming more and more disenchanted with their pay packets and are thus activating change by means of creating union awareness and union participation in an attempt to create a united front to negotiate settlements with employers

Unions will become the major force to be reckoned with in the future

To date, local authorities have had limited experience with exposure to unions and have mainly been subjected

to the demands of the South African Association for Municipal Employees (Saame), which exclusively attends to the rights and demands of white employees in local government

The law prohibited the establishment of black trade unions until the advent of the new labour dispensation, resulting in some local authorities in the past attempting to satisfy the demands and aspirations of black employees by means of worker or liaison committees

These are fast losing credibility, effectiveness and popularity to the attractiveness of a union, and the advantages that are associated with it

The establishment of unions for blacks, and possibly more white unions or even multi-racial unions, is therefore inevitable in local authorities

This will force engagement in the bargaining process on a much larger scale than is now the case or ever experienced before

Demands on the employer will obviously increase, and they must ensure that all systems and techniques, in the form of industrial relations policies, are going to meet the challenge and protect the interests of the ratepayer

It is apparent in most local authorities that non-whites are far superior in numbers, and if unions are established they will, in nearly all cases, outnumber the size of Saame, which will make the non-white unions the major party in the negotiating process

The wisdom of the national executive of Saame to maintain their association as a whites only union, presently the major party in negotiation, is questionable if one considers that overnight they could take

second place to a bigger, non-white union and the fact that a unified multi-racial municipal union would be able to establish a sounder base for bargaining than two or more disagreeing fractioned unions — more so in the local authority context

Disputes may not be resolved by means of a strike, go slow strike, work stoppage etc, as these actions are illegal, and therefore must be settled by means of either arbitration, industrial court or other recognised methods

The awakening and eventual establishment of non-white trade unions in local authorities will bring about the true test in the validity and soundness of operational employee relations policies, and this is where personnel practitioners in local government at present are going to have to assess their strategies to meet the future challenge of greatly increased union activity and demands

Private companies have to protect their profits, and in certain cases their very existence, when it comes to employee demands

In the case of local authorities the money of the ratepayer is going to have to be protected

The machinery placed at the disposal of the employee and employer by the government makes it possible to settle disputes on reasonable terms

Declared disputes have their advantages and disadvantages for both employer and employee, a situation therefore best steered clear from by both parties if it can be helped

The challenge in this is that the present arrangements utilised by local authorities when demands are made are going to have to be replaced by the collec-

tive bargaining process, which in itself is an art that is going to have to be developed by the employer and union

Skills are therefore going to have to be developed by both the involved councillors and the assisting officials, which will enable them to effectively deal with the bargaining situation

The importance of the bargaining process cannot be over emphasised as it is a situation where one deals with reality and mistakes could be costly

It is no secret that South Africa has one of the lowest productivity ratings in the world, leaving a lot of room for improvement. This obviously does not exclude local authorities

One must first understand the full meaning of the word "productivity" before it can be loosely used

The idea that it only has a bearing on people not producing to the required standard is a misconception

Productivity must be regarded as a unit comprising men, machinery, money, materials and methods, and if any of these are affected by conditions, circumstances, policies, procedures, environment, etc, the situation becomes unproductive

Increased productivity will have to receive urgent attention as a tool to absorb future demands

Management should therefore first look at itself and its associated practices and resources before blaming the employee for being unproductive as productivity starts at the very top and filters down the organisation

To implement productive procedures and to motivate staff, managers must have had good management training

and experience

Management is a science which needs formal cultivation like any other skill

Productivity is therefore going to need in-depth research by municipalities, who at the same time should possibly think of moving closer to industrial and commercial lines of managing

Industrial relations laws and practices have changed dramatically over the last four years

Municipalities will be forced by employee organisations and unions to adhere to these laws and practices, and if they don't, industrial courts will

Municipalities must therefore ensure that their industrial relations policies are suited to meet the new challenges

One only has to read the Wiehahn reports tabled in Parliament to realise the importance of sound industrial relations policies and practices

Closely linked to industrial relations are the conditions of service under which employees are employed

It is essential that in the first instance conditions of service are studied carefully to ensure that they comply with the minimum requirements of the law

Injustices in these areas could be costly, more so if it ends up in a dispute

Personnel practitioners will therefore have to "brush up" their knowledge and skills in industrial relations regularly to meet the new challenges that face them, thereby ensuring the protection of the ratepayers' and the employees' interests

These are essential ingredients for worker peace and productivity

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16/12/82
'Scrap Act
before it does
more damage'
union urges Govt

Labour Reporter
FOSATU's Metal and Allied Workers' Union has called on the Government to scrap the new Intimidation Act before 'it does any more damage to industrial relations'

Since the Act was introduced some months ago numerous strikers have been charged under it, but it is believed only one worker has been convicted

In terms of the new Act, anyone who attacks somebody, or who threatens to kill, attack, or hurt somebody or who threatens to cause damage to somebody is liable for prosecution. The Act allows for a maximum fine of R20 000 or imprisonment not exceeding 10 years.

During the June strikes at Richards Bay, 22 members of Fosatu's Metal and

Allied Workers Union (Mawu) and the Transport and General Workers' Union were charged with intimidation.

The charges against eight of them have been dropped and the rest are still pending.

A spokesman for the Legal Resources Centre said only a Uitenhage worker had so far been convicted under the new Act. He was fined R200 or four months' imprisonment.

Earlier this week Intimidation Act charges against two Mawu leaders were dropped at a Brits Regional Court when two State witnesses did not appear.

In the statement released yesterday, Mawu said the Act was 'clearly now being used by police in industrial unrest to curb the growing power of unions'.

Motor industry and port disputes dominated 1982

By SANDRA SMITH
Labour Reporter

Two issues dominated the labour scene in the Eastern Cape this year — a crippling motor industry strike and a fight for union recognition in the harbour

Unquestionably the first was pre-eminent

At times it involved about 11 000 workers at Ford and General Motors in Port Elizabeth as well as at Volkswagen in Uitenhage. It led to a shutdown of all vehicle manufacturing plants and to dire warnings of the possible economic consequences for the region

The dispute began in July and was finally resolved only in November, after the emasculation of the industry's industrial council through the withdrawal of the National Automobile and Allied Workers Union (Naawu) and weeks of sporadic go-slows and work stoppages

Under protest, the union finally negotiated with the three employers

through their representative body

The settlement entrenched workers' job security instead of gaining the minimum wage increases initially sought

At a time when all three companies had retrenched hundreds of workers during the year — despite earlier denials that there would be widespread lay-offs — the union saw better lay-off provisions as a priority

The agreement came into operation on December 1. Eight days later GM retrenched 230 workers. They were able to benefit from the new provisions

The dock dispute, in which workers fought for nearly a year to persuade the South African Transport Services (SATS) to talk to, if not officially recognise, the General Workers Union (GWU), received international prominence

The threat of sympathy strikes by stevedores in four major South African ports and of embargoes on South African goods by affiliates of the Inter-

national Transport Workers Federation (ITF) led to widespread condemnation of the SATS actions in refusing to meet dock representatives and in sacking more than 400 workers after a go-slow

The dockers have resolved to await the outcome of a SATS inquiry at which they and the ITF will give evidence

Another Eastern Cape dispute which attained national prominence was that at the Veldspun International textile company in Uitenhage

More than 1 000 workers were fired when they downed tools in protest against the sacking of 60 colleagues

The Fosatu-affiliated National Union of Textile Workers (NUTW) claimed that Barlow Rand (which has a majority holding in Romatex, of which Veldspun is a subsidiary) had broken its code of employment and was indifferent to the unfair labour practices of its subsidiaries

The union also criticised the group's failure to intervene in the dispute

The issue shot to national prominence when students at the University of the Witwatersrand, of which Barlow's chairman, Mr Mike Rosholt, is chancellor, took it up and produced a booklet outlining the history of the dispute and calling on the chancellor to intervene

The NUTW eventually agreed to a management proposal for the staggered re-employment of 214 of those dismissed

Other important events included the banning, after months of detention, of four officials of the Motor Assembly and Component Workers Union (Macwusa) and the arrest and release without charge of two East London-Ciskei unionists of the SA Allied Workers Union (Saawu)

Splits in the "progressive" union camp also widened with the failure of a Port Elizabeth summit in July to agree on a union federation

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Continued from Page 16

with wages, another is still the likelihood of future troubles over the issue of allocation of occupations

The wage issue also sparked widespread unrest at gold mines in the Gold Fields and Gencor mining houses in early July with black mine-workers protesting and in some cases rioting. More than 1000 were dismissed, hundreds were arrested and some died during the unrest. Ineffective worker representation was seen as a factor in the unrest.

In June the Intimidation Act came into being and was viewed by trade unions as a weapon to interfere with union activities.

The Act appears to have been largely used against unionists, but court cases usually have resulted in charges being withdrawn.

Fosatu's Metal and Allied Workers' Union, whose members have borne the brunt of Intimidation Act charges this year, has called for the repeal of the Act.

Many of the trade unionists who were detained in widespread Security Police swoops late last year were released.

Three senior officials of the South African Allied Workers' Union — its president, Mr Thozamile Gqweta, vice-president, Mr Sisa Njikelana, and general secretary, Mr Sam Kikine — were released this year without charges after being held in detention for long periods.

BANNINGS

The leadership of the Port Elizabeth-based Motor Assemblers and Components Workers' Union (Macwusa) was stifled effectively by detentions last year. After five officials were released in March this year, four were served two-year banning orders, including Macwusa's chairman, Mr Dumile Makanda.

The issue of detentions of trade unionists caused a row at the Trade Union Council of South Africa's annual conference in Cape Town in September. Some affiliates called for a condemnation of unionist detentions and support for those affected by such police action.

More labour unrest on cards for 1983

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Star

The conference adopted the national executive council's recommendations for a code of conduct for detainees and the Security Police in those cases.

Several labour issues were heard in the courts during the year.

Some jail terms and fines were imposed on unionists after the marathon four-month trial of 53 post office workers in Port Elizabeth in April.

About 180 migrant workers lost a case against their sugar industry employers in Natal who, they claimed, forcibly had evicted them from their hostels after a strike.

Journalists took their employers to the Industrial Court in December alleging unfair labour practices. The South African Society of Journalists claimed employers had endangered industrial peace by withdrawing from a conciliation board with a long history of peaceful negotiations. The SASJ claimed employers were not interested in bona fide negotiations with journalists.

Commercial Catering and Allied Workers' Union members were involved in disputes in the Johannesburg area with the OK Bazaars, the Central News Agency and Woolworths.

The wage grievance was central to those disputes and showed the growing militancy of commercial workers.

These disputes largely successfully were resolved after negotiations.

RESPONSIBILITY

Fosatu raised the issue of corporate responsibility for industry giants as the result of two strikes this year.

Barlow Rand was taken to task over a dispute at Veldspun in Uitenhage. Although the textile firm is owned by Durban-based Romatex, Romatex is owned by Barlows.

Senior Barlow officials were involved in

negotiation with Fosatu's National Union of Textile Workers to resolve the dispute.

The Metal and Allied Workers' Union was critical of Anglo American as a result of the strike at Consolidated Wine Industries in Germiston.

Fosatu states that while the corporate giants claim to have only financial and no managerial control over some subsidiaries, the "giants" should try to uphold sound industrial relations policies which their executives publicly proclaim.

Fosatu's Chemical Workers' Industrial Union threatened a boycott of Henkel group products after a dispute at a Prospecton plant in Durban in March. A settlement was reached before the planned boycott was launched.

There was widespread motor industry unrest for several months during 1982 over annual wage negotiations.

Fosatu's National Association of Automobile and Allied Workers' Unions withdrew from the Eastern Cape's motor industrial council after a number of successive deadlocks over a minimum hourly wage.

Naawu stated it was seeking a "living wage" for its members, while auto industry employers described the R2,50 hourly minimum demand as inflationary and spoke of their falling share of the car market.

The dispute was heightened by retrenchments, and at several stages in the dispute more than 10 000 workers at Volkswagen Ford and General Motors were on strike, resulting in temporary closures of the affected plants.

MINIMUM

Eventually a closed-door meeting between Naawu and the Eastern Province Automobile Manufacturers' Association resulted in a settlement with a minimum hourly R2,20 wage and agreements to further wage negotiations.

The auto industry unrest saw the Minister of Manpower, Mr Fanie Botha, announce a R2 million scheme to assist workers in the industry who did not want to participate in strikes.

The Minister said the funds would come from the Unemployment Insurance Fund and would be used solely for the Eastern Cape motor industry.

The scheme was shelved with the resolution of the dispute.

1982 saw another long-running dispute between the South African Transport Services and the unregistered General Workers' Union.

SATS refused to hold talks with the union.

More than 400 dock workers were dismissed during the dispute, and international transport unions and federations as well as Port Elizabeth-area employers criticised SATS

and called for negotiations.

Most of those dismissed are hoping for reinstatement, though SATS has taken a closed-door attitude despite all the criticisms.

While 1981 was a year of labour legislation with the new Labour Relations Act and Wiehahn recommendations 1982 saw few new enactments.

Some amendments to the Act which affected unregistered unions were proposed. The amendments proposed aim to permit these unions access to dispute resolution machinery.

CRITICISM

The "Draft Labour Relations Amendment Bill 1983" is expected to be promulgated next year, but in what form no one is certain at this stage as many long-established registered trade unions raised criticisms and asked why they should be registered if the unregistered unions were being granted benefits without the red tape of registration.

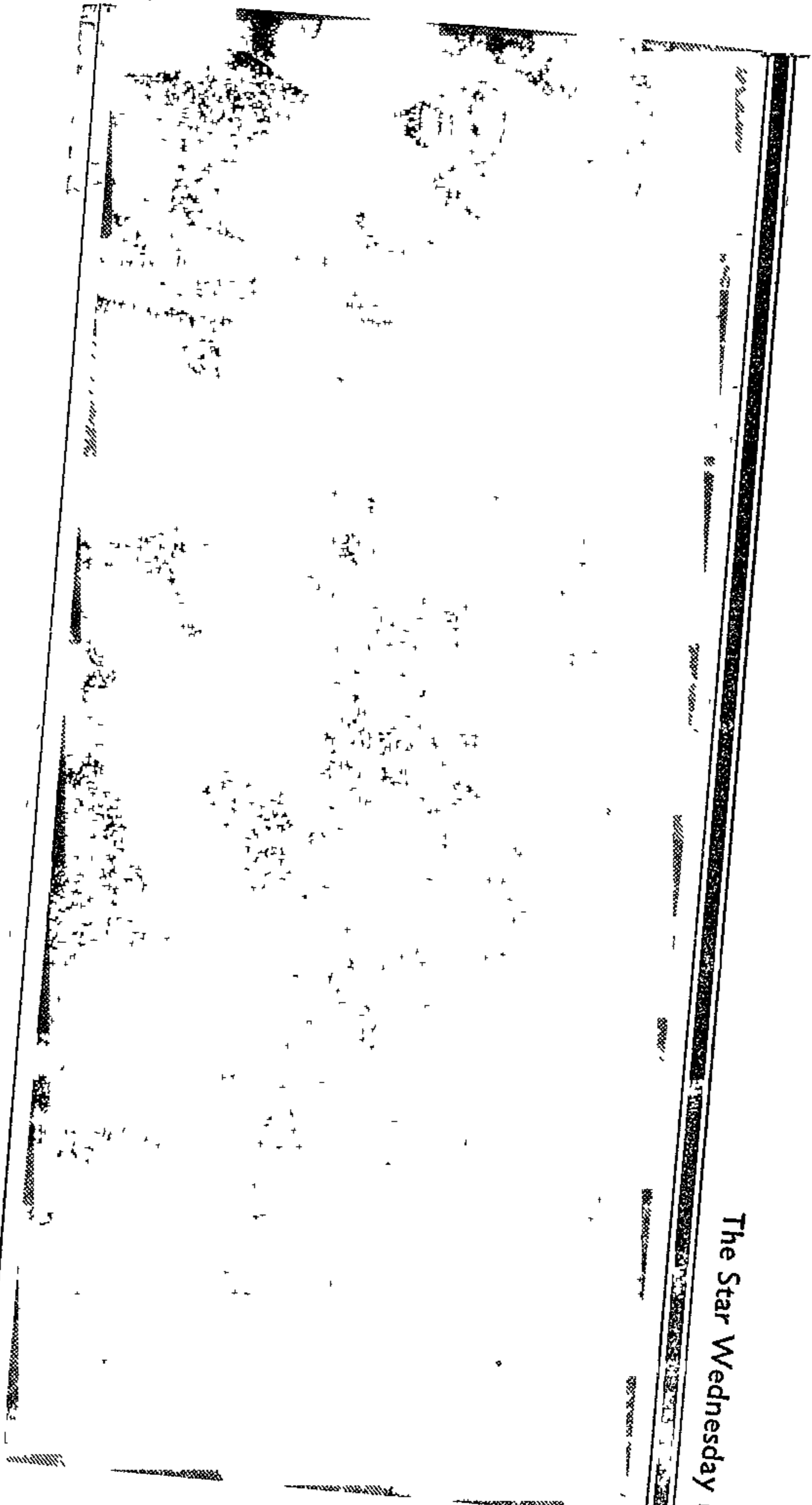
September saw a report on farm labour abuses being handed over to the National Manpower Commission investigating farm and domestic labour.

The report said there were widespread abuses due to the lack of protective legislation.

Next year promises to be another active year in labour relations.

The overriding issue for many months is likely to be retrenchments as there is now no end in sight to the recessionary problems facing South Africa.

Wage issues are likely to come up again soon as public servants have been promised negligible increases by Government officials for 1983.



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Hillbrow Hospital strikers demanding higher pay, a typical incident in South Africa's labour relations this year. Police were called in often at demonstrations. Several union officials were detained. The stage seems set for another year of labour unrest next year.

AXE FELL ON 10 000

this year

If 1981 was a year of pension unrest in the labour arena, 1982 was the year of the retrenchments.

Wage disputes flared throughout industrial and agricultural South Africa in 1982, writes Labour Reporter Tony Davis, and 1983 promises to be another active year in labour relations.

More than 10 000 workers were laid off during the past 12 months and, as firms shut down for the holiday season, there are fears that the axe will fall on many more

Few industries were immune to the effects of the countrywide depression, but hardest hit were the engineering, clothing and motor industries. Even State-controlled giants such as Iscor and the South African Transport Services retrenched many workers

Other firms looked to counter-measures as alternatives to layoffs. Shorter work weeks, no overtime or weekend duty, and low pay increases were adopted to cope with the recession

Trade unions looked to retrenchment agreements to protect their members. The Federation of South African Trade Unions (Fosatu) issued its own retrenchment guidelines including the important principle of "first in, last out"

DR AGGETT

This year in the labour relations field was prominent in another negative aspect — the death in detention of trade unionist Dr Neil Aggett

Dr Aggett, the Transvaal secretary of the African Food and Canning Workers' Union, died in his cell in John Vorster Square in Johannesburg and his body was discovered by police in the early hours of February 5

Police said Dr Aggett, who was detained

under security legislation late last year, had died from hanging

His death sparked widespread worker protest and on February 11 more than 75 000 workers countrywide observed a half-hour work stoppage or other forms of silence in a tribute to him

The stoppage was seen as significant in that it involved workers from across the trade union spectrum and had the silent support in some cases from employers

Leading employer bodies voiced protest at Dr Aggett's death. International protest was raised

His death in detention led to the mammoth 42-day inquest at the Johannesburg Magistrate's Court with the ruling announced this week

JOE MAVI

The independent trade union movement lost another leader when the president of the Black Municipality Workers' Union, Mr Joe Mavi, died in a car accident in the Free State in early June

His successor, Mr Gatsbv Mazwi, renamed the BMWU the Municipal and General Workers' Union

Mr Mavi shot to prominence during the Johannesburg general strike by municipal workers in 1980

South Africa's mining industry was in the umelight during 1982 over a wide range of issues

● A deadlock in wage negotiations between the Chamber of Mines and the Council of Mining Unions resulted in a threat of a strike ballot by unionists. The ballot was narrowly averted with a 12 percent wage settlement

● Black mineworker unions were active in the industry, with three granted access to Chamber mines to recruit members. Cusa's National Union of Mineworkers was established at the end of July and has made inroads into the mining industry

● The eight-member Council of Mining Unions dissolved and the new Confederation of Associations and Mining Unions was born encompassing official associations. The confederation had an ominous start when it rejected membership of the largely coloured Federated Mining, Explosives and Chemical Workers' Union

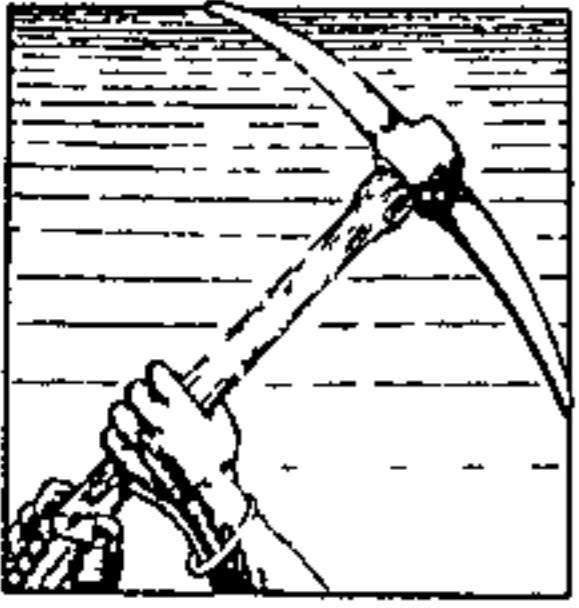
● The Mine Surface Officials' Association tackled the Chamber of Mines with two disputes, largely dealing

Continued on Page 17

MAN OF THE YEAR

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South Africa's black workers



There are those who regard South Africa as seething with violence and discontent. And indeed it is sobering to reflect that the prosperity and stability of the country depends on so many

people who face severe social and political disadvantages

Millions of black people struggle daily to cope with an appalling shortage of adequate housing and public amenities. Their lives are governed by increasingly stringent influx control laws which break up families and make blacks aliens in the land of their birth.

Statutory and non-statutory measures are still formidable barriers to their advancement in the workplace. Their often meagre incomes are eroded by inflation, while the increasing scale of retrenchments testifies to their lack of job security.

Yet, despite these handicaps, they are actively involved in an evolutionary process which will surely change the face of the society they live in.

The battle for recognition of black unions has not been an easy one. Gains made in recent years have, in the main, not been achieved by political activists, but by ordinary men and women who perceived the power which lay in group action. In view of the impact they have made in the three years since statutory collective bargaining rights were granted to blacks, the *FM* believes it appropriate to name the black worker as our Man of the Year.

Few people would have dared to predict, only five years ago, that by the early 1980s unions representing large numbers of black workers would be posing a serious challenge to labour policies pursued by government and employers.

However, events on the labour front this year have served to confirm what was already becoming apparent a year ago. Black

unions are here to stay. Never before in this country's history has there been such an urgent need for mutual trust to be established between black workers and all the other parties participating in this country's turbulent labour arena.

Although, by some estimates, fewer than 350 000 of a total of 6.3m economically active blacks are unionised, it is especially members of the new emerging unions who are restructuring the relationship between capital and labour in SA. The most immediate effects of their new sense of assertiveness is revealed in the rising number of strikes. There are estimates that about 400 took place this year, virtually all by black workers. This is four times the annual number of strikes in the years immediately preceding the Wiehahn reforms.

The present wave of black unionism is, of course, not the first in South African labour history. Several major unions and union groupings have grown spectacularly during the past 60 years. But they were largely ignored or fiercely opposed by employers, and many collapsed or were forced into exile due to government pressures.

It was the large-scale labour unrest in 1973 which finally prompted government to begin to re-examine its labour policies. An almost spontaneous display of anger by black workers over low pay, these strikes were the prelude to the formation of a new breed of emerging black unions.

Where previous black unions concentrated on mass mobilisation, but failed to secure an enduring power base in the factories, most of the new emerging unions have placed great emphasis on building up and consolidating support, factory by factory. Unlike black unionists in the past, their leaders have not been trained to become charismatic orators. Instead, they have concentrated on developing the union skills of grass-roots representatives in factories, adopting the traditional British shop-steward system as an integral part of their strategy. Although these unions have committed themselves to representing

workers of all races, the vast majority of their members are blacks.

It cannot be denied that many have made grievous and costly errors. Unrealistic wage demands, strikes to retrieve pension contributions, and too rapid growth which has impaired the ability of some to service the needs of members adequately are some of the mistakes that have been made.

But it is worth noting that, at least so far, most of the gloomy predictions made in recent years by opponents of government labour reforms have not been fulfilled.

The more than 250 recognition agreements negotiated between managements and emerging unions during the past three years are possibly the most tangible evidence that black unions have arrived. These agreements vary considerably in form and content, but they have a common feature. Although many aspects of the authority previously wielded arbitrarily by management are being modified, the agreements actually reinforce management's right to manage. The basic right to manage is not challenged — and it is significant that unions are not objecting to this being formally enshrined in agreements.

It is natural, however, that unions should seek to modify some of management's powers. It is also logical that unions representing unskilled black workers should raise issues which have not been on traditional negotiating agendas between employers and white unions. For example, because they represent unskilled people who are easily replaced if dismissed, they are especially concerned about job protection. For migrant workers, loss of a job also means a loss of residence rights in an urban area, while it can also be argued that in the society we live in, a black man's job is his only real form of property. It is not surprising, therefore, that these unions are demanding a say in issues such as the formulation of disciplinary, grievance and retrenchment procedures.

Because emerging unions realise that at this early stage of their development their



power lies at plant level, it is also not surprising that they have opposed industry-level bargaining through industrial councils

Rod Ironside, president of the Federated Chamber of Industries (FCI), emphasises that "understanding the other party's perceptions" is vital. Managements that have had the sensitivity to appreciate the issues at stake to black workers have been remarkably successful in structuring productive relationships with even the most tough-minded emerging unions

The South African Allied Workers' Union (Saawu) is, for example, regarded by many employers and government officials as beyond the pale, and its leaders have been detained for lengthy periods. But Theo Heffer, one of SA's most respected industrial relations practitioners, achieved extraordinary success in helping to create a healthy relationship between it and Chloride SA. In retrospect, he says that virtually everything that the company was told three years ago about the union's approach, techniques, strategies and officials has proven to be untrue

One of the most visible effects of a change in management attitudes is revealed by the radical revisions that some employer organisations have made to their labour policy guidelines in the past two years. Just this month, for example, the Chamber of Mines announced that mining employers will recognise unregistered unions if they are representative

Remarkable too was the FCI's sympathetic attitude to the brief work stoppage by about 100 000 workers in protest against the death in detention of unionist Neil Aggett

But it is not just employers who have had to make fundamental readjustments to their attitudes and policies. Government has been compelled to heed the power being exercised by emerging unions. It may be regrettable that widespread strikes forced the withdrawal of legislation to preserve pensions. But by South African stan-

dards it is extraordinary that government should actually scrap a proposed law in the face of pressure from black workers

Perhaps more significant is government's proposed amendment to the Labour Relations Act, aimed at making official dispute-settling machinery available to unregistered unions. The effect of this is to downgrade registration (which is seen by emerging unions as a form of unnecessary government interference in their affairs) as an issue in industrial relations

But there is a rich irony to government's proposed amendment. Only a few years ago National Party spokesmen on labour were emphasising to nervous white workers that registration was the crucial mechanism through which emerging black unions would be controlled. However, during the past year the Department of Manpower has shown an increasing willingness to move away from direct control of events in labour

Manpower Minister Fanie Botha told the Institute of Personnel Management conference two months ago "As long as employers and employees, or their respective organisations, do not negotiate wages and conditions of service which are less beneficial than those provided for in basic legislation, they are free to structure and regulate the relationship between themselves. This is what self-government in labour relations means, and this principle applies from the factory floor to industry level"

A singular feature of many new unions has been their ability to successfully use structures and systems created by government to achieve their goals. In doing this they have been able, unlike some black political organisations, to recognise that strategic considerations can sometimes have a higher priority than some other issues which they might be tempted to regard as matters of principle

Many emerging unions object in principle to registration, but they have realised that from a strategic point of view registration can aid recruitment and recogni-

tion. Similarly, some are finding that participation in the officially-sanctioned system of collective bargaining through industrial councils can, in certain circumstances, provide tangible benefits

It would naturally be unwise to underestimate the value of the advice these unions have received from young white intellectuals and activists. However, because of the democratic nature of most new unions, grass-roots membership has been closely involved in all potentially risky decisions

Anyone trying to assess future trends in SA labour cannot ignore the fact that while black workers have been granted a vote in the workplace, they are still denied fundamental political rights. The obvious danger is that unions will be used to redress grievances which do not lie within the normal scope of the employer/employee relationship. Managements are already being confronted with such issues and are learning that the industrial relations function does not necessarily stop at the factory gate

However, it is remarkable that emerging unions have, by and large, so far been able to avoid the temptation to play an overt political role or to forge links with black political movements. Attempts by the State in recent years to prosecute unionists for security-related crimes have failed

Given all the perils that lie ahead, it is remarkable that many of SA's most experienced industrial relations practitioners are still able to display a cautious optimism about the future

"The South African labour situation today certainly has the potential for revolution," says Fred Ferreira, Ford's director of industrial relations. "But if the protagonists — labour, employers and government — recognise at least some of the inequities and remove these, they will tip the scales in the direction of evolutionary change"

The South African black worker is on the move. And the early indications are, hopefully, that he is on the move towards participation and greater prosperity

BRICKBATS AND BOUQUETS

Not a very good year

Most South Africans will not look back on 1982 with happy memories, for many, it was far from being a vintage year. For white politicians, it was the year of the big split in the National Party, and of by-elections which yielded ambiguous results. For businessmen, who had enjoyed three years of life in the fast lane, shifting back into the lower gear required for negotiating the steep downturn was painful for most, very traumatic indeed for a few

The Slim Jannie Smuts Award for splitting Afrikanerdom is awarded jointly to PM P.W. Botha and Conservative Party

leader Andries Treurnicht. Botha does, however, deserve a minuscule bouquet for at least trying to maintain a modest pace of reform

Two pairs of tortoiseshell spectacles, to alleviate his severe short-sightedness, go to Minister of Co-operation and Development Piet Koornhof. One is for closer scrutiny of the innumerable submissions which have been made to him over the years on influx control laws. In particular, he appears to have been unable to focus on the reasonable suggestions of the Grosskopf committee. The other pair — which he can pass on to

Pik Botha — should help the Foreign Minister to read the signs of local, national and international opinion before he acquiesces to Koornhof giving away parts of SA to Swaziland

It hasn't been a good year for "Piet Promises," aka "Piet Pinnocchio," aka many less savoury titles. What with the Orderly Movement and Settlement of Black Persons Bill and the debacle over Ingwavuma and KaNgwane, he must be reeling. In countries like the UK and the US, ministerial heads roll for getting it wrong. Fortunately for Piet, the tradition here in SA is

1982 a tough year for labour

THE labour year has finally wound down — and a tough year it was, too. What are the prospects for 1983?

The key feature of 1982 was the worsening economy and its labour effects

Lay-offs swept key industries, the Government toughened influx control, and some unions battled to keep members in jobs. Some of the euphoria of the first years of labour reform was dampened as unions accused employers of toughening their stance and of laying off workers needlessly

But the better-organised unions showed they could survive recession and some important progress was made towards building permanent relationships between unions and employers

This happened not only in industries less affected by recession — the mines saw their most momentous labour reforms ever — but in some, like knitting, which have been hard hit

The signs are that 1983 will be even tougher — the worst year for the economy since the 1930s

This means lay-offs will spread to industries which have been relatively immune — some for decades — and unions may find the bargaining scales weighted against them even more

But labour unrest cannot be ruled out entirely. Inflation is set to remain high and pressure on worker living standards could create conflict.

While it will test unions, 1983 will also test employers. Prospects for labour peace once the economy picks up could depend on how employers handle unions next year

Most strike waves have been prompted by grass-roots militancy which unions struggled to contain. If employers seek to prevent union leadership developing, they may face more "anarchic" unrest in 1984

So 1983 may help decide whether dealings between employers and black workers will move to a more permanent, controlled footing or whether we will continue to see a cycle of union retreat followed by "uncontrolled" militancy whenever the economy picks up

There will also be a constant threat of unrest outside factories, fuelled by the lack of jobs and rising living costs. The less workers are able to be heard inside factories, the more they may try to be heard outside them

There are already several long-running bus boycotts in Natal

But there will continue to be exceptions and the most absorbing labour issue of 1983 may well be developments on the mines

An historic reform process has just begun and there are certain to be major developments as black unions begin to emerge again in the country's most important in-

dustry — this time, it seems, permanently

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LAST week brought a new glimpse into the labour thinking of mine employers

In the reports of their Free State gold mines, Mr Dennis Etheredge and Mr Gerald Langton of Anglo American spelt out an approach which, at first glance, seemed to differ with Chamber of Mines guidelines

The guidelines allow bargaining at individual mines — a demand of many emerging unions. But the Anglo men looked forward to including unionised workers of all races in a centralised negotiating structure

The difference is imaginary. The chamber believes decentralised bargaining will last only until emerging unions are big enough to find negotiating at each mine unwieldy

The Anglo men say that, before their goal is reached, there will be a period in which "relationships will be formed" between unions and employers. The precise form of centralised bargaining will then be negotiated

So both suggest that centralised bargaining, rather than being forced on unions, will grow out of dealings between them and employers

This has certainly been the experience in many other Western countries

But the chances of this type of bargaining developing without conflict will depend on when and how employers try to introduce it

If they are seen to be forcing it on unions before they are ready, the mines could see the same conflict about bargaining which has faced other industries

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LAST week this column suggested members of Tucsa's Garment Workers Union of the Western Province should join an employer association if they really wanted their interests represented

Judging by an item in the union's newspaper urging workers to arrive at work on time, this was an error

It says that, just as a sports team won't win without all its players, a production team won't meet its target if all the workers are not in on time

"It is also the fact that players who let the side down are dropped from the team," the union paper warns

It seems these workers already belong to an employer association

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THIS column is now beginning its traditional "cooling off period" prescribed by labour law. It will reappear in the middle of January

Compliments of the season to you all and, as a greeting card sent out by a labour relations consultancy put it, "Merry Crisis"

logs?

A year of turbulence

ARGUS 31/12/82

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The Argus Labour Reporter, PIPPA GREEN, reviews the issues that marked the labour scene in South Africa in 1982.

THE YEAR 1982 was a turbulent one for labour, characterised by strikes, retrenchments and detention of trade unionists

One of the most pressing labour issues affecting both union and non-union workers was the loss of several thousand jobs

Trade unions have been hard-pressed to protect their members and the current recession has tested them sorely.

Unemployed

A University of Cape Town researcher, Mr Charles Simpkins, estimates there were more than two million unemployed in South Africa at the end of last year. Since then there have been retrenchments all over the country.

More than 3 000 workers have been laid off in the motor industry, more than 7 000 in the textile industry and thousands more in the steel and engineering industries.

A number of motor and metal firms have put workers on a four-day week and stopped all overtime — often at the instigation of trade unions.

Procedures

Various unions, including the Metal and Allied Workers' Union in the Transvaal, the Cape Town-based General Workers' Union (GWU) and the National Automobile and Allied Workers' Union (Naawu) have devised retrenchment procedures to protect workers from the worst effects of the recession.

Recognition of trade unions and pay disputes precipitated countrywide strikes.

Dock dispute

In July, more than 10 000 motor workers at Ford, General Motors and Volkswagen in the Eastern Cape came out on strike after a deadlock over wages between

the employers and Naawu.

The Port Elizabeth dockland was the scene of a major recognition dispute between South African Transport Services (SATS) dockers, who joined the GWU, and their employers, who refused to open discussions with the workers' committee.

SATS said they would not deal with "outside" unions.

The conflict, which has still to be resolved, resulted in 400 dockers being dismissed after a go-slow and another 450 coming out on strike.

Agreement

Meanwhile the GWU has gained support and recently the union and committees representing stevedores in Cape Town, Durban, Port Elizabeth and East London negotiated a wage agreement with South African Stevedores Ltd, the first of its kind for an unregistered union.

Major work stoppages included the mine-workers' strike in the Transvaal which led to tens of thousands of workers being dismissed. Ten men were killed in disturbances following a strike over dissatisfaction with wage increases.

Detentions

The East Rand metal industry was also hit by a wave of strikes earlier this year when a total of about 10 000 workers downed tools in the space of a few weeks over pay and retrenchments.

A crucial issue in labour circles has been the

detention of trade unionists.

The death in detention of Dr Neil Aggett, Transvaal secretary of the African Food and Canning Workers' Union, provoked the anger of trade unionists and a half-hour protest work stoppage was supported by 85 000 workers.

INDUST. RELATIONS — GENERAL 1983

JAN. ——— DEC :

Warning on SA labour unrest

132
E. Post
1/11/83

Post Reporter

EMPLOYERS who believed the labour unrest of the Eastern Cape could not happen in other parts of the country were "burying their heads in the sand"

This warning comes from Prof Roux van der Merwe, professor of industrial relations at the University of Port Elizabeth — the city regarded as the crucible for South African industrial relations because of the strikes and labour unrest in the motor and allied industries

"Companies are living in a fool's paradise if they think they can avoid industrial unrest by avoiding or moving from the Eastern Cape," said Prof Van der Merwe

"The show of strength by the unions over the past few years in Port Elizabeth and Uitenhage is the precursor to the pattern of labour relations that will develop throughout the rest of the country"

However, he believed the deepening economic recession in 1983 should have a helpful spin-off for both employers and trade unions — it would give them a period of consolidation after the "enormous" indus-

trial relations stresses of the past few years

"After two years of frenetic industrial relations activity by trade unions and employers, South Africa can expect less direct industrial relations conflict in 1983 because of the economic downturn

"It is important to remember that the black trade unions have grown up almost entirely during a period of relative prosperity

"Now they will have to adjust their strategy in terms of a static economy, and management is going to have to adjust to a declining labour force

"We might just be able to use this recessionary period for consolidation purposes, provided the downturn is not so bad that it does serious harm to the relationship of both parties

"We do not want to see regular periods of damaging action and counter-action involving employers and trade unions

"There is an urgent need for them to establish basic structures within which they can resolve their differences constructively, as in the United States and West Germany"

He said trade unions would probably use the 1983 recession as a period of low-key strategy in which they would "put a floor under what they have achieved in order to be poised to proceed with the economic upturn"

The unions were also likely to use the period to improve the structure of their organisations

"However, the industrial relations scene cannot be divorced from what is now happening in the larger political sphere, and the direction taken by the unions will be influenced by developments in political reform

"If political channels can be created for meeting the aspirations of black and coloured peoples, then less political pressures will surface at the workplace"

Prof Van der Merwe also holds the Volkswagen chair of industrial relations at the University of Port Elizabeth and is head of its industrial relations unit, which last year announced the first two-year honours degree course in industrial relations at a South African university

FM 14/1/83
LABOUR ~~132~~ (132) ~~134~~

Closed shop queries

Additional safeguards to prevent the abuse of the closed shop (CS) in SA are discussed in a working document being distributed by the National Manpower Commission (NMC)

The CS — which compels employees in a particular occupation, company or industry to belong to a specific union — is a controversial labour issue in SA. The document points out that by restricting the occupational mobility of an important part of the workforce, the CS can hamper the effective operation of the labour market.

At the same time, many emerging unions claim that some established unions have used the CS to gain a large, and possibly unwilling, black membership with a minimum of effort.

The document is being made available to all interested parties for comment. The NMC has emphasised that it should not be interpreted as a reflection of the NMC's views. Rather, it should be seen "simply as a document containing arguments, points of view, evaluations and suggestions that have been brought to the notice of the NMC in some way or another."

However, it is significant that the point of departure of the document is that the CS should continue to exist, subject to existing and certain additional safeguards. This is in line with the conclusion reached by the NMC in 1981 that although there are strong philosophical and practical objections to

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~~132~~ (132) ~~134~~ FM

the CS on balance its retention will probably have more advantages than disadvantages.

Government accepted the NMC recommendation that the CS should be retained and agreed that a post-entry clause should be introduced into the Labour Relations Act (LRA) as an additional safeguard to prevent abuses. In practice this means that in a company or industry where a CS agreement exists an employee is given 90 days in which to join a union.

The NMC did however foresee the need to investigate further safeguards. In the document it is now making available it focuses on three main questions:

1. Is it desirable that CS agreements concluded outside the ambit of the LRA should also be subject to safeguards contained in the Act? There are, for example, agreements in the mining industry, in government services and in certain in-house agreements in the iron and steel industry, which are not covered by the LRA.

Should the LRA require a secret ballot among workers to establish whether they are for or against the CS if a significant proportion of workers petition the Minister of Manpower for such a ballot?, and

If it is impossible or undesirable to make all CS agreements subject to the LRA, should provisions of the Maintenance and Promotion of Competition Act, 1979, be made applicable to CS arrangements not subject to the LRA?

Bearing in mind the strong feelings that exist about the CS, the NMC has given the assurance that all comments made about the document will be dealt with in the strictest confidence.

Two top bosses on key issues

Mall Correspondent

DURBAN — Two of the country's largest employers of industrial labour in the private sector Barlow Rand and Premier Milling, spelled out their positions yesterday on detention of trade unionists and the presence of police in strike situations

Mr Reinald Hofmeyer, executive industrial relations director for the giant Barlow Rand group, said indiscriminate detention of trade union leaders bedevilled relations with unions

"Our chairman, Mr Mike Rosholt, is on public record as saying that the group considers all detentions without trial to be offensive. When it comes to detention of trade unionists, this makes future negotiations with the union far more difficult."

On the question of police presence at strikes, Mr Hofmeyer said the group believed police should only be called in when there was a real danger to life or property

Mr Tony Bloom, managing director and honorary chairman of Premier Milling, said detentions left a legacy of bitterness which could be felt at management-union discussions

"Trade unionists who have been detained, sometimes for long times in solitary confinement, come to regard us as part of the system which put them through their ordeal. This plays havoc in our negotiations with them."

Mr Bloom said it was company policy to call in police only if life or property were threatened in industrial disputes

"I think it is completely crazy for some companies to call the police in as soon as they have a strike on their hands."

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'Unemployment breeds unrest'

(132)

By Tony Davis ^{15/1/83} However, Security Police action directed at trade unions was likely to decrease during the year, largely because 'some police fingers have been badly burnt as a result of the 1982 detentions'

Labour Reporter
Large-scale unemployment in 1983 could result in black community unrest increased industrial strikes and work stoppages, say labour analysts

Professor Wille Bendix of Stellenbosch University's industrial relations research unit and a Port Elizabeth industrial relations consulting group said in a report that possible unrest could also be used by politically motivated groups for their own ends

"The political and social effects of unemployment are so far reaching that careful consideration and negotiation of retrenchments cannot be overstressed" the report says

However, Security Police action directed at trade unions was likely to decrease during the year, largely because 'some police fingers have been badly burnt as a result of the 1982 detentions'

The report says there were fewer strikes last year compared with 1981 although more workers were involved

There were 202 strikes involving some 120 000 workers last year compared with 342 strikes involving about 93 000 workers in 1981

About 323 000 man-hours were lost through industrial action last year

This year will likely see a consolidation in labour trends established last year the report states

RECOGNITION FM 21/1/83
Manpower says 'yes'

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Recognition agreements between employers and emerging trade unions can play a constructive role in labour relations, says Manpower Director-General Piet van der Merwe. This view is significant, because it is in contrast to the hostile attitude of some employers towards managements who concluded the first of such agreements only a few years ago



Manpower's Van der Merwe
... agreements can be positive

Van der Merwe's remarks about recognition agreements appear in the recently released report of his department for 1981. Although much of the statistical information appearing in the report is already fairly well known, the report is significant because it reveals government attitudes on some important labour issues.

He says although most recognition agreements fall outside the framework of the Department of Manpower's labour legislation, "they can play a positive role in ensuring orderly labour relations at the level of the undertaking. The eventual contribution made to sound labour relations by these agreements will depend on how newly established trade unions apply them.

"Once greater expertise and proficiency in negotiation, bargaining, organising and trade union management have been acquired, however, the benefits of making use of the statutory conciliation and bargaining machinery may become clear."

Van der Merwe reiterates government's view that the industrial council system plays a decisive role in maintaining orderly labour relations. He adds that it must keep pace with the demands of the time. He points to criticism by some that the councils have dealt with disputes far too slowly and that there has been a communications gap between the councils and workers on the factory floor.

"If this criticism is justified, the councils must eliminate the alleged shortcomings so as to strengthen and extend this proven bargaining system."

He says that in many respects the private sector reacted slowly to the rapid changes in the labour field. "In some cases employers and employees did not have experience or training in dealing with labour relations and the necessary preparation

was lacking. But both parties are realising that they dare no longer delay facing the demands of the time.

"The comprehensive changes brought about in the country's labour dispensation mean that the science of management in SA has taken on new dimensions. The ability to manage, whether in a trade union, employers' organisation or business is becoming increasingly important. Unfortunately, the present dispensation is often not fully understood and the need for a completely new approach in management style is not always recognised."

Van der Merwe emphasises that legislation can only create possibilities and provide guidelines. "The private sector has to bring about almost daily changes in practice," he says.

Need for independent conciliation service

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EAST LONDON — The executive director of the Manpower and Management Foundation of South Africa, Dr John Burns, says there is an urgent need in South Africa for a national mediation, arbitration and conciliation service, operating completely independently of the public sector and its institutions

Dr Burns says there is

ever-decreasing use of the statutory conciliation machinery by both employers and trade unions. This, he says, is unfortunate, since the new labour dispensation offers an ideal opportunity for a dynamic development of all the conciliation machinery which the common law and practice have available

Various forms of

labour unrest such as strikes and retrenchments and the black workers' distrust of state machinery all help to underline the need for a new service

Dr Burns suggests six requirements for such a service. These are

- It should be run by the private sector and recognised by but not instituted, appointed, structured, or run by or in any way attached to the state
- It should offer mediation, arbitration, conciliation and all other types of conciliatory services to employers and employees in both the private and public sectors
- Its services should be rendered by persons selected from a panel of

experts representing various disciplines

- Its services should be effective, with a high degree of built-in cost-effectiveness

- It should operate on a national scale and should attract the immediate attention of the entire labour field

- Above all, it should have and maintain the highest degree of credibility, trust and acceptance in the labour world, demonstrating at all times the sensitivity conducive to such credibility, trust and acceptance

Dr Burns says he would not hesitate to establish the necessary structure for such a service if this were the most effective way to go about it. — DDR

W Cape firms 'unprepared' for unions

⁽¹³²⁾ ^{1/183} ^{Avy Mo}
THE managements of most large firms in the Western Cape are totally unprepared to deal with the upsurge of union demands they will face in the coming year, says Mr Hugh Brown, managing director of Integrated Productivity Systems

He has come to this conclusion as a result of a survey carried out among 383 companies all over the country, of which 73 were in the Western Cape

It was carried out among firms employing 200 or more people and with turnovers of R1,5-million or more, in preparation for a course on industrial relations run by Mr Brown and Professor Blackie Swart of the Graduate School of Business of Stellenbosch University

The results, said Mr Brown, showed that although top management in Johannesburg was in-



MR Hugh Brown

novative, thinking in the Western Cape was stereotyped and showed no awareness of changing conditions

Among results that surprised him were answers from managements when asked how they would react to a strike over demands from a union wanting recognition, or from a union already recognised

In the Western Cape, 61 percent of firms said they would instantly dismiss workers who went on strike, and 17 percent said they refused to nego-

tiate with unrecognised unions

"Only 14 percent said they would be prepared to talk, to defuse the situation at least, and eight percent said they would not have any idea what to do"

TRAINING CUTS

Other results that shocked Mr Brown were that 22 percent of local firms thought cutting down on training budgets was a good way of saving on overheads, and only 37 percent thought industrial relations an important factor which should concern the board, like finance and marketing

"Union involvement is going to come and these firms are going to have a shock," said Mr Brown

SLEEPINESS

"It is almost a sleepiness that prevails in business attitudes in Cape Town and it is going to have a marked effect on their ability to deal with

Continued on Page 3.

Top firms not ready

⁽¹³²⁾ ^{1/183} ^{Avy Mo}
From Page 1.
an increasing amount of union activity"

He emphasised that this criticism did not apply to all local firms and some industries were better than others

"The canning industry is reasonably well organised because it has a good relationship with the union in the Western Cape

"The chemical industry is well organised and has a reasonably good relationship with the union

"But in the clothing industry the relationship is not as good as it could be because of its incredibly erratic economic situation

Another problem facing local industry was that although wages had gone up by 20 percent in real terms since 1975, average output had actually gone down by three percent for each man-hour, according to figures issued by the National Productivity Institute

Management should make better use of this more expensive labour by increasing efficiency

Instead of being over-staffed in times of prosperity and retrenching labour when conditions got worse, it should make use of industrial engineering to achieve maximum efficiency throughout the firm and should be constantly updating operations and techniques

"We must learn to work smarter, rather than harder."

Mr Brown and Professor Swart will run an industrial relations workshop at the Bellville Holiday Inn in March

Audrey d'Angelo

Call for IR peace panel

S. Lichner

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MMF's Burns says

national, independent

mediation, conciliation

service is urgently needed

By MIKE PEIRSON
Finance Editor

AN URGENT call has been made by executive director of the Manpower and Management Foundation Dr John Burns, for a national mediation arbitration and conciliation service within industry, operating completely independently of the public sector and its institutions

Dr Burns said the service would offer help to both public and private employees and employers through a panel selected from various sectors

However, he said it should have and maintain the highest degree of independence in the world
The next step was to see what organization would best handle the service. He would not like to establish the new body in the public sector because of the risk of taking the idea

He maintained that the concept of conciliation and its methods in the field of industrial relations contained in the 1956 Labour Relations Act is neither defined nor explained, a fact which among others accounted for the relatively under-developed state of the law and practice of conflict conciliation in South Africa

"Furthermore" he added, "the increasing statutorisation of conflict conciliation machinery in the field of labour has resulted in the ever-decreasing use of it by employers and trade unions

This is unfortunate since the machinery of conciliation is not being used to its full potential at the time when the machinery of conflict conciliation is being developed

Various forms of conflict conciliation machinery have been developed in other countries and it is hoped that the new machinery will be able to meet the needs of the South African situation

MMF aims to combat mistrust with new mediation service

132 ~~132~~ Industrial Week
1/2/83

By Lynn Carlisle

MISTRUST of State machinery by Black workers underlines the urgent need for a national mediation, arbitration and conciliation service operating independently of the public sector and its institutions

Making this point to Industrial Week, Dr John Burns said that the Manpower and Management Foundation (MMF) of which he is executive director - saw itself as a link or catalyst in the formation of such a conciliation service

The increasing statutorisation of conflict conciliation machinery in the labour field has caused a decrease in the use of the latter by employers and trade unions, he said

"Various bodies see the need for an independent service and the MMF is searching for experts who can form

such a body
"Otherwise the Foundation will probably establish the structure to set up this service," said Burns

He said the independent service would comprise of experts having no ties with any trade union, government or quasi-government organisations. It would not compete against existing services, such as the national industrial council boards.

The MMF would draw up a register of experts in various disciplines connected with conciliation who may run the proposed service on a national scale and at plant level

"Above all, the service should have and maintain the highest degree of credibility, trust and acceptance in the labour world, demonstrating at all times the necessary sensitivity for those factors conducive to such credibility, trust and acceptance," said Burns

He said that the service could play a vital role in the field of solving problems which had previously lead to serious labour unrest and retrenchment

To quote Prof Nic Wiehahn at a recent MMF seminar "If the tide in the present development of labour affairs in SA is taken at the floor, such a national conciliation service in the private sector will not only lead to a fortune for those, with such entrepreneurial initiative but also be an important contribution to labour peace and stability"

RSM 1/2/83

Mediation groups will help settle disputes

(132)

Labour Correspondent

A COMMITTEE of employers, academics and unionists has established the country's first labour mediation service to help settle disputes between employers and unions.

A steering committee took the step last week during a meeting at the Wits University's Graduate School of Business Administration after the committee had explored the establishment of a mediation service.

Mediators are not expected to settle disputes, but to find ways of helping negotiations resume.

They intervene only when both sides have agreed to call them in.

Several Western countries have government-established mediation services, but the service established here will be independent of the Government and will be run by a council of employers, unionists and independent labour experts.

In a statement announcing the service's establishment, the chairman of the steering committee, Mr Theo Heffer, said it would

have a full-time secretariat which would be guided by the committee and, in due course, by a council.

A panel of mediators would consist of "experienced persons" who would offer their services part-time.

He said the committee's investigations since 1981 had "highlighted a need for a private independent mediation service and helped to identify principles which underlie the formation of the service about to be established".

These were that the service should be "independent and impartial", it should depend on the "voluntary agreement of both parties", mediation should be designed only to assist bargaining between employers and unions, and labour relations should be left "in the hands of management and trade unions".

Mediation has been used to settle several major disputes in South Africa. Changes to labour laws proposed by the Government are planned to make mediation available quickly to settle any labour dispute.

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E. Post
Ironsides: don't
blame the unions

Post Reporter

4/2/83

BLAMING trade unions for industrial unrest was neither reasonable nor practical — unions could be effective in keeping the workforce well-informed and well-motivated.

This was said by the president of the SA Federated Chamber of Industries, Mr R J Ironside, when he officially opened the 1983 academic year at the University of Port Elizabeth today

Mr Ironside said the old popular approach of simply "hiring and firing" had changed — for very good reasons

Unions were becoming rapidly assertive, bringing the weight of their numbers to bear on employers

He said "communication and proper understanding" between the workforce and employers were "vital"

"It makes sound economic sense to retain and conserve sources, since well-motivated and trained people contribute substantially to higher efficiency."

The most important commitment, however, was to "our country and our fellow citizens" to ensure that a stable South Africa became "the principal workshop of Africa — capable of providing the motivation, the skills and the example necessary to release the vast potential of Africa"

Mediation vs arbitration

FM 4/2/83

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The decision by leading industrial relations practitioners, trade unionists and academics to establish an independent mediation service could be one of great practical value and contribute substantially to improved labour relations

Mediation is a process in which disputing parties enlist the aid of a trusted third party, who makes recommendations which may form the basis of a settlement. Unlike in arbitration, the disputing parties are not bound to accept the recommendations, but they usually find them extremely useful

Arbitration tends to take the issues out of the hands of those concerned and often results in settlements which do not satisfy either side. Mediation promotes collective bargaining and relationship-building — processes which are vital for long-term labour peace

Although strikes are now occurring less often in SA than they have in the past few years, some recent strikes have lasted longer and have been very difficult to resolve. The time is ripe for more imaginative settlement procedures

Mediation has been effective in settling collective disputes in many Western nations. For example, no strikes have occurred in about 80% of cases dealt with in conciliation (a very similar process to mediation) undertaken by Britain's Advisory Conciliatory and Arbitration Service (Acas)

The "independence" of the new mediation service is important. Although government-sponsored services have worked well elsewhere, given the lack of trust that many emerging unions have in government bodies here at this stage of the country's industrial relations development, it is vital that the service should be seen to be at arm's length

Some emerging unions have refused to become involved in the establishment of the service, but it is significant that they are not ruling out mediation as a means to resolve disputes. The service now faces the task of providing skilled mediators who are known widely for their impartiality. If it can meet this challenge, the detractors could swiftly be won over

LABOUR DISPUTES

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Third party service

PM 4/2/83

Leading academics, trade unionists and industrial relations practitioners have agreed to establish an independent, non-profitmaking mediation service in SA.

A steering committee has conducted extensive investigations into the matter over the past two years. Mediation is used extensively in some Western nations, where governments have established services in an attempt to resolve labour disputes. It has already proved an extremely useful tool in

(continued on p45)

SA, too, during the past few years. The planned service will operate independently of government.

Essentially, mediation is a process in which disputing parties agree to call in a trusted third party, who listens to their arguments and makes recommendations which may form the basis of a settlement. It differs from arbitration in that the parties are not contracted to accept recommendations, though they often find them useful.

The committee says the following principles should underlie the formation of the service:

- It must be independent and impartial,
- Voluntary agreement by both parties is essential,
- Mediation can only assist the process of collective bargaining; and
- The process recognises the principle of self-governance where the regulation of the relationship is left in the hands of management and trade unions.

A secretariat will be established fairly soon, initially guided by the committee. But, there are plans to create a permanent council on which academics, unionists and employers will serve. A panel of mediators will be formed by inviting experienced people to offer part-time services.

"Several of the people envisaged have already mediated in management/labour disputes," says a statement issued by the committee. The secretariat will also select and train full-time mediators.

Among those who have served on the steering committee are Theo Heffer, Grinaker Holdings' group manpower consultant; Fred Ferreira, Ford's industrial relations director; Loet Douwes Dekker of the Wits Business School; Ike van der Watt, general secretary of the SA Boilermakers' Society; and Phiroshaw Camay, general secretary of the Council of Unions of SA.

RDM

Feb. 1983

~~12/11~~

Unions set to oppose Labour Party

AN ALLIANCE of emerging unions against the Labour Party's decision to take part in the Government's constitutional plan seems on the cards

The Federation of South African Trade Unions (Fosatu) has decided to campaign against the LP move. So have the Food and Canning and General Workers' unions. There have been clashes at meetings between LP supporters and union members

Unions such as the SA Allied Workers' Union and General and Allied Workers' Union have also backed action against the proposals

This is a significant development. Fosatu, particularly, has not involved itself in a political campaign before — though it has always rejected claims that it is "non-political" and has been more prepared to make political statements for the past year or so

The reason has been largely tactical — the belief that unions should build factory-floor strength before taking up political issues

But what makes last week's union moves doubly significant is that they are, unionists say, a reaction to a groundswell of worker anger at the LP move.

Thus unionists report many requests from workers to discuss the proposals and the union's stand on them.

Fosatu's general secretary Mr Joe Foster says that, at Fosatu's recent executive meeting, all regions reported "anger" at the LP move, with black delegates — particularly from the Inkatha stronghold of Northern Natal — charging that they had been

"sold" and asking where coloured delegates stood

There are many reasons why unionised workers might oppose the plan. But one factor may help explain why they see this as such a pressing issue

A key aim of many emerging unions is to build co-operation between black and coloured workers. In some areas, they have succeeded

They argue that the plan seeks to split irrevocably coloured and black people and so flies in the face of what they are trying to achieve in the factories. Its effect on them as unions is thus far more concrete than many other political issues

□□□

LAST week saw the launching of the country's first labour mediation service

The new service plans to set up a panel of mediators which will be available to help settle labour disputes.

Mediation is a normal part of factory life in many Western countries, with governments often assisting it

A mediator's job is to help bargaining — he only intervenes when both sides ask him to and seeks ways to get them bargaining again

Here, worker suspicion of the Government has led to the belief that mediation must be totally independent of officialdom, which the new service is

But planned legislation enabling the authorities to appoint mediators to settle disputes if both sides ask for them means mediation clearly has Government support

Many unions are suspicious of it, seeing it as a threat to their independence

And some labour experts argue that for mediation to work both sides must recognise the value of bargaining with each other — at least in principle. Where that exists you don't need a mediator, they say. Where it doesn't, mediation will be resisted

Supporters of the new service reply that once it establishes itself it will show it is an aid, not an obstacle, to independent bargaining

They also believe there are many firms in which the two sides have agreed to bargain, but where this is placed under stress by a dispute

They believe they have a key role there and that, once they prove they can play a useful role, the demand for mediation will grow

In this way, they say, the service can play a key role in promoting bargaining and reducing factory conflict

□□□

FORMAL efforts to cement unity between emerging unions are under way again

Last year efforts to get the unions to bury their differences and get together in a working alliance failed

But the talks led to a realignment in which two groups emerged — on the one hand Fosatu, the GWU, and two food and canning unions, on the other a group of "community" unions led by the Motor Assemblers' and Components Workers' Union and the SA Allied Workers' Union

The Council of Unions of SA has remained neutral

With plans afoot to call a new meeting of unions to form a federation, the trends which emerged last year have hardened. Co-operation between Fosatu and its allies has increased — as has hostility between them and the Macwusa group

There is thus little chance the latest move will produce an alliance of all the unions. But it may well cement the alliance between Food and Canning, GWU and Fosatu

As they have the vast bulk of unionised workers and factory muscle, this would be a big boost to unionism

□□□

FOSATU's Sweet, Food and Allied Workers' Union is predictably delighted about an out-of-court settlement which means meat employers Vleissentraal will reinstate 30 workers it fired after a dispute last year.

One reason for the union joy is that Vleissentraal is a tough employer which took an uncompromising stance for much of the dispute.

But the deal was also made an order of court and is the first such order reinstating workers, rather than compensating them for their sacking

Because it did not come to court, the case does not set a legal precedent

But in this and similar recent cases, employers seem willing to settle rather than face court action

One reason may be the judgment in a Transvaal case last year which gave much greater legal muscle to dismissed workers

Paper No

E 78

E 78

(to be copied from the heading on the Examination Paper)

ners'
Initials

NOTE CAREFULLY

1. Enter at the top of each page and in column (1) of the block on this cover the number of the question you are answering
2. Blue or black ink must be used for written answers. The use of a ball point pen is acceptable. Red or green ink may be used only for underlining, emphasis or for diagrams, for which pencil may also be used
3. Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used
4. Do not write in the left hand margin.

WARNING

1. No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed.
2. Candidates are not to communicate with other candidates or with any person except the invigilator
3. No part of an answer book is to be torn out
4. All answer books must be handed to the commissioner or to an invigilator before leaving the examination

Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University

SA firms can't cope with unions—expert

132 ~~132~~ Star 7/2/83

Financial Staff

Most top managements are not prepared to deal with a likely rise in trade union activity this year, says Mr Hugh Brown, managing director of Integrated Productivity Systems

Although managements spend much time on productivity improvement, the significance of labour relations in this is still neglected, he said in an interview

He was commenting on the results of a survey among 383 South African companies employing 200 or more and with turnovers exceeding R1,5 million

The survey was in preparation for a course on industrial relations run by Mr Brown and Professor Blackie Swart of the Graduate School of Business at Stellenbosch University

"The results show that management has not fully recognised its role in the development of industrial relations It

has been slow in establishing an infrastructure to deal with unions at plant and corporate level"

Only 43 percent of respondents indicated that industrial relations as a function should relate to a company's board

Only 37 percent of respondents said they were training employees in industrial relations

Asked how they would react to a strike over demands from a union wanting recognition, or one already recognised, 53 percent said they would dismiss instantly workers who went on strike, while 17 percent said they would refuse to negotiate with unrecognised unions

"Only 14 percent said they would be prepared to talk, at least to defuse the situation, and eight percent said they would not have any idea what to do"

Last year 362 stoppages, strikes and disputes occurred in South Africa, and Mr Brown

says union activity this year could be greater.

He suggests management should concentrate on

- A positive commitment to labour relations

- Implementing equal employment opportunities

- Awareness of the structure and legalities of collective bargaining

"Management should wake up to the new realities We must learn to work smarter rather than harder," says Mr Brown

A paper on a productivity model for South African industry will be presented by Mr Brown and co-director Mr Yacov Kedem at the World Productivity Conference and Industrial Engineering Exhibition in Atlanta, US, in May

A workshop on the prod-use concept will be held at the Sunnyside Park Hotel tomorrow and Wednesday

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How world's interest rates compare

Percent per annum	SA	US	UK	France	Germany	Italy	Holland	Switz	Japan
Central Bank Discount Rate	13,50	8,50	10,00 <small>intervention rate</small>	9,50	5,00	18,00 <small>penalty rate 21 00</small>	5,00	4,50	5,50
Day-to-Day Money	7,00	8,50	11,00	12,75	5,85	19,00	5,50	1,00 <small>1-month Euro-Swiss fr rate</small>	6,5625
Treasury Bills <small>91-day Middle Rates</small>	12,31	7,66	11,00	n/a	n/a	18,10 <small>77 days</small>	no dealing	no market	5,625 <small>two-month</small>
Bankers' Acceptances <small>3-month asked</small>	12,60	8,05	11,0625	not traded	6,50	20,00	no market	2,875	no market
Government Bonds <small>Long-term new and old issues average yield</small>	10,80	10,68	10,90	14,53	7,70	19,37	7,63	4,21	7,102
Industrial Bonds <small>Prime long-term, new and old issues, average yield</small>	13,75	11,55	13,29	15,72	7,90	19,49	8,26	5,62	6,38
Prime Rate	17,00	11,00	12,00	14,80	9,00	20,75 <small>1/8 qtrly fee on outstanding</small>	7,50	8,50	6,00
Bank Time Deposits <small>3-month</small>	13,50	8,125 <small>Cert. of Dep</small>	11,6875	12,625	5,55	11,50	5,25	2,50 <small>large deposits residents only</small>	3,75
Exchange rates-in US\$ <small>rates floating against the \$</small>	0,95	—	1,5795	0,1503	0,4258	0,000742	0,3964	0,5186	0,00436
Forward Exchange Cover <small>3-month, in percent p.a.</small>	5,02	—	2,659 D	12,774 D	3,476 P	14,555 D	3,934 P	6,170 P	2,385 P

Switzerland retains its traditional position at the bottom of the interest rate log, according to this table Rates are subject to limited variations but

the overall picture given remains valid Only Italy now boasts a prime rate higher than South Africa's 17 percent

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No industrial peace without political 'rights' for workers

ARGUS 8/2/83 132



Dr Alex Boraine

Parliamentary Staff
WHILE most workers in South Africa continued to be denied meaningful and just political rights, there would never be industrial peace in the country

This was said yesterday by Dr Alex Boraine, Progressive Federal Party spokesman on labour

Dr Boraine was speaking during the second reading of the Labour Relations Amendment Bill, which he said his party would support

He said management and union leaders could not hope to meet the aspirations and expectations of countless workers in South Africa because many of the grievances workers expressed passively, and sometimes forcibly, were community-based

"Black workers in many instances use the same inadequate transport services, live in the

same community which bears the hallmarks of deprivation and poverty and will continue to reflect those grievances on the factory floor," he said

It was imperative that in attempting to resolve labour disputes the Government did not confine itself to the narrow area of labour reform, but moved as quickly as possible to a new dispensation in the social and political spheres

He predicted that labour disputes would continue and even increase this year

He based this belief on the fact that the major reason for work stoppages and strikes recently had centred on wages and monetary fringe benefits

The decline in the buying power of money, the deeply-felt recession and resulting retrench-

ments would all play their part in increasing labour unrest

Dr Boraine said the Bill enabled the Minister of Manpower to establish conciliation boards on his own initiative, but he urged that this provision should not be used unless absolutely necessary in the public or national interest

"I am sure he (the Minister) will agree it is far better for employers and employees to take the initiative in this regard," he said

Budget date

THE Budget will be introduced on March 30, the Leader of the House, Mr S P Botha, announced yesterday. The SA Transport Services budget will be introduced on March 2 and the Post Office budget on March 15

R1,3 m for VIP Boeing

Parliamentary Staff
THE COST of the Boeing aircraft set aside for the State President, the Prime Minister and the Cabinet is estimated at R1 344 000 a year

For the first five months of the aircraft's service from November 1981 it cost R723 555 of which R560 000 was standing costs and R163 555 running costs for 36 flights

According to part two of the Auditor-General's report for 1981/82 the standing costs included depreciation, interest on capital and the cost of conversion

NOTE CAREFULLY

- The answers only on marked The left hand rough work, but no work
- Enter at the top of each the block on this cover you are answering
- Blue or black ink must The use of a ball point pen is acceptable Red or green ink may be used only for underlining, emphasis or for diagrams, for which pencil may also be used.
- Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.

12		
Examiners' Initials	DK	

WARNING

- No books, notes, pieces of paper or other material may be brought into the examination room unless candidates are so instructed
- Candidates are not to communicate with other candidates or with any person except the invigilator.
- No part of an answer book is to be torn out.
- All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University

Fannie rejects CP attack

ARGUS 10/2/83

Parliamentary Staff
 TWP manpower Bills went through the final stages in the Assembly yesterday

The Manpower Training Amendment Bill empowers the Minister of Manpower, Mr Fannie Botha, to impose a levy for the benefit of training centres. It was read a third time after passing through all its stages with no objections from the opposition parties.

But the third-reading debate on the Labour Relations Amendment Bill produced an attack on Mr Botha from Mr S P Barnard (CP Langlaagte).

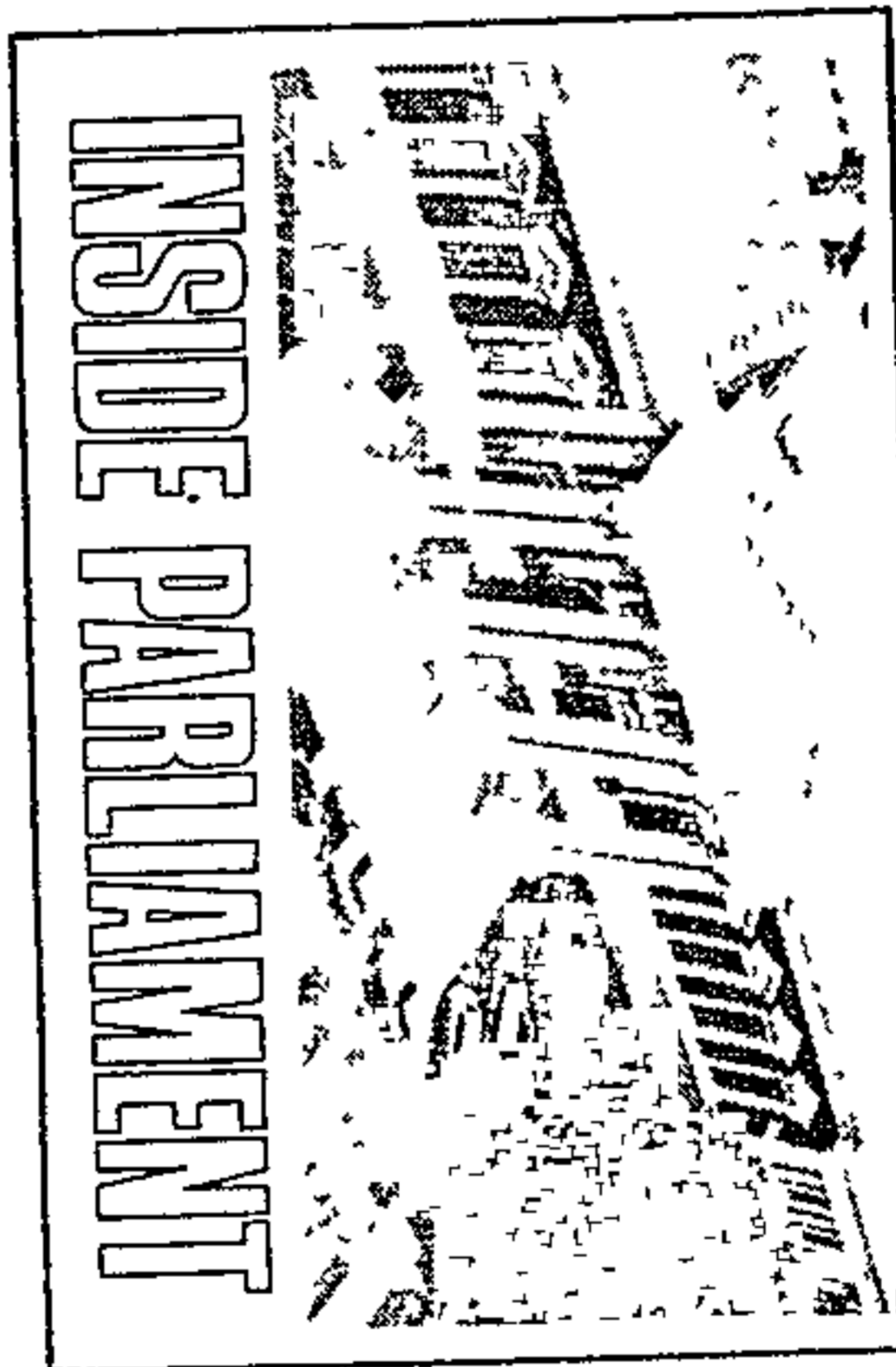
In the main the Bill provides for unregistered unions and employer as-

sociations to have access to conciliation boards where there is no industrial council.

Mr Barnard accused the Minister of failing to fulfil a promise that he would not allow unregistered unions to deal with employers — he had done just the opposite by introducing the Bill.

He said the Government could not "afford" a Minister who did not undertake for what he had undertaken to do. Mr Botha was like a mole that met an obstacle in the darkness and turned to run the other way.

Mr Barnard reiterated allegations made earlier in the debates on the Bill, that Mr Botha and the Government had institut-



ed a policy of taking away the traditional rights and privileges of white workers.

Mr Botha dismissed Mr Barnard's attack by saying it was obvious he knew nothing of labour matters, because not one piece of legislation

passed during the past few years had taken any rights away from whites.

During the same debate Mr Ron Miller (NRP Durban North) attacked the Progressive Federal Party, which, during a discussion on a clause in the committee stage of the Bill, had "voted with the

Government for giving arbitrary powers to a Minister."

Mr Miller was referring to a division on an amendment he had proposed to a clause in the Bill.

He had objected to a provision allowing the Minister to appoint a conciliation board to settle a labour dispute without first consulting the parties involved.

Mr Miller's amendment provided for consultation to take place first.

During the vote on the amendment the PFP voted with the Government against the NRP and CP. Mr Miller said he found this "strange".

The Bill was eventually passed through its third reading with no objections.

The Assembly then turned its attention to the committee stage of the Basic Conditions of Employment Bill, which replaces the Shops and Offices Act and the Factories, Machinery and Building Work Act of 1941.

Mr Nic Olivier (nominated PFP) suggested that the words "domestic servants" be changed to "domestic workers".

The Bill went through the committee stage.

The committee stage of the Machinery and Occupational Safety Bill took up the rest of the sitting and has yet to be completed.

VERY CANDIDATE MUST enter in column (1) the number of each question answered (in the order in which it has been answered); leave columns (2) and (3) blank

Examiners' Initials	(1)	(2)	(3)	Internal	External
<i>[Handwritten Signature]</i>					

4 Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used

Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University

Notes, pieces of paper or other material brought into the examination room unless so instructed are not to communicate with other persons with any person except the invigilator. Answer books must be handed to the commission invigilator before leaving the examination room.

LABOUR LEGISLATION

FM

11/2/83

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DH

Botha's four Bills

Far reaching improvements to SA's occupational safety legislation are contained in a Bill being piloted through Parliament by Manpower Minister Fanie Botha

A significant feature of the Machinery and Occupational Safety Bill is the emphasis it places on co-operation between employers and employees on safety. This is wise, given the growing interest that trade unions, especially emergent ones, are taking in occupational health and safety issues.

The Bill is one of four compiled by the Department of Manpower which are currently before Parliament. It replaces the old Factories Act of 1941 with more effective procedures and controls for the protection of employees.

Unlike the Factories Act, which protected only employees in factories and on building sites, it covers all people in employment. This includes those working in such diverse spheres as the public sector, agriculture, commerce, local government — and even domestic servants.

The Bill provides for the establishment of an Occupational Safety Advisory Council, comprising representatives of government, employers and labour, who will advise the Minister. The council will be served by technical committees which will help to minimise or eliminate hazards in specialised fields.

In terms of the Bill, an employer must appoint safety representatives who will act as health and safety watchdogs and carry out regular inspections. On average, there must be one representative for every 50 employees. In companies or plants where

more than one representative has been appointed, a safety committee must be formed to co-ordinate and analyse the health and safety needs of workers.

The Bill prohibits the sale of machinery or safety equipment that does not comply with prescribed safety and performance standards. In the past, the onus has been on the users of potentially dangerous machinery to ensure that prescribed standards were being complied with. Sources in the department say that far more effective control will be achieved by shifting this onus onto the seller of such machinery.

However, the Bill also empowers departmental inspectors to order an employer or user of machinery to immediately halt an activity, or the use of machinery, which is hazardous.

"This power will not be exercised frivolously by an inspector and will be tightly controlled," says a department spokesman. "It is a powerful tool in the hands of an inspector, but it may save lives."

The Bill also lays down a fine of R4 000, or imprisonment of up to two years, or both, for cases where someone is injured through the negligence of an employer or user of machinery.

The other three Manpower Bills are:

- The Labour Relations Amendment Bill. This opens up official dispute-settling machinery to unregistered unions, and aims to streamline official conciliatory procedures. It also allows for more judgments and determinations of the Industrial Court to be made public. The Bill was published in draft form for comment last year and ap-

pears to be going through Parliament in basically the same form.

- The Basic Conditions of Employment Bill. This is a combination of those provisions of the Shops and Offices Act, and the Factories Act, which deal with conditions of employment. Unlike the Acts it will replace, the Bill will not be limited to only factories and employees in shops and offices. However, farm workers and domestic servants are excluded from its scope. The National Manpower Commission is investigating possible measures to regulate their employment conditions. The Bill also eliminates limitations on women working overtime or at night, and

- The Manpower Training Amendment Bill. This aims to enable government to help finance group training centres. Government stopped giving such assistance about two years ago, but it appears that some centres need State aid.

Collective bargaining has important role'

By SANDRA SMITH

COLLECTIVE bargaining plays a vital role in the free enterprise system, and companies cannot ride rough-shod over labour union wage demands, says the president of the Midland Chamber of Industries, Mr W F Life

He said recent calls by the Government for wage restraints as a means of bringing down the rate of inflation had been discussed by the Chamber's executive council.

While industry was just as concerned about inflation as the Government, the council was not convinced a wage restraint package would have a significant effect on current inflationary trends, Mr Life said

Factors such as the shortage of skills and administered prices were among several which contributed to inflation in South Africa

Industry felt both Government and the private sector should make greater attempts to obtain the maximum efficiency from their employees to ensure they were receiving the correct value for wages and salaries paid — a direct attack on inflation

Labour relations were in a sensitive transitional period, and any suggestion of a wage restraint policy would need the full support of the emerging black unions.

"Such support is hardly likely to be forthcoming, bearing in mind the considerable wage gap which still exists between black and white workers, and to try to force the issue would certainly be counter-productive," he said

Pegging wages and staff might reduce costs in the short term, but as employees left to find more remunerative work elsewhere the long-term costs of hiring and training new staff added fuel to the inflationary spiral

Mr Life said it was not fair to compare remuneration in the private and public sectors

Civil servants enjoyed certain benefits through a notch system in their pay scales and had access to fringe benefits such as subsidised loans for housing and other purposes

Government could be assured that industry would continue to negotiate the best wage packet possible.

Which bosses preferred

By Vera Beljakova

URBAN blacks prefer working for South African companies rather than foreign firms, according to a Market Research Africa (MRA) study whose details are now being released

The survey shows that 59% of urban blacks prefer to be employed by local companies and that, of these 26% consider salaries paid by South African firms to be superior to those offered by foreign firms

Another 22% believe that local concerns give better treatment, while 6% assume that no discrimination is practised

About 3% would feel more secure with an SA company, and 2% prefer the working

hours adhered to by them

The survey also indicates that 41% of urban blacks would rather discuss their problems with a black personnel manager (44% males against 37% females), and that the desire for a black manager is perceived particularly strongly among the 16-49 age group

The 50-plus age group, however, would rather discuss matters with a white personnel manager

Blacks in the A-income group have no preference about the boss's race (25%), as against blacks from the B-income group (17%), the C-group (16%) and the D-group (13%)

In Natal and the Eastern Cape, black personnel man-

agement is preferred when workers seek help or advice — particularly so in Natal, where 47% of blacks want to talk to a black boss against 21% who would rather confide in a white superior

The reverse, though, is true in Pretoria and the rest of the Transvaal, where both white and black personnel managers are equally acceptable to the black worker

The Sotho ethnic group, however, is split while North Sothos prefer another Sotho, the South Sothos would opt for a white personnel manager

"It has become apparent that equitable solutions are sought increasingly by local concerns to satisfy the needs of the black workers"

FEARS FOR THE FUTURE IF 'VERL. G. L. E. F. A. N.' ... Labour keeps an eye on Soutpansberg

BY BARNEY MTHOMBOTHI

THE LABOUR movement will be keeping a close watch on the progress and outcome of the coming Soutpansberg by-election where Minister of Manpower Fanie Botha will be facing a concerted rightwing onslaught from the Conservative Party and the HNP.

Mr Botha and his two Conservative Party adversaries — Dr Andries Treurnicht, MP for Waterberg and Tom Langley, MP for Waterkloof — resigned their seats this week to fight the by-elections which have been dubbed the "Battle of the Berge", and labour experts have warned that labour reforms would face a severe test and that a defeat for Mr Botha would have dire ramifications for the labour field and the country.

By elections in Soutpansberg, Waterberg and Waterkloof have been set for Tuesday, May 10. Experts said this week that even if Mr Botha re-nominate himself, the Government may decide to tread much more carefully to appease its rightwing voters.



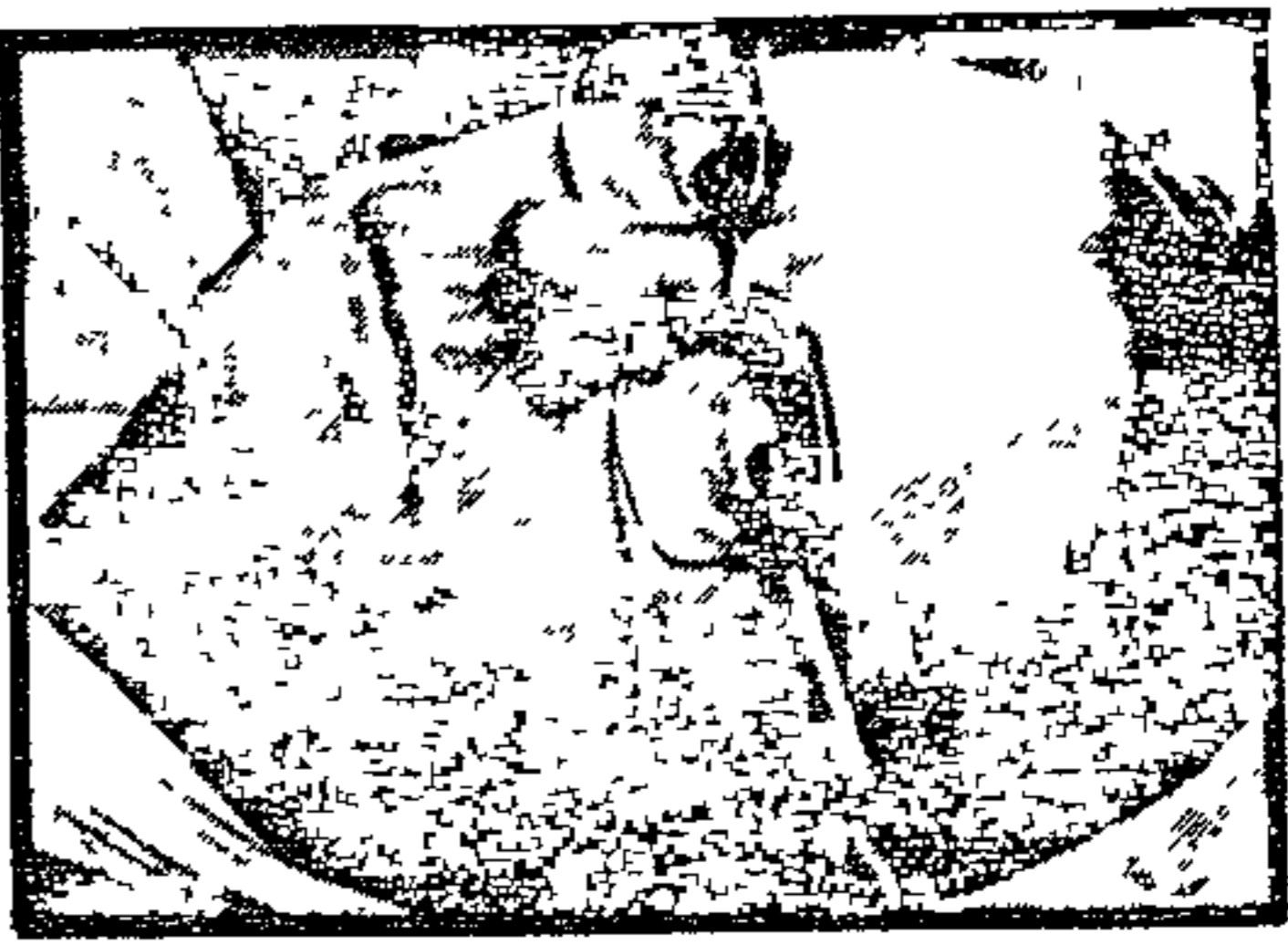
□ Andries Treurnicht and Tom Langley

Mr Botha will contest Soutpansberg, a seat he has represented in Parliament for 25 years, against Mr Langley of the Conservative Party. Soutpansberg is a verkramppte platteland seat.

Mr Botha has been credited with much of the labour reforms, especially the legitimacy accorded black trade unions by the system. As Minister of Manpower, he has had to pilot through Parliament all Bills flowing from the recommendations of the Wiehahn Commission,

which ushered in a new labour dispensation. Mr Botha has repeatedly clashed with the rightwing of the National Party, particularly Dr Treurnicht, who sees the dispensation as a calculated process to undermine white workers.

Labour reform will therefore be on trial during the campaign and a defeat for Mr Botha will prove to the Government they are far ahead of their supporters. Professor Roux van der Merwe of the Department of Industrial Psychology at the University



□ Fanie Botha

of Port Elizabeth, said the thought of a defeat for Mr Botha was "quite worrying". "Mr Botha has been a good Minister of Manpower and I think if he is not re-elected it will have very serious repercussions in that area, particularly when one considers the quite considerable powers that the law gives to a minister," he said.

"Up to now we have had a minister who understands the labour area very well and I think he has guided labour reforms successfully."



□ Anna Scheepers

Professor van der Merwe said his concern was that if Mr Botha lost, his successor may not share his viewpoint and may not have the same enthusiasm as Mr Botha. Even if Mr Botha were to return to Parliament as a nominated member the Government may decide to slow down the pace in this field.

"The Government itself may feel that it has to tread much more carefully. I think the matter is quite serious," he said. "Obviously one would watch the outcome (of



□ Roux van der Merwe

the by-election) with worry". Dr Anna Scheepers, president of the Trade Union Council of SA (Tucsa), said there would be "tremendous problems" for labour — and the country — if Mr Botha were not re-elected.

Dr Scheepers said the workers of South Africa owed Mr Botha a debt of gratitude for the courageous improvements he had made in the labour field. "He is always in regular consultation with the trade unions and if any

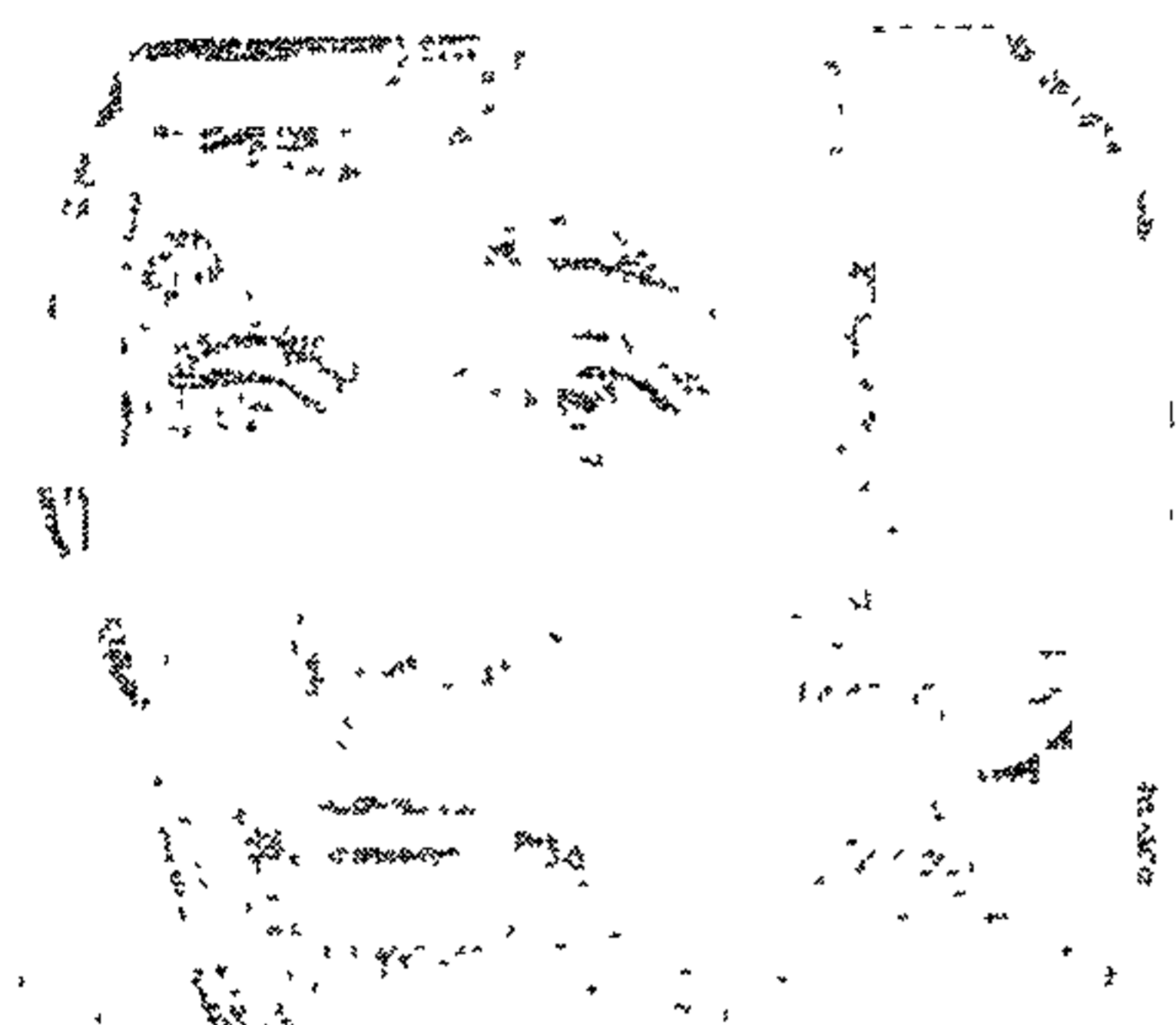
representation is made he gives it very serious consideration. "If somebody without the same willpower and courage should become minister, the whole pace may slow down which will not be in the interest of the trade union movement, the workers or the country," she said.

She agreed the Government was already committed to reform but said the person at the helm had to "push fearlessly all the time". "Mr Botha is deeply committed to seeing that all workers are properly

trained and that is what we need. "There is a great shortage of trained labour and we will have to expedite the pace very much to get more skilled people because otherwise we will have more unskilled unemployed". Mr Henk Botha, an industrial relations consultant, felt the pace of reform in the labour field would continue regardless of who holds the Manpower portfolio. He predicted Mr Botha would be re-elected, albeit with a small majority.

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Star 28/2/89 (132) ~~12/50~~

"South Africa has a legacy of neglect of its black communities. Although it remains the prime responsibility of the government to correct this, I believe industry and commerce have an important role to play," says the new co-ordinator of the Sullivan Code in South Africa.



For a normal society in the workplace

By Moira Levy

New life is to be given to the Sullivan Principles code of employment with the appointment of Mr Roger Crawford, Personnel Manager of Ethnor Pty Ltd, as co-ordinator of the scheme

The Sullivan Principles, designed by American preacher the Rev Leon Sullivan in 1977, prescribe a code of management conduct for American companies in South Africa. It aims to remove discrimination and unfair labour practices.

Mr Crawford's job will be to liaise between the seven committees behind Sullivan's guidelines for fair employment practices, and to work in hand with South African organisations, such as the Manpower Management Foundation, involved in similar social responsibility projects.

"I see myself as a referral point, as a base where signatory companies can find the information and knowledge they need for their projects.

When the Sullivan Principles were introduced they provoked a storm of controversy. Black community and trade union leaders slammed the proposals, saying they did not go far enough to combat discrimination and inequality in South African industry and commerce.

"We have achieved a great deal," Mr Crawford said. "We have created a normal society in the workplace, and the rub-off effect of that is apparent."

"South Africa has a legacy of neglect of its black communities. Although it remains the prime responsibility of the government to correct this, I believe industry and commerce have an important role to play," said Mr Crawford.

He said individual American subsidiaries could not hope to solve the deep-rooted problems of South African society — "the Sullivan Principles cannot be the panacea for all our labour ills" — but they could provide a model for South African firms and labour officials.

The first phase of the implementation of the Sullivan Code has been largely achieved, he said. The 147 signatories have desegregated their facilities and introduced equal pay for equal work.

"But that was the easy part. Referring to the role American companies have played in uplifting black education, Mr Crawford said "providing the school buildings, equipment and facilities is not enough. Now we have to concentrate on upgrading the quality of education."

"Last year's black matriculation rate was very low. In spite of what we have contributed to township schools we still have matriculants ill-equipped to take part in the modern world of industry."

"The white labour pool in South Africa has practically dried up and industry is going to have to look more and more to black school leavers as their future management."

He emphasised that his job is not to monitor the implementation of the Code. "I am not here as Sullivan's prefect."

He has been released from his duties at Ethnor to take up his new position for two years.

CAPL Times 8/3/83

Industrial councils must be extended'

132 (SAP) (Botha)

THE industrial council system would have to be improved and extended, the Minister of Manpower, Mr Fanie Botha, said in Durban yesterday.

Opening the conference of the South African Association of Municipal Employees, he said local authority employees not belonging to unions, and inexperienced in industrial council or conciliation board negotiations, would increasingly seek union membership.

It was not possible to register more than one industrial board for the same local authority. The industrial council system had also been queried by employers



and employees. There was a tendency to deal with employers rather than on an industrial basis.

"The first question to which an answer must be found is how these newcomers to the trade union movement at local management level can be included in the statutory negotiating machinery — taking into account the principles of union autonomy, freedom of choice and maximum self-government."

Equally important was how to set up a uniform system for negotiating working conditions in local government — acceptable to employer and employee.

Mr Botha invited the Association of Municipal Employees and local authorities to present his department with concrete suggestions. — Sapa

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Unions are 'cooling it'

This is the first of three articles on the South African labour scene, by HUGH ROBERTSON and PIPPA GREEN.

AFTER 10 years at the vortex of an extraordinary economic and political upheaval, South Africa's trade unions seem to have entered a more tranquil period

Some unionists describe it as "a time for consolidation", others as "a process of stock-taking" but, whatever the terminology, they mean the same thing fewer strikes, less strident confrontation and a more conciliatory tone in wage negotiations

All agree that the recession is the reason for the transformation. And as it bites deeper, union leaders and labour specialists think that the labour scene will — with inevitable exceptions, some probably boisterous — become even calmer

Independents

Not that it will stop unorganised workers from joining independent unions. A local trade unionist has described the conditions of many of these workers as so vulnerable during the recession that they have little to lose by joining organisations which they control and can identify with

It is at the unionised factories, though, where the recession tests the collective strength of the workers

"There will be fewer strikes in 1983, a general cooling down," says an industrial sociologist at the University of the Witwatersrand. "Many unions have undergone phenomenal growth in recent years and they need time to consolidate. The recession is giving it to them"

Retrenching

The biggest single problem facing unions at the moment are opportunistic employers, says Johnny Copelyn of the Durban-based National Union of Textile Workers, which has seen more than 1 000 members retrenched in the past six months

"We are now involved in more legal tussles with employers than at any other time and I gather that this is a fairly common experience. The recession has made some employers more aggressive. They're taking chances, especially by renegeing on informal agreements reached during the boom

"In a recession, strike action is obviously a far less viable option and it is difficult for unions to do much more than fight this out through litigation"

A Johannesburg labour consultant confirmed the trend, but described it as "dangerously shortsighted" and the typical response of employers who lack experience in dealing with organised labour

"Labour relations are built on trust and mutual confidence. When the economy picks up again, those employers who are now trying to

turn the clock back will find out that there is a price tag to their lack of foresight"

Ten years of hard work by the unions have established, in some instances, a situation where management treat their workforce with a new type of respect. In many factories, workers have fought for and won the right to be consulted on certain decisions which previously would have been taken by management alone

Negotiation

The General Workers' Union in Cape Town, the FOSATU-affiliated Metal and Allied Workers' Union and National Automobile and Allied Workers' Union, are some of those that have negotiated detailed retrenchment procedures with management

At two Cape Town engineering factories, organised by the General Workers' Union, workers have volunteered to either give up their jobs or take long unpaid leave in cycles to protect contract workers who would have to return to the homelands if they were left jobless

"It's been a remarkable exercise in worker-management co-operation, an impressive display of worker solidarity," says the managing director of a Cape Town company where workers have offered to work half-time and at half their wages in order to spread available jobs and funds more widely

But at wage negotiations in the past year, factory committees have often had to "fight for every cent" according to some unionists

The recession has not brought any relaxation in Security Police harassment, according to union leaders, consultants and industrial sociologists. They went so far as to describe the Security Police as one of the biggest obstacles to sound labour relations

Harassment

Union leaders accuse the Security Police not only of harassment by way of detentions, questioning and threats but also of seeking to undermine the union movement in the eyes of management

"They go on the childlike assumption that anyone challenging authority is a communist or at best an agitator," says a union leader who has been detained but who does not wish to be identified. "They go to management and try to denounce this or that leader as a troublemaker though they have not a shred of evidence

Security Police activity in the labour field is beginning to prove counter-productive, according to some union leaders and consultants

"It has given enormous credibility to radical union leaders. It has enhanced the status of independent unions in the eyes of the workers. Tomorrow. The major federations

Simulating strikes

Strike simulation programmes, which teach managements how to cope with labour unrest, are attracting increasing interest from employers. This is not surprising, given the rising number of strikes.

The University of Cape Town's Graduate School of Business (GSB) has created such a programme based on the protracted Volkswagen strike in the eastern Cape in 1980. Sponsored by Shell SA, GSB lecturer Norman Faull has done exhaustive research into that dispute to compile a case study rich in opportunities for learning. Volkswagen and the unions involved displayed remarkable candour in the interviews he had with them and gave him much useful information.

The dispute was an important one in SA's labour history. At stake were a number of difficult issues and problems involved in many other strikes in the post-Wiehahn era. These included:

- Rising political temperatures in the black and coloured townships in which Volkswagen's employees lived,
- High expectations among black workers whose wage demands were regarded by employers as totally out of line with economic realities,
- Great international interest in the activities in SA of automobile manufacturers, who faced commitments to codes of employment practice as well as pressures from parent companies abroad,
- Booming economic conditions which demanded increased output, and
- Serious questions about union leaders' ability to effectively represent and control their black members.

Over a period of three days, participants in the programme work their way through an extremely well-structured five-part case which runs into nearly 400 pages of text and exhibits.

Is it possible to recreate the kinds of tensions and pressures that are experienced in

a real strike? And how much can be learned in a three-day period about such a complex subject as industrial relations?

An FM staffer who took part in the programme recently found that Faull has developed some surprisingly effective ways of reproducing the tensions that accompany a strike. As participants become involved in role-play, they actually begin to feel the kinds of corporate, community, regional, national and international pressures faced by many managements.

The calm before the storm?

ARGUS 16/3/83

132

This is the last in a three-part series on the South African labour scene, by HUGH ROBERTSON and PIPPA GREEN

THE good news for employers might be that there are now fewer strikes and that unions are being more conciliatory in wage negotiations. The bad news is that if they turn out to be the calm before a storm

Only one out of every 10 South African workers currently belongs to a trade union and even this relatively small number has revolutionised labour relations in a way which was unthinkable a mere three years ago

More members

In the next few years, according to union leaders, labour consultants and industrial sociologists, the trend will be towards bringing millions more workers into trade unions until not one in every ten, but probably five or six in every ten, are unionised

And, they predict, unions will undoubtedly become even more politicised than they are, requiring management to respond to and become involved in political issues

which they currently show little or no interest in

"Industrial relations in South Africa obviously are overlaid by racial tensions and this means management will have a far more exacting task as the union movement grows in strength," an industrial sociologist at the University of the Witwatersrand said

"Management is going to have to think of the wider inequities in South African society and unless they can express themselves on these issues they will become increasingly identified with the Government in the eyes of workers. They will be seen as a part of the problem"

He added "Many demands in the coming decade will go well beyond the factories. Influx control, for instance, is a growing issue in the union movement and its relations with management"

The African Food and Canning

Workers' Union in Cape Town has secured agreement from Fatisis and Mosis, for example, to support applications by contract workers to be given permanent residential rights in the city

Johnny Copelyn of the National Union of Textile Workers believes that even issues like the President's Council constitutional proposals have stirred political feelings in the unions

"Many unions have coloured, black and Asian members whose economic wellbeing and aspirations coincide, who advance their mutual interests through collective action"

"Suddenly they are to be separated on a political level. The blacks are embittered, the coloured and Asian members are in a dilemma. It's a tricky situation for union leaders to handle and it is an issue which nobody in the unions can be indifferent to"

Mr Copelyn's advice to employ-

"It is very necessary to acknowledge the politicising of the workforce, to accept it as an unavoidable reality. It will be one of the trends in the future, whatever the official reaction to it is. Employers need to show caution and flexibility in dealing with it, as do union leaders

"I can tell you that mistakes in the political area can, for a union's leadership, be far more disastrous than a poor wage agreement. I would say the same applies to employers. They are going to have to do crash courses in politics"

For employers to rely on the Security Police to "handle" the politicising of unions is short-sighted, labour consultants say. "If a union leader is not truly representative of the workers then his detention might well cause the union to collapse. But where he has a real mandate, workers are simply antagonised and angered"

The general secretary of the AFCWU, Mr Jan Theron, noted recently "Look at the way in which the union in Johannesburg has gone from strength to strength since Neil Aggett's death"

There appears to be a consensus among labour experts that the post-recession era will also be marked by a reduction in the plethora of small unions in each industry and the emergence of more national industrial unions

And most of the growth, they expect, will be in the black independent unions with groups like the Trade Union Council of South Africa (Tucsa) and the white right-wing South African Confederation of Labour (SACL) losing both support and influence

"Management is going to have to accept that they will have to share decision-making with their workforce in areas where up to now management alone has been calling the tune," says a Johannesburg labour consultant

D-Dispatu 12/2/83
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Blacks prefer SA firms — survey

EAST LONDON — A recent study by a Johannesburg market research firm showed that 59 per cent of a sample group of 1 000 black adults in the main metropolitan areas preferred to work for a South African concern, as opposed to an overseas one

Of this 59 per cent, 11 per cent said they believed there would be no racial discrimination at a South African firm

Among the group that expressed a preference for an overseas concern, 20 per cent said they believed overseas firms would not practise racial discrimination. Equal percentages among both groups cited "better pay" and "better treatment" as their reasons for preferring the one type of firm over the

other

The survey also questioned the sample group on their attitudes toward personnel managers

Asked whom they would prefer to talk to should a problem arise at work, 41 per cent said they would prefer a black personnel manager, while 36 per cent said they would prefer a white personnel manager

The highest percentages of expressed preferences for help and advice from black personnel managers came from blacks surveyed in the Eastern Cape and Natal

Results of the study were published by Market Research Africa, in a recent newsletter — DDR

Reform pledges are not kept

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RDM
25/3/83

By STEVEN FRIEDMAN
Labour Correspondent

IN A controversial speech, a prominent labour academic has claimed that employer attitudes to emerging black unions are hardening and that this is hampering labour reform.

Mr Loet Douwes-Dekker, chairman of the Urban Training Project, a worker education body, claimed local employers were not prepared to follow through on promises of reform they made overseas.

He added that there were signs that employers might once again be seeing the Rev Leon Sullivan's code of labour conduct for American companies regarded by many employers as evidence of their commitment to labour reform — as an alternative to having to deal with unions.

Mr Douwes-Dekker was addressing an Urban Training Project meeting called this week to discuss freedom of association in South Africa.

At the meeting, the organisation decided to launch a campaign to monitor the extent to which this is curtailed, and to publicise "violations" of union freedom.

Mr Douwes-Dekker said he acknowledged the progress which many employers and employer associations have made towards recognising union rights. "But there is still a precarious relationship between employers and emerging unions. Even some employers who have recognised unions are now adopting a very hostile attitude to them," he said.

He also described as "worrying" a recent statement by the new national co-ordinator of the Sullivan Code, Mr Roger Crawford, who told a financial weekly that employers who implemented the code would achieve more for their workers than a union.

"The Sullivan Code was never intended to urge employers to grant union rights. That was only added later under pressure. Is the code once again being seen as an alternative to unions?" he asked.

Star 29/3/83

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'Sabotaged' documentary presents bleak picture

SA labour issues hit US screens

By Neil Lurssen,
The Star Bureau

WASHINGTON — Next week an estimated 10 million US viewers will see an hour-long television documentary on South Africa's black labour unions — and it seems likely to add momentum to the growing disinvestment movement here

The documentary, produced for ABC Network Television, presents a bleak picture of determined trade unionists — harassed by the police and often facing employer resistance, but aware of the potential power that blacks possess through providing 80 percent of South Africa's labour

It will be broadcast nationwide next Friday evening

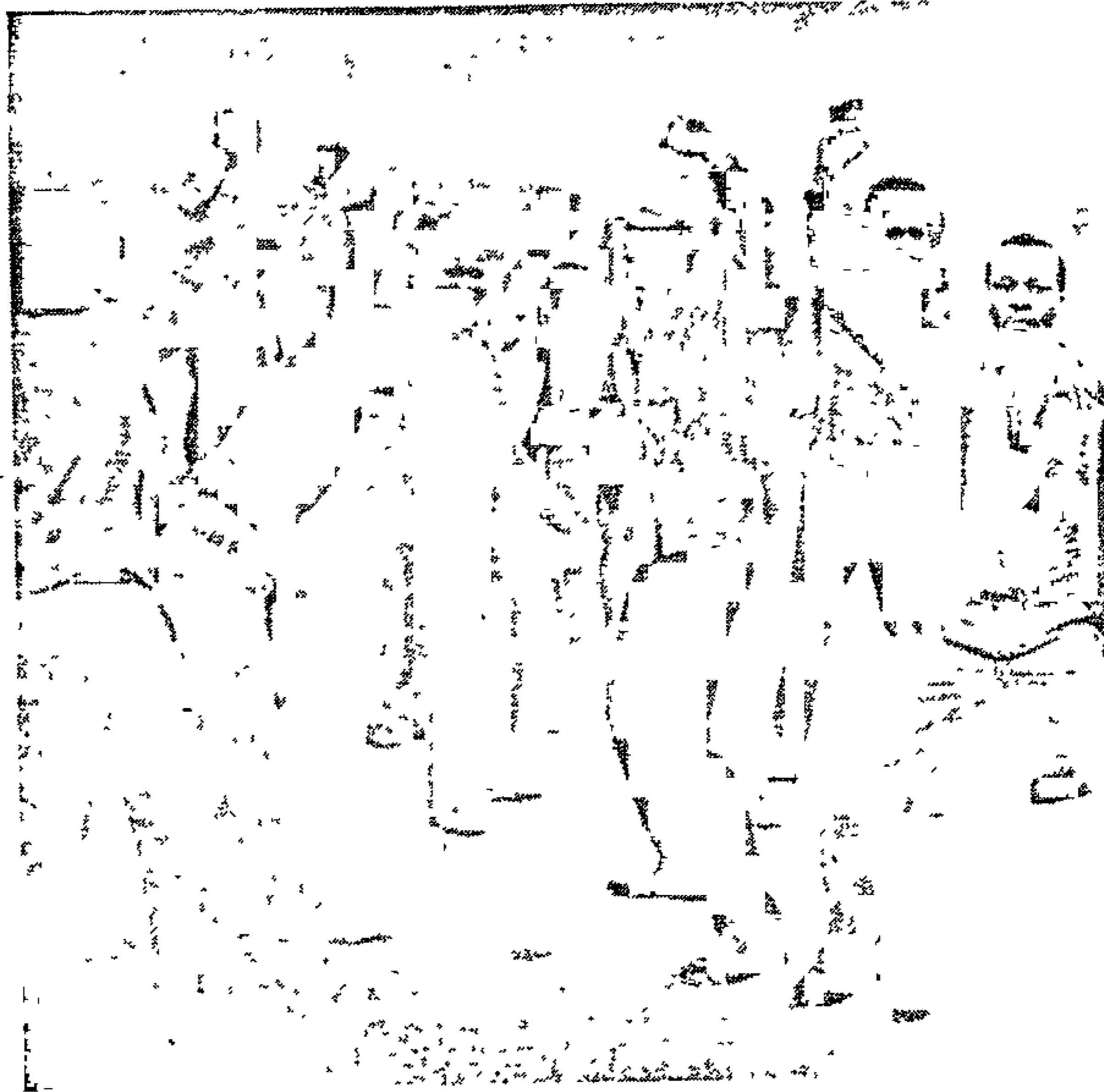
Already, however, the documentary has been given wide publicity, mostly through a claim by its producers that about 4 000 m of film was deliberately sabotaged, the film fogged and some of the sound tape ruined

CREDENCE

The film had been flown from Port Elizabeth to Durban and from there to New York. Outside tests, claim ABC, found it was subjected to a case of deliberate and methodical sabotage

A Press preview shown this week indicated that if the claim of sabotage was true, it was a futile effort

A US television crew recently visited South Africa, and returned home with a hard-hitting documentary on SA labour unions, claiming the film had been sabotaged. Next week about 10 million viewers are expected to see the programme, which could mean a setback to investment in South Africa.



US viewers received a bleak picture of South Africa's determined black trade unionists ... harassed by the police and often facing employer resistance, but aware of the potential power that they possess.

curity Police", the film takes on an orange tinge, with the background voice explaining it has been sabotaged

Even had the film been made by the fiercest anti-apartheid activists, they would not have been able to devise a more effective moment

stakes in what is happening there. It holds minerals strategic to our industries and to our defence needs. American companies

have invested there widely

"But more, the rising struggle in South Africa is finally about our own oldest demo-

cratic beliefs — human rights, human dignity

"We have seen, in other places, the consequences of violent upheaval. In South Africa it could drag in all of Africa. But one way or another, deep change there is certain — it will come"

IMPACT

One sequence which seems certain to make an impact here is an interview with white mine union leader Mr Arrie Paulus. Mr Paulus says "If you work with blacks, not only underground but anywhere, you can see that the white is far above the black"

Asked how he views the black worker in the South African economy, Mr Paulus says "Well, as I said, we feel that in white South Africa we must make a differentiation, that they can only do the work we, as whites, want them to do. That's how I see it"

And asked how far white mineworkers would carry the battle against the black labour movement in the mines, Mr Paulus says "No comment"

At one point the commentator says, "The rise of the black trade union movement could ultimately transform the face of South Africa itself"

a. Jonathan Myers, 'Asbestos and Asbestos-Related D... June 1980.
9. Dudley Horner & Alde Kooy, 'Conflict on South Af... June 1980.

The Star Bureau

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A Press preview shown this week indicated that if the claim of sabotage was true, it was a futile effort because the damaged sequences actually add a touch of drama to the documentary, lending credibility to its portrayal of a ruthless white power structure willing to take repressive steps to retain control

One of the damaged sequences depicts a meeting of the Motor Assemblers and Component Workers Union (Macwusa) in Port Elizabeth.

As the commentator's voice describes the union's strong black support and its openly political struggle, which has "met with harsh reprisals from South Africa's Se-

Africa, and returned home with a hard-hitting documentary on SA labour unions, claiming the film had been sabotaged. Next week about 10 million viewers are expected to see the programme, which could mean a setback to investment in South Africa.



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curity Police", the film takes on an orange tinge, with the background voice explaining it has been sabotaged

Even had the film been made by the fiercest anti-apartheid activists, they would not have been able to devise a more effective moment.

The documentary claims that hundreds of unionists have been arrested and some tortured. It discusses at length the death of Dr Neil Aggett and shows scenes of his funeral

"But police repression has not stopped the black union movement in South Africa," it says "In four years, membership has soared to over 300 000 workers"

The commentator, Mr Marshall Frady, who was with ABC's production team in South Africa, tells US viewers: "However distant South Africa seems, we have serious

stakes in what is happening there. It holds minerals strategic to our industries and to our defence needs. American companies

have invested there widely

"But more, the rising struggle in South Africa is finally about our own oldest demo-

dignity

"We have seen, in other places, the consequences of violent upheaval. In South Africa it could drag in all of Africa. But one way or another, deep change there is certain — it will come"

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9. Dudley Homer & Alde Kooy, 'Conflict on South AF June 1980.

8. Jonathan Myers, 'Asbestos and Asbestos-Related D June 1980.

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Unions in bid for unity

S. Tabane
3/4/83

By BARNEY MTHOMBOTHI

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THE country's major independent unions meet in Cape Town next weekend to form what could emerge as the largest federation of workers.

The meeting, being hosted by the Cape-based General Workers' Union, is the fourth to be held in the search for an alliance that would immeasurably increase the muscle of the labour movement.

The formation of a federation has its roots in the death in detention of Dr Neil Aggett in February last year. More than 100 000 workers from different unions, who were up to then bitter rivals, participated in an hour-long work stoppage in protest against Dr Aggett's death. Only Tucsa unions dissociated themselves from the stoppage and the massive solidarity shown by workers convinced trade unions it was possible to form one umbrella organisation.

A General Workers' Union spokesman this week was hopeful the majority of the unions would turn up, although the number was not yet known.

"All we can say at this stage is that we have called the meeting with the view to formalising unity within the trade union movement and we expect a large number of unions to attend," she said.

If successful, the coming together of the labour movement under one umbrella body holds major political implications for the country as the unions form the largest extra-parliamentary opposition to Government policies.

But thus far major ideological and tactical differences have stood in the

way of this goal. Some unions are fiercely opposed to using State-created bargaining machinery like registration and industrial councils and have refused to conduct normal relations with registered unions.

At a meeting held at the Wilgespruit Fellowship Centre in Johannesburg last year, the Port Elizabeth-based Motor Assemblers and Component Workers' Union (Macwusa) and its sister union Gwusa (General Workers' Union of SA), walked out of the meeting because they said they would not sit with unions participating in industrial councils.

Macwusa's general secretary Dennis Neer said this week that at the first meeting, held at KwaLanga in Cape Town, all unions rejected industrial councils and registration and that those that were registered should take steps to deregister.

At another unity meeting, chaired by Jan Theron of the Food and Canning Workers' Union in Port Elizabeth in July last year, Macwusa and Gwusa again rebelled, and this time they were joined by Saawu, the Black Municipal Workers' Union, and the Orange Vaal General Workers' Union.

Mr Neer said this week however, despite these ideological differences, Macwusa would send a delegation to the Cape Town meeting.

"We've always had these differences but we feel it's best to keep talking. It's the only way we can resolve them."

Novel idea at varsity

Finance Editor

A NOVEL innovation in this year's post graduate diploma course in industrial relations at the University of Natal is the introduction of fortnightly lectures in which employers and union officials will have the opportunity to put their case to students

The first such "confrontation" takes place on Tuesday evening when the topic for discussion will be *The Sufficiency or Otherwise of Existing Standard Provisions in Collective Agreements*

Explained organiser Theo Poolman: "This is the first time in Natal that this type of lecture has been organised where students will be able to get the day to day feeling of both parties in the industrial relations arena.

"And with the IR situation in this country at the volatile stage it is at the moment, this kind of opportunity is vital for students who need as much experience they can get from where it is all happening

"I have had tremendous co-operation from both employers and union officials in putting this series of lectures together and I am hoping that with the industrial visits that have been organised students will be subjected to the broadest possible spectrum in this field"

Other topics to be covered in the lectures include Management and labour rights; policy and strategies in collective bargaining, the formation and content of a disciplinary code, and the role, powers and privileges of shop stewards

Anyone interested in attending any of the lectures should contact Poolman in the Department of Business Administration at the university

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S. Tribune 10/11/83

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Wiehahn: companies should adopt labour law approach

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14/4/83 DD.

EAST LONDON — Industries faced with labour unrest and trade union demands were yesterday urged to adopt the same approach to conflict as was set out in the country's labour law

Professor Nic Wiehahn, who is professor of business leadership at the University of South Africa (Unisa), said the model of conflict management used

to formulate the labour laws could be applied on a small scale in individual companies

"All the mechanisms we have on a macro system can be built into a micro system — and it works," he told a seminar on industrial relations and conflict management organised by the Manpower and Management Foundation (MMF) here

But, he said, industrial relations in the future would become more and more specialised, and the Eastern Cape would develop its own industrial relations character

Employers and trade unions here would find their own solutions and would become less dependent on formulae for solutions used in other areas

He also urged manage-

ments to get to know their employees better and to establish better lines of communication

Under the new labour reforms, the state, which had previously played a policing role in labour relations, now played a different role in a tripartite relationship between it, managements and workers

He said the state was now more of an architect in designing and monitoring labour relations, and that the primary responsibility had been shifted to employer organisations and trade unions

The Industrial Council was a statutory system created by the State to be a forum in which negotiation between employer organisations and trade unions could take place

However, many companies had no such systematic way to resolve disputes between their own individual managements and workers

Professor Wiehahn suggested that companies plan to have a workers' council, or whatever name was chosen, organised on the same lines as the Industrial Council which would have equal representation from management and workers and which could act as a forum for conflict conciliation

He said the council should have a constitution setting out its own legal personality and methods of negotiation, communication, settlement of disputes, disciplinary procedures, grievance procedures, unfair labour practices and other aspects

"You will be establishing a system on the enterprise level that follows the same pattern as the system on the national and regional levels

"Trade unions should not be afraid of this micro-system. They should see it as a feeding ground for the macro-system and should use it"

He said the first "golden rule" of good industrial relations was for employers to know their employees

"How many of you

have a map in your office showing the factory in relation to where your employees live?"

"When the railways announce a cut or timetable change in suburban trains, and some of your workers arrive late for work what happens?"

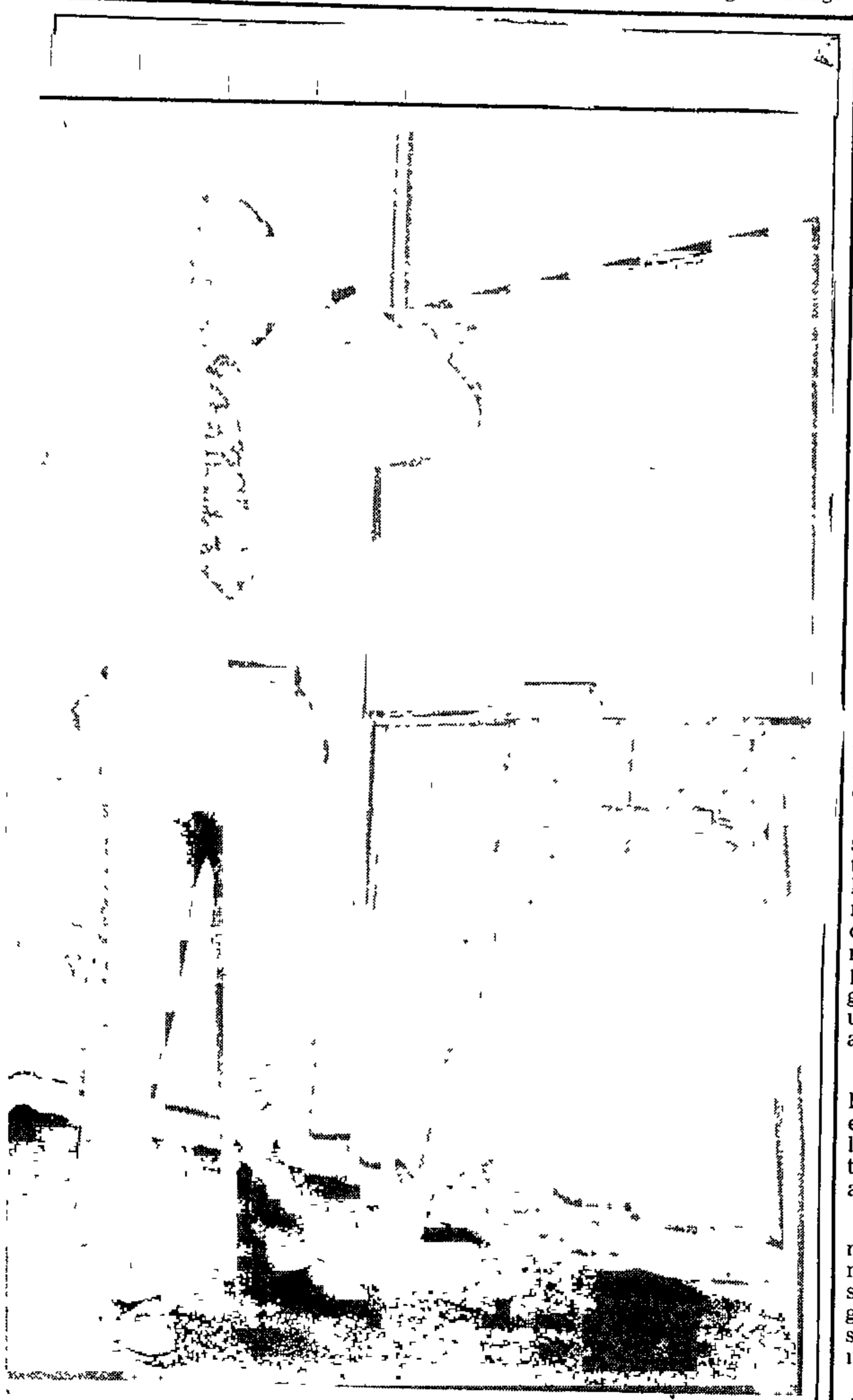
On communication between managements and workers, Professor Wiehahn said good communication was the "lubricant of good industrial relations

"If you put message ABC into a communication system, you must be sure you get message ABC out at the other end. You must test your communication system regularly"

He said breakdowns in communication often resulted because someone in the chain did not get the message properly, or did not understand it, believe it, or communicate it properly to the next person

"The communication system must be suited to the development level of your workers"

He said the labour disputes over the pension fund issue was an example of how a breakdown in communication could lead to strike action by workers — DDR



PROF WIEHAHN

(132) nmm 23/4/63

Industrial relations on the way forward

Mining Editor

THE industrial relations system of South Africa in general and of the mining industry in particular has improved considerably in the past four years, according to Professor Nic Wiehahn, of Unisa's School of Business Leadership.

"It compares favourably against most of the international standards," he told the Southern African metals and minerals conference in Johannesburg yesterday

The issue of statutory job reservation on the basis of race in the mining industry remained the most important area in which South Africa still lagged behind those standards, he said

"In certain areas of industrial relations, such as conflict management, and the protection and training of workers, the mining industry of South Africa exceeds the international level and also the standards of many other mining countries"

South Africa must try to maintain standards which were internationally acceptable. It was becoming more and more exposed through its involvement with the inter-

national world of finance, commerce and industry

More than 30 of South Africa's trade unions were affiliated to 12 international federations

"This type of affiliation forms an important interface between those unions and the international labour world

"A large number of multinational companies operate in South Africa and employ hundreds of thousands of our people. Labour practices of these companies are exposed to the standards of various international declarations and codes of conduct," he said

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Companies 'depression'

packaging market once held by tin plate, has undermined the use of zinc in die-casting and continues to be a strong competitor to copper for certain electrical applications

Plastics

"Meanwhile plastics have made significant inroads directly and indirectly into most of the base metal end uses

"It has displaced lead in cable sheathing pipes and corrosive chemical containers, it remains a major threat to copper in pipe and domestic construction materials it has taken a large share of the packaging market at a cost to tin and finally plastic has been a direct substitute of zinc in die casts though indirectly as a replacement for brass"

"Looking to the future, copper faces a potential major threat from optic fibres in the telecommunications end-use market

"It is too early to assess with accuracy, the extent of this threat but it is real enough It has been variously estimated at displacing 100 000 tons to 1m tons per annum of mine copper production by 1990

"It is my personal opinion that real metal prices will remain by post-war comparison, for most of this decade"

st in rring

caused by this loss was severe"

Mr Graubart also alleged that De Beers threw huge quantities of industrial diamonds onto the market in order to punish Zaire for not having renewed the the marketing agreement

Exceptions

Summing up, Mr Tarring commented, "when Zaire broke away, a big fish was seen to escape the CSO's net. To an extent that fish has now been recaptured but there remain some more significant exceptions to the rule than before

"That, as Jacques Graubart has highlighted, undermines stability in the market and is to be regretted"



Mr Martin Rippen has been appointed manager, property administration, at the head office of The Southern Life Association

Samstel profits up

JOHANNESBURG — Sam Steele Holdings (Samstel) increased attributable profit by 11 percent to R1 817 000 (R1 635 000) in the first six months of this financial year The interim dividend has been raised to 4,5c per share (4,25c)

Profit before taxation was R3 400 000 (R3 110 000) and after tax profit amounted to R1 827 000 (R1 645 000)

Earnings per share rose from 15,0c to 16,52c

The directors comment that the continued profit growth of the group is most pleasing, considering the extremely difficult conditions and high interest rates

The chairman of Samstel, Mr Hugh McNeil, says that barring any unforeseen circumstances, he feels that an increase in the previous year's record profit can be expected for the full financial year ending August 31, 1983

Three new stores are scheduled to be added to the retail network in the second half of the year — Sapa

For the Connoisseur's Cabinet

BELL'S Old Scotch Whisky

Industrial relations improved — Wiehahn

Own Correspondent

JOHANNESBURG — The industrial relations system of South Africa in general, and of the mining industry in particular, has improved considerably in the last four years, according to Professor Nic Wiehahn, of Unisa's School of Business Leadership

"It compares favourably against most of the international standards," he told the Southern African Metals and Minerals Conference in Johannesburg yesterday

The issue of statutory job reservation on the basis of race in the mining industry remains the most important area in which South Africa still conspicuously lags behind those standards, he said

Conflict management

"In certain areas of industrial relations such as conflict management, and the protection and training of workers, the mining industry of South Africa exceeds the international level and also the standards of many other mining countries"

South Africa must try its best to maintain those standards which are internationally acceptable for a number of reasons including the fact that the country is becoming more and more exposed through its in-

volvement with the international world of finance commerce and industry

More than 30 of South Africa's trade unions are already affiliated to twelve international trade union federations

"This type of affiliation forms an important interface between those unions and the international la-

bour world

"A large number of multinational companies operate in South Africa and employ virtually hundreds of thousands of our people Labour practices of these companies are exposed to the standards of various international declarations and codes of conduct," he said

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Joint announcement

Kohler Kohler Limited ("Kohler")

DRG DRG (S.A.) Limited ("DRG SA")

Scheme of arrangement to constitute DRG SA a wholly-owned subsidiary of Kohler ("the scheme")

Approval of the scheme

At the meetings of shareholders of DRG SA held on April 12, 1983, the scheme was agreed to and the special and ordinary resolutions necessary to give effect to the scheme were duly passed by the requisite majorities of the shareholders of DRG SA

The scheme was sanctioned by the Supreme Court of South Africa (Cape of Good Hope Provincial Division) on April 15, 1983 The Order of Court and the special resolutions referred to above were registered by the Registrar of Companies on April 22, 1983 and the scheme accordingly became operative on that date

Stock exchange listing

The listing of DRG SA shares on The Johannesburg Stock Exchange terminated at the close of business on Friday, April 22, 1983 The listing of the new ordinary shares in Kohler, to be issued

CAPE TIMES 27/4/83
(132) (11/132)

Unions 'avenue of reform' in SA

Labour Reporter

POLITICS and trade unionism could not be completely separated Mr Bobby Godsell, an industrial relations consultant for Anglo American said at Stellenbosch University last night

He said unions could become an avenue of reform in a divided society such as South Africa

Mr Godsell was speaking at a Stellenbosch Aktuele Aangeleentheidskring seminar on trade unions and change in South Africa He said the fear that black unions would become political was mainly responsible for their being excluded from bargaining processes

"Black workers do have power," he said "They

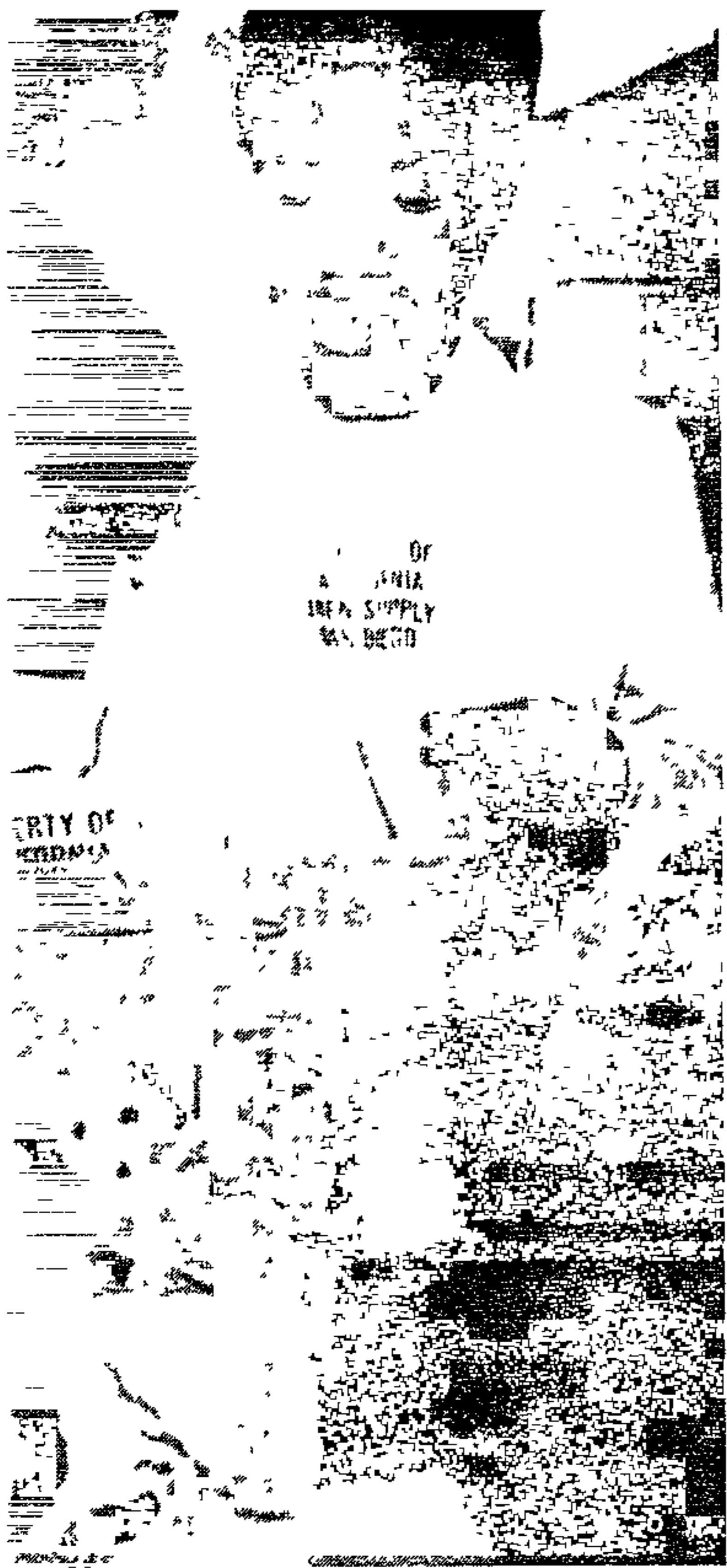
can by actions passive and active disrupt and obstruct the normal and necessary functioning of society"

Mr Godsell said the collective bargaining process — "the habit and practice of compromise" — could be a source of growing racial unity

Mr Jaap Cilliers, former director-general of Manpower, said the new labour dispensation, which had become an "island of non-discrimination in a sea of discrimination", had created expectations of change

"It is unfortunate that the experience of these workers is that between 8 am and 5 pm they live in 1983, but when they leave their places of work they find themselves back in times long past"

copy



Workplace 'a model for society at large'

AR6-68
27/4/83
132

Labour Reporter
THE new patterns of interaction, compromise and partnership in the workplace that were emerging in South Africa could provide a model for co-operation in society at large, according to a top industrial relations consultant

Mr Bobby Godsell Anglo-American industrial relations consultant and chairman of the Federated Chamber of Industries' labour affairs committee, was speaking at a conference on Trade Un-

ions and Change organised by the Stellenbosch Aktuele Aangeleenthedskring (SAAK) at Stellenbosch University last night

Unions were public organisations and had been and should be concerned with public affairs. He was optimistic that unions would be avenues of reform rather than "agents of the apocalypse"

"Good sense"

"In part, I draw my hope for the future from the fundamental good sense and wisdom that is displayed daily at the

working places of this nation"

Speaking earlier, Mr Jaap Cilliers, former Director-General of Manpower, said the State recognised the principle of freedom of association as a basis of trade union membership

The State's perspective was that sound labour relations could best be achieved by all parties "making full use of all the possibilities provided by the new legislative and institutional framework"

"Whether we like it or not, the more we integrate into society the trade union movement and accept it as a legitimate partner for economic development, the lesser the chances are of labour unrest"

Wepcos slams City Engineer's sports plan

AR6-68 27/4/83
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Staff Reporter
THE Western Province Council of Sport has condemned a recommendation by the City Engineer, Mr Jan Brand, as "dictatorial"

He has recommended to the Executive Committee that the City Council refuse to lease sports facilities to organisations affiliated to the South African Council on Sport

Wepcos president Mr Yusuf Ebrahim said today "Wepcos totally condemns the dictatorial stand of this municipal employee and his open and unashamed attempts to support the Government's multinational sports policy"

Wepcos is the largest national affiliate of Sacos

VICTIMISATION

Mr Ebrahim said "The recommendation by Mr Brand is blatant racial

resented and protected the interests of the white electorate

The City Council could not consider Mr Brand's recommendation yesterday because he is out of town

The Cape Areas Housing Action Committee, which represents more than 30 civic associations in the Western Cape, said the "arrogance of the council was well demonstrated by Mr Brand's statement"

A statement released by the committee read "What the City Engineer is saying once again is that the people are incapable of deciding and that the council must decide"

"If the City Engineer knew the aspirations of the inhabitants of this city he would know that the overwhelming majority have freely chosen to participate in non-racial sport

First

Mr Jeff Lever, a lecturer in the Sociology Department at UCT, said the independent, emerging unions were "setting the pace" for other, more established unions

The strength of the independent unions lay in the fact that they were the first to "wholeheartedly commit themselves to the organisation of the mass of African workers"

Mr Chris du Toit, chairman of the South African Co-ordinating Committee on Labour Affairs (SACCOLA), which represents 10 employers' federations, said a participative society in the workplace would build the basis for a participative society in the social and political arenas

Record number of plans passed

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LIGHT COLOUR TROUSERS IN TOP BRANDED MAKES
SIZES
71 cm to 122 cm

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Economics have central political role

CAPE TIMES 28/4/83

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THE claims by a University of Natal economist Mr Charles Meth, that the government's productivity figures are all wrong could create quite a stir between employers and trade unions already squaring up for the toughest round of wage bargaining in years

Both the government and employer groups have made calls for a wage freeze based on the continuing recession. But with inflation still soaring, it is not going to be easy to convince workers to accept an effective drop in income

In the metal and mining industries, in particular, a clash of demands has already become apparent.

The argument commonly put forward to justify a wage freeze is that real wages rose during the past few years without a corresponding increase in productivity. During lean times it is thus to be expected that workers pull in their belts a little.

Mr Meth's claims represent a fundamental challenge to this view. He found that the South African economy grew at a much higher rate during the 70s than official figures show and that most productivity figures based on the national accounting statistics are wrong. In his analysis, workers earned their wage increases and a good deal besides.

Seen together with the research findings of UCT economist, Mr Charles Simkins, that unemployment grew steadily from 11 percent to 21 percent during the 70s they paint a very different picture of what has been happening to the South African economy to the conventional version.

Of course, there is by no means unanimity over the findings, and Mr Meth's work has already come under fire from economists of differing persuasions. But the prospect of employers and trade unionists meeting across the bargaining table, each with their own figures backing up different claims on productivity, wages, inflation and so on, proves that economic statistics are not neces-

Labour Affairs reporter PHILLIP VAN NIEKERK says wage bargaining will be tough by people for whom unemployment and poverty are burning issues

sarily hard and fast facts, and can be distorted to lend weight to opposing claims

Problems

Yet spokesmen from the government and the private sector have continually spoken out against the country's low record of productivity and claimed that wage increases for workers have not been fully "earned". Their self-confidence has belied the fact that measuring productivity is a process fraught with problems.

It is not necessary here to go into the complex economic issues involved, or the pros and cons of Mr Meth's methodology. It is important, though, to note that as the mainly black trade unions grow in strength, basic economic issues, and their political implications, are likely to move increasingly to the fore.

In most Western countries elections are fought primarily over economic issues such as inflation, unemployment and social welfare. In South Africa, because the electorate is drawn from the most economically privileged section of society and because of the overriding predominance of the race issue, economic policies tend to take a back seat.

Further the cause

And the public debate over economics has by and large been restricted to the "free marketeers", who represent one side of the spectrum.

Mr Meth's work was done in co-operation with the Federation of South African Trade Unions (Fosatu) and his conclusions can be said to further the cause of organized labour. But this makes him no more suspect than the large number of economists who are attached to banks or other big business corporations and who are constantly quoted in the business columns of the press.

The growth of black trade unions, whose constituency includes

those people for whom unemployment and poverty are burning issues, will not only broaden the debate, but deepen its political implications as well.

Mr Bobby Godsell, Anglo American's industrial relations consultant, pointed out in Stellenbosch on Tuesday night that black workers do already have a "vote" in one key area

of their lives. On the shop floor they participate in "politics" through the collective bargaining process, which is the "habit and practice of compromise". And they have the power to go on strike and disrupt the normal functioning of society if they are dissatisfied.

Mr Godsell said that "perhaps the patterns of

interaction, compromise and partnership which are developing on the shop floor can provide a model for co-operation in society at large". They could provide a different kind of model as well.

Far from being merely "shop floor" issues, the matters which will be brought to the negotiating tables this year are of central political importance affecting the lives of the majority of people in this country. They would be recognized as such in any democratic society.

Work place is 'platform for political aims'

132 E. Post
29/4/83

JOHANNESBURG — The gap between the political aspirations of blacks and their aspirations at work was growing, and political desires were being channelled into the work place, an Afrikaans academic said last night.

"The black worker reasons that he has no power to make decisions in his community, but he is able to do so at his place of work and he is prepared to strike for that ability," Professor Wolhuter Backer, of the Rand Afrikaans University, said

Delivering the inaugural address of the RAU's Department of Manpower Strategy, he said employers should attain a better understanding of the aspirations of African, coloured and Asian workers

"Frustration over the satisfaction of their aspirations — matters which employers can often do nothing about — can cause strikes"

But he said trade unions were not necessarily dangerous or harmful to labour

harmony

"We will have to change our attitudes to trade unions" People would have to stop associating negative concepts with words that did not necessarily imply such concepts

"We do not like the word 'organise' because it smacks of manipulation, and we link the phrase 'labour relations' with the phrase 'trade union', 'trade union' with the word 'strike', and 'strikes' with 'collapse' or 'disorder' — one long negative association"

Because British trade unions had a disruptive influence and South Africa was linked to the English culture, people in this country believed that trade unions were "a bad thing"

"However, Japan and Germany have showed that trade unions are indispensable to labour harmony," Prof Backer added

"Employers must remember that trade unions are no guarantee of labour harmony They also do not solve all personnel problems" — Sapa

STRIKES FM 29/4/83 132
Inherent rights

South African employers often face justifiable criticism of their industrial relations policies. However, a publication issued by the Midland Chamber of Industries reveals just how sophisticated the thinking of some employer organisations has become on IR issues.

Strikes — causes, processes and outcomes, is the title of the booklet which provides a thoughtful and enlightened approach towards this difficult subject. It is worth noting that this publication has been issued by an employer body based in the eastern Cape, where managements face extremely complex IR challenges.

"Free collective bargaining has its roots in values and doctrines that are important to a democratic political system as well as the economic system of free enterprise," says the booklet. "One of the fundamental principles of democracy is that of freedom. Since the freedom to contract also requires the freedom to reject a contract offer, the right to negotiate and the right to strike are closely related."

It acknowledges the inherent conflict of interest that separates workers and employers and says the negotiation process is the arena where the conflicting interests and goals of the parties are confronted

directly. It argues that the existence of the right to strike, or the right to pursue claims through some strike alternative, is important. This serves as an expression that employees and employers have a legitimate right to pursue their goals in collective bargaining and to openly express their conflicts of interest.

"Thus, if we value collective bargaining and a free expression of conflict, then strikes should be seen as natural, necessary and accepted components of a collective bargaining system. This means that strikes cannot be viewed as a breakdown, pathological symptom or a malfunction of the system."

The booklet does point out, however, that one must be careful not to view free collective bargaining or the strike as absolute unconditional rights. The exercise of these rights can, of course, conflict with the interests of the larger society.

The booklet makes the point that strikes are highly complex events, and it offers a model of strike causation, processes and outcomes to help people to distinguish between different stages of a strike. It also emphasises that a distinction must be made between an issue which provokes a strike — the immediate cause — and the basic, or underlying cause.

The chamber expects the booklet will be of particular interest to small companies which do not have an IR department.

FM 29/4/83
THE CLOSED SHOP

Emerging challenge

The closed shop has in the past been an academic issue, rather than a practical problem, for many SA employers. There are signs, however, that an increasing number may soon have to contend with conflict arising from this practice, which compels an employee to belong to a union.

Trouble, the FM learns, may be brewing in a number of industries where disputes over the closed shop are likely to result from growing inter-union rivalry. It may be premature to predict that this practice will be one of the burning labour issues in 1983. But it seems likely that employers in some industries where established unions have negotiated closed shop agreements in the past will face renewed pressures from emerging unions for these agreements to be modified or scrapped.

Industries where the closed shop appears to be becoming an increasingly controversial issue include the textile industry, large sections of the motor industry, the packing, printing and publishing industries.

It is not surprising that the closed shop is a thorny issue. Some managements view it as a restriction on freedom of association, while emerging unions have argued that established unions have used it to gain a large, and possibly unwilling black membership, with a minimum of effort. Many established unions claim the practice promotes labour peace and stronger union adherence to agreements.

In recent years government has adopted an erratic approach. After agreeing with the minority opinion of the Wiehahn Commission that the practice should be suspended, it decided that existing agreements could continue but that no new ones should be allowed. It later reversed this decision, but imposed a post-entry clause, which would allow newly-recruited workers 90 days in which to join a union. This, it was felt, would prevent unions from using the closed shop to keep blacks out of skilled jobs.

The closed shop is also being investigated by the National Manpower Commission (NMC). NMC chairman Hennie Reynders has said that although there are strong philosophical and practical objections to the practice, on balance its retention will probably have more advantages than disadvantages.

The NMC's approach is that the closed shop should continue to exist, but that certain additional safeguards are needed. The commission is, for example, investigating

whether there should be a secret ballot among workers to establish whether they want a closed shop, if a significant proportion of workers ask for such a poll. It is also considering whether closed shop agreements concluded outside the ambit of the Labour Relations Act should also be subject to safeguards contained in the Act.

Meanwhile, some emerging unions are quietly rethinking their attitude towards the closed shop. Only a few years ago, many were strongly opposed to it, but some are beginning to realise that it does have advantages. However, they are critical of the practice in its present form and are proposing that closed shops should not be applied at industry level, but at plant, or company level. They also favour ballots among workers at plant level to determine support for closed shop agreements.

Despite its fairly cautious approach to the issue, the NMC probe is causing concern among certain established unions. One of the most recent defences of the closed shop is contained in an angry editorial in the latest edition of the SA Typographical Union's magazine. "We notice with concern and alarm that the NMC has seen fit to once again start tampering with the principle of the closed shop," it says. "One might well ask respectfully whether the commission has nothing better to do than to interfere with the practice that has worked so well."

The Star/BUSINESS

It's a Strike!



By Sheryl Raime

The major emphasis in industrial relations has till now been on laws as well as bargaining and conciliation mechanisms for resolving strikes already in progress, according to Dr Erik Schmiki of Unisa's School of Business leadership (SBL)

Useful as this approach may be, the cost involved and the disruption of the economy as a result of strikes in the past five years has been substantial

Dr Schmiki and a team of researchers, with private enterprise backing, have developed a mechanism to help industrialists identify possible causes of strikes so they can act immediately to defuse worker-discontent

The SBL Industrial Barometer consists of 137 questions, 47 of them open-ended, and is divided into 13 sections which cover all aspects of the workers' environment

"White employers tend to project onto black workers what the white employer thinks his work force's needs and aspirations are. Employers are often guided by erroneous instinct in anticipating or interpreting

... and it drags on, despite laws and bargaining procedures, helpful as they may be. Now a new attempt is being made to identify causes of strikes in the hope that the disease and not only the symptoms can be dealt with.

worker dissatisfaction," said Dr Schmiki

The emphasis on open-ended questions in the questionnaire is designed to probe the motives behind worker-discontent and to suggest areas where action is needed

Two areas which received much attention in the questionnaire because of their proven importance to workers were, firstly, pay, increases and bonuses and, secondly, fringe benefits

Also high on the list of priorities were race relations and discrimination, supervisor-employee relations, company rules and the work-place

Transport workers, representative committees, unions, sickness benefits, training and work-force development were also probed

"The questionnaire was developed after experimenting with an American questionnaire in the South African industrial con-

text," said Mrs Par van der Reys who works for the CSIR's National Institute of Transport and Road Research and helped to develop the barometer

"We found that there were many words and terms which black workers misunderstood. Words like communication, red-tape, fringe-benefits, induction, training and feedback we found to be problematic

"Long, complicated questions and large choices of answers also presented problems

"Overseas, surveys can use an 11-point rating scale in the answers to a question. We found that in South Africa we should limit ourselves to about three choices to achieve the best results

"When writing the questionnaire for the industrial barometer we were able to eliminate most of the problems highlighted in the American survey," said Mrs Van der Reys

Dr Schmiki said "When the barometer is applied in a particular company, a scientifically selected sample of workers is used. Workers are drawn from all levels of employment and educational qualifications

"Questionnaires are completed during 40-minute interviews between a worker and an experienced external interviewer"

It was important that neutral interviewers be brought in from outside. A pool of black interviewers who speak the same language as workers interviewed is being built up

Survey results are computer-analysed, and a diagnostic report together with the general results are presented to the company concerned

And the cost of taking a reading of industrial development?

"It costs about R6 500 to survey a sample of 100 to 130 workers, and about R11 000 to R14 000 to survey between 200 and 300 people," said Dr Schmiki

"But, it's better to spend R6 500 on determining worker-dissatisfaction than to lose thousands or even millions of rands a day in a strike"

- 3 No part of an answer book is to be torn out
- 4 All answer books must be handed to the commissioner or to an invigilator before leaving the examination.

- 3 Names must be printed on each separate sheet (e.g. graph paper) where sheets additional to examination book(s) are used.

Any dishonesty will render the candidate liable to disqualification and to possible exclusion from the University

UNISA HAS TEST ~~TO~~ to measure 30/4/83 worker moods

By Sheryl Rame,
Pretoria Bureau

An industrial barometer capable of measuring black worker dissatisfaction and reducing the possibility of strikes has been developed and tested by Unisa's School of Business Leadership

The scientifically validated barometer is one of the first home-grown opinion testers of its kind in South Africa and could have a significant impact in the field of labour relations, says one of the developers, Dr Erik Schmikl

The advantage of the opinion tester is that it is possibly the only one of its

kind that can survey worker dissatisfaction across the full spectrum of employees, including illiterate, semi-literate or fully literate black and white workers

It costs R6 500 and R14 000 to apply, depending on the size of the workforce surveyed, and could save a company thousands of rands in preventing strikes, or increasing productivity

It can be applied repeatedly to measure improvements in the work environment

Till now, most opinion surveys used to take the temperature of the country's industrial workforce have been imported from Europe or the United States

The researchers who developed the barometer believed that a measuring technique which gave valid answers for literate whites might not produce valid answers for semi-literate or illiterate black workers

They then spent four years of intensive research and about R20 000 developing a valid barometer

While it does not claim to predict strikes, it does reveal worker attitudes and the source of worker discontent which could prompt them to act in certain ways

Research in the PWV area has proved that the barometer is sensitive enough to reflect the effects on workers of different company employment policies

The brainchild of Dr Schmikl and Mr Arthur MacWilliams-Smith, the barometer was developed with the assistance of Professor Martin Nasser and Mr Silas Tlhopane, also of the School of Business Leadership, and Mrs Pat van der Reis and her colleagues attached to the CSIR's National Institute for Transport and Road Research (NITRR)

Expertise gained in NITRR's surveys of black commuter dissatisfaction was put to good use in compiling a valid questionnaire for the industrial barometer

A seminar to launch the barometer will be held by Unisa at the CSIR on May 9 and 10

Full details of pilot projects will be discussed

● See Page 8.

Veld Schools 30 APR 1983 get a facelift after outcry

Education Reporter

The Transvaal's Veld School programme has undergone a complete facelift after pressure from politicians, teacher bodies, parents and pupils to change the contentious course content

The new syllabus will come into effect this term. According to Mr Eddy Brown, president of the Transvaal Teachers' Association, the decision to review the veld school programme came about largely as a result of TTA representations to the Transvaal Education Department

"We had serious misgivings about the content of the Veld School course, particularly the political nature of many of the lectures

"As a result of negotiations with the TED over the past year, a commit-

tee was set up to review the syllabus, and the results look very good — on paper," said Mr Brown

The syllabus is split into three subject topics: youth preparedness, outdoor education and low-risk adventure training

Where it differs from the previous format is in the shift of emphasis

Army personnel will no longer be used to lecture to the pupils, and more stress is to be placed on nature lore, geology, geography and astronomy.

The low-risk adventure training is designed to allow children to test their physical prowess — without having to do forced exercise

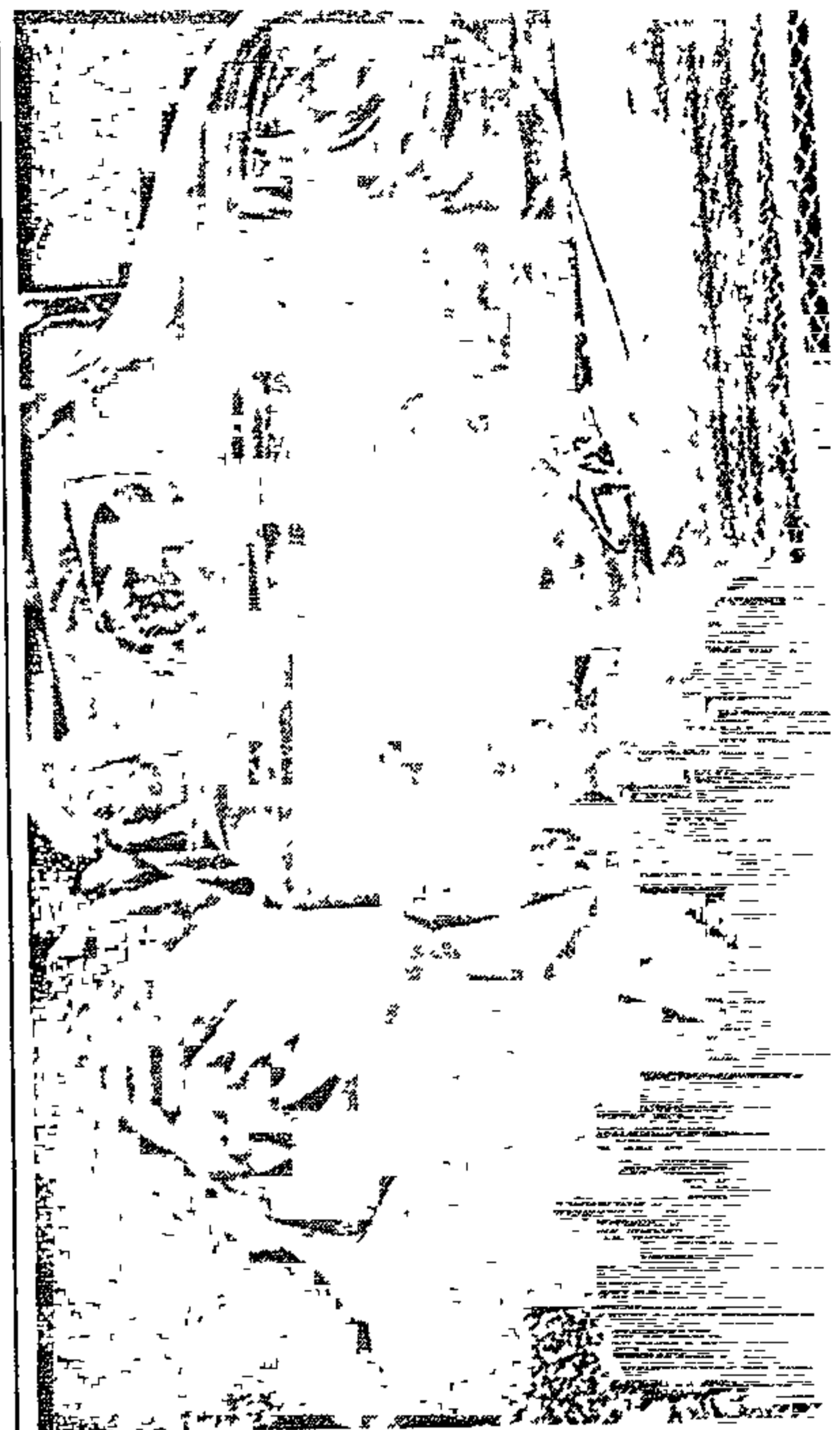
Previously there were numerous reports of exhaustion, minor injuries and broken limbs sustained by pupils who were forced to do strenuous obstacle courses

Tvl Congress to meet

The chairman of the Soweto Committee of Ten, Dr Nthato Motlana, and Advocate Zac Yacoob, an executive member of the Natal Indian Congress, will be the guest speakers at the inaugural meeting of the Transvaal Indian Congress tomorrow

More than 40 trade unions, community organisations and student bodies are expected to attend the meeting at Lenasia's Ramakrishna Hall at 2 30 pm

Dr Essop Jassat, chairman of the Transvaal Anti-SAIC Committee, which is organising the meeting, said a revised constitution of the TIC would be presented for consideration and adoption at the meeting



Polar bear keeper Delecia Morrison with Dooby

By Jean Waite

For polar bears Dooby and Zahava iron bars a cage do make, but not for too much longer with the launch of the Johannesburg Zoo Polar Bear Trust — a fund-raising drive to build a vital new Polar bear enclosure

The trust was launched at the zoo last night by the Mayor of Johannesburg, Mr Alan Gadd MPC, with the opening of an exhibition of paintings, drawings and sculptures by Johannesburg artist Roy Reynolds

Fund ZOO F

The artist has agreed to contribute a portion of the proceeds of the sale of the balance of the collection of animal paintings, as well as the total proceeds of the sale of the limited edition prints

Zoo curator Mr Labuschagne estimated

Poet found shot dead in Pretoria

Poet and former journalist Mr Pieter Claasens (62) was found shot dead through the head in Pretoria on Thursday

His body was discovered in his Sunnyside hotel room in Pretoria by a hotel employee. A firearm was found nearby.

Before becoming a writer, he had worked on the now defunct Johannesburg paper Die Transvaler for Oggendblad in Pretoria. His first volume of poetry, "Verse vir 'n Windswael", was nominated for the Louis Luyt literary award two years ago. A second volume is expected to be published soon. Mr Claasens held a Potchefstroom sociology honours degree

He leaves his mother
Police do not suspect a crime

30 APR 1983
STAR

'Everyone has the right to work'

132

~~Post~~ Post Reporter

E. Post 2/5/83

EVERYONE has the right to work and a right to be a member of a labour union of his choice, says the Roman Catholic Bishop of Port Elizabeth, the Rt Rev John Murphy.

This was stated in his May Day pastoral letter read at masses throughout his diocese yesterday

The letter which marked the feast day of St Joseph the Worker and International Labour Day said. "The worker has certain God-given rights, but he also has duties and obligations which must be observed so that justice and harmony may be experienced by employer and employee."

He warned against the danger that the individual worker

may be "manipulated to promote personal gain or an ideology that is contrary to God's destiny for him".

He said: "Domestic workers are also in our mind and they too have certain rights and obligations which are to be honoured in order to establish a healthy Christian atmosphere of concern and understanding"

He said it was disappointing to find Catholics holding the view that "all this matter of social justice should not be mentioned in church, that it belongs to political platforms and that priests who proclaim it and teachers who teach it are nothing more than political agitators".

He said their attitude was contrary to the mind and practice of the Church

Workers around World celebrate May Day

2 MAY 1983

SOWETAN

132

LABOUR Day services were held by thousands of workers throughout the world and in South Africa at the weekend, where calls were made for the unity of workers against exploitation by capitalist employers.

Leaders of trade unions, students and political organisations gathered at various centres around the country where they brought the country's labour and race laws under severe criticism.

In Lenasia and Soweto, Security Police kept a close watch at the services but no incidents of confrontation were reported and the services ended peacefully.

The Rev J T Seoka, of St Hilda's Anglican Church in Senaokane, where the May Day service was held, accused



Bishop Manas Buthelezi addresses over 5 000 people who attended the rally at the Jabulani Amphitheatre that followed the opening of their Evangelical Lutheran Church headquarters in Central Western Jabavu yesterday. See story page 1.

full rights to freedom of assembly, family life, proper housing and a just wage in secure and continuous employment.

In a May Day speech in Kenya, President Daniel arap Moi said the country's four percent annual birth rate, the world's highest, could place intolerable strain on the economy.

Mr Moi, said unemployment was partly caused by world economic recession, but also attributed rising joblessness to the birth rate, which is expected to double Kenya's 18 million population by the year 2 000.

"The alarming increase in the human population of our country has made it almost

impossible for the economy to absorb and cater for growing numbers of young people," he told a rally in Nairobi.

In the Vatican City Pope John Paul spoke out strongly in defence of worker's rights and called for "solidarity, fraternity and liberty" in a May Day message to 50 000 people in St Peter's Square.

"I wish to convey to all workers my sincere hope that their dignity, their fundamental rights, their unique contribution to the progress of society, will always be recognised, protected and respected everywhere," the Polish pontiff said.

Though cheered loudly by Polish pilgrims the Pope made no direct

reference to events in Poland, where thousands of people were dispersed by police yesterday in Warsaw for taking part in an informal rally called by the banned Solidarity trade union.

Just before he spoke, a light aircraft pulling a huge banner bearing the Solidarity logo swooped low over the square.

In Moscow hundreds of thousands of hand-picked Soviet citizens marched before the Kremlin in the traditional May Day parade which has become Moscow's biggest annual propaganda display for the world.

Communist Party chief Mr Yuri Andropov and other members of the Soviet leadership waved from Lenin's mausoleum as the marchers paraded by with coloured floats and released helium balloons in the spring sunshine.

Many of the floats in the parade had highly anti-American slogans or cartoons depicting a cowboy in stars and stripes outfit riding a nuclear missile as if it were a bucking horse, an obvious reference to President Reagan.

East Germany used this year's traditional May Day parades to

urge workers to increase labour productivity and maintain loyalty to the Communist Party.

Head of state Mr Erich Honecker and other leaders watched a procession lasting nearly two hours along East Berlin's Karl-Marx-allee.

They smiled and waved red carnations as banner-carrying workers, families and units of the Communist Free German Youth Movement marched past.

Slogans repeatedly stressed 1983 labour productivity targets and urged industrial and agricultural workers to produce more and cheaper goods.

An estimated 1,7 million people took part in May Day rallies and marches throughout Japan to mark the annual worker's festival.

Labour groups used the holiday to protest against the economic and defence policies of the prime minister, Mr Yasuhiro Nakasone, and his five-month old administration.

Motofumi Makreda, leader of the General Council of Trade Unions (Sohyo), denounced the government, saying its defence policies were leading Japan toward "military ex-

panation".

"We will use the power of the left against war, against nuclear weapons and against the Nakasone administration," he said in a speech, part of which was broadcast on national television.

And in Manila President Ferdinand Marcos of the Philippines ordered the transfer of two imprisoned labour leaders from military detention to house arrest in an apparent effort to defuse opposition to his regime.

Mr Marcos announced his decision in a May Day speech about three hours before followers of the two labour leaders were to converge at the 25 000-seat suburban Araneta Coliseum for an indoor rally.

President Marcos ordered the transfer for veteran union organisers Mr Felixberto Olalaha and Mr Bonifacio Tapaz a day after he ordered the release under house arrest of jailed newspaper reporter Mr Antonio Nieva.

All three men are accused with more than 20 other trade unionists of allegedly conspiring with communists to organise a rebellion that would include a general workers' strike.

SA must use its ⁽¹³²⁾ black gold — Kgosane

EAST LONDON — White South Africans had gone into the bowels of the earth for years to get yellow gold

Now that they had seen black gold above ground they should make use of it said Mr Henry Kgosane, an industrial relations consultant at the IPM seminar on industrial relations here

Mr Kgosane's address was on Industrial Rela-

tions through the Eyes of a Black Man

He said the Industrial Council was unacceptable to blacks and was treated with suspicion

For a better part of 60 years whites had belonged to it and blacks excluded and many blacks still wanted to know what was being done in that time

Although strikes were

part of the normal bargaining process between employers and employees all they would do was to force industries to move away from trouble areas, the managing director of Car Distributors Assembly, Mr Leo Borman said

He said South Africa had unique problems to face as a developing industrial country with its diverse population groups —DDR

Recession has taught industry a few things

EAST LONDON — The present recession had given South African industry time to think over things and when it was over a few things would have been learnt, the President of the Border Chamber of Industries, Mr David Saunders, said here

Mr Saunders was opening a seminar on industrial relations organised by the local branch of the Institute of Personnel Management (IPM)

He said when the economy stabilised again, labour would be determining the most effective ways to ensure that it gained maximum rewards without confrontation

With developments in the industrial relations field having changed over the years management was now having little excuse to speak of restricted legislation

Resolution of conflict as it arose in the work situation was the primary objective of labour relations, the head of the Industrial Relations Unit at the University of Port Elizabeth, Prof Roux van der Merwe

said

He said conflict in a free enterprise system should be seen as a normal part of the challenge among conflicting interests within that society and not something that must be avoided at all costs

Like a marriage contract it was possible that a labour relations arrangement could be made to work and if 90 per cent of the procedural problems could be solved, success could be claimed, he said

While he did not believe dismissals provided a solution in times of crisis, he realised no employer could sit out indefinitely with a strike

Although industry was learning to cope with the general problems of having trade unions among people with no political power base, it was unfortunate that the security section of government departments often acted to the detriment of what could be solved by the Department of Manpower in consultation with employers, Prof van der Merwe said — DDR

246 die in

Israeli troops

Industrial relations 'in a state of flux'

132 Merwe 0/5/83

Financial Editor
THE GOVERNMENT, trade unions and employers should be aware that the industrial relations scene in the country was 'indeed in a state of flux' the Director General of Manpower Dr P J van der Merwe said yesterday to

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a closed two-day Natal Chamber of Industries symposium

He said that unless everyone realised this, essential goals — such as improvement of the skills and productivity of workers, sound relations between employers and employees and the safety and security of all workers and improvements in their welfare — were unlikely to be reached

Dr Van der Merwe outlined several areas where there was public criticism of labour practices

It is possible that labour legislation aimed at defining an 'unfair labour practice' and defining the roles of trade unions, employers and industrial councils, can be expected

Decisions

He said public concern was increasingly being voiced about the conduct of the three parties in industrial relations. Some of the questions being raised were

● Whether decisions which are put forward truly represent the views of members,

● Whether there is sufficient membership participation,

● Whether leaders who claim to serve and represent the interest of their members do enough to ensure that their decisions are indeed supported by a

majority of their members.

● Whether the use of the strike or lock-out weapon, without having complied with the statutory requirements, can be justified

Dr Van der Merwe said that in foreshadowing a possible crack-down on breaches of the labour law, 'all parties would have to shoulder their full responsibilities and that they cannot be allowed to ignore statutory requirements'

He suggested the framework of a disputes procedure. Industrial councils had been criticised for not acting quickly enough

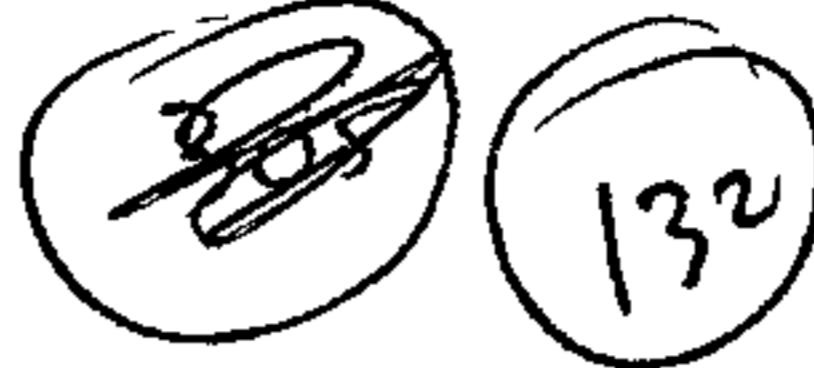
If this was justified there should be a agreed timetable for action, procedures and whether voluntary mediation or arbitration would be sought

For wage negotiations Dr van Merwe said negotiators needed to be experienced, fully briefed and able to bargain with authority and they must be properly mandated

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Forums on labour, poverty



EAST LONDON — A new series of monthly forums has been planned here to make businessmen and the general public more aware of labour and poverty problems in the Eastern Cape

The series, which has been organised by the local branch of the South African Institute of Race Relations, leads off with a lecture by Professor T R Davenport, professor of history at Rhodes University enti-

itled Law and Labour — the Experience of the Years

Mrs Roselle Frasca, the regional secretary of the Institute here, said she hoped the forums would open up avenues of discussion between the business world and labour groups and would result in better communication and understanding between them

"We want to expose definite issues clearly to make the public more aware of the difficulties people face in this area," she said

Mrs Frasca said she had made extensive visits to businessmen in the city and had received a well-meaning and positive reaction to the forum idea

Other people lined up to lead the forums include Mr F Ferreira, director of industrial relations at the Ford plant in Port Elizabeth, Mr C de Wet, an anthropologist at Rhodes University who will speak on migrant labour and Mrs Trudi Thomas

The forums will all take place in the museum hall at 7 45 pm one Wednesday every month and are open to all — DDR

FM 13/5/83

INDUSTRIAL RELATIONS

Teaching both sides

132
Is it possible to provide a comprehensive course in industrial relations that is relevant to both managers and trade unionists? The Wits Business School (WBS) took the brave step last year of offering such a course — the Certificate Programme in Industrial Relations — to both groups

A little more than half the participants in the nine-month part-time course were managers responsible for industrial relations — some of them tough-minded men from the mining industry. Sitting in the same lecture room with them were some equally tough-minded black union office bearers. By the end of the course in March this year, all were unanimous that the WBS should strive to encourage union and management participation in future courses

"The need for formal education and training in industrial relations in SA is no longer in question," said Frank Horwitz, the academic co-ordinator of the programme, at a ceremony this week at which certificates were awarded

"We believe that there are inherent conflicts of interests between management and labour. Our course, indeed, stresses this facet. However, there are also areas of common concern which need to be strengthened. Most of our first students will testify that aside from the considerable benefits gained from the content of the course, one of the most important benefits was the learning and insights gained from fellow students themselves"

Horwitz emphasised that basic to the philosophy behind the course is the view that management and unions are independent parties: "Hence the education programme is considered as complementary to the training which should be done by unions and management themselves. The concept of joint education should, therefore, in our view, reinforce the right of unions and management to offer training independently of both a university and of each other."

A significant feature of the course is the emphasis placed on helping students solve practical industrial relations problems. Serving on an advisory committee which played an active role in determining the composition of the programme were industrial relations practitioners such as Barlow Rand's Reinald Hofmeyr, Grinaker's Theo Heffer and Anglo's Bobby Godsell, as well as unionists such as Cusa's Phiroshaw Camay and Ike van der Watt of the SA Boilermakers' Society.

The WBS plans to offer the programme again this year.

Testing the bargaining level

The first phase of the black union battle for recognition in the Seventies and early Eighties took place at plant and enterprise level, as emerging unions fought to establish an enduring shopfloor power-base. Their success in achieving this is reflected by the more than 250 recognition agreements negotiated with companies during the past few years. Phase two seems likely to centre on their efforts to make industrial councils (ICs) more responsive to their needs, interests and priorities.

Almost since their inception, a lively debate has been waged within the emerging unions about whether they should join ICs — the officially sanctioned forums for collective bargaining at industry level. This debate about the respective merits of plant and industry-level bargaining has largely run its course and a growing number of these unions have decided to join ICs.

In the past ICs have tended to cater well for the needs of craft and racially-based unions, representing skilled workers. It is not surprising that the industrially-based emerging unions — representing less skilled workers — want to reform the councils. Employers and established unions — the traditional membership of ICs — now have to contend with new demands by emerging unions wishing to join.

These demands differ from one industry to another; ICs vary considerably in size, and in the attitude of their members to emerging unions. In addition, emerging unions have differing motives for wanting to join. Some are attracted to the advantages of industry-level bargaining, while others are being prodded towards councils by economic realities and pressures from employers. However, it seems likely that at least some of the following items will appear on negotiating agendas in the future.

□ A demand by emerging unions for speedy exit from a council should they decide that membership is no longer in their interests. Not surprisingly, this kind of de-

Emerging trade unions are showing increasing interest in joining industrial councils — a trend that presents important challenges not only to employers, but to the unions themselves.

mand is coming from unions such as the Metal and Allied Workers' Union (Mawu), an affiliate of the Federation of SA Trade Unions (Fosatu). Many Mawu members are suspicious of the metals industries' IC. Although they have decided to join the council, they want the option of getting out of it as soon as possible if this is felt to be in their interests.

□ A demand that industry-wide bargaining may supplement, though never replace, plant-level bargaining. Some employer spokesmen, such as Sam van Coller, director of the Steel and Engineering Industries Federation of SA (Seifsa), maintain that formal collective bargaining cannot be sustained at two levels. Bargaining at one of the levels will ultimately become irrelevant, they say. However, unions argue that industry-level pay rises are often determined by the increases that can be afforded by the least profitable companies. The ability of the profitable companies to pay more cannot be tested at IC level, they say. They contend that an acceptable formula can be devised to allow plant-level bargaining to complement industry-wide minima laid down in IC agreements.

□ A demand for the unions to have greater control over IC assets. Three emerging unions have, for example, argued that worker representatives should comprise more than half of the members of the board that administers the metals industries' group pension fund. Employers are, naturally, opposing this.

□ Established unions are concerned about some emerging unions' demand that unions'

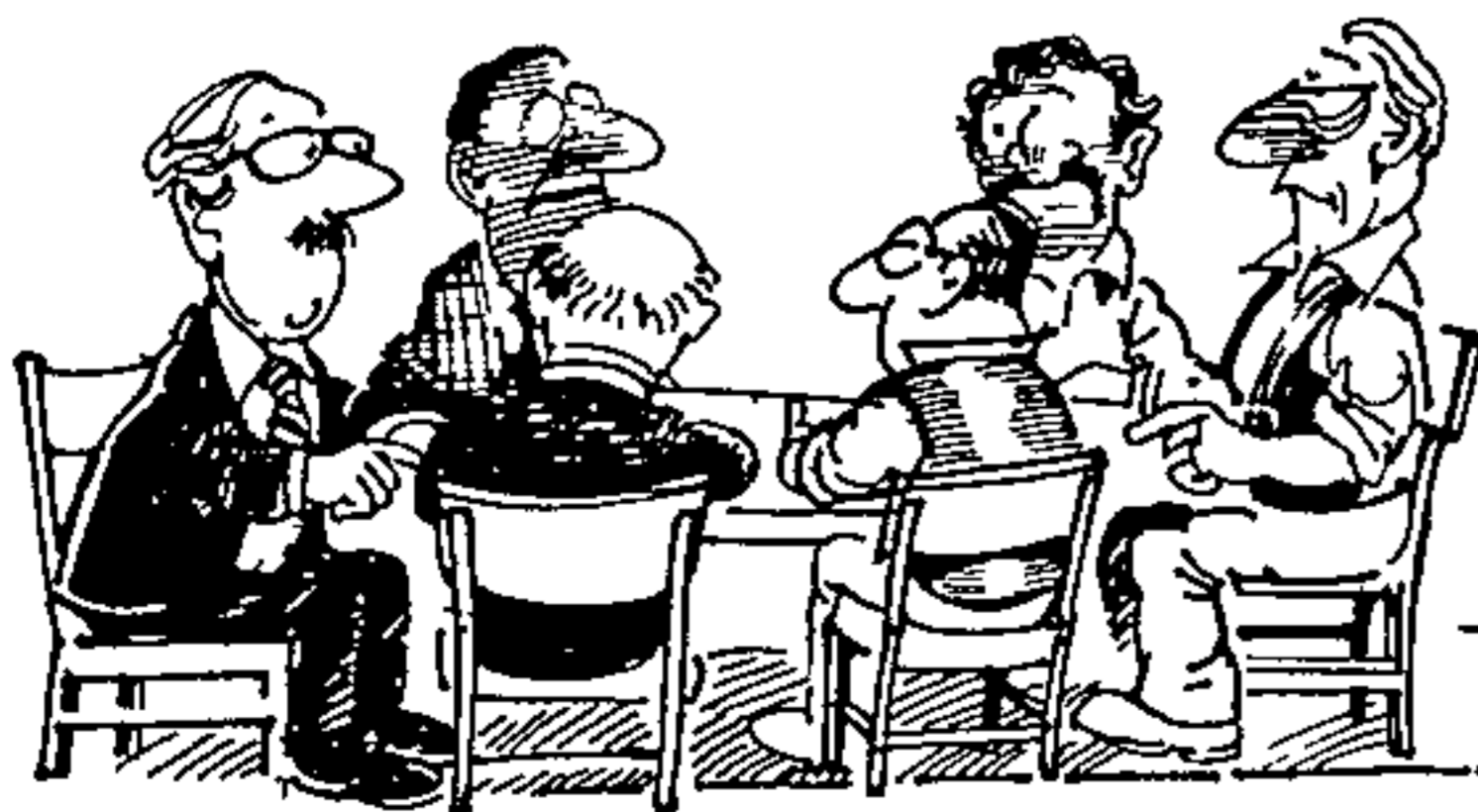
representation at IC negotiations should be in proportion to their membership. They have good reason to be alarmed. If proportional representation is introduced, it will result in emerging unions, which represent large numbers of black workers, being allocated more seats at IC meetings than some smaller, established unions. Such a demand has been made in the knitting industry by Fosatu's National Union of Textile Workers (NUTW).

□ Emerging unions have placed great emphasis on the development of their shop stewards as a crucial leadership corps. It is logical, therefore, that they should demand that shop stewards play a role in the IC system and should be involved in the negotiation and administration of agreements.

□ Much of the effort to make the councils more responsive to emerging unions' needs will be focused on making the councils less slow and cumbersome in dealing with matters such as grievances and dispute resolution. Phiroshaw Camay, general secretary of the Council of Unions of SA (Cusa), says Cusa affiliates have generally had a "negative experience with ICs so far." He describes some councils as "petty and bureaucratic", and

□ In some industries it seems likely that practices such as the closed shop will become controversial. Emerging unions claim that some established unions are abusing this practice and restricting the right of workers to decide which union they should join.

A crucial problem for both employers and the emerging unions is the ability of the unions to obtain a coherent mandate from their members within the framework of the IC collective bargaining process. To understand this problem, one has to appreciate the fundamental importance that most emerging unions have attached to the democratic processes of election, representation and mandate in the running of their affairs. It would be foolish to underesti-



Cont

mate this emphasis on "worker control" over union decision-making, which is not such a burning issue for many established unions

Employers will have to appreciate this as the emerging unions move towards centralised bargaining. Frequent report-back to members by union representatives involved in plant or enterprise-level negotiations has been a relatively easy process. But it will become a more difficult problem at industry-level pay talks which involve large numbers of workers who are far removed from the negotiating forum.

Collective bargaining may, therefore, be a far slower process at some ICs in future as the emerging unions insist on frequent report-backs. Mawu organiser Bernie Fanaroff warns of the high priority that emerging unions place on the question of obtaining mandates. "This is something that employers will have to learn to live with," he says.

This is not going to be easy for some. With customary wit, industrial relations consultant Andrew Levy points out "Managements are autocratic in their decision-

making structures. When an autocratic body is thrust into the arms of a democratic one for the purposes of so intimate an act as negotiation, frustration is bound to result."

A complicating factor is the difficulty that unions such as Mawu face in obtaining suitable venues to hold report-back meetings. Mawu complains that police are discouraging owners of halls allowing the union to use their premises. The police deny this charge, but it seems important that employers should take a greater interest in this issue and try to ensure that union meetings can take place. It was, after all, the banning of a union report-back meeting in Uitenhage which sparked off the 1980 strike at Volkswagen — one of the worst labour disputes in SA in recent years.

The whole issue of mandates is part of a wider problem faced by emerging unions as they become involved in industry-level bargaining. Studies of the organisational development of unions in Western nations suggest that as unions head towards centralised bargaining, they tend to become bureaucratic and less responsive to the

needs of members who may become either apathetic or discontented.

Emerging unions appear to be aware of this problem, although some believe it can be overcome. They know that because some IC agreements are remarkably complex, a significant amount of power can flow away from members towards union leaders who develop expertise in interpreting those agreements. General Workers' Union general secretary David Lewis summed up this problem more than a year ago when he said "The bargaining structure of the IC necessitates professionalism in negotiations and facilitates the divorce of leadership from the rank and file."

Federated Chamber of Industries president Rod Ironsides has emphasised in the past that in industrial relations it is vital for managements and unions to understand each other's perceptions. The problems facing emerging unions and IC members are not insurmountable. But they will all obviously have to display this kind of understanding and empathy if they are to establish mutually acceptable collective bargaining structures in the years ahead.

D.O. reports 25/5/83

(132)

No industrial peace in SA without a political solution — Davenport

EASTLONDON — There can be no industrial peace without a solution being found to South Africa's political problems, according to a Rhodes historian

Professor T R Davenport warned that industrial unrest could spill over into political unrest unless there was some "safety valve" to allow black workers the freedom to express their political views

He told a labour forum here that black workers had been granted greater bargaining power since the Wiehahn and Riekert commission reports were published

"However, unless the

right to political expression follows — and follows quite soon — there will be a total destruction of industrial conciliation activities

"This could turn into political confrontation, as was experienced during the Johannesburg municipal strike in 1980"

Prof Davenport said

there had been an "enormous amount of agitation and unrest on the economic front" since the early 70s

"The problem here is how to achieve good industrial relations with no political safety valve

"How can you be sure that when workers and employees sit down to discuss working conditions, they are discussing that and not the larger issues of political power?"

He said the government had tried to diffuse the situation by creating and nurturing a black middle class

"They presume that giving houses instead of the vote reduces resistance

"But these inconsistencies will drive the government into problem areas for example, they will only be able to love the black middle class to a certain point without granting them the right to live where they want"

Prof Davenport pointed out that labour legislation had always favoured the white farmers, mining companies and other industrialists

Legislation against squatting, freedom of

movement, the right to own land and the right to negotiate with managers all counted against black people

Black entrepreneurship had been discouraged, he said, and the business potential of black people had been undermined

● Prof Davenport also expressed disappointment at the absence of local industrialists from the forum, which was organised by the local branch of the SA Institute of Race Relations

Stressing that he had been hoping to "sting" industrialists into action with his talk, Prof Davenport said it was "sad" that there were none present

The only quasi-business person present in the audience of about 25 was the director of the Border Metropolitan Development Committee, Mr Ted Walsh — DDR



Professor Davenport.

Labour relations need improving, delegates told

(132)

SA
25/5/83

Labour relations in South Africa are complicated by a lack of a meaningful framework for non-white political aspirations, the congress was told

Mr F H Ferreira, director of industrial relations of the Ford Company of SA, told the Motor Sectoral Congress of the Institute that the black worker's frustrated aspirations were ultimately expressed in the only official forum available to him — the trade unions.

"Labour relations are, therefore, hindered by socio-political factors so that what is normally regarded as labour conflict takes on racial undertones in a struggle between black and white."

He said businessmen should determine what they felt were the necessary political and social reforms which were needed for a stable society, and lobby their opinion with the government.

South Africa had to ask where labour relations were heading. In 1974 there were 101 strikes involving more than 22 000 workers which caused the loss of 67 000 man-days.

Last year 394 strikes involved 141 500 workers and the loss of 365 000 man-days. An average of 1 550 workers were on strike each working day of the year.

Mr Ferreira said the authorities had made sweeping changes on the labour front but failed to bring parallel reform in the other areas affecting blacks. The labour reforms had not only created channels for the fulfilment of expectations. They had also fostered higher expectations.

"It is impossible to reform one segment of the social structure especially a sector which is as all-embracing as labour, without bringing reform to the other segments."

"There had been a tendency among black workers to use the legal structure (on the labour front) to bring about other changes including political reform."

Mr Ferreira said the causes of labour unrest could be placed in two categories. Those that affected the community and those which had to do with the working environment.

Community factors included poor education facilities, low quality of housing, police action and prosecutions — especially of labour leaders — and broad political issues such as exclusion from the decision-making process and the distribution of income.

Working environment factors were the level of compensation and the wage gap, the apparent slow date of promotion of blacks, including those who were graduates.

Companies should also consider adhering to a good code of labour practices, such as the Sullivan principles. Adherence to a code would provide protection for foreign investors who were being pressured to divest from South Africa, and would lend strong support to organisations trying to prevent foreign legislation against investing in South Africa.

'Design for security' ⁽¹³²⁾ Labour unrest is ^{Star 20/1/83} on the increase

Planners must give more attention to security in the design of new buildings, Brigadier Helm Roos, chairman of the board of governors of the SA Institute of Security said today.

"The importance of security must be impressed on architects before they even begin to design a building," Brigadier Roos told delegates at a security seminar in Johannesburg.

Security managers should be consulted in the early stages of planning because they have to ensure that security systems work, he added

Labour unrest was on the increase and posed a great threat to the security of South Africa, Mr Roy MacFarlane, chairman and managing director of a security firm, said today

"Although it would be wrong to attribute a majority of these incidents to terrorist influences, some may have been organised for more than just the apparent reason," he said at a security seminar in Johannesburg "The ANC has helped plan strikes, as has the banned South African Communist Party and the Pan African Congress," said Mr MacFarlane.

Mr MacFarlane, who is also governor of the SA Institute of Security and chairman of the SA National Security Employers Association, warned that labour unrest could lead to the damage of company assets

Pressure on the South African Police was increasing because of internal and external terrorism. The police had a strength of one to every 29 000 South Africans, he said

Mercury 27/5/83
Security man sees
threat from labour

JOHANNESBURG—An increase in labour unrest poses a great threat to the security of South Africa, according to Mr Roy MacFarlane, chairman and managing director of Fidelity Guards

'Although it would be wrong to attribute a majority of these incidents to terrorist influences, some may have been organised for more than just the apparent reason,' he said at a security seminar here yesterday

The ANC had helped plan strikes, as had the banned South African Communist Party and the

Pan-Africanist Congress, Mr MacFarlane said

'Although serious unrest may only erupt spontaneously, security management must be ready,' he said

Pressures on the police were increasing because of internal and external terrorism

Commerce, industry and individuals should assess their security needs and attention should be given to the standard of 'in-house' security personnel and the training they received, Mr MacFarlane said — (Sapa)

SULLIVAN SEES BRIGHT FUTURE

By SAM MABE

Sowetan 27/5/83
and inhumane system

THE growing strength of the black worker is one of the greatest hopes for peaceful change in South Africa, according to the Rev Leon Sullivan, author of the Sullivan Principles which advocate equal employment opportunities in American multi-national companies.

In an article published in one of America's leading newspapers, The Washington Post, Mr Sullivan said the recognition of the rights of association for black workers and the recognition of their representative registered and unregistered trade unions, was a necessity.

This would empower black workers to speak out for their rights on the job, "as they will one day speak out for their rights in society.

"It is clear that the main problem in South Africa is not just fair employment practices, or equal opportunity, or better schools. The main problem is freedom including the end to influx control, an end to the incredible homeland policy, and full political equality for the black population," he said.

Mr Sullivan also said that even if the principles were to be implemented to the optimum, they would not bring an end to apartheid. He said apartheid was a ruthless

In order to eradicate it completely, it required the combined efforts of many forces which included governments, companies, churches, unions, the United Nations, those who believed in justice within the country and world public opinion.

"It should be the responsibility of these companies to help change that system. Otherwise they have no moral justification for remaining in South Africa and should be compelled to leave the country.

"The principles were never intended to be a camouflage for corporations to hide behind, but were meant, along with other thrusts, to help end race discrimination and apartheid in South Africa.

"It was hoped this could be done by peaceful means, without the need for devastating war and the loss of millions of lives and the predictable involvement of most of the rest of the world, particularly the superpowers that could lead to an atomic confrontation," he said.

He added that although progress is still limited in comparison to the size of the problem, the principles were beginning to work.

He said that when the principles were introduced six years ago, blacks were not even legally considered to be employees.

But today, in spite of the country's laws,

plants were being desegregated

- blacks and other non-whites are being upgraded, for the first time, to administrative and supervisory jobs
- blacks are supervising whites, for the first time in South Africa
- blacks and non-whites are being trained for skilled jobs in ever-increasing numbers
- black representative registered and unregistered trade unions are now beginning to be recognised
- technical schools training blacks and other non-whites are being built
- equal pay for equal work is beginning to be instituted
- companies are beginning to improve the quality of life for blacks outside
- the workplace in housing, health care and education
- for the first time, some company executives are beginning to lobby for an end to all racial discriminatory laws and the apartheid system

Mr Sullivan also said the compliance with the principles of all American companies operating in South Africa should be made mandatory by the United States government and should also be backed up by embargoes, tax penalties, sanctions, loss of government contracts and any other effective means.

21/5/83

Canteens affect staff relations

Staff Reporter

THE SURROUNDINGS and food in a company's canteen may not seem particularly important. But they should not be underestimated for they can play a vital part in the firm's staff relations.

A canteen in a workplace provides employees with suitable food and drink during the recognised break periods.

This does not mean that such a service is the only way of meeting these needs. Employees may bring their own food and drink, go elsewhere for meals or even have nothing.

From the employee's point of view, a canteen is a place where he can get a meal for a reasonable price at a recognised break. It is also another environment away from his work-station where he can meet and mix with other employees.

Satisfies

It satisfies his biological needs with food and his psychological needs with talk and inter-communication.

From the employer's viewpoint, a canteen provides an opportunity for the company to 'sell' itself to employees by providing a suitable environment and, by the quantity and type of service, partly influencing employees' minds about the quality and type of company they work for.

For a while a proportion of employees are totally immersed in social contact in a certain area which is different from their workplace. It can be better or it can be worse.

During that period they may be influenced to have their opinion of the company lowered or raised.

Environment

The environment - surroundings and food service - therefore play a significant psychological part in the company's relations with its employees.

If this is not accepted then a company's canteen can be seen merely as an eating place. The management of an enterprise must therefore choose which of these two main functions it wishes to employ in providing a canteen service.

Assuming that this point of view of psychological effect is valid, a canteen in a workplace has these functions in the company's relations with employees:

- The provision of food to acceptable standards
- Variety of food to prevent boredom or frustration
- Service which reflects the company's aims in quality and service
- Surroundings which tend to persuade the employee of the quality and nature of the business
- Prices which convince the employee of the company's fairness with its employees

The main 'hinge' on which much of this depends, of course, is an economic one. It would be

quite unrealistic to propose that every enterprise should provide a canteen service for excellence regardless of cost.

In some cases there would be disproportionately high costs compared with other costs in the business, in other cases the objective in influencing employees' minds would reap long term rewards. The question to be answered for an employer, therefore, is "How much for what benefit?"

There are two basic economic factors in canteen operation - capital outlay and running expenses. The first of these largely takes care of the building, the facilities, the equipment, the 'trimmings' - in other words, the environment.

The second embraces the quality of service and food day-by-day.

Setting aside for the moment the capital outlay and considering the running expenses of a canteen, it is soon obvious to an employer that to meet raw food and labour costs and provide meals at an acceptable price to employees, a subsidy of some nature has to be built into the economic structure.

In a recent survey in the UK organised by the Industrial Society among 140 industrial companies six recovered the cost of all raw food, but subsidised entirely the cost of labour, two recovered food costs and all labour costs without subsidy, and 132 recovered food costs plus a certain percentage of labour. The average recovered food costs plus 47% of labour costs.

Faced with the inevitability of a subsidy of some kind therefore canteen costing begins to assume the shape of a fringe benefit or part of the employee's compensation.

An objectively thinking company sets a purpose for all wages and salaries which usually is to attract suitable employees to the enterprise, to retain those who are valuable and motivate all employees towards higher effectiveness.

Compensation

It could be reasonably contended, therefore, that the subsidy of meals in a canteen contributes towards these wider objectives of total compensation. If they do not, the subsidy has no purpose in a business.

Here are two hypothetical cases at extreme ends of the economic spectrum which might be considered.

Imagine a company engaged in making big-volume, low-cost items which do not require great skills in production

because of the automated nature of the manufacturing process.

Although turnover is relatively high among employees, labour is readily available in the district and replacement costs are not at all considerable. New employees can virtually be "hired at the gate".

If this company has a canteen, the subsidy should be subjected to these considerations:

- Is a subsidy necessary at all in order to help attract suitable employees to the company?
- Is the retention of valuable employees a major consideration and, if so, will any subsidy help to effect this?
- Can a subsidy reflected in higher quality of food and service help to motivate existing employees? How much motivation is necessary to achieve the target of production?

Questions

After considering these down-to-earth questions, it is possible that this company requires no subsidy for its canteen.

Now consider another type of company - one which sells high-value items to an exclusive market and which requires rare skills to make. Labour turnover is low - and it is essential to the company's survival that it is kept low, otherwise training and development costs could be out of all proportion to other factors.

Obviously, in considering a cafeteria subsidy this company should ponder:

- Is the subsidy high enough to sustain the right level of food and service so that any new employee might be influenced to be associated with the enterprise as a long-term career?
- Is it high enough competitively to help retain the employees who are essential to the business?
- Is it high enough so that it makes a modest contribution to motivating employees?

Realistic

Obviously, these are two extreme cases on the scale of 'how much subsidy?', but they serve to show how the matter should be realistically considered.

A canteen subsidy is an added-to-wages benefit. The criteria for consideration of 'how much?' depends on how valuable the company considers its employees to be.

It is senseless paying tribute and hoping to retain and motivate valuable, skilled employees through wages alone.

The working environment is playing more and more an important part in this influencing process. And the area where the employee goes for food and social contact is a vital, controllable part of this environment.

ARGUS 13/6/83 132

Reasons for going 'soft' on unions

PHILIP VAN DER MERWE, Staff Reporter, records a Stellenbosch academic's warning to Afrikaans businessmen on repression of collective bargaining processes for black workers.

PROFESSOR S M Swart of the Graduate Management School of the University of Stellenbosch has spelt out for Afrikaner businessmen why the Government has "gone soft" on labour and allowed a burgeoning black trade union movement into the market place

The message to delegates to the annual congress of the Afrikaanse Handelsinstituut in Cape Town was blunt if free enterprise was to have a future in South Africa, businessmen would have to learn to co-operate with the workers and their fledgling organisations

Another speaker, Mr Fred Ferreira, director of industrial relations at Ford Motor Company, had sketched a bleak background of mounting industrial unrest. In 1974 there had been 101 strikes involving 22 803 workers and a loss of 67 099 working days. Last year 141 571 workers staged 394 strikes, taking a toll of 365 337 working days

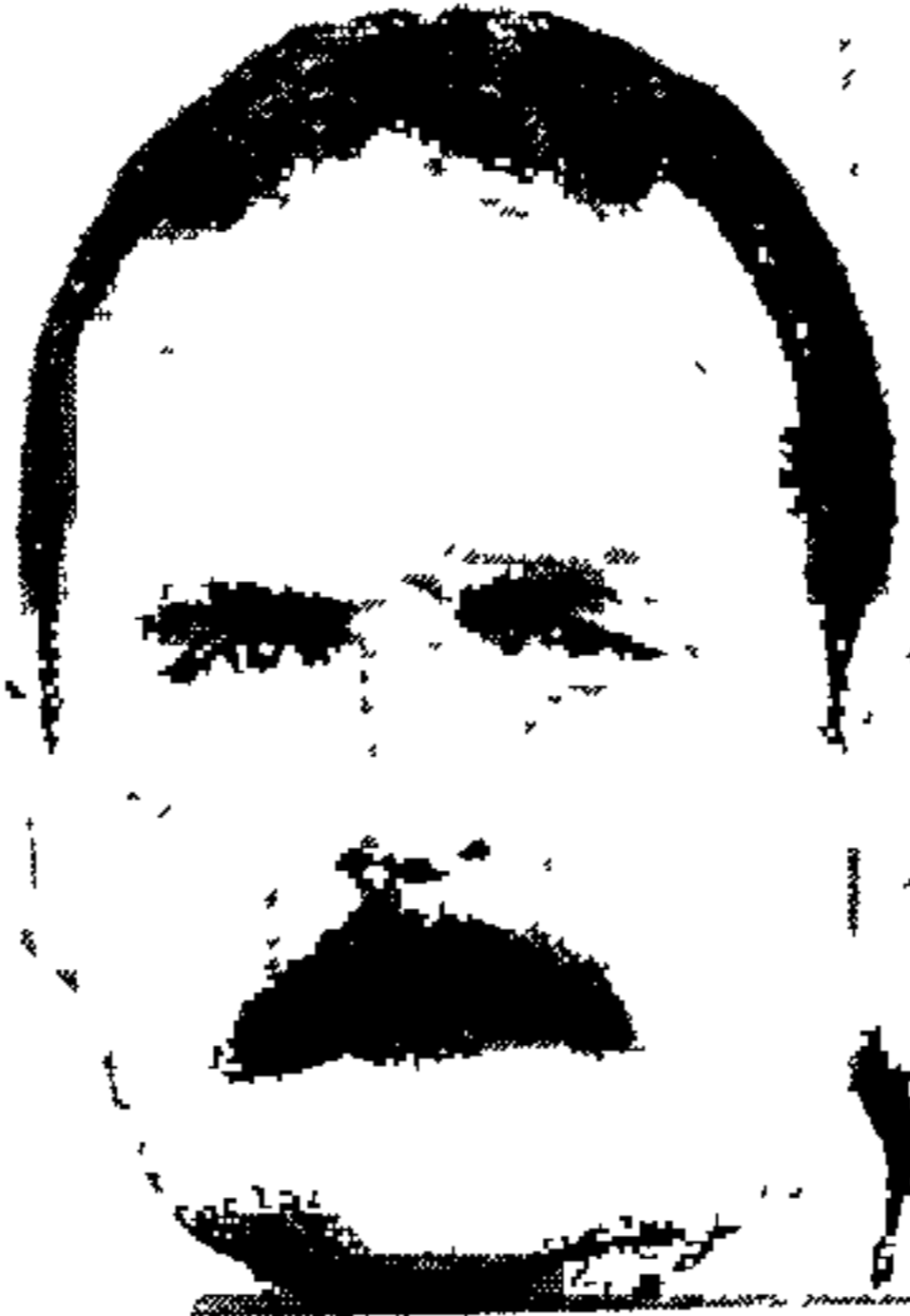
"Bitter fruits"

And Dr Anna Scheepers, president of the "mainstream" Trade Union Council of South Africa, had warned the businessmen they would reap "bitter fruits" if they sowed further seeds of dissension into the life-and-death struggle between the traditional multiracial unions and the new, more militant, black movement

In a carefully reasoned address Professor Swart took delegates back to the days of the great depression and the birth of the Afrikaner worker movement

He reminded them of the humble beginnings of the treasury of the Spoorwegbond as a provident fund for white railway workers, mainly "poor white Afrikaners"

He predicted that the new unions would soon also have money from subscriptions to invest, and the Spoorwegbond pattern — a classic development in labour movement



Professor S M Swart

history throughout the world — would be repeated

This was to be welcomed because it would help to make the new unions — and their members — more aware of the realities and needs of the South African economy

Recognition by the Government of the concepts of freedom of association, union autonomy and collective bargaining for all population groups "was and is a necessity based on the Republic's fundamental acceptance of the free market system"

Suggested goal

Seen in that context the Government's attitude had been no "indulgence"

The new labour movement could go one of three ways towards "positive socialisation" — which would contribute to the corporate health of the country — or towards destructiveness, or defensiveness — which would not

By coming to terms with labour realities, Afrikaner businessmen could help to influence the new

movement towards "positive socialisation", which Professor Swart defined as "the way in which uneducated and partly educated components in South Africa's labour market can be introduced to, incorporated in and allowed to become active, productive participants in the national economy"

That, he said, should be the Afrikaanse Handelsinstituut's goal

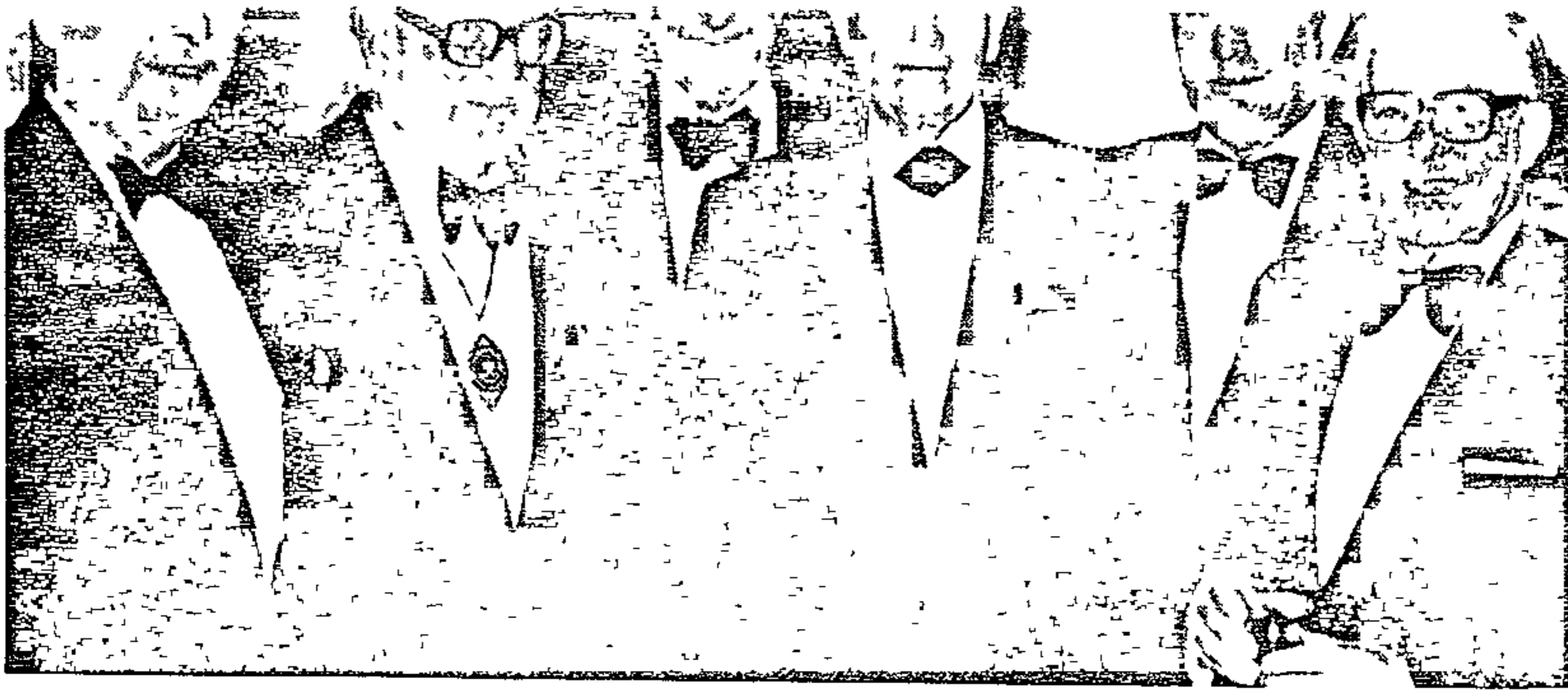
To illustrate the need for recognition of worker rights, Professor Swart alluded to the labour situation in the "classless" Soviet Union and other communist countries, where, he said, the interests of workers and management were artificially seen as being identical, and strikes therefore "impossible" because the striking workers would be theoretically striking against themselves

Contrast

By contrast, in a free market system it was a fundamental essential to recognise the existence of different interest groups and their several aims and needs, and to allow them to grow into attitudes of positive co-operation, as illustrated by the Spoorwegbond-Sanlam example

Changes in South Africa's labour laws had flowed from a positive and genuine attempt to give people a greater share in and identification with a stable South Africa by means of economic development, intensive training, enhanced work mobility and a say or vote in their own work situations

But, he warned, the repression of the collective bargaining process would amount to a "flirtation with communism and totalitarianism" by the authorities and "socialise the workers towards socialism"



At last night's annual dinner of the Footwear Manufacturers Federation of South Africa were, from the left, Mr SAM DAVIDSON, president of the federation; Mr IVAN KRIGE, Deputy Mayor of Port Elizabeth; Mr BARNIE MANCHEVSKY and Mr GUY DOWNES, past presidents of the federation; Mr STAN ANDERSON, the guest speaker; and Mr DONALD GOUGH, also a past president of the federation.

Businessmen have duty to black staff

By LOUIS BECKERLING
Business Editor

PORT ELIZABETH businessmen have no alternative but to contribute to the urgent need for improved housing, education and social services for their black workers

This was the gist of a blunt message delivered last night by Mr Stan Anderson, chief executive of Maybaker (Pty) Ltd, and former president of the Midland Chamber of Industries

Addressing the annual dinner at St George's Club of the Footwear Manufacturers' Federation of South Africa, Mr Anderson issued an appeal to fellow Port Elizabeth industrialists and businessmen to accept that their consciences no longer ceased to function at their factory doors

Several factors had, since the late '50s, altered this situation, said Mr

Mr Stan Anderson, of Maybaker, expressed concern last night that while 50% of SA's pre-war footwear production originated in PE, this had since dwindled to 15% (some 71% now being manufactured in Natal).

"I am worried that other industries, such as the motor industry, could be following footwear's lead.

"Perhaps the most significant problem is the fact that imports of footwear in the last 30 years have increased from 10% to 34% and the motor industry is being similarly threatened, despite its local content programme."

Anderson These included

- The disparity between the quality of life of South Africa's black and white communities

- The heavy influence of multi-national companies in the PE area had introduced strong forces for change

- Politically motivated economic influences introduced by the SA Government itself

- The public sector's acknowledgement that it "had failed dismally in its attempt to house the people"

Elaborating on the issue of politically-motivated economic influences from the Government, Mr Anderson said rebates, concessions and sanctions imposed for anything other than sound economic reasons would not succeed

Industrialists are reluctant to make heavy capital investments in premises or plant where by a stroke of a

pen the advantages apparent in the location they have chosen are suddenly bettered in an attempt by the Government to create some new politically-inspired nearby growth-point"

Mr Anderson was also critical of the building society movement which, he said had been 'notably reluctant' to accept the challenge of black housing needs

"They plead that they have not the resources either financial or infrastructural, to cope with the multitude of small loans that could result.

"Unfortunately, like we industrialists, I do not believe they have an option to opt out and it is the industrialists' responsibility to make sure that by co-ordinated effort they are made to understand that we regard them as the avenue through which the financing of the private sectors housing effort will be

channelled"

Mr Anderson spoke at length on the question of education and said he was appalled by the disclosure that in 1979 no less than 80.8% of black teachers in the Eastern Cape had done only one — or perhaps two — year's training after leaving school at Std 8 7 or 6 level

"In the technical field in 1979 only 2.6% of pupils were engaged in technical classes — an increase of only 1.3% over the previous year a year in which conventional matriculants increased by 49.3% "

Mr Anderson said that six years ago only seven remotely qualified mathematics teachers were available to pupils in the 51 schools operating for blacks in Port Elizabeth

"Since then a large number of maths and science teachers have been sponsored by the Midland Chamber of Industries through an arrangement with the Urban Foundation and hopefully the standard of education will gradually improve "

Industrialists now had the opportunity of "adopting" a school and assisting in establishing such things as playing fields, said Mr Anderson

While the businessman's job becomes more taxing I am afraid he has no alternative but to exercise his social conscience in these new areas of responsibility as well.

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P. DISPATCH

16/6/83

Employers urged to help workers

EAST LONDON — Employers were last night urged to "use their muscle" to bring about meaningful change for workers in South Africa

The director of labour relations at Ford Motor Company in Port Elizabeth, Mr Fred Ferreira, said employers would have to "take note of the rising expectations of workers" and transmit the needs of the people to the state

"Employers not only have to keep themselves informed of expectations with respect to conditions of employment, but must also take note of expectations with regard to housing, family and community requirements," Mr Ferreira told

a labour forum organised by the SA Institute of Race Relations

"They must become involved in action programmes on these issues. They must define the social and political changes that they believe are necessary and transmit these to the state. Not with the view to prescribe or exert pressure, but simply to advise what we regard as being necessary for success from the viewpoint of the industrialist."

Asked by a businessman, Mr Wayne Munro of Johnson and Johnson, what paths industrialists could follow to air their feelings, Mr Ferreira replied "It is best to follow the accepted chan-

nels, such as the chambers of industry and of commerce

Concerted action by industry and commerce has had an impact on legislation in the past, and I feel they are the most effective way of making your feelings known

As regards "necessities" for industrialists, Mr Ferreira suggested subscription by industry to "a well-defined labour code"

"Such support can give much-needed credence to the anti-disinvestment legislation lobby in the United States," he said

Mr Ferreira stressed, however, that it was not only employers who

could "take action in the labour arena"

"The state actually has the most important function here, particularly as it has control over community factors," he said

Some of the actions which could make a "positive contribution" were

- The admission of blacks to the free market concept as far as housing was concerned.
- Relaxing detention of trade union leaders.
- The decentralisation of apprentice testing.
- Giving unregistered trade unions access to industrial councils
- Giving official sanction to agreements conducted on the shop floor,

● Compelling trade unions to accept responsibility for their members if they professed to be representative.

● Decriminalising strikes, and making "lockouts" subject to negotiation, and

● Preventing the extension of factory agreements to parties not involved in the formulation of that agreement

Turning to strikes, Mr Ferreira offered the following advice to employers

● Establish minimum wages based either on direct negotiation or an "acceptable standard" These wages must not

differentiate on a racial basis,

● Review all benefit programmes to ensure they do not discriminate,

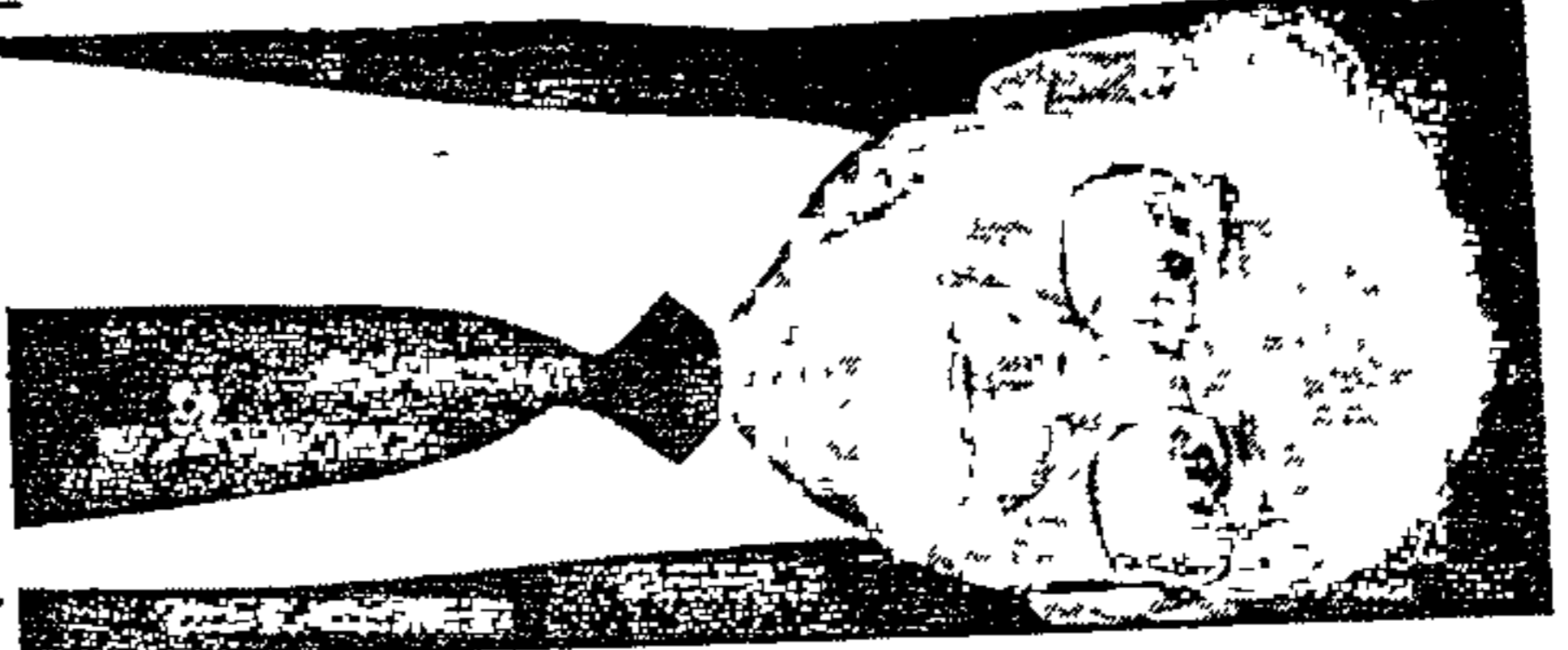
● Create training opportunities for all workers,

● Formulate a "reasonable response" to trade unions and make this position known to workers,

● Introduce training programmes to help workers and supervisors understand the "changes that are taking place",

● Improve communication, and

● Encourage the participation of workers in these programmes —
DDR



MR FERREIRA in East London last night

Cape Times 23/6/83

Discrimination in labour policy alive and well

By PHILLIP VAN NIEKERK, Labour Reporter

RACIAL discrimination in labour policy is alive and well in the "liberal" Cape — perhaps more so than anywhere else in the country

That much was made clear this week by Dr George Morrison, the Deputy Minister of Co-operation and Development, who again reiterated the government's stand that the Western Cape is to remain a coloured and white labour preference area

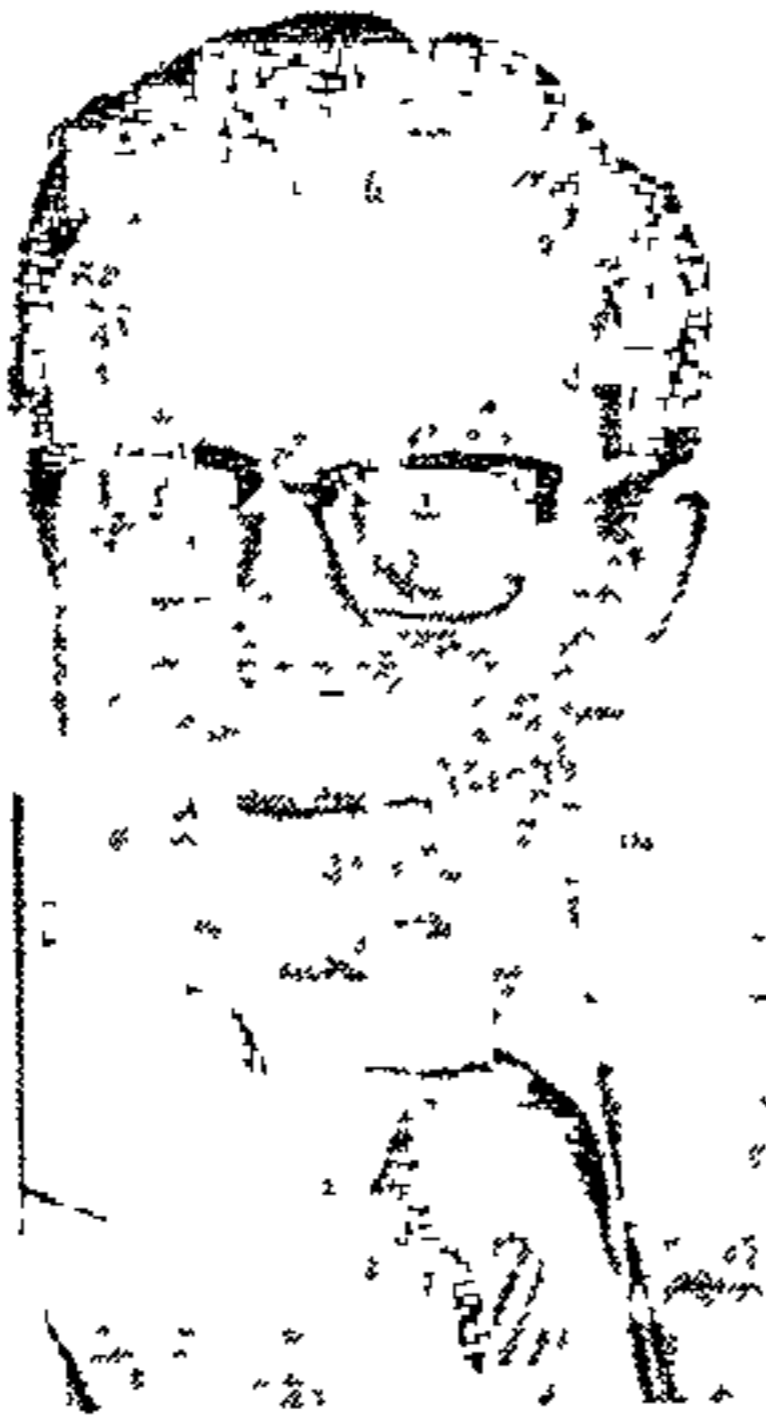
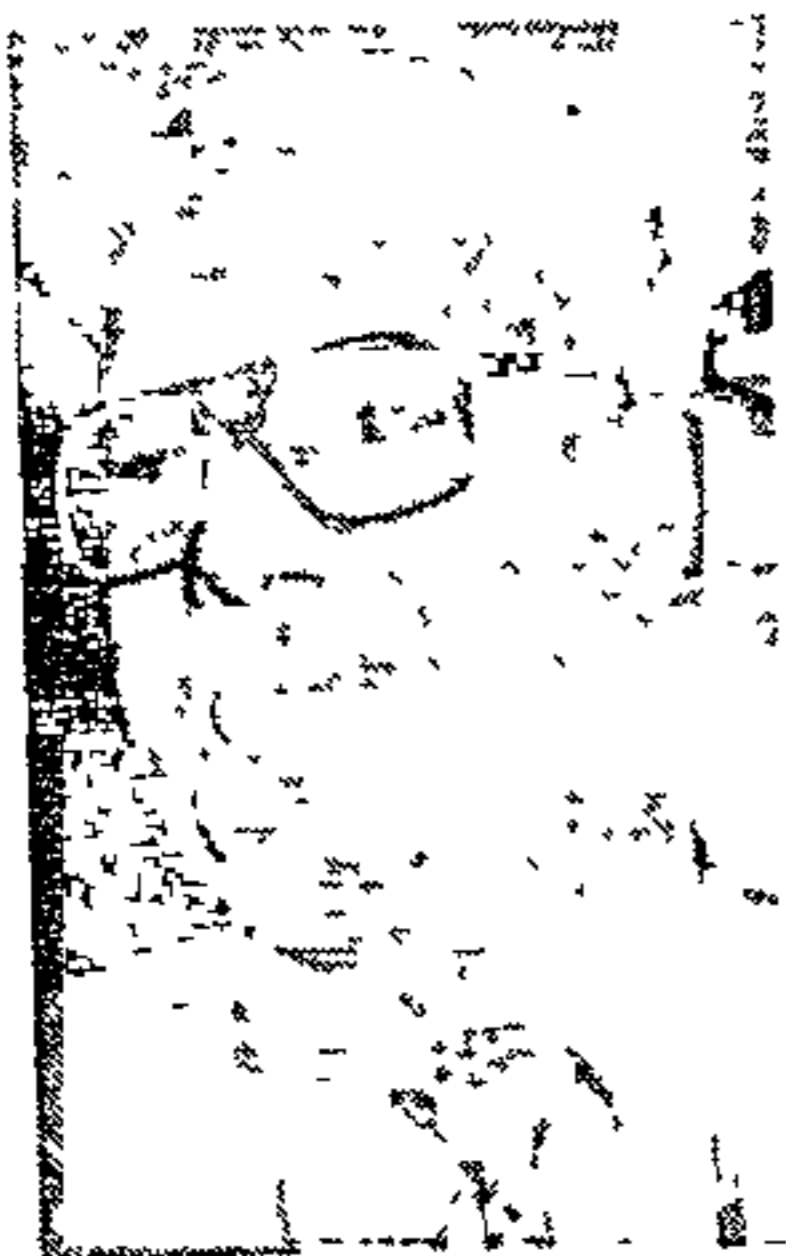
Influx control, he said, was still being applied consistently in the area and the number of pass law prosecutions was "clear proof" of this

Dr Morrison's statement is in fact clear proof that the government has chosen to ignore the feelings of just about every major interest group in Cape Town over the issue

Menial jobs

The coloured labour preference policy entrenches racial job reservation by preventing employers from employing blacks unless there is no "suitable" coloured labour available. Many well-qualified black workers are forced into menial jobs because there is virtually no skilled or more attractive work open to them

This policy goes hand in hand with the rigid enforcement of influx control in the Peninsula as evident in the pass raids, the endless and



Dr George Morrison reiterated government stand on Western Cape

Mr David Curry against preference area

ugly squatter crises such as at KTC and the acute housing shortage for blacks

Cape Nationalist MPs, the firmest supporters of the policy, say it is there to protect coloured workers in their "natural habitat" from the competition of cheap black labour flowing in from the homelands

Yet this view is based on a myth and a fallacy. The myth is that black workers are "foreign-

ers" in the Western Cape

As several researchers have pointed out, blacks have contributed their labour to the region since the arrival of slaves from Angola more than 300 years ago

The fallacy is that coloured workers need such protection. In fact, they did not ask for it in the first place

Writing in the Cape Times in February, Mr David Curry, national chairman of the Labour Party, said "Do our critics think we will rubber-stamp the continuous harassment of fellow blacks in the Western Province?"

"We are against any place being declared a preference area for employment for coloureds and whites only. We strongly object that this must be done in our name"

Trade unions with large coloured worker memberships such as the Food and Canning Workers' Union and the more conservative Textile Workers Industrial Union have rejected the policy

The Cape Chamber of Industries and the Cape Town Chamber of Commerce have made repeated and unsuccessful appeals to the government to grant blacks with permanent residence rights in Cape Town the same status as those in other cities

Most telling of all, the director-general of the Department of Manpower, Dr Piet van der Merwe, told the President's Council economic affairs committee last year that the policy was a "discriminatory measure" which should be scrapped

He said it was "difficult to justify a system which allows a person to live in an area but which effectively prevents him from looking for work". Quite clearly, the Department of Manpower, which cultivates an image of reform, is embarrassed at having to apply what is in effect a racist policy

At the root of the policy is the belief that blacks, whether "legal" or "illegal", are temporary residents of the Western Cape

It has been asked whether the construction of the new city of Khayelitsha, which will lead to the uprooting of the entire populations of Guguletu, Nyanga, Langa and Crossroads, will mean that the black residents of the Peninsula will be afforded some form of permanence

'Homeland'

It has also been suggested that the consolidated Khayelitsha will function as a "semi-urban homeland", which will overcome the Western Cape's "problem" that it has no nearby homeland. This will provide local employers with a nearby reservoir of cheap labour coming from a consolidated black residential area which will be far easier for the government to control

That the coloured labour preference policy is to be retained at full strength alongside the development of Khayelitsha is not a hopeful sign

And at least one important feature of the whole Khayelitsha saga is consistent with the labour preference policy. Apart from the Cape Town Community Council, not one representative black organization has been consulted about the move

Like the coloured labour preference policy, it could be a case of white bureaucrats making plans and imposing policy on an unwilling and unconsulted population

Management must face challenge of new era

By Sheryl Raine,
Pretoria Bureau

Star
25/6/83

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South African employers should have no illusions about what they are up against concerning black trade unionism and the white labour force's reaction to it, say some of the country's leading labour experts

Black trade unions, their desire for recognition and their drive to establish collective bargaining machinery countrywide had to be accepted as part of the realities of business.

Lower management which continued to attribute black trade unionism to agitators or outside agencies and believed that the problem would go away if dealt with firmly enough, was deluding itself

The trade union movement could not be slowed down and labour reforms already introduced could not be revoked

The experts warned that all levels of management had to be prepared to meet the challenges of a new era.

In future, they predicted, the emphasis would fall on company-level negotiations and collective bargaining instead of industry-level contact with the work force.

Conflict and confrontation were inevitable during the formative stages of new management/trade union relationships and the experts advised employers to acquire the industrial relations skills to cope with conflict.

As in other capitalist countries, South Africa's employers and supervisors needed to work through this phase of confrontation in the hope of establishing trade unions as an accepted part of the free enterprise system.

The implications of trade unionism in the absence of black political rights had been, and would continue to be, widespread, the experts believed

In the immediate future employers would have to decide where they stood on political as well as labour issues. It was no longer possible to keep politics out of business

Employers would increasingly be required to prove to black workers that they were not promoting racial capitalism or using the apartheid structures to exploit the workers

Industry would have to deal with a growing black economic power base which was also becoming a political power base because of the lack of alternative means open to black workers to bring about change

But black trade unions were not the only bodies prepared to use an economic power base to achieve socio-political ends, Prof D W F Bendix, of the Graduate School of Business at the University of Stellenbosch, pointed out.

Employers would also have to turn their attention to white workers whose attitudes, misconceptions and actions had already had significant impact on the labour-relations climate

Businessmen and industrial relations experts attended a seminar at Unisa in Pretoria this week to discuss recent and future trends in the labour field.

He noted that there had been a resurgence of white trade unionism in reaction to the emergence of black trade unions

Before the government introduced new labour legislation in 1979 white labour organisations such as those belonging to the SA Confederation of Labour Associations (Sacla) were satisfied with the socio-political status quo, he said

A greatly changed industrial situation and a decline in the policy of white protectionism had now placed these organisations in a position where they may be obliged increasingly to concentrate on maintaining the socio-political rights of members

Prof Bendix predicted that such white labour groups could reach the point where they would use their industrial power in order to gain political concessions

Already Sacla had become a strong reactionary force which used its voting power to put the brakes on proposed labour and political reform

One of the most important ingredients for good union/management relations, the experts believed, was management's acceptance of the necessity to negotiate

There was still significant management resistance to negotiation, they noted. Managers who believed that they had a natural divine right to manage — an attitude not uncommon in South Africa — would fight "tooth and nail against the new order", Mr B Allen, group industrial relations manager of the Trencor Group noted.

While it had been said that collective bargaining amounted to the systematic erosion of managements rights, Mr Allen did not believe this to be necessarily so

"I am a firm believer that the authority of management will generally be accepted as long as it is exercised in a way which is perceived to be fair and rational," he said

There was a disturbing contradiction in the government's attitude to trade unionism and the freedom of association, one expert said

Mr Theo Heffer, an industrial relations expert with Grinaker Holdings, voiced concern about continued Security Police harassment of trade unionists despite Department of Manpower policies which guaranteed the freedom of association

The labour experts were unanimous in stating that it was impossible to have an industrial relations system in a so-called free enterprise system without freedom of association

lawyers are finding it difficult to give definitive advice. The lawyer, who prefers not to be named for professional reasons, said it will take a number of years before clear guidelines emerge from decisions of the industrial court. But he provided some pointers that employers may find useful.

Wiehahn Report

He said a possible guide to the court's interpretation of the unfair labour practice definition can be found in the Wiehahn Report. Paragraphs 41 to 720 of part five outline what the commission believed are the duties of employers or employers' organisations. They include the duty to

- Appoint properly qualified or able persons to perform the work that is required, keep them in such employment for as long as it is economically possible, give employees unrestricted opportunities for advancement in their work on the basis of merit, create and preserve a work environment in which the physical, social and moral well-being, the economic security and the job satisfaction of their employees is not threatened or harmed,
- Guarantee and facilitate full freedom of association of their employees within the law of the land,
- Participate in good faith in collective bargaining process with employee representatives and to create the maximum number of avenues for consultation and negotiation with their employees, also, where possible and feasible, to involve employees as much as possible in decisions that affect them at work,
- Prevent conflicts with employees from developing into strikes or other similar action, but where such developments are inevitable, to refrain from any conduct which could infringe on the employees' right to strike, to respect at all times the right of workers to withhold their labour in cases of unavoidable industrial action, and under no circumstances to victimise employees because of such industrial action,
- Protect employees not only against the dangers and risks of their work but also against any act or omission on the part of employers themselves, and any other persons, which may harm them,
- Introduce, encourage and constantly improve training and other developmental programmes to help employees advance their careers, and
- Observe fair employment laws and conventions

The lawyer said employers would be well advised to keep this code in front of them as a guide to the treatment of workers if they want to avoid committing unfair labour practices.

He also emphasised how imperative it is for employers to be particularly careful about dismissing employees or trying to change terms and conditions of employment lest these actions fall within the ambit of an unfair labour practice.

He said employers should ensure that

their employment codes disciplinary or dismissal procedures are fair and that they are strictly adhered to. If no such codes exist in their company or industry, employers should consider introducing fair codes which enable line management to follow precise guidelines.

A disciplinary or dismissal procedure should at least provide that all warnings given to employees are recorded, and that steps are taken to independently verify the cause of warnings and potential dismissals. An employee must be given a chance to state his case and verify it in answer to accusations made against him.

"Employers should show extreme caution in dismissing large numbers of employees at one time for reasons of retrenchment or industrial action. In the case of industrial action, many employers have made the mistake of dismissing their total workforce, including employees who have played no action at all — such as drivers on the road, employees on courses and even employees on leave.

"Selective re-employment of workers who have participated in industrial action is also potentially an unfair labour practice.

"In the case of retrenchment, employers should be careful to comply with fair industry and other agreements providing for retrenchment procedures. Furthermore, an employer should be careful not to use retrenchment as a disguise to get rid of union activists."

He stressed that employers must carefully consider the reasons and need for every dismissal. "It would appear that unless an employer can satisfy the Industrial Court that there are substantively fair reasons for the dismissal, the employee will be reinstated. Therefore, even in cases of summary dismissal on grounds such as theft, fraud and drunkenness, the employer should independently satisfy himself that the employee was in fact guilty of the alleged offence."

INDUSTRIAL RELATIONS Defining unfairness

Given the extremely broad definition of an "unfair labour practice" provided by the Labour Relations Act, it is not surprising that many employers are finding it difficult to predict what the Industrial Court will rule unfair.

In a speech at an industrial relations seminar organised by the Institute for International Research this week, a respected labour lawyer pointed out that even

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Steel bosses getting tougher

Mail Reporter

THE Metal and Allied Workers' Union (Mawu) claims that Seifsa, the employers body in the metal and engineering industries, has issued tough new guidelines for companies faced by industrial action.

In a statement yesterday, Mawu condemned the guidelines and said the companies were using the recession to crack down on unions.

Mawu has been informed by some employers that Seifsa is circulating new guidelines in the metal industry, the statement said.

It was not clear whether these are formal or informal guidelines, but they advised employers faced by a restive workforce or by any industrial action to take a hard line, according to Mawu.

The guidelines apparently tell employers faced by in-

dustrial action to dismiss all employees, then re-employ all except those allegedly implicated in intimidation, and to reinstate long-service benefits only after the workforce has proved docile.

This hard line was consistent with the very rigid attitude taken in negotiations by companies such as Highveld Steel, Dunswart Steel and the Cable Manufacturers' Association, the statement said.

Mawu condemns refusal

WOM Mail Reporter 25/11/83

THE Metal and Allied Workers' Union yesterday condemned the "rigid refusal" of the Association of Electric Cable Manufacturers to continue wage negotiations and said it was proceeding with a dispute against two companies

Mawu also warned it had asked for the co-operation of employees of these two companies in Sweden and Germany and had contacted the International Metalworkers' Federation to co-ordinate this support

Mawu has been in dispute with Asea Cable and Semens Cables since the association refused to allow them to return to the workers to get a

mandate on wage negotiations

The dispute centres around Mawu's claim that the negotiations were concluded prematurely and that the wage increases were too low

In a statement yesterday, Mawu "strongly condemned the rigid refusal of the association to show any movement in their dispute"

Mawu said the employers had refused to negotiate at a meeting last week and had also refused to follow the alternative steps for a dispute set out by the industrial council

These steps were voluntary mediation or voluntary arbitration

The refusal to take these

steps made a mockery of the industrial council's procedures

Mawu is now proceeding with disputes against Asea Cable and Semens Cables, where it claims to have majority membership

"The union has also notified Swedish and German workers in Asea and Semens of the disputes and has asked for their co-operation. The International Metalworkers' Federation has been contacted to co-ordinate this

"Mawu is also calling on workers in Aberdare Cables, Aycliffe Cables African Cables and ATC to join Mawu and unite with other workers" the statement said

Poor turn out at meeting

D. N. is patchy.
4/8/85

EAST LONDON A meeting called by trade unions here yesterday, and attended by officials of the local chamber of commerce, did not get off the ground because most trade union officials failed to turn up, the secretary of the East London Chamber of Commerce, Mr R Allison, said

believed other trade union leaders may have had problems with transport

The president of the Border Chamber of Industries, Mr Dave Saunders, said the first time he had heard about the meeting was when he read about it in the Daily Dispatch yesterday

And one of the men who called the meeting, Mr B P Norushe, secretary of the African Food and Canning Workers' Union, confirmed that he and the general secretary of the General Workers' Union, Mr D Tandanl, were the only unionists who attended

He had not been invited and thought the unionists might have tried to contact the local director of the chamber of industries, Miss Sheila Hamilton, who was away in Johannesburg on business

He did not know why the others had failed to appear

The meeting had been called to sound out employers on problems faced by workers from Mdantsane during the bus boycott and subsequent action against people walking to stations by Ciskei National Independence Party men and police — DDR

"We will get together with the others and see if we can find another suitable time for the meeting," said Mr Norushe, who added he

Unions slammed

SOUTH AFRICAN trade union leaders could cause incalculable damage to the country's economy through irresponsible action, the former chairman of a British company once crippled by labour disputes said yesterday.

Sir Michael Edwardes, the former chairman of British Leyland, said irresponsible union action could slow down and even reverse the benefits of a prospering economy by pricing union

members out of jobs. Such action could also make industry less competitive and frighten authorities into taking steps to slow down "the evolutionary process"

Opening the new premises of an industrial company, Sir Michael said that bridging the wage gap by paying black workers more without a simultaneous increase in productivity was suicidal for company and worker.

(32)
Sowetan 2/8/83

Unionists dismiss study about strikes

Sowetan
9/8/82 (132)
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ALTHOUGH there has been a decrease in the number of strikes during the past 12 months it was difficult to attribute this to recession and the scarcity of jobs according to leading trade unionists.

Mr David Lewis, the general secretary of the General Workers' Union, said it was just a rough impression to attribute the decline in the number of strikes to recession and a scarcity of jobs as there were many factors at play. He said there was no set pattern followed by strikes.

DECREASE

Recently the Industrial Relations Research Unit at Stellenbosch University made the

claim on the decrease in the number of strikes in their monthly publication, Industrial Relations Trends. Their review was based on a sample study of strikes in the past six months

Some of their findings included:

- a noticeable decrease in the average number of workers involved per strike,
- a significant decline in the average number of man-hours lost per strike;
- no significant increase or decrease in the average duration of strikes;
- an increase in worker

consciousness and militancy

Trade unionists said in reply that recession and scarcity of jobs have never had an influence on whether workers should go on strike or not. "If workers have a legitimate grievance they will go out on strike regardless of the consequences. If workers were to think of losing their jobs then they would never have gone on strike. In any event jobs have always been scarce for blacks at all times," said Mr Moses Mapena of the Motor Cycle and Allied Workers' Union

August
1983

Labour relations 'bad dream' is only just beginning

S. Tribune
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By Mike Peirson, Finance Editor

THE four stages of labour relations in the Pinetown/New Germany industrial complex were spelled out by that division's Natal Chamber of Industries chairman Ted Maybery this week

Speaking at the division's annual meeting and dinner he explained "The first phase of two or three years ago was when industry heard rumblings of trade union activities involving membership soliciting and the request for check-off facilities

"The first was dismissed as a bad dream and the second was refused for a host of reasons

"The second phase saw majority representation being achieved in limited constituencies involving mainly unskilled labour and subsequent requests for recognition turned the bad dream into a monstrous unthinkable imposition which conjured up in managements' minds illusions of communist infiltration (the loss of their dictatorial rights) - in other words heading down the trade union tubes with Britain.

"The third phase involved enrolling for every NCI seminar to find out what this wretched agreement, which was being requested by trade unions, involved

"During this phase the personnel manager found his office carpeted, his

salary doubled and he drove home in the same model car as the marketing manager

"The fourth phase in which industry finds itself today is the post agreement phase, having reconciled the collective bargaining system is part and parcel of any enlightened industrialised economy

"But, alas, we find the recognition of trade unions and a signed agreement is not the end of the bad dream but just the beginning of the next phase of industrial co-existence in South Africa."

He added that what would permeate the bargaining process would be the frustrations caused by the lack of opportunity for political expression. Negotiations would contain elements of animosity towards the total system.

"It will take an enormous amount of understanding by management to moderate and control attitudes around the negotiating table," he said "This is, however, no excuse."

On the question of decentralisation, Mr Maybery said already certain industries had chosen to expand in Pietermaritzburg and Isithebe rather than remain in Pinetown. Their motives could not be questioned but he asked what would happen to the thousands of job seekers in the area

"The population growth is a reality yet the short, medium and long-term prospects of providing concomitant employment appear to be an insurmountable task," he said

"The proposed disincentives will exacerbate the present unemployment position, the current economic climate aside"

The idea of moving workers to new decentralised areas would defeat the prime objective of the programme and "add to the already tarnished image South Africa has in this regard - unless freedom of movement is to become a new aspect in the lives of blacks".

Development plans passed in the areas were. New Germany from January to July R15,25 million (R15,2 million for the whole of 1982); Pinetown August 1982 to July 1983 R39,4 million (R51,7 million)

Better to bargain than to brawl

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Recent decisions of the Industrial Court seem likely to provoke a lively debate on the issue of union recognition. One view is that an employer should have a free right to decide whether to recognise a representative union, and should be allowed to vigorously test the union's strength — for example, in a strike. Another view, which appears to have been endorsed by the court, is that an employer has a definite obligation to recognise and negotiate with a representative union.

It is perhaps understandable that some managements — especially those fearful of the growing power of black unions — should deplore efforts to force them into a formal relationship with organised labour. Few employers relish the prospect of having to negotiate with tough-minded union leaders.

There are, however, an increasing number of employers who regard recognition as virtually a non-issue. They will recognise a union if it shows that it represents a significant number of their employees. They have good reasons.

In the first place, they know that recognition battles tend to be the most bloody of labour disputes — and are seldom won by employers. Creating a relationship of trust with employees after such battles is not easy. And trust, after all, is an essential ingredient in efforts to deal with really challenging labour issues, such as productivity, which need to be addressed urgently.

Secondly, unions tend to be breeders of democracy, and as such can play a constructive role in securing a stable and just society in SA. The lesson that a union cannot survive in the long run if it is undemocratic is being learnt in union offices throughout the country. Further, black

workers long denied access to collective bargaining are learning that compromises and trade-offs are cornerstones of such a democratic system.

Thirdly, what is happening in industrial relations has an impact on efforts to promote free enterprise in this country. A refusal to recognise a representative union does not only have an influence on the company's relations with its own employees. It might also have a broader implication for society as a whole.

Creating a stable black middle class by aiding black businessmen is one way of promoting free enterprise. But in any society there is a limited number of people who have the means, the ability and the initiative to become entrepreneurs.

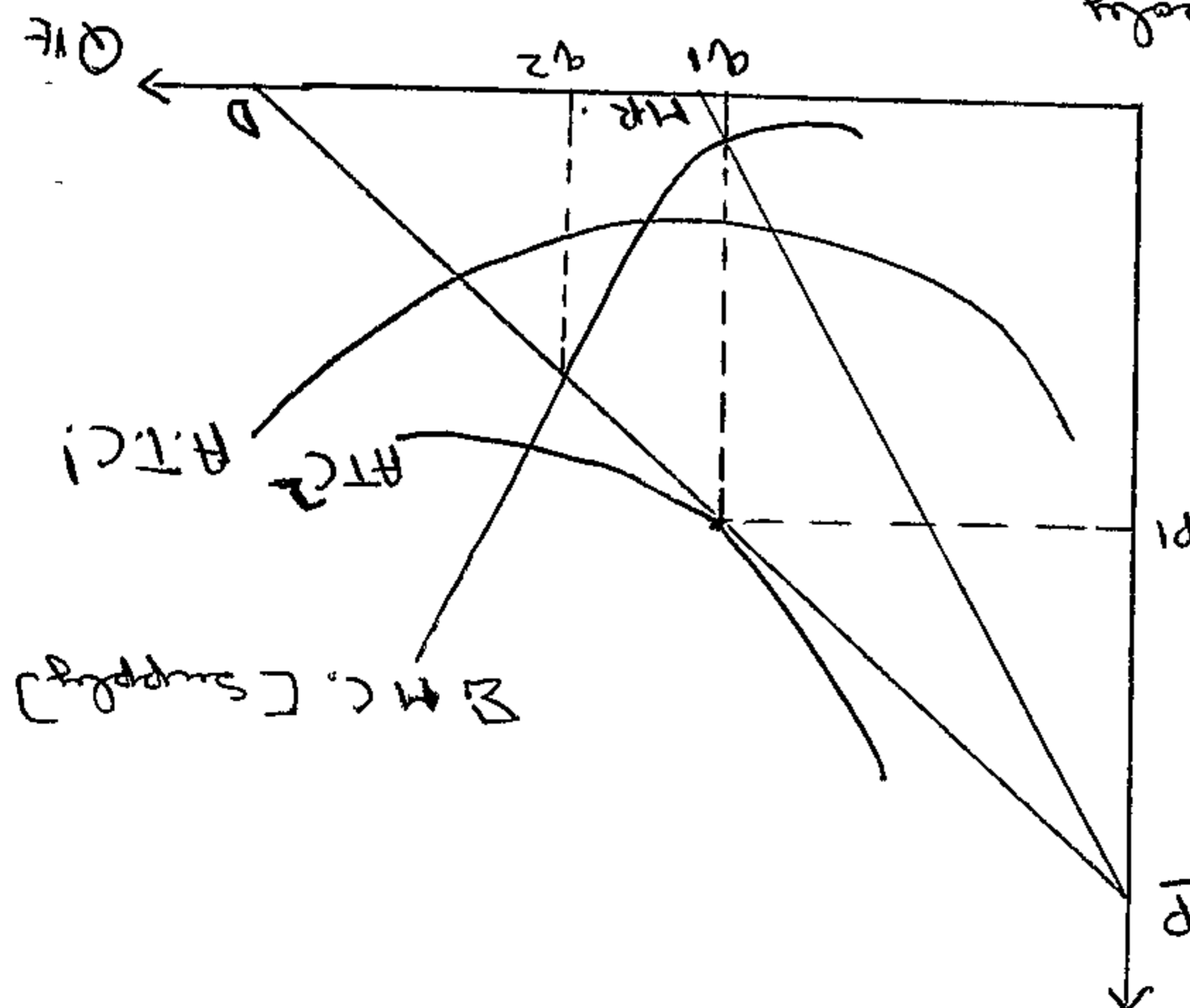
Possibly a greater challenge lies in the ability of employers to convince the millions of black working people that they have more to gain through free enterprise than any other system. This challenge has been placed squarely at employers' doors by government labour reforms aimed at promoting collective bargaining. These new labour policies have evolved from the realisation that monetary and fiscal reforms on their own cannot be relied on to solve some of this country's most pressing problems.

A management rejection of collective bargaining, a process which tends to establish a sense of equity in the workplace, can have one obvious effect. It can prompt black workers to view other economic systems — socialism, for example — with greater interest.

And to make the ability to disrupt work a criterion for recognition is to reduce industrial relations to a bar-room brawl.

Financial Mail August 12 1983

that if the monopoly were regulated to produce where supply cut demand it would be making a loss [i.e. producing Q2] whereas previously it could have been forced (as would still



The new owner will face an average total cost curve thus making only normal profits. This means that if the monopoly

Four years after Wiehahn unions are finding their feet

Sowetan

17/8/83

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FOUR years after the Wiehahn Commission's recommendations on labour legislation were submitted to the Government the number of recognition agreements between trade unions and companies has grown by leaps and bounds.

Within the first seven months of this year far more recognition agreements were reached than during the same period last year, according to the Institute for Industrial Relations

Agreements are being reached so rapidly the institute admits that it could have missed some agreements which did not appear in newspapers

So far this year there have been 22 known agreements between unions and companies. Recognition of unions flows from the first part of the Wiehahn report. On this crucial point it reads "Trade unions and individuals should be afforded full freedom of association, and any trade union, regardless of the composition of its membership should be eligible for registration and participation in bargaining and dispute prevention and settlement machinery"

The recognition agreement is the first and major step for a union towards full representation of its members. But in almost all the cases the unions

have had to sweat for this victory. In some cases it came only after a strike and in others after the union had proved that it had a majority at the particular company.

Most unionists and union members regard the signing of a recognition agreement as a victory worth celebrating. It makes things easier for the previously harassed union organisers. It means the organiser will be able to enter the premises of the company with the full knowledge of management. However, hereafter the agreements differ. The recognition agreement paves the way for other agreements like bargaining rights on wages and working conditions, grievances, disciplinary and retrenchment procedures.

In the past when a union was not recognised, workers were reluctant to identify with it. This was because workers discovered that those working and trying to recruit for a union faced dismissal or victimisation. Recognition means that their activities will now be overt and no longer covert.

Management on the other hand could not bring themselves to sit down at a table with workers or their representatives and negotiate with them. To

them the fate of the black worker was in their hands since they had done him a favour by hiring him. Managers, foreman, indunas and bossboys had the right to decide when to give a worker an increment and the amount. And if the worker was arbitrarily dismissed that was it.

The right of a union to be granted recognition if it has a majority has been strengthened by recent decisions of the Industrial Court. One view is that an employer should have a free right to decide whether to recognise a representative union, and should be allowed to test its strength, and the other view is that an employer has a definite obligation to recognise and negotiate with a representative union.

With more and more workers perceiving the advantages of a recognition agreement there has been a rise in black membership of unions. And new unions are born almost every second day. This is because they have now been granted statutory bargaining rights.

Employers have since realised that it is better to avoid a long labour dispute which affects production by recognising a union once it shows it has a majority.

By PHIL MTIMKULU

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Fm 20/8/83

in my opinion

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SIR MICHAEL EDWARDES

Union power and reason



Former chairman and chief executive of British Leyland, Sir Michael Edwardes, has had considerable experience in dealing with tough-minded trade unions. The following is an extract from a speech he delivered recently.

We have seen in the UK, and in numerous other developed countries, how the trade union movement, historically the protector of the weak and the underprivileged, has become one of the most powerful institutions in the whole of society.

The best-laid plans of far-sighted entrepreneurs, the investment of huge sums in the most modern equipment, count for nothing when unions use their power irresponsibly. I refer here to their efforts to entrench over-manning and restrictive practices, and generally de-

lay progress, even if they do not always resort to the nuclear weapon of the industrial age, the all-out strike.

Our experience at British Leyland (BL) was that the average trade unionist is an eminently sensible person, who is ready, willing and able to put in a full day's work in return for a fair wage which guarantees him a gradually increasing standard of living for his family.

(But) all too often, politically inspired militants are prepared to deliberately sacrifice the interests of their fellow trade union members in the hope of making what they think is a contribution to the re-structuring of society in their own image.

To this end, they deliberately encourage strikes — often in defiance of the leaders of their own unions — which cost companies huge sums in lost production and eventually lead to fewer jobs, lower income standards, and reduced expectations for the vast majority of their fellow workers.

SA is a slow starter in the trade union stakes, but at a time when union membership in countries like the UK has dropped very substantially — partly because of disillusionment but mostly because of increasing unemployment — trade union membership here is growing rapidly.

This is a growing power that, if used sensibly, could achieve enormous benefits for SA's millions of black workers by accelerating the pace of change without destroying the industries which generate the wealth.

But if union leaders or shopfloor stewards use their power irresponsibly, they could cause incalculable damage to this country's economy. They could slow down — perhaps even reverse — the benefits brought about by a prospering economy by pricing their members out of jobs, making industry less competitive and frightening people in authority into taking steps to slow the evolutionary process. I very much hope that reason will prevail.

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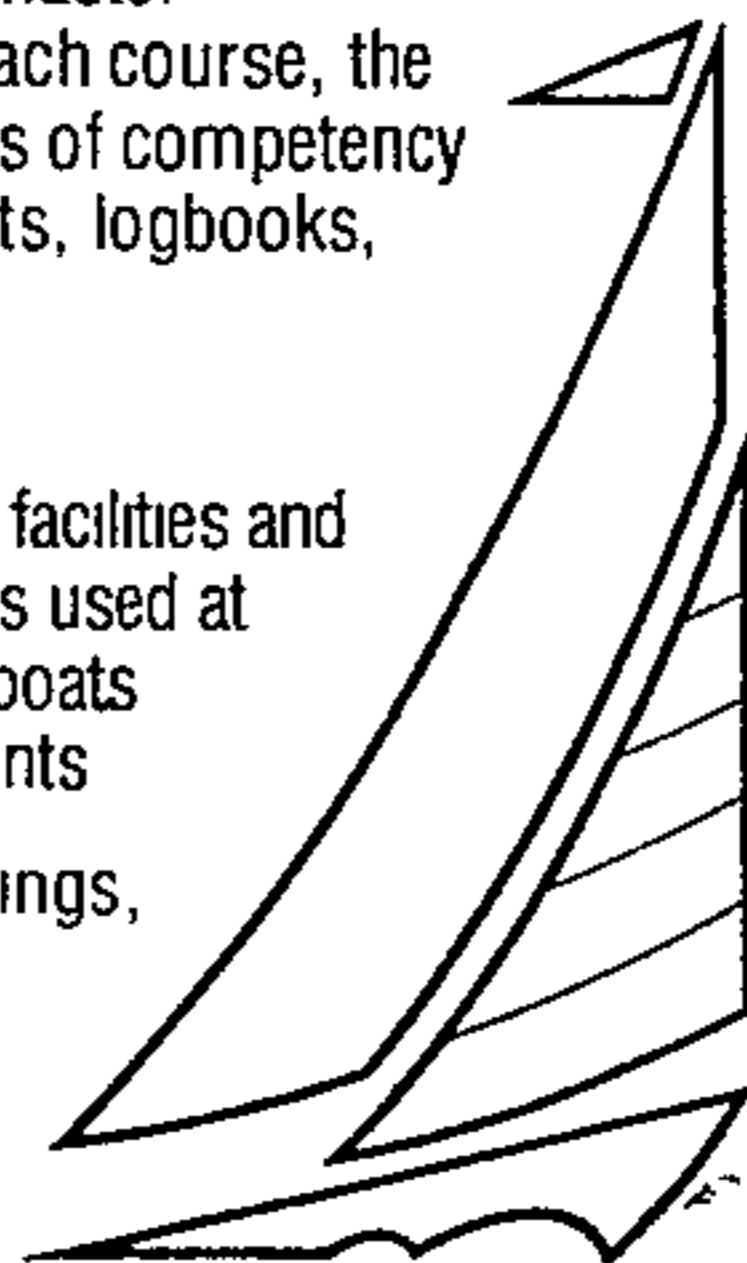
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Change to the number one cane spirit. Pure, crystal-clear Mainstay.

1 000 struck illegally every day last year

By Peter Sullivan, Political Correspondent

CAPE TOWN — An average of 1 000 workers were on strike illegally every day last year, according to figures released by the National Manpower Commission yesterday.

There were 394 strikes and work stoppages involving 141 571 strikers. This led to a loss of 365 337 man-days in 1982.

Blacks made up 86,5 percent of the striking workers, and 43 percent of the strikes lasted one day or less.

Most strikes took place in the manufacturing sector, and most of them occurred in the PWV area, the Eastern Cape and Durban.

All the strikes were illegal in terms of the Labour Relations Act.

The commission's report also reveals that the number of the registered trade unions decreased last year but the membership of the unions went up.

The number of unions went down from 200 to 199, but the membership rose from 1 054 405 in 1981 to 1 226 454 in 1982.

At the end of 1982 there were 71 registered trade unions with black members, while 66 made provision for black members in the scope of their registration.

The total black membership of trade unions was 394 510 — or 32 percent of the membership as against 25 percent in 1981.

Unemployment figures are also dealt with in the report. Registered unemployment among whites went up from 5 600 in December 1981 to 10 200 in November 1982.

Unemployment among blacks rose from eight percent (409 000) in January 1982 to 9,2 percent (471 000) in November 1982, while among coloured people it rose from an official 4,6 percent (43 000) to 6,4 (62 000).

A simultaneous statement by the Minister of Manpower, Mr Fanie Botha, rejected criticisms of the unemployment figures — that two to three million people are jobless instead of the official 550 000.

Experts warn on conflict in workplace

Labour Reporter

UNLESS there is a just political system political and social conflict in South Africa will spill over into the workplace and management will have to pay the price, according to university lecturer Mr Johann Maree

Mr Maree, a lecturer in industrial sociology at the University of Cape Town, was speaking in a panel discussion on industrial conflict and dis-

pute yesterday at the Centre for Intergroup Studies workshop on "conflict accommodation"

Other members of the panel were Mr Theo Heffer, group manpower consultant of Grinaker Holdings, Mr Steve Woods, personnel executive of Consani's Engineering, and Mr Norman Daniels, general secretary of the Tucsa-affiliated Textile Workers' Industrial Union

LIVELY

In a lively debate Mr Heffer, one of the country's top industrial relations consultants, said that in South Africa labour was politics

"The workplace is the only place where black South Africans have the vote

"What successes there are in the workplace will flow into society," he said

Earlier, Mr Heffer and Mr Woods criticised some of the established unions on industrial councils as being unrepresentative

Both have been closely involved in negotiating recognition agreements with independent unregistered unions in their factories

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No use fighting against unionisation, says prof

By Trevor Jones

(32)
The minority of employers who remain opposed to the unionisation of black employees are probably fighting a losing battle says Professor R V Sutton, of the Unisa School of Business.

At the annual conference of the Security Association of South Africa in Johannesburg yesterday, Professor Sutton said any attempts to disrupt the process of unionisation by using a security department was unlikely to succeed and could damage the credibility of the security service.

Professor Sutton added that trade unions did not necessarily take into account the damaging effects which strike action could have on the survival and welfare of organisations, communities or individuals.

Future strikes or other forms of industrial action will always contain the potential for an outbreak of violence. This tendency, in turn, could be aggravated through the intrusion of political activism into industrial relations.

This posed a special problem for security personnel.

"While the State still takes action against trade union leaders on the grounds of national security, it is important to remember that such action is outside the scope of the legislation governing industrial relations."

"Employers will probably experience difficulties in resolving industrial disputes activated by political considerations. But in the long run it will be more satisfactory to persevere with the normal industrial relations machinery."

Better food for workers

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One of South Africa's largest industrial caterers, Fedics Food Services, has launched a marketing campaign to improve service to customers at its 400 food outlets nation-wide

The divisional general manager, Mr Mike Kaufmann, said the "Our customer first" campaign was intended to improve the quality of life of workers who ate at the company's mass production food outlets.

The improvement would be in food presentation, quality and variety of food, staff restaurant environment and staff friendliness and helpfulness

The company claims it feeds about 350 000 people a day.

Managing director Mr David Wigley said food could be a highly positive employee benefit

It could raise morale and help retain good staff

"On the other hand, unpalatable food served in uncongenial surroundings can lead to labour unrest"

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Commissions are defended

THE banned African National Congress (ANC) and the South African Congress of Trade Unions (Sactu) had labelled the Riekert and Wiehahn Commissions as attacks on efforts to involve South African workers in the national economy, the Institute of Personnel Management conference was told yesterday.

Professor S M Swart of the Graduate School

of Business at the University of Stellenbosch said "They accused the government of adopting new and more subtle means of controlling the working class, having realised that the old method of control (liaison committee system) was not working any more after the Natal strikes of 1973 erupted and a hundred thousand workers went out on strike spontaneously

with no trade-union involvement"

But, Prof Swart said, the accusation was not true because the rationale behind these commissions was to "give people more of a commitment to the State in a stable and prosperous South Africa via economic development, intensive training and increased occupational mobility

Contention over workers' safety

Cape Times
13/10/83

By PHILLIP VAN NIEKERK, Labour Reporter

LISTENING to the differing views aired on the government's new safety legislation — the Machinery and Occupational Safety Act — it is difficult to believe that people are talking about the same thing

The National Occupational Safety Association (Nosa) believes the Act, which is to replace sections of the Factories Act, is an important breakthrough, providing for the safety protection of almost every worker in the country

But a visiting American safety expert, Mr Barry Castleman, said several weeks ago that the Act provided little protection for workers and that local health and safety standards were "primitive"

It seems likely that the new legislation will emerge as a major point of contention between employers and trade unions, which are increasingly taking up health and safety issues on the shop floor

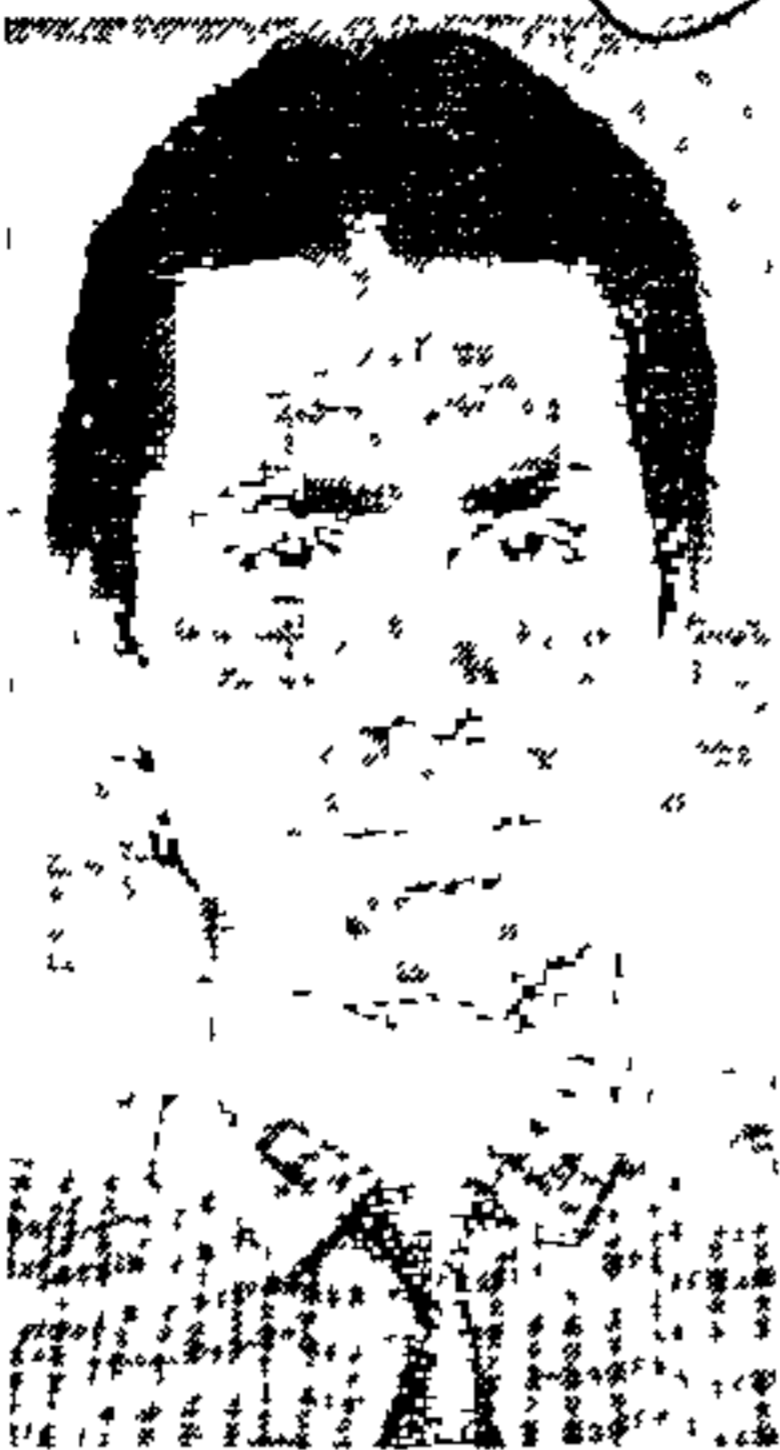
On strike

In August workers went on strike at an AECI plant after several colleagues had died in an explosion, and last month the National Union of Mineworkers charged management at the Hlobane mine with negligence after the death of 65 workers in a methane-gas explosion. Thousands of workers

From the Bible

"Christ's message in all its richness must live in your hearts. Teach and instruct each other with all wisdom"

(Colossians 3:16)



downed tools for half-an-hour in sympathy

With the evolution of shop-floor organization of workers, there have been attempts to set up representative, union-based health and safety committees at factories. This could be the main area of dispute over the new Act, which provides for safety representatives and safety committees — but provides that they be appointed by management.

According to an article in the latest South African Labour Bulletin, by Dr Jonathon Myers and Mr Malcolm Steinberg, the new law is totally out of line with the spirit of reforms ushered in in the wake of the Wiehahn commission report in 1979.

They state that the Act makes no provision for real participation by workers or their unions in health and safety matters and the rights of the safety representatives and safety committees will be severely circumscribed.

Safety committees are

likened to the old liaison committees, which were regarded as unrepresentative bodies appointed as a substitute to genuine worker organization

Myers and Steinberg hold that the interests of workers in most workplaces would best be served by ensuring that safety representatives were elected democratically

Disaffiliation

● THE departure of the 54 000-strong S A Boilermakers' Society from the Trade Union Council of South Africa (Tucsa) last week casts further doubt on the future of the council

The boilermakers have been one of the few affiliates of Tucsa who have maintained a measure of credibility with the emerging unions. Their decision to disaffiliate further confirms Tucsa's drift to the right and their distance from the mainly black unions.

In a letter to the council, the boilermakers said they were leaving because of two decisions at Tucsa's recent conference in Port Elizabeth: a call to the government to outlaw unregistered unions and the defeat of a resolution calling for workers to be free to belong to the union of their choice.

Taken together, the two resolutions showed that most Tucsa unions were "prepared to place what they conceive as their vested interests above the interests of their members and the labour movement as a whole". The boiler-

makers' aim was to work towards trade union unity, a task which could no longer be performed while they remained within the ranks of Tucsa.

While they are unlikely to be party to the unity moves among emerging unions at this stage, the boilermakers are centrally involved in the local council of the International Metalworkers' Federation where unions from Tucsa, the Federation of South African Trade Unions (Fosatu) and the Council of Unions of South Africa (Cusa) are already working together.

Call condemned

● TUCSA'S call for a ban on unregistered unions has been predictably condemned by emerging unions, both registered and unregistered.

One of the strongest reactions has come from Mr Zwelakhe Sisulu, the president of the Media Workers' Association of South Africa (Mwasa), who held their annual conference in Cape Town at the weekend.

Mr Sisulu said Tucsa's call, seen together with the banning of Saawu in the Ciskei, was a "forerunner to government action against the labour movements". He warned against a government "pogrom" about to be unleashed against the unions.

And while Mr Arthur Grobelaar, the general secretary of Tucsa, believes Tucsa's stand has been misunderstood, there is no doubt the resolution lays them wide open to such interpretation.

Industrial relations underlined

Pretoria Bureau

19/10/83
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Trade unions and managements had a joint responsibility to foster labour relations but the primary responsibility for the creation and maintenance of sound labour relations lay with management and there could be no justification whatsoever for neglecting this responsibility, said Dr P J van der Merwe, Director General of Manpower, yesterday

Speaking at a seminar organised by the Midland Chamber of Industries in Port Elizabeth, Dr Van der Merwe said managements which did not give priority attention to industrial relations, ignored the build up of conflict situations and failed to take timely steps to avoid confrontation, could not expect legislation to do their job for them

Such managements could also not expect the law to protect them against genuine grievances

"Conflicts of interests between workers and employers are a normal feature of a market economy and need not necessarily result in strikes or lockouts"

What was essential, however, was the elimination of unnecessary strikes which resulted from bad and outdated management practices

Many criticisms had been levelled at managements in the labour relations field and these included

- A lack of real interest in industrial relations matters
- Too much reliance on the Department of Manpower, the police and other bodies for advice and assistance rather than initiating the necessary reforms from within
- Poor communication from board level to first-line management and downwards
- In many instances managements failed to communicate with workers in their own language or to use a competent interpreter
- Lack of training of first-line management, middle management and supervisors in industrial relations



Strike after assault claim

Pretoria Bureau

About 50 workers at the Pienaar and Grabe Wood Factory, Rosslyn, have gone on strike in solidarity with one of their colleagues who was allegedly assaulted by a foreman, who accused him of recruiting workers for a trade union

Workers at the factory said the trouble started early last week when they appointed a three-member committee to negotiate with management for a 30 cents an hour increase which was turned down by management. Modified demands met with the same response

"We reported back to the workers who continued with their work until

last Thursday when I was called to the manager's office by Mr Johan Beukes, a foreman. He claimed that I was recruiting workers to join an outside union," said Mr Antipus Leso, one of the three-man negotiating committee

"When I denied the allegations I was punched and kicked by Mr Beukes and two other men," he said

After this 51 of the workers downed tools, Mr Leso said

Other workers also complained of poor treatment by the company and of daily assaults by Mr Beukes

Mr J W van Schoor, the manager, confirmed the strike but declined to comment on the allegations of assaults and poor treatment

Nurses walk for Soweto Home

A group of student nurses from Johannesburg and Baragwanath Hospitals along with members of the public are all set to take off on their long walk down Braamfontein Spruit on Saturday to raise funds for the Johannesburg Child Welfare's Soweto Home for battered mums and abandoned babies

The 150 walkers will be led by fund-raising organiser Sister Carole Wild, who hopes to rake in about R5000 for the Othandweni Home's fur-

nishing requirements

Sister Wild said she was hoping a lot of large-hearted people would come forward with donations to help swell the nurses' collection kitty

T-shirts carrying the Othandweni symbol will be sold at the Spruit for R4 each. The entrance fee to participate in the walk is R5 a person

"We're expecting a large turnout and lots of fun out of this walk," Sister Wild beamed

She can be reached at the Johannesburg Hospital 643-0111 (Ward 277)

PRODUCE

The Department of Agriculture reports the following prices in cents realised in bulk transactions for produce sold on the Johannesburg Produce Market yesterday

Potatoes - (pockets) Class 1, large 600 to 700, medium 450 to 550, small 400 to 430 Class 2, large 650, medium 450 to 500, small 420 to 450

Vegetables - Beans (pockets) 800 to 1 500, (cartons) 500 to 800 Beetroot (crates), 700 to 1 000 (pockets) 100 to 250 Cabbages (crates) 250 to 400, (bags) 120 to 200 Carrots (crates) 500 to 1 200, (pockets) 150 to 180 Cucumbers (pockets) 400 to 600, (cartons) 500 to 2 000 Cauliflower (crates) 400 to 1 000 Gem Squash (pockets) 300 to 500 Hubbard Squash (sugar bags) 1 100 to 1 500 Lettuce (crates) 200 to 350 Onions (pockets) Class 2, large 150 to 180 medium 150 to 230, small 60 to 100 lowest class 30 to 200 Pickles 50 to 100 Pumpkins (sugar bags) 1 000 to 2 000 Sweet Potatoes (sugar bags) 1 200 to 1 500 Tomatoes (boxes) Grade 1 350 to 1 000 Class 2 250 to 600 Class 3 150 to 350

Fruit - Apples (cartons) Starking Class 1, large 1 700 to 2 000, medium

Seifsa boss calls for agreement

By JOSHUA RABOROKO

MAJOR trade unions and employers have to agree on an approach that will recognise the multi-interest group and play a leading role in the South African workforce next year.

In his annual report, the president of the Steel Engineering Industries Federation of South Africa (Seifsa), Mr J W Nelson, said that it was his association's concern that the investigation by the National Manpower Commission into registration procedures of employers and unions be implemented

However, he said, no change in this legislation could be anticipated before 1985

"There is an urgent need to remove the decision-making on representatives from the authority of the State if the official industrial relations system is to succeed in South Africa," he said

The dispute procedure as set out by Seifsa was aimed at facilitating

resolution of conflicts without recourse to industrial action. It was encouraging to note that approximately half of the disputes processed by the council during the past year had been resolved within the procedure

The association was also concerned about the issue of redundancy which had been greatly caused by recession. In order to assist its members Seifsa had issued guidelines on how to handle such situations

Referring to the country's economy, he said, the economic downturn in the case of the metal industries had been more severe than any recession since that of the early 1930s. This had caused large scale unemployment

"In spite of major efforts to reduce retrenchments through eliminating overtime and short time, employment in the metal industries for the period November 1981 to May 1983 declined by some 70 000 employees"

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Sorefer

Fears of rise in political strikes 'not supported'

Gal 28/10/83
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By Stan Kennedy

The new labour dispensation has catapulted South Africa into First World-type industrial relations problems and made them an everyday management affair, but strikes are not expected to increase to the proportions often predicted, says Mr Eddie Nicholson.

The head of Industrial Relations Consultancy, P-E Corporate Services, told an open day for automotive manufacturers at Salcast foundry, Benoni, that rapid escalation in strikes from 1980 to 1982 had many people asking: were black unions responsible for the increase or were the strikes politically motivated?

Of the 1000-odd strikes since 1980, only the pension strikes could be regarded as political, and even these were partially work-related. So fear of a general political strike seemed largely unsubstantiated, he said.

Strike activities up to mid-1982 were primarily of the demonstration type, which meant unions had little to do with organising them.

During the first half of 1982 the unions were "losing so many strikes" that there was strong concern among the leaders of unions that if strikes did not become more organised and deliberated, members would become disillusioned with the strike weapon.

He said demonstration-type strikes arose mainly from workers' spontaneous action and aimed at a show of strength.

They generally lasted one or two days and were aimed at gaining recognition for a particular union and to encourage plant-level bargaining. While they were of a strategic demonstration nature, they were not master-minded by the unions.

"The pattern changed later in

the year with emergence of the enforcement type of strike, aimed at driving home the concession for a minimum wage of R2 an hour."

These continued into 1983, together with pursuit of lawsuits as a form of action. The change meant that strikes, while still continuing in numbers, became more tactical and pragmatic.

"The whole relationship has now shifted to a more formal collective bargaining action — in contrast to the show of strength and cathartic expression of solidarity which marked earlier strikes. The whole process is far more calculated and rational than most people realise."

Mr Nicholson said the increase in strike activity was proportional to the membership rise of black unions. While some people might be horrified at the black unions' growth rate, they were still somewhat slow and conservative compared with countries overseas.

Membership of registered trade unions in SA was only 12 to 14 percent of the registered workforce, compared with 83 percent for Sweden, 50 for the UK, 38 for West Germany, 33 for Japan and 20 for the US.

As union membership increased among black workers, the level of industrial unrest would rise proportionately.

In sum, labour action would increase but not burgeon significantly.

Factors mitigating against a radical increase in strikes were: an improvement in the machinery for solving disputes, improved shop steward training; greater willingness of employers to talk to and deal with trade unions, greater awareness of the improvement of supervisory training and for normalising relations on the shop floor.

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LABOUR

Political dimension

"Manners makyth man," said William Wykeham in the Fifteenth century. The common courtesy he advocated is going to be vital in preserving industrial peace in SA in the Eighties, says Professor Johan Coetzee, manpower consultant at Potchefstroom University's Business School.

Speaking at the Computer Placement Agency's (CPL) yearly salary seminar Coetzee said that as workers become more "emancipated," the level of labour unrest will rise. Managing it will become as important as managing labour in general, he predicted.

Quoting from a recent investigation into the cause of the Sasol strike at Secunda, Coetzee said one of the basic reasons was that white workers had been given 45 cm colour TV sets while blacks were given 42,51 cm black-and-white sets. "This was seen as unfair and bad manners," he said.

Coetzee warned that political frustrations are likely to be brought to the bargaining table at work. "As a result of the government's acceptance of most of the Wiehan Commission's work, we are moving very fast towards a meritocracy at work. But at 5 pm white workers continue to enjoy freedom when they go home but blacks again become prescribed people. This causes a paradox which is leading to anxiety and irritation and which causes labour unrest."

"Influx control, Section 10 rights, 99-year leases and the like are the things we are going to have to manage at work, but they are all political decisions with which management should not have to deal," Coetzee added.

Pointing to the education system which effectively segregates whites and blacks until they get their first jobs, Coetzee asked "Are we not just in time to be too late to get sound labour relations? It is unfair to expect industry to breed sound human relations at work when people's vital formative years have been spent in almost total isolation and prejudices have already been deeply ingrained."

Coetzee also noted the effect of Andries Treurnicht's split from the National Party. "July 8 1982 saw the disintegration of Afrikaner white solidarity which was conducive to industrial peace. The referendum is now causing a lot of confusion (among whites) and we have the spectre of a possible white versus white conflict in labour," he said.

Coetzee believes the time has come for management to become more involved in politics, as is common in the US. Interpreting Anglo American chairman Gavin Relly's recent remarks as support for the proposed constitution, Coetzee predicted that more business leaders will declare themselves, and by implication, their companies, for a "yes" vote on November 2.

"It has become critical that managers should know party politics and for them to get involved. With 55% of the population excluded from the constitutional proposals they are going to try to act out their political rights at work. Managers will have to address these issues and meet with the political leaders to get reform. As it is, the credibility of those giving the handouts at work (in terms of the new labour dispensation) is being eroded steadily," he said.

Growing need for industrial relations

By OWEN PARKER
Proprietor & Editor

THE building industry today faces many problems arising from the current recession, from the drought and, probably most challenging of all, from emerging pressures in the industrial relations field

This statement was made today by Mr Jed Bramwell, chief executive of Murray and Roberts Holding Ltd in his opening address at the Bifsa congress in Port Elizabeth

"There is no doubt in my mind that the Government's efforts to broaden the processes of negotiation with workers and to liberalise our labour legislation will lead to a more stable and productive labour force in the longer term," he said

"The process of achieving this state of affairs, however, is certainly going to be painful and, in some cases traumatic, for employers"

Management in the future would have to devote very much more time to the problems of industrial rela-

tions than it had done in the past

In this regard, it had to recognise the implications of the rulings of the industrial court

Recent court proceedings had clearly revealed that, in many instances, employer reaction under pressure from organised employees was hasty and ill-conceived

The tendency for the means of production within our economy to be progressively absorbed into fewer and fewer major companies through the payment of large sums of money to the previous owners, entrepreneurs and shareholders had not led to any increase in the means of production, Mr Bramwell said

Nor had it led to the creation of a greater number of job opportunities or increased efficiency within the country's economy as a whole

As far as the construction industry was concerned, it had also led to the undesirable practice of in-house trading in an industry which had always prided

itself on the fact that it represented the very essence of the free enterprise system

"Today, many of the major construction companies are owned by mining and financial groups which tend to give special preferences to their own companies," he said

As the economy expanded and as larger numbers of people became economically active, pension funds, insurance companies and other financial institutions generated money at an increasing rate and were constantly seeking new investment opportunities

"Without opportunities for South African institutions to invest these pent-up funds outside of the Republic this has become a contributory factor in the tendency towards the concentration of economic power in fewer and fewer hands"

The good news was that funds were channelled into the acquisition of existing buildings and the construction of new projects, Mr Bramwell said

E. Post
2-11/10/83

Company-level pay talks 'tempt chaos'

E. Post 25/10/83

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By LOUIS BECKERLING
Business Editor

LABOUR relations expert Mr David van Collier today warned of "chaos" which might follow a swing to regulating industrial affairs by way of company-based recognition agreements

Addressing the 78th annual conference of the Building Industries Federation at the Hotel Elizabeth, Mr Van Collier added that the resultant variations in employment conditions throughout industry would be considerable

"As would be the chances of escalating inter-group conflict"

In his address Mr Van Collier, graduate of Oxford University, director of the Institute of Industrial Rela-

tions, and personnel consultant (industrial relations) to Anglo American, evaluated the respective merits of industry-wide bargaining and company level bargaining against a South African background which "combined to create an industrial relations arena with probably the greatest potential for instability anywhere in the Western world"

Assessing the relative merits of the two, Mr Van Collier said industrial councils arose out of joint voluntary action by employers and employees "and at the outset there is an acceptance of equality and a sense of permanence in the relationship"

Recognition agreements negotiated at company level, by contrast, frequently

"come into existence following major pressure and thus from the outset the question of power is a factor"

Whereas the statutory sanction granted industrial council agreements allowed for great moral pressure and ultimately criminal action in the event of a breach of agreement, in recognition agreements sanction lay directly with employees and their union "which must either use the strike weapon or take legal action by resorting to the industrial court"

"As before, this is a direct conflict between employer and the employees in that company in which high levels of power are likely to be brought into play at an early stage"

Mr Van Collier underlined the potential for variations in working conditions by referring to the metal industry where, within the industrial council were represented

- One union representing Asians and coloureds
- Three unions representing blacks
- Five unions representing whites
- Four unions representing Asians, blacks and

coloureds

● One union representing Asians coloureds and whites

● A further six unions outside the council

● 3500 companies, organised into 45 associations

"In such circumstances the potential for chaos is considerable if the system is to function on recognition agreements," said Mr Van Collier

Dealing with criticisms directed at the council system, Mr Van Collier conceded that it was predictable that black workers should have reservations. This problem was, however diminishing as a result of first-hand experience

Allegations that in some councils the parties have used the closed-shop principle and refused to grant stop-order facilities to non-party unions in order to prevent them from spreading were more serious

"If this is, in fact the case, it would appear extremely unwise. A sound collective bargaining system can only be established on the principles of freedom of association and voluntarism in collective bargaining"

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NGK pleads for restoration of Christian ethics in labour

Religion Reporter

THE poorer community is being hardest hit by inflation in South Africa, says a committee of the Western Cape Synod of the Ned Geref Kerk in calling for a more just economic system.

It said South Africa should build up "a stable and just economic dispensation" to restore sound Christian ethics in the labour market

Scripture demanded a just dispensation, an acceptable relationship between wages and work, the creation of job opportunities and a peaceful and orderly society, said the committee

The Old Testament set out rules to prevent both the amassing of wealth and the suffering which arose from poverty

Excessive inflation in South Africa was hitting the poorer section of the population hardest and

was a real threat to very existence of many

It also inhibited expansion or creation of new undertakings

It was widely suggested that because certain bodies benefited from continued inflation, including the Government itself, it was futile to protest This created a dangerous climate

Labour unrest could arise from exploitation and underpayment, unemployment, retrench-

ments, inadequate benefits, pensions, medical funds and unemployment insurance, the lack of training and promotion opportunities and the absence of housing and transport

The committee said the existence and function of labour unions and collective employee action had to be recognised and honoured

It asked the synod to call on all employers for a just labour system in

relation to wages, facilities, working conditions and benefits, with special attention to the lower-income groups

The synod was also asked to call on the Government to make serious attempts to reduce the inflation rate as speedily as possible to avoid dangerous results

The synod decided to ask its doctrinal commission to make an in-depth study of inflation and labour unrest At the same

time it called on employers to strive for a just labour system

It would be wrong to plead for an obligatory death sentence for rape, said a doctrinal committee of the Western Cape Synod of the Ned Geref Kerk

There was a clear difference between the destruction of life by murder or treason and the physical or psychological violation of a woman's welfare, said the committee

"If this distinction is not maintained, there would be no reason, for example, not to institute the death penalty also for racial discrimination"

While a person was responsible for his own actions, society itself had a co-responsibility in the case of rape "Society, which allows all sorts of permissive developments, must accept co-responsibility for the actions of unstable

Concern over lack of representation on Media Council

Religion Reporter CONCERN has been expressed at the Western Cape Synod of the Ned Geref Kerk that the NGK was not represented on the Media Council

The Media Council, established as an internal "watchdog" by the industry, comprises 14 public representatives and 14 media representatives, in addition to the chairman and vice-chairman

During a brief debate in the synod yesterday the Rev H J Vorster said the Media Council was one of four systems of control over the media in South Africa — internal, legislative and administrative control, as well as pre-publication censorship

In the case of newspapers and magazines, pre-publication censorship was not possible in the way in which it was applied to films

He said the Newspaper Press Union represented a billion-rand industry It had set up the Media

Council as an independent body for internal control and had widely advertised for public nominations to the council

While the NGK General Synod nominee was not one of the 14 public representatives selected to serve on the body, the NGK had "meaningful representation" through academics on the Media Council

LOCAL COMMITTEES

NGK members also served on local committees of the Publications Control Board

The Rev L Moolman, Cape information officer of the NGK, said the doctrinal commission of the church frequently received complaints about books or films, but these complaints were often not specific

He appealed to those who wished to object to publications to name the specific portion of the document or film to which they took exception

people who yield to tempting and stimulating circumstances — for example, a continuous bombardment of a pornographic and suggestive nature," said the committee

"The committee would suggest that in our administration of justice we should deal with human life in such a way that its sanctity and inviolability is not threatened"

(News by B Stuart, 122 St Georges Street, Cape Town)

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PIET VAN DER MERWE

Making labour relations work



In a recent address to the Midland Chamber of Industries, Manpower Director General Piet van der Merwe focused attention on some important labour issues. The following is an extract from his speech.

It is important to touch on some of the popular misconceptions about SA's industrial relations legislation

Trade unions are not established or created by legislation, as is often popularly asserted. They result from the needs and desires of workers to voluntarily organise themselves to deal collectively with attaining the best working conditions. They thus strive to remove causes of friction and conflict and promote the largest possible output so as to provide a rising standard of living and continuously improving conditions of employment

Labour legislation is aimed at providing a statutory framework which sets the parameters for the orderly functioning of a trade union for the protection of the interests of its members as well as the public at large. It also provides for a trade union to voluntarily acquire statutory legal persona and enjoy the protection which this offers. It is therefore clear that the intention of the legislation is to place the trade union movement on a sound footing, creating certainty as to its rights and obligations.

In some quarters it is contended that labour legislation is responsible for some strikes and work stoppages. This is, of course, not so in that legislation only lays down the procedures to be followed in the event of a dispute. Strikes and stoppages seldom arise from a dispute about the governing legislation

There has also been the cry by some elements that labour legislation interferes with the freedom and rights of workers. This is not so if one considers that the collective bargaining system is a voluntary one and that the State does

not prescribe the nature of the employer/employee relationship relating to the specific conditions of employment, nor the manner in which the parties should relate to one another

Good industrial relations do not proceed from the law alone. Although both management and unions have a joint responsibility to foster good labour relations, the primary responsibility for the creation and maintenance of sound labour relations lies with management. There can be no justification whatsoever for it neglecting this responsibility

Managements that do not give priority attention to industrial relations, who ignore the building up of conflict situations, and who fail to take timely steps to avoid confrontation, cannot expect legislation to do their job for them or to protect them against genuine grievances of their workers

Conflicts of interests between workers and employers are a normal feature of a market economy and need not necessarily result in strikes and lockouts. What is, however, essential is that unnecessary strikes which result from bad and outdated management practices should be eliminated

Here are some of the criticisms which are often levelled at managements

- A lack of real interest in industrial relations matters on the part of management, which tends to treat this as a fringe duty;
- Too much reliance on the Department of Manpower, the police, employer organisations or other outside bodies for advice and assistance rather than initiating the necessary reforms from within;
- Poor communication from board level to first-line management and downwards. In many instances poor communication also results from the inability of management to communicate with workers in their own language or failure to use a competent interpreter;
- Lack of training of first-line management, middle management and supervisors in industrial relations;
- Lack of skilled negotiators. Negotia-

tors do not only lack the necessary skills, but very often they do not have a clear mandate from management, nor do they enjoy the trust and confidence of the workers, and

Failure to utilise the reservoir of goodwill, loyalty and responsibility present in the workforce

We must recognise the demands that people be granted greater participation in and greater influence over the events and decisions which will affect their lives. Trade unions are a part of the means of regulating conflict in society, rather than the cause of that conflict.

It is essential that a basis of mutual trust be built up if the free market system is to function properly. To make it work the persons in it must have some commitment to it. This is where employers have an important role to play because mutual respect and trust arise from the day-to-day contacts between people in their businesses, which they are best able to promote

Trade unions naturally also have an important responsibility for the promotion of good industrial relations and they could do so by giving attention to the following

- Responsible behaviour on the part of members and leaders,
- Workers should involve themselves in a responsible manner in their trade union affairs. This implies that the worker exercises his freedom and uses his rights in such a way that the freedom and rights of other workers, employers and the general public are not impaired by his actions,
- An employee is entitled to full participation in the general decision-making concerning his conditions of service. It is the responsibility of the trade union to provide feedback to membership level and to ensure full membership participation in and endorsement of decisions so as to retain support and self-discipline, and
- It is essential that trade unions keep their members informed so that demands remain within the confines of what is possible

SUPPORT THE MPETHA ACCUSED!

March 6 marked the second anniversary of the start of the marathon trial of veteran trade unionist, Oscar Mpetha and 18 other people on charges of 'terrorism' and alternatively, murder, following their alleged involvement in certain incidents sparked off by the 1980 bus boycotts.



Mr Naas Steenkamp

Industrial unrest predicted

132 822 11/11/83

By Malcolm Fothergill

South Africa can expect a period of industrial unrest as unions challenge management power, Mr Naas Steenkamp, Gencor's chief executive (manpower), told the "Investment in 1984" conference in Johannesburg yesterday

"In this country there is not as yet by any stretch of the imagination a common perception shared by labour and management of the boundary line between management prerogative and participation

"My guess is that in the next decade conflict over defining this boundary will disrupt labour peace far more than disputes arising from collective bargaining

"This disruption will exceed reasonable bounds because management will not address the source of these disputes in time, but will out of long habit rather react to them as they arise"

Mr Steenkamp said that as a result of workers' perceptions of past deprivation, and also of exciting rhetoric, heavy demands were being made on union leaders to "produce the goods"

"Since there are severe constraints on producing spectacular results in the area of wages, union leadership is exploiting the area of arbitrary management decision-making

The introduction of the Industrial Court had created a "whole new sphere of employee rights that are making inroads into management prerogatives", Mr Steenkamp said

"Unions have also bargained for and achieved concessions which reduce management prerogatives in ways that sometimes make sense and sometimes do not.

"Thus a union has extracted from the country's largest news agency a commitment that it will

negotiate all retrenchments well in advance

"Several similar deals have been struck in other industries ...

"All three forces probing into the area of management prerogatives — namely legislation, court judgments and union activism — are alive and well, and if anything can be expected to impact ever more strongly on management authority.

"I think, however, that these pressures will not in the first place be articulated, but that they will be manifested in seemingly mindless industrial action

"They will disrupt peace and cause losses in production.

"From this will result a realisation that management will have to go forth and do battle in order to draw the boundary between management prerogatives and collective bargaining"

LABOUR RELATIONS

Drawing the line

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Conflict over defining the boundary line between management prerogative and worker participation in decision-making may disrupt labour peace far more than disputes arising from collective bargaining in the decade ahead

This view was expressed at the FM Investment Conference last week by Gencor manpower chief executive, Naas Steenkamp, when he provided a thought-provoking analysis of the transformation of labour-management relations in SA

Steenkamp said that in labour-management relations, SA is in transition from an essentially paternalistic system to a participative one. He outlined two distinct phases in the evolution of these relations

In phase one, he said, the black labour movement has become structured, legitimised and institutionalised. Steenkamp said black reaction in 1980 to the draft pensions preservation legislation laid down the theme of phase two — the pursuit of black participation in management and government decisions affecting black interests

"The objective will be participation not only in the conventional 'proper' area of wages and conditions of employment, but in a large area of what is currently regarded as management prerogative. Phase two will manifest itself forcefully over the next decade, or for so long as it takes to establish a new common perception of the legitimate functions of labour and management"

Steenkamp pointed out that in recent years much has been said about workers' rights — but comparatively little about management's rights. He focused attention on the purist view of management prerogative — the "residual theory" of management rights. In essence, this is that all rights reside in management except those that are limited by a labour agreement or conditioned by past practice

Thus, what used to be an item of unilateral management decision becomes one of worker participation in decision-making if management decides to write such a concession into the agreement. On the other hand, decision-making on any issue not specifically labelled as a "bargaining issue" remains the sole prerogative of management, open to no contention or dispute

Steenkamp pointed out that in a number of industrialised countries there are important forces arraigned against this view

Firstly, the "trusteeship" notion, which does not discern a clear and unchanging line separating management rights from negotiable issues. Management is co-operative, willing to discuss and ultimately nego-

ciate any demand that a union might raise. It earnestly tries to balance the rights of all concerned with the goal of arriving at a solution that would be mutually satisfactory. This notion, he said, has a surprising degree of currency in several countries and has made lasting inroads into the residual philosophy

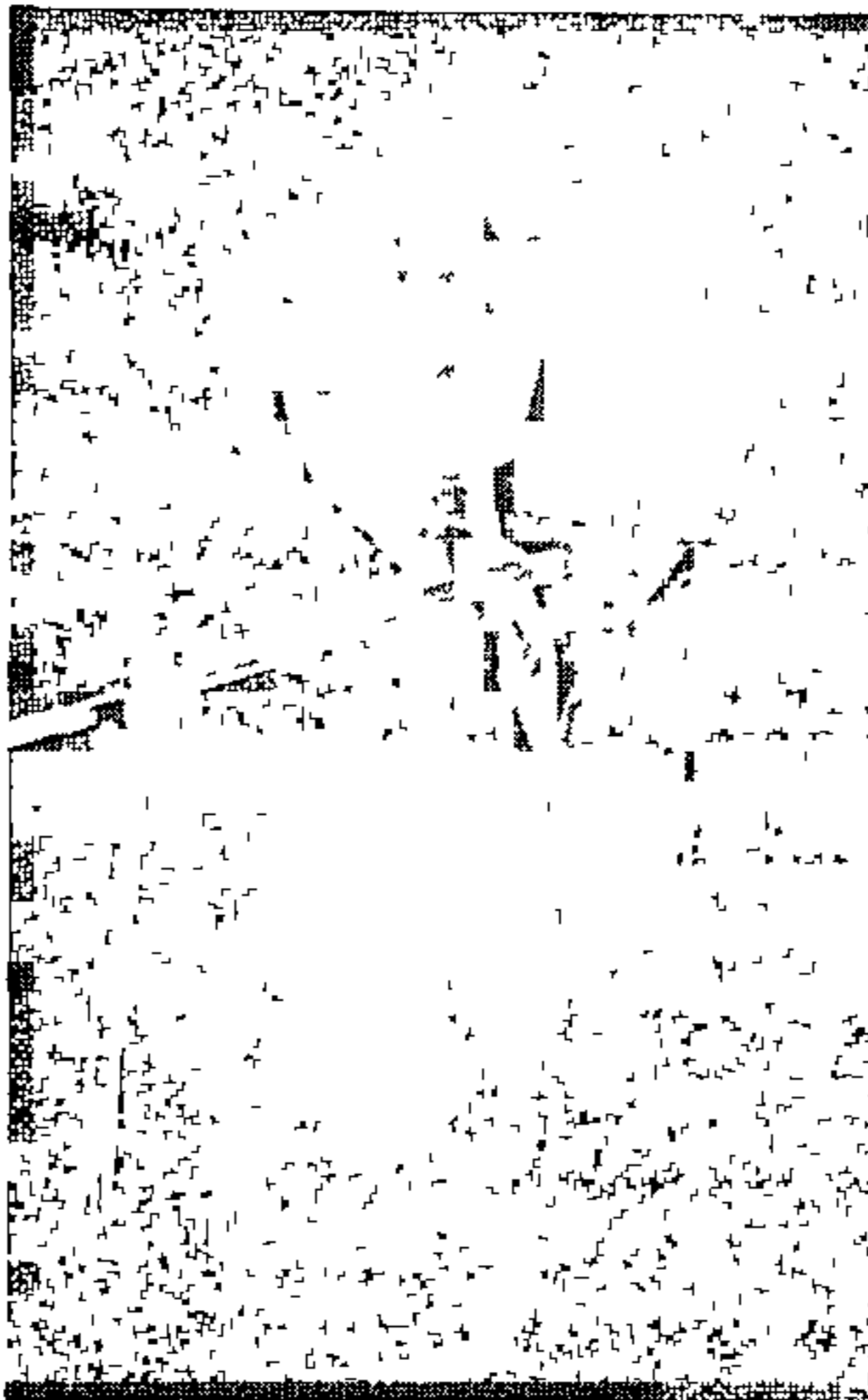
Secondly, the legislature and the courts have eroded the residual philosophy. In the US, for example, the National Labor Relations Board and the Supreme Court have held that a major employer prerogative — the right of contracting out production — is an issue on which negotiations with the unions is mandatory

Thirdly, there are sustained union and social pressures for the transfer of ever more items of management prerogative to the arena of collective bargaining

Steenkamp said that, until very recently, such issues applied mainly to European countries where "industrial democracy," "participation" and "co-determination" are well-established, even conventional concepts

"But my thesis is that management prerogative in SA is now being challenged and will increasingly be challenged not only by the black labour movement, but also by the courts, the legislature and perhaps also by an emergent conventional wisdom," he said

"In this country, there is not as yet by



Gencor's Steenkamp . . . employers must take initiative

any stretch of imagination a common perception shared by labour and management of the boundary line between management prerogative and participation

"My guess is that in the next decade, conflict over defining this boundary will disrupt labour peace far more than disputes arising from collective bargaining. This disruption will exceed reasonable bounds because management will not address the source of these disputes in time, but will out of long habit rather react to them as they arise"

He predicted that pressures for participation will not necessarily be clearly articulated, but will be manifested in seemingly mindless industrial action

"They will disrupt peace and cause losses in production. From this will result a belated realisation that management will have to go forth and do battle in order to draw the boundary between management prerogatives and collective bargaining, to achieve acceptance of this distinction, to concede the degree of participation necessary to achieve such acceptance, and to live by the rules"

Steenkamp warned that management prerogatives which have been surrendered are never regained. "The worst time to surrender elements of managerial prerogative is when the pressure is on. Looking at the gains unions have made in SA lately, these were achieved generally when industrial action was either being threatened or already embarked on. The concession in such a case is made in return for peace, not in return for a concession by the other party, which helps to draw the line of authority more clearly"

Steenkamp said employers have to take the initiative to help frame a common view, consistent with the principles of free enterprise, broadly subscribed to by labour, management and the State, on the legitimate scope of worker participation in decisions affecting their interests

There is undoubtedly a need for greater worker participation, he said. But he emphasised that the overriding objective must be to safeguard the effectiveness of the business enterprise

Steenkamp concluded with the warning that management prerogatives will in the long run be sustainable only if they are seen to be exercised justly, consistently and in keeping with management's primary responsibility to attend to the well-being of its employees

"If management uses its managerial authority as a screen for injustice and exploitation, it will in the fullness of time, lose the right to manage"

Labour law not a shield for lax managers

23/11/83
Financial Reporter

THE primary responsibility for good labour relations rested with management, the Director General of Manpower, Dr P J van der Merwe, said yesterday

He told the annual meeting of Alberton Industries' Association that managements which failed to give top priority to labour relations, ignored the build-up of conflict conditions and neglected to take steps to avoid confrontation, could not expect legislation to do the job for them nor protect them against reasonable grievances of workers

Dr Van der Merwe said everyone, including the media, should be alert to generalisations, overreaction and ways of reporting which tended to inflame disputes

Trade unions, workers and employers had little to fear and much to gain from the orderly industrial relations created by the Labour Relations Act.

The Act had not placed trade unions in a weaker position and had not adversely affected their freedom

Trade unions and workers had been the main beneficiaries of amendments to the Act.

Dr Van der Merwe said total membership of trade unions increased from 727 000 in 1979 to 1,266-million in 1982

The number of black workers who joined registered unions increased from nil to 395 000

At the end of 1982 there were 78 registered mixed unions, with 576 000 members, compared to the 1979 membership of 203 000

The wages of about 1,2-million workers were regulated by 84 industrial agreements at the end of 1982. No differentiation on the basis of race, colour or sex was permitted

During 1982 60 applications for the establishment of conciliation boards were recommended. Only 14 were refused

Industrial court matters increased from 36 in 1981 to 49 in 1982

Industrial leaders identify labour relations problems

By Carolyn Dempster,
Labour Reporter

One of the single biggest problems facing employers and trade unions is the vague concept of what constitutes an unfair labour practice, a summit meeting of representatives from the Department of Manpower and the country's 104 industrial councils decided yesterday.

It was agreed there was an urgent need for a clear definition of an unfair labour practice. Most disputes in this connection have, until recently, been decided by the Industrial Court on the merits of each case.

At a Press conference after the meeting, Dr Piet van der Merwe, Director-General of the Department of Manpower,

said amending legislation to this effect would not be introduced before 1985.

The National Manpower Commission had yet to complete a comprehensive report on the question of unfair labour practice and, once this was done, comment would be invited before any action was taken to introduce legislation.

Dr van der Merwe said it was apparent that a much greater degree of professionalism was needed in the field of labour relations.

Industrial councils could play an important role in educating and training in this regard, but employers and unions could not renege on their responsibilities, as in the arena of conflict manage-

ment

Critics of the industrial council system, whose arguments had not yet been fully heard, would also have a chance to comment on any proposed legislation before it was passed, Dr van der Merwe said.

"Before we make any major adjustments, we will consult all the unions involved," he added.

Support for the industrial council system, with all its blemishes, was virtually unanimous at the conference.

Veteran trade union leader Dr Anna Scheepers told a Press conference that unionists and employer representatives alike felt there was no better system at present for maintaining sound labour relations.

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JOHAN PIRON

Holes in the labour net

25/11/83

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Johan Piron is a professor of industrial relations at the Unisa School of Business Leadership

A number of decisions which have emanated from the Industrial Court in recent months have given rise to a growing disquiet, especially among employers and managers. Criticism against these decisions has been sharp and varied, and its true nature is often difficult to ascertain.

If the true nature of the criticism is that the decisions given are unfavourable to employers, then such criticism cannot be taken seriously. Dissatisfaction with a particular decision or decisions of the Industrial Court should, however, not be confused with criticism of the legal provisions which govern the court, and which are the framework within which the court exercises its jurisdiction. It is suggested that these legal provisions leave a great deal to be desired. This does not mean that the individual decisions of the court should not be subjected to close scrutiny. However, the proper forums for such scrutiny are the many learned publications which serve the legal profession.

Determinations

The departure for the assessment of Industrial Court activities is section 17(11) of the Labour Relations Act, which sets out the functions of the court. The relevant sub-section lists nine Industrial Court functions, but in practice, only two of these are of major importance. Firstly, the court must consider and give decisions on any application for a *status quo* order, and, secondly it must make determinations concerning alleged unfair labour practices. Both these functions intimately concern the

unfair labour practice. It seems that most unfair labour practice cases which have come before the court have involved either the duty to have dealings with a representative trade union, or some form of alleged unfair dismissal.

If the duty to have dealings with a representative union and alleged unfair dismissal are considered in the context of the definition of the unfair labour practice, it appears that little comfort is to be derived from the definition. The legislature has cast the net wide, so wide in fact, that even the fishermen do not seem to know the exact location of the fishing ground, or what it is that they are supposed to catch. The court is faced with the task of determining the size of the holes in the net.

It is clear that the court is faced with an unenviable task. Furthermore, it cannot abdicate its jurisdiction. When faced with an alleged unfair labour practice, it must give an answer.

Much of the criticism which is levelled against the court, then, finds its origin in the definition of the unfair labour practice.

It is still not clear whether an unfair labour practice involves a dispute of right or dispute of interest. In other words, whether an alleged unfair labour practice involves something I claim to be entitled to and which is denied to me, or something which I would like to be entitled to but am not entitled to yet. Since the definition of the unfair labour practice is contained in the Labour Relations Act, one could legitimately conclude that an alleged unfair labour practice concerns a dispute of right. However, if the procedures for processing the unfair labour practice dispute are considered, it is found that these procedures primarily involve negotiations which, if pursued to an unsuccessful conclusion, ultimately lead the disputing parties to the Industrial Court, where a "determination" is made. Such a procedure seems to indicate that the unfair labour practice is concerned with

a dispute of interests.

The unfair labour practice should not give rise to both a dispute of right and a dispute of interest. It would appear that the chaos which is caused by the lack of clarity concerning the nature of the unfair labour practice can be remedied only by the legislature, and this should be done speedily. The definition of the unfair labour practice should be made specific, as is the case in the US.

Obligations

If this were to be done, a dispute concerning an alleged unfair labour practice would be characterised as a dispute of right, and employers would know the scope of their obligations before they embark on management decisions of dubious validity. The current chaotic conditions, as far as the unfair labour practice situation is concerned, is largely brought about by the fact that employers do not know what their obligations are, and are threatened with an alleged unfair labour practice with monotonous regularity in respect of both *bona fide* and *mala fide* managerial decisions.

It has often been said that the definition of unfair labour practice was made wide deliberately, so that a body of inequitable practices could be built up by the exclusion of inequitable practices in an evolutionary way over a period of time. This argument is both naive and costly to implement. Equity is tied to time and location, and it is unreasonable to expect employers and trade unions to guess the state of labour equity in SA in 1984, when the legislature is in a position to legislate the position, and thereby to create legal certainty.

More specifically, if the legislature wishes employers to have dealings with representative trade unions, and wishes to create a law of unfair dismissal, it should legislate these matters and not pass its obligations on to a judicial, quasi-judicial, and administrative body such as the Industrial Court.

Employers want curb on labour's use of Act

By Deon Delpont

Employers and established trade unions encouraged the Government this week to curtail one of the most effective weapons emerging unions have used against employers during disputes.

The result of this week's historic meeting between the Government, employer organisations and trade unions, to look at the role of industrial councils, will probably be a curbing of the powers of the Industrial court in interpreting the concept of an "unfair labour practice."

The concept has been used, especially by the emerging unions, as a way of winning bargaining rights against employers, observers pointed out.

Dr Piet van der Merwe, Director-General of the Department of Manpower, summing up the day's meeting at a press conference, referred to the "concept of an unfair labour practice" as the most important problem area identified.

He said problems resulted from the very wide definition of an unfair labour practice in the Act.

"It created problems for Industrial Councils and there was the feeling in some quarters that it makes the whole Industrial Council responsibility in the field of mediation and settling disputes irrelevant."

He said there was also general concern that the wide definition "can lead to an abuse of that definition" All the parties would have to rethink their concept of an unfair labour practice, he said.

Trade unions have more frequently this year turned to the Industrial Court to interpret the unfair labour practice provision.

In some employer circles, fear has been expressed about the court's findings and it has been argued that the definition is too wide.

No change to the definition could be introduced before the 1985 Session of Parliament, Dr van der Merwe said.

Also at the conference, Dr Anna Scheepers, a past president of the Trade Union Council of South Africa, a federation of mainly established unions, many of whom are competing for members with the emergent unions, said trade unionists present had agreed that the concept needed revising.

Employers get tough with trade unions

EMPLOYER attitudes to workers are hardening. Confirmation came in last week's Barlow Rand annual report.

Barlows has as an image of commitment to dealing with black unions. But there was a marked change of tone in the report.

Fosatu and its Metal and Allied Workers Union were singled out for attack and Fosatu was accused of making demands which threatened free enterprise. Some unions were also accused of destroying trust in factories and of singling out progressive firms as targets.

Tension between Barlows and Fosatu unions has been evident for some time. Besides a series of heated disputes between MAWU and Barlow metal firms, there have been clashes in the textile and paper industries.

Barlows chairman, Mr Mike Rosholt, believes unions are responsible for the confrontation. But MAWU insists he is being fed incorrect information.

Indeed, unionists argue that the disputes arise because Barlows is using them as guinea pigs to test how far it can go in limiting the

LABOUR WEEK

BY STEVEN FRIEDMAN

issues it will have to negotiate with them.

The battle is about management prerogatives — the decisions which management should be able to take without negotiation.

Mr Rosholt says managers see freedom to take decisions affecting workers as an integral part of free enterprise. The Barlow battle thus reflects what is going on in many unionised factories.

The main focus of union activity this year has been to whittle away at these "prerogatives", which the unions see as a licence for managers to take decisions on issues directly affecting workers without consulting them.

Retrenchment and safety are two examples of issues on which unions are challenging management's right to take decisions alone.

It is this trend to which Barlows appears to be reacting — as are employers who are irked by industrial court decisions curtailing

their right to take key decisions without negotiation.

It seems many managements recognised black unions in the belief that their decision-making power would not be curtailed and are now reacting against the discovery that this is not so.

But the battle over which decisions should remain the domain of employers is what unionism is all about in the West and the Barlows report pinpoints the area of conflict which will dominate bargaining in future.

□□□

THE attempt by sacked Grand Bazaars workers to enforce a boycott of a Soweto store owned by Mr Richard Maponya got off to an inauspicious start last week.

About 30 of the workers picketed the store's opening, but failed to prevent thousands of shoppers from buying at it.

The key factor was that the store offered special offers to shoppers — either because this is

standard practice when a new store opens or, as the workers allege, to dent the boycott.

Although the boycotters lost the first round, the store will not offer these specials for ever and it will be a while before the strength of the boycott can be judged.

Ccawusa, the union to which the dismissed workers belong, has been careful not to allow the boycott to become a test of strength for it. It has left the boycott's organisation mainly to the sacked workers and has stressed that whether the boycott will continue is up to the Grandbaz workers alone.

□□□

PARALLEL unionism — once a standard method used by white-led unions to organise black workers — has fallen on hard times.

Most non-black unions have abandoned this strategy and one of the last surviving parallel setups — among the electrical unions — has collapsed.

Parallel unionism was devised by Tuccsa. A non-black union would organise a separate black union and install its general secretary at its helm.

Until the 1980s, this was seen by emerging unions as a key strategy to weaken them. They argued that the non-black union controlled the black union through this device.

Although most established unions now recruit all races into one union by means of the closed shop, the electrical unions have retained this type of unionism.

Three unions, one each for blacks, coloureds and whites, were linked by a federation and Mr Ben Nicholson, general secretary of the white union, fulfilled this function in the other two as well.

Mr Nicholson denied this was a form of control and insisted it was a unique form of federation which prevented any race from dominating another. The black and coloured unions have decided to amalgamate into a non-racial union which will operate independently.

They say they have been branded parallel unions to their cost, that they asked the white union to join them, but that it refused

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BLACK TAXATION

Please explain

Implications of government's plans to extend the Income Tax Act to blacks next year are being closely examined by many employers and some trade unions

The move will result in blacks being taxed on the same basis as whites. The financial implications of this will probably not be significant for many black employees. Some black working wives may find themselves paying substantially more in PAYE — a factor which is causing concern in industries where many women are em-

Financial Mail December 9 1983

employed. But at the same time some black households may pay less income tax than they have in the past.

However, some employers fear that unless the new system is effectively explained to black employees, there could be labour unrest on a scale of the 1981-82 strikes against government plans to preserve pensions.

Indeed, the decision to create a unitary income tax system could raise a number of thorny political issues. For example, some industrial relations practitioners say it is possible that black unions and political organisations could mobilise protests around the whole question of taxation without political representation. Similarly, there could be protests against the introduction of equal taxation without equal benefits (for example education and state pensions) being provided to all population groups.

Opposition

There are also some employers who fear that the introduction of the new system will create a heightened awareness of tax matters among black workers. This, they speculate, may prompt opposition to income tax gathered from urban blacks being used to finance defence or homeland administrations.

An immediate employer concern is to ensure that the implications of the new system are effectively communicated to black employees. Ron Marsden, general manager (manpower) of the Manpower and Management Foundation, says employers and government face a "massive communication job".

The Trade Union Council of SA (Tuksa) has been examining the new system and believes that government needs to do more to inform employers and unions about it. Tuksa general secretary Arthur Grobbelaar emphasises that there will be much ill-feeling "unless somebody gets through to the black taxpayer and explains what the whole system is all about".

GAVIN BROWN

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The promise of pragmatism



Gavin Brown is a co-director of Andrew Levy and Associates industrial relations consultants. He is also editor of the publication *IR Data*.

In the short four-and-a-half years since the formal commencement of SA's black labour revolution, the industrial relations community has had to deal in short order with issues which more developed countries have been privileged to evolve through over many decades.

Much as the late advent of television saw the country leap from a standing start into an age of sophisticated full-colour technology, so too has contemporary labour relations been a function of delayed impact. This initially tended to make each management-union encounter a battleground on which each felt charged with defending the last citadel of their respective philosophies.

Decades of black frustration with the system were suddenly released to clash head-on with a popular management determination not to go the way of the rest of the world when it came to unions — and especially not unions that cared little for their workers, but were part of a dark political conspiracy. There are, however, signs that the tempo at which management and labour pioneering has thus far been conducted is slowing with their unsynchronised arrival upon more permanent fields of battle.

The joining of battle on this more serious terrain carries risks and rewards for both parties more tangible than the minutiae of recognition agreements, union registration, plant vs industry bargaining and all the other more ephemeral debates hitherto occupying their attention. A certain perspective on these issues has now been reached as their importance has faded.

Most company-union contact is cur-

rently less concerned with the legitimacy of the union than with the realisation that the combatants are involved in a long-term struggle over the allocation of wealth in the workplace. Thus, the name of the game since mid-year has been wage bargaining. Those companies who signed recognition agreements in the 1980-82 period have only in the past nine to 12 months been faced with the real economic pressures which come with betrothal to a union.

Most of their previous settlements were welcome terminations of periods of crisis and trauma in which it often seemed there were no rules to the game and that each confrontation was going to be the final decider. A measure of more enlightened determination now pervades strategising. Encounters this year have so far been characterised by a high degree of brinkmanship as the parties stiffen their resolve in a welter of dichotomous explanations of, and remedies for, the universal economic pain. Determined not to repeat past mistakes, they are often ignoring the new ones.

For managements' part, there is obviously a diversity of abilities to withstand the recession. But it is important to note that SA has yet to see a major company report to its shareholders that performance is being hurt by union wage settlements. This is a regular feature of such reporting in overseas countries and could serve as a signal to labour that it still does not have a good fix on the pain threshold of most employers. For management, it should serve as a warning of tougher times to come when the upswing occurs.

For the union's part — and here one must refer to "mainstream" black unions — their greatest handicap/mission must lie in acceptance that their membership is generally not versed in the mores of SA business administration and economics. This might suggest that slogans and pamphleteering will no longer be sufficiently sophisticated instruments to sus-

tain control. Having awakened a thirst for economic "power sharing," they are now faced with the problem of slaking that thirst with the limited resources imposed on them by market realities.

Also, a sense of self-interest has been mobilised among the national workforce which, fuelled by regular injections of victory on the shopfloor or in the Industrial Court, has developed a heady belligerence all of its own. Union "control" is more questionable than ever. In addition, the skilled manpower shortage has no favourites. It weakens a union's ability to cope with and sustain growth as much as it does management's.

This has been most evidenced by the welter of official wage disputes declared in the last few months. It seems there is often an impatience on the part of union officials when management settles down for the second round determined not to act hastily, only to be astounded as disputes are declared before it is into its new negotiating stride. After all, it is a once-a-year exercise for the slow team, while the union is privileged (or cursed) with wage negotiation as a way of life.

Despite the wider margin for error in a growth industry like black unionism, labour objectives must be ill-served by tactics which are a function of heavy workloads and impatience. Indeed, despite their inevitable justifications, unions would do well to note that idealism tempered with impatience may currently be the single greatest cause of accidental bloodletting.

Contemporary combatants in the labour relations field are therefore probably closing 1983 with a greater acceptance that their future will be more a function of reciprocal pragmatism than high-decibel posturing. The optimists might say that negotiating nirvana will be reached when both parties realise that the other is sharing that acceptance of pragmatism. The realists are sceptical, the pessimists are digging trenches.

'Economy key to future of South Africa'

(132) Star 16/12/83

A professor of Industrial Relations at Stellenbosch University, Professor S M Swart, spoke optimistically about future development in this country when he addressed a symposium in West Germany this week. Carolyn Dempster reports.

Far from being a seething cauldron of conflicting ideologies and racial tension, South Africa is regarded by many foreign risk analysts as having a remarkably stable economy.

In Professor Swart's view, South Africa will continue to have one of the world's healthier economies and economic imperatives will be the main determinants of the country's political future

He bases his prognosis on the country's vast natural mineral wealth, a sound industrial relations system and a willingness by management, state and the unions to confront problems instead of evading them

The five years following the Wiehahn and Riekert Commissions into labour legislation and utilisation had witnessed more progress in this arena than at any other time in the nation's economic history

While industrial conflict might seem inevitable in the decades ahead, this could operate as a positive feature — a safety valve for the articulation of social grievances.

The professor attaches little importance to the possible development of a worker proletariat in a marxian sense

Indigenous political movements are so diverse and numerous, he argues, that they tend to provide counter checks and balances. The establishment of a unified trade union movement which would be able to accommodate this "Joseph's coat of political ideology" was also highly improbable at this stage.

It has also been argued that, because of the absence of political machinery for black South Africans, the trade union movement would be used as a mechanism for the achievement of broader political objectives

However, the multiplicity of black movements vying for a political constituency, and the many po-

litical affiliations within the trade union movement mitigate against this

"Although black political spokesmen have unequivocally articulated their rejection of the constitutional proposals, I understand that the Government has been holding discussions with numerous black political leaders on the subject of political accommodation

"This remains a central and no doubt the ultimate question in South African politics," he said

Education also plays a central

role in Professor Swart's forecast. He points to the De Lange Commission as a sincere attempt to grapple with the crisis in formal education and the enormous problem of the shortage of skilled manpower to meet the country's needs

As a result of the Manpower Training Act of 1981, 350 000 workers received training in 1981 as opposed to 100 000 in 1980

However, it was necessary to remember that while on-the-job training could enhance productivity, economic development and growth, the basic level of education achieved would always set limits on the degree to which these objectives could be achieved

In 1981 the National Manpower Commission determined that two thirds of the total labour force had no formal education and only 1,3 percent of the nearly 11 million workers were in possession of a university degree

20/12/83

Industrial relations 'played out' in full

Own Correspondent

CAPE TOWN — Not many businessmen would pay hundreds of rands to eat samp and beans and break hotel windows.

But when they are playing the part of 4 000 angry motor assembly workers fighting for higher wages, it gives them a fleeting taste of what life is like on the other side of the fence

THE SCENE

The scene is Uitenhage, June 16 1980 Volkswagen workers have been negotiating for the past few weeks for an increase from a minimum of R1,15 an hour to R2 an hour

Workers have not yet had a chance to discuss management's latest offer of R1,35 an hour and had planned to do so in the township yesterday.

But early yesterday Security Police banned the meeting

The workers are outraged. The scene in the sprawling township where they live is tense as calls for a June 16 stay-away intensify

Demanding to speak directly to management, about 4 000 workers walk out of the factory and congregate on the lawn outside. At one stage windows are broken by the jostling crowd

And it is usually at that stage of the game that people who work in the same company — people who are all businessmen and women — begin snapping at each other, banging dustbin lids and breaking windows

The game, drawn up and researched by Mr Norman Faull of UCT's Graduate School of Business, is based on an accurate and detailed case study of the Volkswagen strike of 1980

GAVE INFORMATION

Both VW and the National Automobile and Allied Workers' Union gave detailed information willingly

It is an industrial relations training course for management with a difference

It involves a three-day simulation exercise, in which participants take the part of real characters on either the union or management side.

After a brief scene-setter by Mr Faull, participants are divided into a union and a management team and get to know each other with their new personalities.

The dramatic events of three weeks are played out in three days. The "workers" demand R2 an hour, "management" shows no signs of giving in

In real life, a settlement was reached on July 8, a day after the workers had returned to work.

In the game, as in real life, outside actors enter the picture at the start of the three-week strike. The Press tele-

phones both sides for comment, the police want to know what is going on, the VW head office in Germany expresses concern and a top official from the International Metal Workers' Federation flies to Port Elizabeth

Industrial council negotiations are acid "It's all right for you," says union official "Johnny Mke" to the management team "You go back to your smart houses with tennis courts and swimming pools, you drive big cars. We have nothing to go back to."

And the "workers" should know. They have just come from a meal of samp and beans. Not too far away sat "management", drinking good wine with their three-course meal

Before the final round of "negotiations", the union and management teams swap roles

The new union is seriously divided and confused, some workers accuse the officials of "selling out". They walk out and besiege the industrial council office with a barrage of ice-cubes.

PURPOSE OF GAME

"The purpose of the game is not to replicate reality. But people learn from being in a particular role and operating under extremely tense conditions," said Mr Faull this week

He believes "gaming" is one of the best ways to learn. "One does not reach the same peak of knowledge as with conventional instruction, but the tailing-off period is much longer because of the emotional experiences"

In April Mr Faull presented his case study, on which the game is based, to the International Management Institute in Geneva

By Carolyn Dempster,
Labour Reporter

Against a backdrop of recession and massive retrenchments, the mining industry moved to centre stage in labour relations in 1983 with the spotlight on the fast-growing black unions

The Chamber of Mines opened the door to black unionisation and black miners were handed the key to collective bargaining

Of the three black unions granted access to organise on the mines in 1983, the National Union of Mineworkers has emerged as the most formidable force

NUM, recruiting members at the rate of 5 000 a month, is poised to become the largest union here with 60 000 signed-up members. It is already the biggest union in the mining industry

The emergence of the black unions continues to pose problems for the white mining unions. The desire for an Industrial Council in the mining industry was manifested in the formation of a Confederation of Associations and Mining Unions, but the chamber has indicated its reluctance to bargain in any forum which does not include black union representatives

CHAGRIN

Later on in the year, Arrie Paulus' Mineworkers Union changed gear, adopted an overtly political stance and began organising workers in other areas to consolidate its base — much to the chagrin of the Amalgamated Engineering Union which all but accused the MU of poaching

The white Mine Surface Officials Association, which has denied black miners access to its ranks for virtually its entire existence, now looks to be thwarted by NUM's decision to establish a black mine surface officials union

However, with a potential 380 000 miners still to be organised and with migrant workforce problems, the seeds of black unionism, now planted, have yet to take root

The year started with the slide into a deepening recession, and retrenchments continued apace — by September the figure had topped 15 000

That did not seem to affect the rapid growth rate among unions and while strike activity dropped off in the first six months, workers showed they were willing to go out in strike in support of colleagues they thought were mistreated or unfairly dismissed by management. Strikes towards the latter half of the year hoped

Worker power grew in '83

Unions break

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Star 23/12/83

new ground



Mr Cyril Ramaphosa
head of the National
Union of Mineworkers

mainly on wages and grievances

Recent Department of Manpower statistics show 170 strikes up until October, as opposed to 328 strikes during the same time in 1982

There is also the view that concomitant with the increased unionisation of black workers, strategies and tactics employed by the unions have become more sophisticated. This is born out by attitudes among union leaders who perceived 1983 as a time of consolidation rather than expansion

Another trend, was a tendency by unions to resort to legal machinery to try to win battles — another reason for the drop in strikes

In the case of unions affiliated to the Federation of South African Trade Unions (Fosatu) the route proved a rewarding one — particularly in the case of the Metal and Allied Workers Union, the National Union of Textile Workers and the National Automobile and Allied Workers Union

The Industrial Court, regarded with suspicion at its inception, proved to be the definitive voice on the question of unfair labour practices this year. Much to the consternation of employers, the court was used extensively by the unions and largely to their advantage

Cases which set the tone on the ULP front were the Metal and Allied Workers Union versus Stobar Reinforcing, the United African Motor and Allied Workers Union versus Fodens (SA) and the Media Workers Association of SA versus The Star

The court's findings in the

first two set up several warning beacons for employers. Employers should have reasonable grounds for dismissal, must have investigated any alleged misconduct thoroughly before dismissing a worker, must have investigated any chance to present his side, must not use words that are derogatory, must bargain in good faith with unions

The Star/Mwasa finding, in favour of management, virtually gave the go-ahead to employers to fire striking workers en masse if all necessary procedures have been followed

At a summit meeting of the country's 104 industrial councils, it was agreed that the vague definition of what constitutes an unfair labour practice was the biggest problem facing unions and employers, but amending legislation is not likely to be introduced before 1985, Manpower Director-General Dr Piet van der Merwe said

The struggle for recognition and rights was not waged solely on the shop floor and in the industrial court in 1983

The historic Appeal Court judgement in June, whereby migrant worker Mr Mehlole Tom Rikhoto won the right to permanent urban residence, opened the way for permanent urban residence rights for at least a third of the country's 80 000 contract workers

New labour legislation was scant in comparison to previous years but worth a mention is the new Machinery and Occupational Safety Act, covering all workers and due to be implemented in April/May 1984. The Human Sciences Research report on training, and focus by the Department of Manpower on the need for skills training and greater expertise in the labour relations field also pinpointed government concern

Politics entered the labour arena with the formation of the United Democratic Front in August and National Forum in April

In probably the most politically significant development within the worker movement this year, while individual trade unionists and a sample of trade unions indicated their

support for one or other organisation, there was no direct affiliation

Instead, the feeling among Fosatu, and to a lesser extent the Council of Unions of South Africa (Cusa) has been that there is little motivation at present for the worker movement to bow to the lead taken by such opposition groups

However that did not prevent the unions from giving their support to the UDF over popular and community issues, and standing with it on the same protest platforms

The road to union unity hit more rocky ground after a steering committee was formed to discuss proposals for a new federation of independent trade unions in April. But whatever the problems encountered by the unions party to the talks, they were tackled behind closed doors and attempts to reconcile inter-union differences are continuing

State interference in labour matters continued to follow the repressive trend established in recent years, with the Ciskei government emerging as the arch villain

CONTENT

Not content with the repeated detention and harassment of South African Allied Workers' Union and General and Allied Workers Union officials at the start of the year, Ciskei banned SAAWU outright in September

Finally, South Africa's oldest and largest union federation, the Trade Union Council of South Africa, Tucsa, moved away from the centre stage during 1983 to take up a position in the wings of labour relations

PRAISE

The council's annual conference in Port Elizabeth highlighted a reluctance by affiliate unions to re-appraise Tucsa's relevance in the face of the changing labour scenario, and an unwillingness to make concessions to the emergent unions

This was primarily the reason for the withdrawal of the largest union in the country, the SA Boilermakers Society, from Tucsa in November

LABOUR RELATIONS

A sound system

EM 30/11 132
Many seasoned observers of SA tend to believe that the country will continue to have one of the world's healthier economies for the foreseeable future.

Stellenbosch University labour academic Professor Blackie Swart expressed such a wide-ranging optimistic view when he spoke recently at a forum on SA's economy and the country's relations with West Germany.

He listed the more obvious factors for such optimism: SA's huge natural wealth, government's conservative market-orientated monetary and fiscal policies, the relatively high (by African standards) per capita income of SA blacks, and the fact that indigenous political movements are so numerous and diverse that they tend to provide natural checks and balances to the development of "proletarianism" of the workforce in a Marxist sense of the word

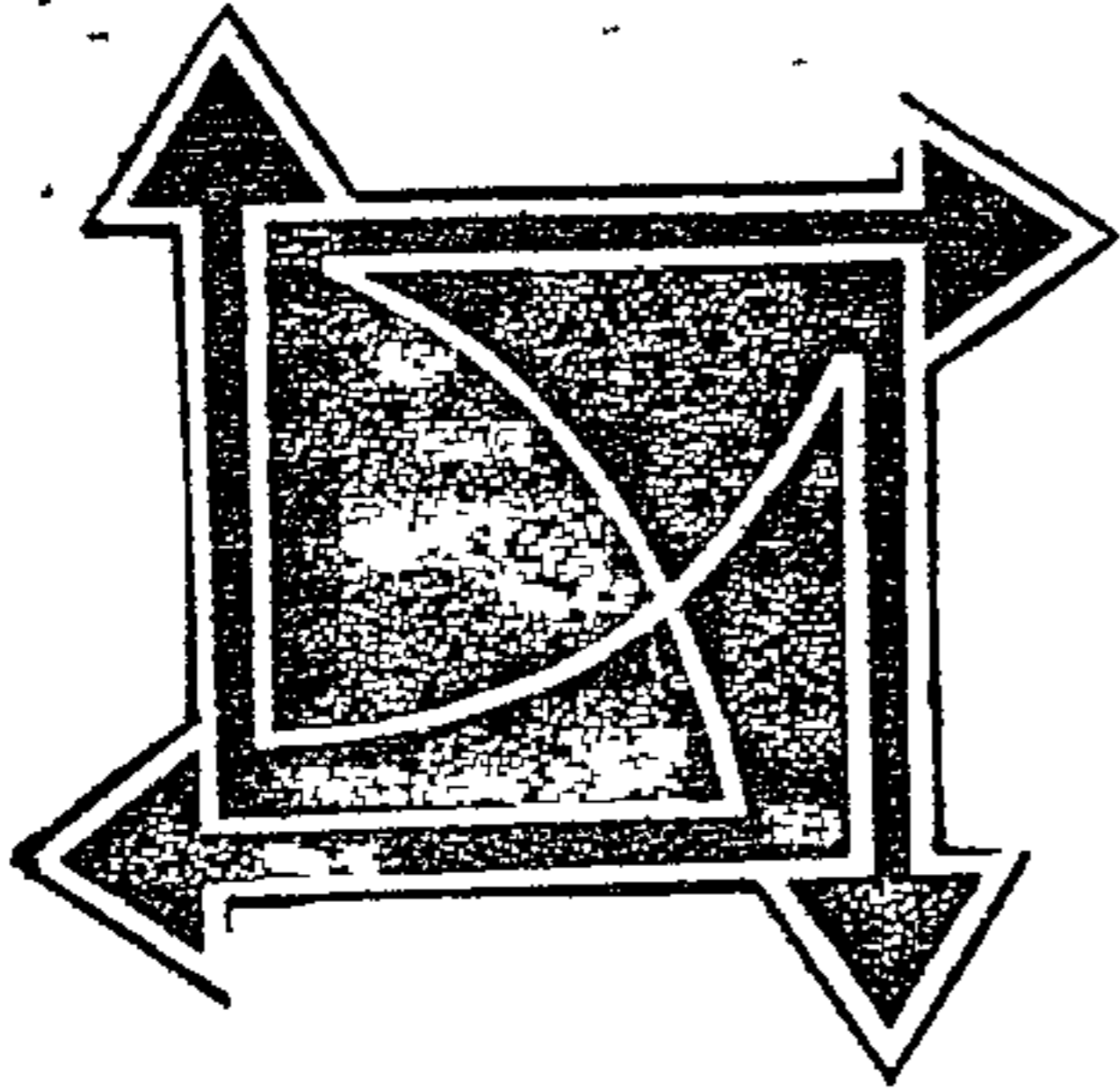
But Swart, who is chairman of the National Manpower Commission's labour relations sub-committee, also focused particular attention on SA's fledgling industrial relations system as a factor likely to promote stability and growth. He said this system is basically sound in both design and function.

"It provides a meaningful forum for whites and blacks to come to a mutual compromise concerning their most fundamental aspirations. In this respect, the legislative structure is both comparable to and equal to those in Western societies, and it is additionally presided over by men of extremely high calibre"

Swart said there is also evidence of a "meaningful goal-directed adaptability on the part of management, unions and the State insofar as the resolution of problems is concerned "Issues are being confronted, not ignored"

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1983



**INDUSTRIA
RELATIONS
TRENDS** SOUTH AFRICA

REVIEW AND PROGNOSIS

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SUMMARY

REVIEW

Although more strike-free than 1982, 1983 proved to be perhaps the most difficult year in labour relations so far, mainly because a more '*sophisticated*' union movement and a more aware workforce used every means at their disposal to safeguard positions and to maintain presence, position and power, this despite of, or maybe owing to, their weakened bargaining base during recessionary conditions.

Recognition agreements which were more formal, comprehensive and relevant than before and many of which contained detailed dispute-settling procedures, continued to mount up. The consequent clash between the interests of the '*formal*' and '*informal*' systems further complicated the job of employers. Industrial Councils increasingly found their representivity and powers of extension questioned. In short, it became evident that a sincere reassessment of traditional bargaining structures and serious consideration as to future alternatives had become essential.

Many unions soon realised that a too great emphasis on the problem of wages might result in repeated defeats. Thus, even though discontent regarding wages increased after mid-year and numerous random strikes using or centring in such discontent did occur, the question of wages did move into the background during 1983 in comparison to 1982, that is, if labour action, which would include '*unfair labour practice*' disputes, is seen as a whole. 1983 saw increasing attention paid to :

- retrenchments
- dismissals
- treatment of workers, particularly by supervisors and managers
- safe working conditions
- overtime
- worker control of pension funds
- maternity rights of females
- dismissal of strikers and selective re-employment.

Unions also proved to be no more '*political*' than before - and this despite strong '*anti-constitution*' statements and even sticker campaigns.

Developments during the year revealed the following trends in the trade union movement.

- o continuing success for unions in the FOSATU grouping, with the Metal and Allied Workers Union in the lead and with smaller unions, such as the Chemical Workers Industrial Union, the Paper Wood and Allied Workers Union and the Transport and General Workers Union emerging quite strongly.
- o the General Workers Union adopting a more pragmatic stand
- o the Food and Canning Workers Union / African Food and Canning Workers Union making significant progress
- o the most noticeable union growth occurring in the retail and mining industries, but with the Commercial Catering and Allied Workers Union and the National Union of Mineworkers perhaps growing too fast and negotiating too '*centrally*'
- o CUSA unions becoming more '*militant*', but not achieving the same success, in terms of recognition agreements, as FOSATU unions
- o a remarkable comeback by the South African Allied Workers Union
- o the emergence of smaller, previously little known unions
- o a sharp rise in interest in unionism in the Western Cape
- o no noticeable progress towards unity among members of the '*new*' trade union movement, although greater co-operation was noticed in some quarters
- o growing disillusionment within TUCSA ranks.

As far as labour unrest is concerned, the strike pattern for 1983, particularly that of the first six months, should be seen in conjunction with the last half of 1982. The diminished activity during early 1983 is attributable mainly to the weak bargaining position of workers and unions, but also to the use of alternative forms of redress, these two factors being reciprocal. In certain industries, which were perhaps less affected by the recession, unions did, however, use strikes to establish presence and enforce shop-floor demands. The second half of 1983 showed growing dissatisfaction with wage levels, a cause taken up by some of the larger unions, but often exploited by more opportunistic bodies. Also, numerous spontaneous strikes to express workplace grievances occurred during the year.

The most popular alternate form of redress proved to be the declaration of an '*unfair labour practice*' dispute. Unions used the deficiencies of the system, particularly the wide definition of the '*unfair labour practice*' against itself to resolve both disputes of rights and interests. The Status Quo provision proved most popular. Towards the end of the year, an increasing number of unions used the official dispute-settling machinery in the '*ordinary*' manner, that is, with the eventual threat of legal strike action.

The Government, although reiterating its *laissez faire* approach, showed increasing concern at developments in the '*informal*' system. Important legislation passed during the year included the amendment allowing for access to Conciliation Boards by unregistered unions, as well as the Basic Conditions of Employment Act and the Machinery and Occupational Safety Bill (Act).

In general, the most important features of 1983 were the greater skill and maturity of participants, a greater spread of issues and, perhaps, a move away from continual confrontation policies.

PROGNOSIS

Although specific developments will depend on particular circumstances, it may be postulated that

- o Industrial Councils will, all other things being equal, become increasingly irrelevant, whereas recognition agreements will gain

greater legitimacy

- o alternate forms of '*joint bargaining*' may arise
- o wages will again become the predominant issue during 1984 and tough bargaining can be expected
- o dismissals, fair treatment and worker safety will remain important issues; also, worker opposition to mechanisation can be expected to grow and black taxation may still prove a problem
- o the stronger newer unions will continue to consolidate their industrial base and actions will become more disciplined and controlled
- o a gradual disintegration within the '*established*' movement may eventually result in new constellations
- o the envisaged union unity will not come about in the very near future ✓
- o the Western Cape will be the new stamping ground for many unions ✓
- o labour action may escalate, but perhaps not significantly
- o large-scale wage action is a possibility
- o random spontaneous demonstration stoppages will continue
- o legal strike action may become more popular
- o more selective use will be made of the Industrial Court
- o the Government may be inclined to greater interference in the '*un-official*' system
- o all in all, labour relations will not be more difficult than in 1983.

STRIKE REPORT

An analysis of recorded strike action revealed the following :

- o During 1983 there were fewer strikes involving fewer workers than in 1982
- o Although low wages were most often quoted as reason for strike action, the wage issue was not as predominant as in 1982
- o Dismissals and grievances, particularly against supervisors, otherwise topped the list of reasons
- o CCAWUSA was the most 'active' union, with FOSATU unions less involved in strike action than previously
- o More smaller, known and also unknown, unions were involved in strikes
- o Numerous spontaneous strikes, with no overt union involvement occurred
- o The engineering, retail and food and beverage industries were the sectors most often affected
- o Action occurred over a wider spread of industries than in 1982
- o In general, strike action lacked the concerted character and the regionally- or industrially - 'infectious' pattern of 1982

EXTRACTS, PREVIOUS REVIEW AND PROGNOSIS

IRT DECEMBER 1982

"Although specific developments during 1983 will depend largely on economic conditions, 1983 will see a consolidation of the trends and patterns established during 1982"

"...labour relations will, on the whole, be conducted in a more rational, disciplined and professional manner, but isolated 'upheavals' cannot be totally excluded."

"1983 will, in all probability, prove to be the watershed of the Industrial Council system."

"Some newer unions may join existent Industrial Councils or even co-operate with employers in forming new Councils..."

"...some Councils may attempt to accommodate new interests and, in doing so, will submit to a certain degree of decentralisation and may even consider supplementary bargaining procedures."

"...recognition agreements will become entrenched as the de facto means of formalising relationships between employers and trade unions."

"...the major of the newly 'emerged' unions will display increased professionalism and improved organisation in the conduct of their labour relations."

"Rationalisation will also be enhanced by a decrease in inter-union competition between the 'independents' for membership."

"Contrary to general expectations, the major new unions will not become more, but rather, for the time being, less political."

"Other unions which will make their presence felt in the industrial sphere are the General Workers Union, the Food and Canning Workers Union, the African Food and Canning Workers Union and the Commercial Catering and Allied Workers Union."

"Within TUCSA ranks, the movement from right to left, that is, admissions from SACLA and defections to the 'left' will continue although definite reaffiliations within the near future are unlikely."

"As far as the textile industry in the Western Cape is concerned, very little guesswork is required. Unless the TUCSA-affiliated Textile Workers Industrial Union undergoes a thorough overhaul, its ground will be rapidly 'poached' by FOSATU's National Union of Textile Workers."

"...it is expected that high frequency wage action of the dimension of the metal and motor industry strikes will not recur until an economic upswing improves the worker power base."

"Certain unions may still find it necessary to strike over discovered or even fabricated grievances among workers in order to bring themselves to the attention of employers, but a greater awareness of union presence on the part of employers may greatly diminish the necessity for this type of 'recognition' strike."

"A larger number of demonstration stoppages and, perhaps, even full-scale strikes will occur over the negotiation of actual worker rights as, for example, by 'unfair dismissals' or 'unfair treatment' by supervisors."

"Issues such as Industrial Health, worker facilities, working time and benefits will also gain increased significance as points of dispute."

"If 1982 was the year in which workers made their presence felt on a large scale, then in 1983 they will increasingly insist on their rights and dignity as workers..."

"Consequently, workers will make greater use of court actions to establish a set of precedents for such rights."

"On the whole, it is doubted that 1983 will be, where labour action is concerned, any worse than 1982. If rationality prevails, it may, in fact, prove to be 'better'".

REVIEW 1983

GENERAL

The year 1983 has proved to be the most interesting year since the inception of the 'new' labour dispensation in 1979. If 1982 was the year in which the labour movement representative of black workers finally established itself as a potent force in South African industrial relations, then 1983 may well become known as the year in which the system was tried and tested from all sides. In some respects, the system appeared to be working, but numerous loopholes and deficiencies have only now been uncovered. This may be attributed partly to the naiveté of the planners of the 'new dispensation' who were excessively optimistic that new entrants would conform to the system, and also to the dynamism inherent to a free industrial relations system. Participants on all sides, that is employers, employees and the government, seem now to have come to a crossroads. A reassessment of previously conceived notions and policies and of existing structures has become necessary and decisions as to future directions and strategies will have to be taken. In fact, despite the much publicised decline in labour unrest during 1983, our labour relations have never been as complicated as they are at the present moment in time.

Whereas, previously, employers were dealing with relatively 'unsophisticated' unions, intent mainly on establishing presence and, later, increasing wage packets, they now have to deal with much more professional, 'sophisticated' bodies (a trend already noticeable in 1982) who have, despite the economic recession, used every means at their disposal to maintain their position and have, in the process, established themselves more firmly than before. Also, the mass of black employees has become increasingly 'conscientised', if not yet better educated. This has resulted in a demand not only for substantive gains in wages but also for security of employment, the dignity of the person in the workplace and 'fair' or better treatment in general, causes readily taken up by the unions on their behalf. The mere fact that, the recession notwithstanding, trade union membership has continued to grow and that disputes

between employers and black employees continue to form the focus of attention, proves that the 'new' labour movement is and will remain the effective force in South African industrial relations. This does not preclude the relative significance of the 'established' movement, but the suspicion exists that the latter has failed to keep pace with new developments. However, rumblings within the ranks suggest that positions are being reassessed also within this movement and that some of its present (and past) members may well play a significant role in future developments.

The conduct of labour relations during 1983 stood in the light of an ever-deepening recession. In some respects the recession may have contributed to a restoration of the power balance between employers and unions, which, during the foregoing period of prosperity, and even overeagerness to make the 'new' system work, had been tilted slightly in favour of the unions. Newly emerged black workers and their unions had been all too inclined to view labour relations merely within the narrow confines of a clamour for recognition, together with sometimes unrealistic demands and immediate redress by way of illegal strike action. Since the latter half of 1982, much more has been learnt by both sides about the give and take of the bargaining relationship. As one leading trade union correctly foresaw, "*...both unions and those organisations and individuals that support the trade union movement are going to have to be more sensitive in their assessment of the strength and weakness of the trade union movement. In the hazy days of the boom, spectacular membership, constant confrontation and the winning of significant gains was an easy and often (though not always) a correct assessment of the trade union movement. In these times it is, additionally, stabilisation and maintenance of organisation that will provide a key indicator of the strength of the union movement.*" Perceiving this, the more perspicacious of the 'newer' unions turned their attention to consolidating already established relationships and building into agreements further safeguards for their members. This took the form of negotiated retrenchment, grievance and disciplinary procedures and also more 'formal' dispute-settling procedures. Particularly the acceptance of dispute procedures similar to but shorter than those contained in the Labour Relations Act revealed a growing preference for negotiation rather than confrontation. Admittedly, such preference was often strategically expedient, but may also be attributed to the growing professionalism of unions and a more realistic assessment of their power-base. Where deadlock did occur, numerous unions resorted to the official machinery rather than immediate illegal strike action. Thus

an increasing number of '*unfair labour practice*' disputes were declared and later brought to the Industrial Court. Lately some unions have also used the official dispute settling machinery as a vehicle towards legal strike action. However, the '*unfair labour practice*' remained the preferred means of '*settlement*' and the various issues raised in terms of this definition did become the focal point of labour relations during 1983. In fact, it could be said that issues other than wages and means of redress other than illegal strike actions were expertly used to keep employers on their toes and to prevent a too great self-complacency which could have occurred in the face of the weakened bargaining position of employees. Some employers, and perhaps in terms of their own reasons rightly so, did adopt a harder line, but, on the whole, the balance remained finely tilted and continual reassessment by both the '*factions*' remained a necessity.

COLLECTIVE BARGAINING STRUCTURES

During 1983, the Industrial Council system was subjected to closer scrutiny than ever before. Previously, polemic concerning the system had been directed at rather superficial listings of its advantages as against those of plant-level agreements and at proving it to be better than plant-level bargaining. Over the past year it has become more widely accepted that plant-level bargaining is here to stay and will be for some time to come. Instead of '*knocking*' plant-level bargaining, the parties involved were obliged rather to ensure that the interests of the two bargaining structures did not clash too greatly. As a result, numerous applications for check-off facilities on behalf of non-party unions and also requests for exemptions from closed-shop agreements were made by employers and granted by the councils, although there are still party unions which adopt a dog-in-the-manger attitude in this respect. On the other hand, there are also employers who have displayed a lack of respect for established relationships and have thereby complicated the work of Industrial Councils. On the positive side, some Industrial Councils, taking note of new developments, have streamlined their dispute-settling procedures and made it easier for plant-level disputes to be processed by the council machinery.

As far as the '*newer*' unions are concerned, the most significant indications

of lessening antagonism towards the council system or a more pragmatic approach to collective bargaining structures were the decisions of the Metal and Allied Workers Union to join the Industrial Council for the Metal Industry and the South African Allied Workers Union's acceptance of observer status on the Industrial Council for the Explosives Industry, not to speak of the National Union of Textile Workers which had already displayed a willingness to join Councils. However, MAWU's entry to the Metal Industrial Council was hedged with conditions, the most important of which were that the union should be allowed sufficient time for report-back and that its Industrial Council participation should not preclude further plant-level bargaining with individual employers. Consequent to the council negotiations, MAWU expressed its dissatisfaction at the lack of opportunity to report back to its members and also declared several disputes with individual employers. Thus, although the union's presence on the Council made a significant impact on Council negotiations, it became evident that the policies and strategies of 'newer' unions are still too closely focussed on grass roots organisation and 'participatory democracy' to allow solely for highly centralised forms of bargaining. Should joint employer negotiations with these 'newer' unions be desired, the preferable option seems to be smaller, more localised units, with the evidently inevitable participation also of plant-level representatives.

The challenge presented to the Industrial Council system by new bargaining developments has led to a more forthright questioning of the relevance and role of councils within the present system. For the first time the realisation has dawned that numerous councils had assumed the role more of administrative than hard and tough negotiating bodies, that they had developed into not only employee, but also employer-protective bodies and that, above all, most councils were actually no longer representative. Particularly as regards the last two aspects, conflicts have arisen. The Department of Manpower, in its bid to promote the free market system and in support of the decentralisation initiatives, has used the lack of representivity to curtail the extension of agreements. However, it has overlooked the fact that, in removing employer protection from undercutting^v on the one hand, it would also remove employee protection from exploitation on the other. It may also, in the process, be gnawing at the very roots of the Industrial Council's reason for existence, which, not by its own^v but by circumstantial volition, has become the setting and policing of minimum wages, standards and conditions, in the absence of any effective legislative measures for this purpose. Thus, although their relevance as negotiating

bodies may be declining and although perfunctory powers, such as the setting of administrative requirements and the power to refuse check-off facilities, should be curtailed, Industrial Councils as administrative and supportive legislative bodies will have to remain, at least for the time being. Their present character has been historically induced. South African industrial relations are, at the moment, in a state of transition and, until such time as the necessary adaptation has been effected, on all sides and in all provisions and structures, a complete undermining of Industrial Councils would appear neither feasible nor fruitful.

In contrast to the problems and attacks being suffered by the Industrial Council system, the system of plant-level recognition agreements appears to be progressing. No fewer than 50 new agreements (see list elsewhere in this report.) were reported to have been concluded during 1983 and, if the estimated figure of approximately 300 agreements at the end of 1982 is accepted as correct, there are now about 350 recognition agreements in existence. By contrast, only 104 Industrial Council agreements were in existence by the end of 1983. The latter, however, cover more than a million workers, whereas concluded recognition agreements would cover perhaps a tenth of that amount. Industrial Council protagonists claim that the sheer enormity of covering the same number of workers by plant level agreements should mitigate against the latter system and, to a certain extent, it does; yet the solution may, eventually, not lie in highly centralised agreements and their extension to non-parties.

Whether desirable or not, plant-level agreements have proliferated. Furthermore, they have, by virtue of greater experience on both sides, become far more relevant as regards the important aspects of the relationship they are intended to regulate. Therefore, many now contain well-planned and '*practicable*' grievance, disciplinary and dispute-settling procedures. Provision is often made for the possibility of a strike, but, at the same time, ample opportunity is provided for negotiation and possible settlement before the event. In general, there are indications of sincere attempts on both sides to make agreements work rather than to use them merely to '*knock*' the other party at every opportunity. Although numerous problems and trouble spots still exist and some unions, and also employers, remain opportunistic, the more pragmatic approach adopted by many participants may bode well for the future, even if the establishment of feasible structures remains complicated by the segmented and multi-faceted nature of the trade union movement.

INDUSTRIAL RELATIONS ISSUES

During 1983 the demand for higher wages and particularly FOSATU's demand for a '*living*' wage appears, not by worker volition, but by circumstantial necessity, to have been shifted to the background. This, most obviously, does not mean that dissatisfaction with wages has been minimised. By the very nature of the capitalistic system, the question of wages always lies close to the heart of any worker and one of the predominant tasks of unions is to "*get more*" for its members, while the employer problem remains one of reasonably satisfying this demand without excessively affecting the profitability of the enterprise or allowing wage increases to become unproportionate to productivity improvement. Because wages remains a prominent consideration, worker dissatisfaction in other spheres will, particularly in South Africa, more often than not be accompanied by complaints regarding wages. On the other hand, the union also has a duty to keep its members in employment and the very real threat of unemployment during 1983 probably prevented many workers and their unions from making too unrealistic demands or, if they did, from pressing too actively for their enforcement. As a result, centralised wage negotiations in the major industries proved to be anti-climactical. Whenever confrontation appeared imminent, the unions eventually capitulated and, in most cases, settled for increases closer to the employer offer than the original employee demand. Also at plant-level, the concerted '*push*' for higher wages, which was a feature of early 1982, was absent in 1983 although random wage unrest and disputes over wages did occur quite frequently in the second half of the year.

The hiatus in the wage push, was, however, utilised to focus attention on other prickly industrial relations issues of which South Africa, in its historically inherited situation, suffers no dearth.

One of the issues which raised its head during 1983 was the question of overtime. Some observers may find it difficult to understand why employees who have to make do with lower wage increases than usual should not be eager to earn as much as possible in overtime money. Probably, if individual workers were canvassed, many would be in favour of doing so. Essentially the stand against overtime is a collective one or an issue taken up rather by

unions than employees, as again proved recently in Britain. One facet of their argument rests on the assumption that a cut in overtime will raise employment levels. Although this completely ignores considerations as to the nature of an enterprise's operations, it did often form the basis of the stand against overtime while retrenchments in general were increasing. On the macro-level, however, overtime is often viewed as exploitative in that, it is argued, employers justify basically low wages with the promise of extra earnings through overtime. Furthermore, the worker is seen as, so to say, devoting his entire life to the company store and as being robbed, in the process, of opportunity for leisure or enjoyment of family. It would appear that this view is increasingly being adopted by South African workers.

According to the trend already established in the latter half of 1983, retrenchments became a focal point for negotiation between employers and employees and so-called unnegotiated or cursory retrenchments gave rise to a number of strikes and also '*unfair labour practice*' disputes. Closely linked to the retrenchment question was the issue of individual dismissals, often viewed by workers as victimisation of certain employees or as '*unfair*' owing to what were alleged to be inadequate procedures. Since the contractual right of employers to dismiss employees by merely serving the prescribed minimum notice is increasingly being challenged, it may, in future, become necessary to establish certain '*base line*' procedures and practices which are uniformly applicable. It was, indeed, inevitable that arbitrary hiring and firing practices would sooner or later come under the spotlight. However, to allow for standards to be established by varying notions of '*fairness*' can only lead to confusion and reciprocal animosity. Furthermore, the danger of extremisation at the other pole, that is in a growing negation of management's right to dismiss, does exist, numerous arguments to the contrary notwithstanding.

Another issue which was raised with greater frequency during 1983 was the '*bad*' treatment of workers by, particularly, supervisory management. Some employers may ascribe the increased friction between workers and managerial representatives to a certain '*cockiness*' among employees and in many instances this may have been the case. On the other hand, supervisors and line managers were not always entirely blameless. Once again, the problem, in our present transitional stage, -is one of ensuring '*good*' or '*fair*' treatment, while not encroaching too greatly on the authority of line management. While this may seem a relatively simple task under '*normal*' circumstances, the situation becomes complex if seen in the context of inter-personal relationships, culturally

established behaviour patterns and still existent inter-racial tension.

Slightly further removed (for the time being) from the shop-floor inter-face, was the question of industrial health, which gained prominence not only by the passage of the Machinery and Occupational Safety Bill with its controversial provision for "*designated*" safety "*representatives*", but also because, in two instances, one in the explosives and one in the mining industry, employees refused to continue work in what they believed were unsafe conditions. The Industrial Court's granting of Status Quo Orders to the strikers dismissed in one of these cases, raised the question as to the measures required of management to "*reasonably assure*" workers of the safety of the workplace.

The campaign for safe working conditions was also intensified in the textile and the asbestos manufacturing industries. Particularly in the former industry, unions have instituted a well-oiled programme to establish cotton dust level in factories and to test employees for '*brown lung*' disease.

Additionally motivated by the imminent advent of shop-floor safety representation, unions in general, including some from the '*established*' ranks, have commenced safety education programmes for officials and shop stewards and some federations already have well-established safety committees comprised not only of union representatives, but also of medical practitioners specialising in this sphere. While education in and concentration on safety cannot be sufficiently recommended, there are those unions which may exploit the safety issue for other purposes and, as already proved in certain instances, employers may find it difficult to distinguish between genuine concern for safety and mere propaganda or recalcitrance.

The pensions problem, though sometimes in a different form to that experienced in 1981, has continued intermittently to raise its head. While random strikes to demand the repayment of pension contributions did occur, the emphasis appears to have shifted to objections against the present appropriation of funds and to demands for employee representation on pensions boards. Some unions are using the pension funds' investment in government stock as argument to dissuade workers from contributing to funds, while, in the metal industry, history was made by allowing unions for the first time to have equal representation on the board governing the industry's pension fund. The thrust is, essentially, the same, namely for worker control of funds and

for the application of such funds almost exclusively for the improvement of black living standards.

Not unexpectedly, female employees also had a finger to stir in the collective pie of labour relations issues. Female workers are becoming increasingly conscientised and may yet prove a potent force in the labour relations constellation, particularly when black married females are subjected to the same taxation inequities as their white counterparts! Initially they have, apart from the normal issues of wages and working conditions, concentrated on such matters as *'unfair'* treatment or deprivation of dignity, and, of course, also the question of maternity leave and maternity benefits. The latter is a thorny issue since it could as easily harm as benefit the cause of women at work.

One issue which has remained controversial is the question of the often summary dismissal of striking workers. At plant level, various solutions to the conflict aroused by such dismissals and also by the *'selective re-employment'* practices of managements have been sought by allowing, in agreements, for a *'dismissal free'* period usually ranging from 12 to 36 hours, or, as in some cases, by an agreement on management's part to dismiss and rehire all or none of the strikers. While the right of management to eventually dismiss illegal strikers, provided that it has followed the agreed disputes procedures, appears difficult to challenge, growing dissatisfaction is being expressed at the fact that employers may, and some even threaten to, summarily dismiss also legal strikers. Unions justifiably argue that there is no advantage to be gained in utilising the official machinery if the repercussions are essentially the same as those which obtain in the case of an illegal strike. The argument deserves close consideration, should the ultimate purpose be to encourage use of the prescribed machinery.

Finally, the question will inevitably be raised as to whether socio-political issues have significantly affected the conduct of industrial relations. The question is becoming somewhat hackneyed and the suspicion exists that, on both sides, the drum of worker politics is being excessively thumped to divert attention from other, more immediate and practical issues. Labour, or man at work, is necessarily also socio-political. Although in South Africa, the basic conflict between *'haves'* and *'have nots'* is more clearly delineated and intensified by stratification in racial terms and although,

consequently, all industrial relations issues, whether centring in a demand for higher wages or the problem of union rivalry, have socio-political overtones, this does not necessarily mean that the conflicts would cease to exist given a better political climate. Therefore, employers should cease to concern themselves excessively with the political nature of trade unions and even with the fact that feelings of socio-political deprivation colour the demands and attitudes of workers. Accepting that their job may be more difficult than otherwise, they should, instead, get down to the business of accommodating the basic employer-employee conflict. So far, workers and unions have brought pure politics onto the shop-floor only on very rare occasions. One such occasion was the threat of a white mineworker strike in protest at the '*deracialisation*' of the industrial relations system and another, much milder, example was to be found in FOSATU's recent sticker campaign against the referendum. Most so-called political demands have taken the form more of requests for employers to intervene on behalf of employees in order to solve socio-economic problems, such as housing, transport and influx control. In this respect, the most memorable event of 1983 was the '*Rikhoto*' judgment, a definite step towards the improvement, not only of race, but also of labour relations.

In general, workers and unions, although more politically aware and more vociferous in their criticism of particularly the constitutional proposals, did not, as predicted by some, become more '*political*', nor was there any marked increase of '*political demands*' on the shop floor.

UNION DEVELOPMENTS

Within the '*new*' trade union movement, no dramatic new developments took place during 1983. Affiliations remained basically the same and the more established of the unions within this movement continued to maintain their position, although their growth may not have been as rapid as in 1982. In terms of the number of recognition agreements concluded, unions belonging to the Federation of South African Trade Unions were again the most successful, with the Metal and Allied Workers Union in the lead. (See table at the end of this section.)

Also, FOSATU appears to have concentrated some of its resources on building up

its previously less successful unions, a sound strategy, since the more established unions had to concentrate on holding ground already gained, while the smaller unions could still use opportunities for new recruitment. Thus unions such as the Paper Wood and Allied Workers Unions, the Chemical Workers Industrial Union and the Transport and General Workers Union came more into their own during 1983. A few perhaps ill-conceived '*eruptions*' notwithstanding, it would appear that FOSATU unions in general have established a more stable image. Their expertise has most definitely increased, and this applies not only to negotiation skills and their use of all available avenues, but also to their apparent stock of strong legal and economic advisers.

A union which seems to be moving more and more in the FOSATU direction, (although this does not imply affiliation) is the General Workers Union. This union's approach has become more pragmatic and it appears to be moving away from its previously adopted image of being merely an advisory and back-up service to workers committees recognised by management. In short, it is acting more '*as a union*' and its recognition agreements with managements have changed accordingly.

Another union which should be mentioned at this stage is the Food and Canning / African Food and Canning Workers Union. This union has, without much publicity, rapidly expanded to sectors other than the canning and fish processing, its previous traditional stronghold. Particularly in the grain milling sector, it has achieved marked successes. Furthermore, its sphere of influence has extended from the Western Cape to the Transvaal and Eastern Cape, although in the latter area there appears to be strong antipathy from employers. Assumed to have more than 45 recognition agreements, it is probably the strongest of the so-called '*new*' union movement (although it is not new) in the food industry at the present moment in time.

The most significant union growth during 1983 occurred in the retail and mining industries and the two unions involved, namely the Commercial Catering and Allied Workers Union of South Africa and the National Union of Mineworkers, both achieved quite phenomenal success, even if in different ways. Their success can be attributed either to the lack of effective competition or the '*openness*' of the industries concerned, or to the particular strategies of these unions. CCAWUSA continued to '*sign up*' the head offices of larger retailers, marking its progress, even if successful, by intermittent newsworthy strikes (a definite

feature of CCAWUSA strategy). The NUM's '*strategy*', on the other hand, centred more in publicity gained from repeatedly threatened disputes and the obviously charismatic leadership of its general-secretary. Furthermore, the NUM's progress was naturally watched with keen interest from all sides owing to the prominent position of mining in South Africa, the novelty of black unionism on the mines, the traditional volatility of the industry's labour force, and the possibility of a white worker backlash. However, its growth and publicity notwithstanding and although its rapid conclusion of recognition agreements may be the envy of its fellows, the NUM has achieved few concrete successes in its '*confrontations*' with employers. It has, in other words, still to prove itself as a union. By contrast, CCAWUSA has succeeded in reaching relatively favourable agreements, often covering employees throughout the country, and has taken the lead in the battle for the '*maternity rights*' of married female employees. What remains disturbing about both unions is that, although they recruit at shop-floor or mine level, and CCAWUSA most certainly has the power to '*pull out*' workers for action, both appear to be negotiating too centrally and to have too rapidly achieved a dominant position in very large industries. It is still not clear whether their supremacy, particularly that of the NUM, will, in the end, remain unchallenged.

The National Union of Mineworkers has, nevertheless, been a boost to the image of the Council of Unions of South Africa. Other unions in the CUSA-fold appeared also to be more active at shop-floor level than before and some CUSA unions broke their previously staid image by, for the first time, engaging in strike action at plant-level. Particularly the Building Construction and Allied Workers Union and the South African Chemical Workers Union should be mentioned in this respect, although it is suspected that, in the case of SACWU, workers often reacted spontaneously and the union merely came in to '*solve the problem*'. There are definite indications that CUSA strategy is changing towards greater '*militance*' and that, because of their emphasis on black leadership, unions affiliated to this body are gaining greater popularity. Also, CUSA unions have adopted the novel strategy of recruiting and signing up contract workers as members at the labour recruitment points in the homelands. The CUSA unions, however, have not yet overtaken FOSATU in terms of industrial successes. Few recognition agreements have been achieved by these unions and the strongest, excluding the NUM, still appear to be the Steel Engineering and Allied Workers Union and the Food and Beverage Workers Union, whose position is continually being challenged by FOSATU's Sweet

Food and Allied Workers Union.

A significant development during 1983 was the 'comeback' staged by the South African Allied Workers Union which, after initial almost frenetic activity in the East London area in 1980 and 1981, appeared during 1982 to fade almost into oblivion, rearing its head only now and then in Natal. The union ranks high in the strike stakes for 1983 and has achieved a number of new recognition agreements, the most notable being that with the Defy Corporation. It has also intensified its recruitment drive in the Transvaal where it has approached a number of employers. However, its actions still appear to be too random and general to render it a really effective industrial force, although the possibility of this occurring in the future, under different conditions and perceptions, should not be discounted. Furthermore, SAAWU is capable of gaining widespread popular support. It is the union which has most concretely aligned itself with the United Democratic Front and there are indications that both bodies may 'benefit' from the interaction.

1983 also saw smaller, hitherto relatively unknown unions, such as the National General Workers Union, the National Federation of Workers, the African Allied Workers Union and others, appearing more frequently on the IR-scene. Whether some of these unions will eventually establish themselves or whether they are essentially 'opportunistic' unions, remains to be seen. One newer union which has achieved much publicity, but little material success, is the Insurance Assurance Workers Union of South Africa. This union has strong AZAPO backing, but may have selected a difficult industry to organise.

In the Western Cape, interesting new developments have occurred, particularly in the textile and clothing industries. In the former, FOSATU's National Union of Textile Workers is gaining ground and, in the latter, the 'monopolistic' position of the Garment Workers Union is being challenged by the newly formed and unaffiliated Clothing Workers Union. Other new unions, such as the Retail and Allied Workers Union and the Plastics and Allied Workers Union, appear to be emerging on all sides. Also, unconfirmed reports would have it that the South African Allied Workers Union, whose 'detente' agreement with the General Workers Union has been broken off, has been quietly but actively organising in this area. The region appears to be entering the phase experienced in the Transvaal and Natal about two years ago and, given that the United Democratic Front has its stronghold in the area, together

with the Coloured-Black division of labour , future developments may prove even more interesting, if not taxing, for employers.

Although various '*unity*' meetings were held during the year and even though a feasibility committee to examine the possibility of a new federation has been established, the newer unions have as yet taken no concrete steps towards unity. Reports of greater co-operation between various bodies have been received, but stumbling blocks on the path to unity evidently still exist. These include the problems of demarcation (inter-union rivalry), representation, access to membership figures, outside funding and general ideological as well as policy differences. Essentially, the differences between the more industrially based and pragmatic unions on the one hand and the more '*general*' unions on the other, have remained. Secondly there appears to be growing antagonism on the part of some unions towards the white leadership structure of other bodies. Thirdly, unions such as those in the FOSATU fold and the GWU have consistently refused to align themselves to any political body, whereas SAAWU and CUSA as a federation are affiliated to the United Democratic Front. CUSA also took part in the initiation of the National Front and the National Union of Mineworkers actively supports the Azanian Peoples Organisation (AZAPO). In the light of these policy differences plus practical difficulties and no noticeable decline in union rivalry, union unity may as yet be a pipe dream and affiliations may for some time remain volatile.

Also in the ranks of the '*established*' Trade Union Council of South Africa the question of unity is becoming a pressing problem. The resignation of the Boilermakers Society and two other unions during the year furnished proof of the impatience of some unions with this body. TUCSA may not be facing the challenges of the present system squarely enough and unless it does, further disintegration could occur.

In general, it would appear that, although some of the '*newer*' unions have found their feet, are more pragmatic in their approach, have become more controlled in their activity and are accepting the necessity of discipline, the union movement on the whole remains diversified and a certain measure of immaturity, also within the '*established*' movement, still exists.

LABOUR UNREST

(The discussion of labour unrest which follows should be read in conjunction with the strike report to be found after PROGNOSIS)

To gain the proper perspective on labour action during 1983, it is necessary to take into account the following circumstances.

- the continued recession and delayed economic upswing
- consequent, often large scale retrenchments and the continued threat of unemployment
- the greater professionalism and realism of some already more established newer unions
- the desire of previously less successful unions also to have a slice of the collective pie
- a rising worker consciousness and awareness of rights
- greater acquaintance of unions with the 'official' system and, therefore, other means of settling disputes or redressing wrongs

None of the above factors can be considered in isolation or be held solely accountable for the pattern of labour action which did emerge, although it may be assumed that the economic recession did set the tone for developments in general.

The pattern (if it can be termed as such) which did evolve, was, in the first place, one of fewer, 'smaller' strikes, involving fewer workers and, initially, initiated or supported by the less established of the unions or, very often, by no union at all. The decrease in frequency of and participation in strike action is firstly and mainly attributable to the recessionary conditions. Also, the trend was not a new one, but had started to establish itself in the latter half of 1982. In fact, August 1982 to May 1983 shows a much more consistent pattern than 1983 as a whole.

Already after mid-1982 workers and their representative unions had begun to find strike action a less feasible strategy. It became apparent that, where employers were already considering retrenchment or short-time, the threat of withholding labour was no longer as effective. Unions were obliged to concentrate on safeguarding the jobs of their members and on maintaining already established relationships. Therefore, during late 1982 and early 1983, strike action diminished significantly and where it did occur, there was little involvement by those of the newer unions which had been engaged in most of the strike action during 1982, but were, by now, better established. However, the participation of these unions in the work situation did not diminish. In some cases, relationships were already sufficiently established to allow for negotiation on points of grievance or conflict. In others, alternate strategies were sought and an effective means of redress found in the declaration of an '*unfair labour practice*' dispute and eventual recourse to the Industrial Court. Thus, both by force of circumstance and owing to their particular level of development or success in establishing relationships, these unions moved on to more '*refined*' methods of settling disputes.

Where strike action did occur during the first half of 1983, it was more often than not initiated or supported by small unions, such as the PWAU, CWIU, SACWU, SAAWU and also CCAWUSA, which had not yet so fully established themselves in the industries or at the enterprises concerned. This may be explained firstly by the fact that these unions did not have a large, already established membership to safeguard and could, therefore, spend time on new recruitment. In doing so, they had to establish presence by the most visible means. Secondly, and reciprocally, hitherto unrepresented, but more generally '*conscientised*' workers, finding their job security increasingly threatened, took readily to these unions. Thirdly, since no established relationships or procedures existed, trigger incidents may have been more frequent and, also owing to these circumstances, the only recourse may have been strike action. Fourthly, these unions may not yet have been sufficiently advanced or may not have possessed sufficient funds to resort to alternate strategies, which are, in any event, less effective where a union is still establishing its presence. Finally, the industrial sectors concerned were possibly less severely hit by the recession than those in which the more established unions were already operating.

The previously relatively '*untargeted*' state of certain industries, the opportunity for trade union development and specific economic conditions also

explain why sectors such as retail, paper and wood, food and beverage, glass, paints and chemicals, were relatively high on the strike list in 1983, as compared to 1982.

A union which was particularly active during this period and, in fact, throughout the year, was the Commercial Catering and Allied Workers Union, a pattern also already established in late 1982. CCAWUSA ascribes its actions to the militance of employees in the retail trade, but there is no doubt that the union itself was engaged in an aggressive recruitment and recognition drive and that it is a particular strategy of this union to utilise strike action based on shop-floor grievances in order to establish and maintain presence, even while negotiations are in progress. Its success in the face of otherwise uncondusive circumstances may be ascribed, general worker and union militancy and lack of competition besides, to the fact that the retail trade usually lags in suffering the effects of a recession and to the high-profile and public-linked activity of the companies concerned.

A significant escalation in labour action occurred in June 1983, and frequency figures from then until the end of the year are consistently higher than during the first five months of 1983, although in terms of manhours the strikes were, in general, probably not much '*larger*' than previously. More established unions such as MAWU, the NUTW, NAAWU and the GWU did come more frequently to the fore, but, on the other hand, a number of strikes were initiated or supported by unions even less known or established than those active in early 1983. (For example the NGWU, BHAWUSA, the AAWU, GWUOSA and GAWU). In other actions, there were no overt signs of union involvement at all.

The increased activity on the labour front during this period points, in the main, to growing dissatisfaction among workers, perhaps in reaction to hardened managerial attitudes or increasingly straitened economic circumstances. Where workers were represented by the more established unions, the push from employees was evidently so great that the normal negotiating machinery could not resolve the conflict and some '*alternate strategies*' were probably inappropriate. Also, these unions may have been losing '*status*' through their lack of direct action and had again to establish presence by these means. It should, however, be noted that, at this stage, the National Union of Textile Workers initiated the first legal strike and a number of official disputes, not resorting under the '*unfair labour practice*' and thus

raising the possibility of legal strike action, were declared by the Metal and Allied Workers Union. Consequently, it would appear that these unions, though obliged to initiate action, were still wary of resorting to illegal strikes and risking large-scale dismissals. Perhaps, too, the time had come to establish whether employers would risk dismissing also legal strikers and whether, if they did, this could also resort under the concept of the '*unfair labour practice*'.

The actions in which no unions were evidently involved may be classified as '*spontaneous*' strikes by workers who were, in general, more aware of rights and whose dissatisfaction could no longer be contained. Such spontaneous dissatisfaction and action was probably also utilised by '*smaller*' unions waiting on the sidelines to gain entrance to various enterprises. From the reasons given for strike action during the second half of 1983, it becomes evident that the increasing discontent was attributable mainly to general dissatisfaction with wage levels and the dearth of substantial increases during the year. This was particularly noticeable during October and December when increases and bonuses were granted in many enterprises. However, except in the Autoplastics strike and some efforts by the Metal and Allied Workers Union, the actions remained random. The strikes could often as well have centred in other perceived grievances and, in fact, wage grievances were often accompanied by such. Furthermore, the actions were more of the '*demonstration*' or '*strategic-demonstration*' than the enforcement type. Thus the push for higher wages was definitely not as strong during late 1983 as it was in early 1982. It even appeared that particularly the wiser of the newer unions were well aware that, given their weakened power base and the stronger stand of management in this respect, they might lose face, should they opt for enforcement at all costs.

Figures for 1983 as a whole also show complaints regarding wages emerging as the most frequently given reason for strike action. However, as already stated previously, much of this may be discounted or not unduly stressed, although attention should be paid to the signs of rising discontent during the latter half of the year. Of significance is the fact that protests at dismissals or alleged unfair treatment, especially by supervisory management, increasingly triggered off industrial unrest, both in the forms of so-called spontaneous demonstration action by workers and that of strategic-demonstration strikes by unions. This furnishes proof of a more general, perhaps union inspired, worker awareness, reciprocally used by unions to establish or maintain

presence. Also, worker awareness and union involvement has established itself on a much wider front than previously when it was concerned mainly with sounding a voice and achieving substantive gains. Besides the right to job security and fair treatment, questions regarding matters such as safety and compatible working hours are also coming to the fore.

In general, labour action during 1983 can be divided into four streams which are necessarily interrelated :

- Firstly, strikes involving relatively well-established '*newer*' unions. Here, even where relationships were not already established, the tendency of the unions appears to have been to attempt other forms of resolution and to strike or support strike action only where no other alternative presented itself, or when worker militancy demanded it or when action was necessary to maintain status and presence. (Even these unions still have to keep an ear close to the ground of worker sentiment and cannot, nor do they want to, claim total control or discipline). Strikes in which these unions are involved are usually of the enforcement or demonstration-enforcement type.
- Strikes by smaller, but known, '*newer*' unions intent on establishing themselves in an industry, usually of the strategic-demonstration or strategic-enforcement type.
- Strikes by hitherto unknown unions, intent on establishing presence when and where the opportunity arises. These unions utilise both general discontent and even perhaps illogical dissatisfaction with already established unions to gain presence. Strikes occurring in this category are of the pure strategic or strategic-demonstration type.
- Spontaneous actions by workers triggered off by specific incidents at the workplace and either later supported by or involving the unions. These actions are of the demonstration or demonstration-enforcement type and are reflective both of increasing union influence and greater worker awareness, both of which are reciprocal.

The fact that South Africa suffered all four types almost in equal measure during 1983 reflects the diversified elements and the immature developmental

stage of the industrial relations system. Our system will have reached greater maturity once most strikes are of the enforcement type and arise out of the bargaining situation. Until such time, labour unrest in various forms and of varying intensity, according to the circumstances pertaining, will remain the order of the day.

DISPUTES AND COURT ACTIONS

The sharp rise in applications for conciliation boards and the increased 'popularity' of the Industrial Court have been hailed, particularly in governmental circles, as proof that the official dispute-settling machinery is becoming more attractive to members of the 'new' labour movement. During 1983, 170 cases were referred to the Industrial Court as compared to 41 in 1982, while 119 conciliation boards were appointed in comparison to 60 in 1982. It should, however, be noted that all Industrial Court actions involving allegations of an 'unfair labour practice' had, if no Industrial Council existed, first to be processed by the Conciliation Board machinery. A large proportion of the cases quoted in the statistics are, therefore, overlapping.

The initial impetus for the switch from illegal strike action to Industrial Court actions or the declaration of official disputes was to be found in the decreasing feasibility of strike action as far as unions and workers were concerned, rather than in a sudden attraction for the legal and official machinery, as some would have us believe. Neither are there any concrete grounds for presuming that strike action during 1983 would have been significantly higher had unions been unable to resort to the official machinery. Although frustration levels may then have been much higher, illegal strike action with its threat of dismissal, would have remained an unattractive alternative. What, therefore, happened was that unions, caught in this dilemma and groping for a means of continuing the battle, discovered the system, grasped the opportunity to try it out and, eventually, even used the system's own weaknesses against itself. However, the very fact that previous suspicion of and ideological opposition to the structures of the "system" were set aside, furnishes proof of a greater pragmatism on the part of the 'newer' unions.

Also, the expedient nature of their choice does not obviate the fact that some unions have advanced beyond the confrontation stage and are also attempting to establish '*rights*' on a wider front than merely by plant-level action.

Particularly among employers, the use of the Industrial Court by workers and unions and the consequent judgments of the Court have aroused much controversy. It often appeared that unions had merely transferred plant level disputes of all kinds, whether these were disputes of rights or disputes of interest, to the Court and were, thereby, gaining the upper hand in what would otherwise have been an employer-tilted power position. Arguments as to the prejudice of power-positions in South Africa aside, employers were partially correct in their assumption in that disputes, the resolution of which should essentially have depended on the respective bargaining positions of the parties, were being brought as '*actions*' against employers. However, the blame for this rests not with the unions who were merely using the system, nor with the Court which had every means to fulfil a difficult function but rather with the lack of differentiation between disputes of rights and disputes of interest, the confusion of the legal with the conciliatory and bargaining machinery and, in particular, with the '*non-definitive*' definition of the '*unfair labour practice*'. According to the latter definition, it would appear that almost everything and anything could, according to the circumstances, be interpreted to be an '*unfair labour practice*'. Consequently, Industrial Court actions during the year concerned such varying issues as retrenchments, individual dismissals, restoration of bargaining structures, dismissal of individual workers, recognition of representative unions, retrenchments of migrants, defamatory remarks and even unemployment fund deductions (See table of Court Actions elsewhere in this report). Employers were especially perturbed by attempts to prove that failure to recognise a representative union or to bargain '*in good faith*' constituted an '*unfair labour practice*'. The call has now gone out for greater clarity as to the types of issues that should exist under the definition and for clearer guidelines as to the procedures which employers are expected to follow. A complete rethink on the concept of the '*unfair labour practice*' and on the various structures for settlement of disputes and enforcement of rights does, indeed, seem necessary.

During 1983 the full effect of the power to grant Status Quo Orders, which was transferred to the Court in December 1982, was perceived in labour relations circles. Unions used the provision to its fullest extent and,

in fact, the most publicised court actions merely concerned the granting of such orders. Their punitive effect on employers and their interpretation as pre-judgments usually encouraged settlement of the underlying dispute, so that few actual judgments had to be made. By way of example they also persuaded some parties to settle before the event. As a result, and particularly since Status Quo Orders are granted on the "balance of convenience" principle, very few actual precedents have been set. This merely added to the overall confusion.

During the latter half of 1983 some unions did use the official dispute-settling machinery not as a means of access to the Industrial Court, but as an avenue towards legal strike action. There are indications that they will increasingly test this machinery and particularly the question of dismissals in the case of such action.

The numerous problems and pitfalls notwithstanding, the noticeably increased use of official avenues may eventually have a stabilising effect on labour relations, especially if rights and interests are eventually clearly delineated. At the very least, avenues of dispute other than illegal strike action have been tested and this may reduce the emphasis on the latter type of action. This does not necessarily imply that workers and unions will not resort to more frequent plant-level action once their power base improves, particularly since workers may then become, or feel that they can afford to become, impatient with the delays in settling disputes at other levels. However, the horizons have become wider and the alternatives more varied, so that every and any issue may not in future give rise to immediate plant-level action.

THE GOVERNMENT

The Department of Manpower generally adhered to its policy of non-interference in 'individual' labour relations although stricter application of the provisions for the submission of information and records by unregistered unions might, unless motivated solely by the desire to be in the know, point to an increasing tendency to have a finger also in the pie of the 'informal' system.

As far as the 'formal' system is concerned, here greater concern was displayed at the relative relevance and effectiveness of the system, as proved by the Industrial Council 'indaba' organised by the Department towards the end of last year. On the other hand, but evidently more from economic than labour relations considerations, the Department increasingly attempted to 'veto' the extension of agreements where either the party trade unions or the employers organisations were not sufficiently representative. In general, it would appear that the Department and, for that matter, also the Manpower Commission are having to heed an ever greater clamour by lobbyists with conflicting interests and that this, together with divisions of opinion in these bodies, might be giving rise to a certain measure of confusion.

Of the amendments to the Labour Relations Act promulgated in the Labour Relations Amendment Act of 1 May 1983, the most significant were the provisions allowing for access to Conciliation Boards by unregistered unions and for the 'unilateral' appointment of Conciliation Boards by the Minister, should he deem this advisable. A few unregistered unions, notably the General Workers Union, have so far utilised the Conciliation Board machinery, but mainly for the purpose of declaring 'unfair labour practice' disputes.

In the Labour Relations Amendment Bill of August 1983 it was proposed that the power to grant exemptions from Industrial Council decisions should again revert to the Minister and also that, for the first time, parties to Industrial Council agreements should be allowed to seek exemption from such agreements. It would appear that the legislators are at present greatly concerned about the workings of I.C. agreements.

Two other important pieces of legislation presented during the year were the Basic Conditions of Employment Act and the Machinery and Occupational Bill. Particularly the latter, with its emphasis on worker policing of safety, remains controversial.

The changing constellations of our industrial relations continue to reveal inadequacies in the present legislative framework and continuing amendment is, therefore, necessary.

However, very often it appears that the legislators are starting at the wrong end of the stick. Furthermore, the patchwork process which commenced in

1979 is becoming so complicated that it might be more feasible to revise and restructure the entire Labour Relations Act with a view not to past, but to present and possible future perceptions and structures.

CONCLUSION

1983 marked yet another stage in the evolution of the 'new' labour relations system. Its most significant features were the greater maturity and skill of certain participants on both sides, the range and depth of issues raised and the still prevalent diversification of elements and procedures within the system. On the positive side, numerous participants on both sides have moved away from the outright rejection or 'do it my way' tactic. Instead, although this does not signify a 'co-operative' approach, attempts are being made at accommodation and at reaching the best possible solution in the circumstances.

PROGNOSIS 1984

GENERAL

Specific developments in industrial relations during 1984 will depend on economic conditions, trade union development, legislative measures and changing employer attitudes. Since all these are virtually unforecastable, any prognosis is, at best, a risky venture. However, certain trends do appear to have established themselves and on the basis of these some deductions as to future developments can be ventured.

COLLECTIVE BARGAINING STRUCTURES

Although National Industrial Councils will continue, but possibly in a more limited way, to set minimum standards for wages and working conditions and even though more of the 'newer' unions may join these councils, Industrial Councils may, if their positions and policies remain the same, become increasingly irrelevant as actual bargaining structures, particularly where the majority black, unskilled workforce is concerned. Since the purpose of the unions representing these workers is not merely to establish protection by a minimum wage, usually determined by the lowest common denominator, but to get the highest wage possible from the employers or group of employers against whom they can wield some power, they will continue to prefer either individual negotiations or negotiations with smaller groups of employers. Such smaller groups may take the form of decentralised Industrial Councils or may even be bodies established outside these councils, perhaps at the instigation of employers themselves, or, as a third option, be comprised of representatives of different companies belonging to the same group. Whatever the form 'alternative bargaining' takes (and the options are numerous), it is doubtful that 'newer' unions will be satisfied merely with highly centralised representation before they have established a strong, national, industrial base or before a strong national federation of industrial unions emerges,

both remote possibilities at present. As for the 'established' unions, they will either remain satisfied with Council negotiations where their main task will be the protection of skilled workers who, because of the manpower shortage, do not need the concerted push for improved wages and working conditions, or they will, as already indicated by some of these unions, go out and join the others in 'alternate' bargaining forums.

Recognition agreements will remain the preferred form of regulating relationships between employers and 'newer' unions. The thrust towards more formal procedures, especially as regards disputes, in such agreements will continue, so that they will eventually gain their own 'legitimacy' as constituting a parallel system, in compensation for the deficiencies of the present 'official' system, and as conflict-containing institutions in their own right.

In all, the process of gradual readjustment may eventually result in a 'parallel' more effective even centralised system into which present Industrial Councils may either be absorbed or in which they will play the role merely of administrative or policing bodies. This, however, may be viewed as a longer term prognosis.

INDUSTRIAL RELATIONS ISSUES

It is expected that, as in early 1982, the question of wages will become one of the predominant issues of 1984. A recent survey proved that Blacks on the whole are now more optimistic as to future economic conditions. This optimism will probably transfer itself to the work situation where, according to the perception of employees, they have been patient for a sufficiently long time. Inevitably, their expectations will raise some conflict with employers, many of whom are still caught in or suffering the effects of the recession and who, moreover, still perceive themselves as in the stronger position bargaining-wise. Consequently, wage negotiations are expected to be extremely tough.

Besides wage grievances, the question of dismissals, whether on a large scale or individually, will still provide the basis for many disputes, but, owing to greater employer wariness and 'correctness' in this respect and also

because an economic upswing will reduce the emphasis on job security, this issue is expected gradually to diminish in importance or frequency of occurrence, although, with increasing worker awareness, it will never again be completely absent from the labour relations scene. Furthermore, the question of mechanisation is bound to become a point of dispute in the future.

The heightened '*conscientisation*' and, later, higher educational levels of workers will also ensure that '*fair*' treatment and respect for the dignity of the person remain important issues, but here, too, greater management awareness and more established procedures may eventually minimise confrontation.

It is obvious from trends already established in 1982 and 1983 that the question of industrial health or safe working conditions will continue to increase in importance and that managements may often find themselves in unenviable positions or '*Catch 22*' situations in this respect. The proposed Occupational Health and Hygiene legislation will only further complicate an already complicated issue.

Apart from the dismissal of legal strikers, which is bound to be tested during 1984, other issues such as pension participation and overtime will continue to raise their heads, although, perhaps, not overwhelmingly so. Finally, a question mark still hangs over the black taxation issue. It would appear that, unless the issue is '*politically*' used, there are no real grounds for widespread unrest. However, majority female workforces may think differently. Also, great dissatisfaction may be aroused if personal income tax is increased soon after the introduction of the new taxation system.

UNION DEVELOPMENTS

It would seem that the larger and more established of the newer unions will continue to consolidate their industrial base and will increase in professionalism as time progresses. The pragmatic use of all available machinery to the best advantage of workers (the principle of dealing with the devil himself if it pays) is already a noticeable trend. Although these unions will continue to display power on the shop floor and action at plant level will occur, there will be a greater tendency to '*work within the system*', both in terms of formal adherence to agreed procedures and by the declaration of

official disputes. In the process, the unions concerned will of necessity cease to seek refuge from employer demands for discipline and adherence to agreements in the ambiguous excuse that "*the union is the worker and the worker is the union*". This does not signify that they will become less democratic, but that greater control and discipline may be exercised and that there may be less emphasis on the principle of '*participatory*' democracy.

By and large, the smaller industrially based unions will follow the example of their more established counterparts, although the former may, initially, have to institute more plant-level action in order to gain the desired powerbase. The same may apply to some of the more recently emergent general and community-based unions, but it is suspected that many of these will remain fly-by-night bodies, of no real significance on the industrial scene.

Three unions, namely SAAWU, CCAWUSA and the National Union of Mineworkers, have to be singled out for particular attention. SAAWU has proved that it has great attraction for certain workers and can mobilise industrial action. However, it is often still too opportunistic and, unless its organisation improves and consolidation occurs, it may again lose industrial ground although it will remain a strong force in the black community and may, in a different constellation, also wield effective power in the industrial sphere. CCAWUSA, on the other hand, risks the danger of outrunning itself, while the NUM still has much to learn and may, eventually, find its '*phenomenal*' progress more of a burden than a boon.

Within the ranks of the '*established*' movement, some measure of disintegration will occur. Particularly unions wishing also to represent Coloured and black workers will, whether for ideological or pragmatic reasons, find it increasingly necessary to shed the '*established*' tag. As they move out of the ranks, they will concern themselves more greatly with grassroots recruitment and issues and may even co-operate with '*newer*' unions. Although no immediate realignments are foreseen, these unions may later, with some of the more established '*newer*' unions, constitute a new constellation within the trade union movement.

At the risk of perhaps ending up with the proverbial egg on the chin, it is postulated that, all other things being equal and unless political considerations become predominant, the proposed union unity will not come about, at

least not in its presently envisaged form of a tight federation and definitely not one embracing all present participants in the unity initiative. In fact, the streams within the union movement and even within certain unions and federations appear to be becoming more divergent. Not only is there a noticeable difference and also conflict between industrially based and the more general, community orientated unions, but a widening gap is also apparent between protagonists of black consciousness and supporters of the non-racial principle. To further complicate the picture the streams are interactive, that is there are industrially-based black-consciousness unions, general black-consciousness unions, industrially-based non-racial unions and non-racial general unions. Also, the question of affiliation to political bodies is problematic. The majority of industrially based non-racial unions have rejected affiliation while the essentially black consciousness or black leadership orientated CUSA, whose unions are also industrially based, is (or at least was) a strong supporter of the non-racial United Democratic Front. The question also has to be raised whether black means 'African' or non-white. As it is, the most likely possible federation would be one embracing the non-racial, industrially based unions who refuse to align themselves with factional political bodies. However, although they obviously stand to gain industrially, their influence and popularity among workers may be undermined by both black consciousness bodies and politically aligned non-racial unions.

Developments in the Western Cape need to be watched closely. Whereas previously the only signs of 'new' unionism were to be found in the activities of the two Food and Canning Workers unions and the General Workers Union, the area will be increasingly infiltrated by bodies of other nominations. These will include the FOSATU unions, already active and apparently co-operating with the GWU, certain CUSA unions, the Commercial Catering and Allied Workers Union, yet other unions formed as sidekick to political organisations (some backed by or even subordinate to SAAWU) and, lastly, perhaps also completely new 'independent' unions, established by Coloured workers from various skill categories who have become disillusioned with their present representatives. The Cape with its Coloured, permanent black and migratory black workforce, as well as its strong contingent of skilled non-white workers and the UDF's growing influence, may eventually prove the testing ground for the non-racial, affiliation-wise non-political concept of unionism and will also show whether strong industrial

unions, across skill barriers, are possible.

Finally, mention has to be made of the prospects for 'white' unionism, at least that of the type envisaged by Mr. Arrie Paulus of the now extended Mineworkers Union. A union to protect the interests of white workers will certainly gain some followers, particularly as non-Whites move up the skill ladder and also as white employees see themselves becoming less important in terms of employer-employee relations. However, although such a union may wield some power in the withholding of skills and although it might act as a brake on reform also by employers, it will, all in all, have more nuisance value than actual industrial significance.

LABOUR UNREST

From all indications, it would appear that labour unrest will increase, but perhaps not significantly so, during 1984. This assumption of greater unrest is based on the following factors and trends :

- the simmering dissatisfaction with wages, which, because of the delayed upswing, cannot be immediately ameliorated
- naturally increasing worker consciousness
- more extensive unionisation
- the need for newer, smaller unions to establish themselves and also, at times, the need for already established unions to show presence, particularly where other unions are attempting to usurp their position
- towards mid-1984, a stronger worker power-base if the expected economic upswing commences.

However, illegal strike action may not be initiated as frequently as, 'under similar circumstances, would have been the case about two or three years ago.

The fact that employers are now more willing to accept union presence and negotiate, that supervisory management is becoming more 'acclimatised', that in many enterprises elaborate and effective procedures have been established and that some unions are both prepared to adhere to such procedures and to urge their members to do so, should reduce what might perhaps otherwise have been an escalating number of direct confrontations. Furthermore, unions will, all other things being equal, continue to use the Industrial Court to achieve redress on specific issues which would previously have resorted under plant-level disputes, although, with an improved power-base, they may again resort to strike action where disputes of interest are concerned. Also, some unions may, while labour is still more dispensible and even, as a matter of policy, thereafter, prefer to institute steps towards legal strike action, thereby extending the time for negotiation and reducing, though not eliminating, the risk of dismissal.

It is expected that, as the year progresses towards the mid-term, a growing number of actions actually centring in wages will occur. Even unions which proved themselves to be more careful last year will be obliged by worker pressure and the threat that other unions will take up the cudgels on their behalf, to engage in action of some kind. However, they may, unless they are sure of their power vis a vis the employer concerned, still prefer to use the avenue of officially declared disputes. Such disputes are, therefore, expected to increase in number. At the same time the possibility of large scale, concerted action of a demonstrative nature, before and during wage negotiations, cannot be ruled out, particularly if economic prospects have, by that time, become more encouraging. Furthermore, even if employers grant reasonable increases during national negotiations, the battle for higher wages may continue, should forecasts of a mid-term economic upswing prove correct. The call for a 'living wage' has not been forgotten, but merely 'stored' for the time being.

Besides true wage actions, dissatisfaction with wages will continue to be used by non-established newer unions for strategic-demonstration purposes, as will dismissals, general grievances and objections to supervisory actions. However, numerous spontaneous worker protests, in which unions may only later become involved, will also arise out of the last three issues, although, where established relationships and procedures exist, the likelihood of such spontaneous action will diminish.

In general, it seems that over-optimism as regards labour action would be

unrealistic. Procedures, structures and systems are still developing and conflicts and problems of varying nature are inevitable. Thus, whereas there may be greater '*rationality*', in that more predictable enforcement type strikes and even legal strike action may increase and spontaneous stoppages may become fewer in number, the necessity for demonstration or demonstration/enforcement stoppages, to establish or maintain presence, will remain. Finally, given the possible increased power-base of workers and unions, strike action may in 1984 again take on the concerted industry and region-related character of early 1982.

DISPUTES AND COURT ACTIONS

As already stated, officially declared disputes leading to legal strikes may well increase although workers may gradually become more impatient of these procedures. On the other hand, it is to be doubted that unions will increasingly institute costly court actions once it is no longer necessary to maintain presence by this means and when strike action again becomes more feasible. This does not mean that there will be a sudden move away from the Industrial Court as a means of seeking redress, nor that applications for Status Quo Orders will not remain popular, but merely that there may eventually be greater selectivity in the type of action brought to the Court. This would most definitely be the case if and when the '*unfair labour practice*' is more clearly defined.

THE GOVERNMENT

It would appear, from various statements made during the course of 1983, that the Government may in 1984 no longer be satisfied to sit on the sidelines and watch the system develop on its own. Should it decide to interfere, it would be necessary to ensure that such interference is supportive of and conducive to evolutionary development, and not merely an attempt to force the system into a preconceived shape or to satisfy certain

lobbyists, since this would inevitably be rejected and may only result in greater complexity and confusion.

CONCLUSION

Although 1984 may, in some respects be more harrassing than 1983, labour relations, which have now spread to their height, width and depth, will be no more complex or difficult than in aforegoing years. (Unless, of course, the political element gains dimension, but this is not expected). Patterns and trends have now established themselves and the future will be devoted more to consolidation and the finding of possible solutions, with the consolation that on both sides participants are becoming more experienced and, perhaps, more realistic.

STRIKE REPORT

BACKGROUND

The material and figures provided in this analysis are based on data collected by I.R.T. during the year. It is necessary at the outset to warn, as we have done in previous reports, that no claim is laid to absolute comprehensivity nor to absolute accuracy, impossible under the best of circumstances. (Evidently, even governmental departments, with their authoritative command on information, do not operate in such ideal conditions). Had the achievement of absolute figures been the criterion, then this report would have seen the light of day only in 1985 and would, thereby, have missed its purpose, which is, in essence, not to bombard the reader with a mass of technically accurate, yet perhaps misleading, statistics, but rather to establish general trends and to use these in the assessment of past and possible future developments. In a highly complex field such as industrial relations and particularly so in the sphere of labour action, statistics are, in any event, useless, unless intelligently interpreted with a view to the multitude of inter-related factors contributing to the total situation.

In order to gain some measure of clarity and a more uniform interpretation, it is also essential to mention certain criteria on the basis of which these figures have been established. It has been stated in the past that labour '*action*' involving fewer than 20 workers or lasting less than half a shift is not regarded as resorting under strikes. Furthermore, action initiated at the same time against one employer or group of employers for the same reason and which is settled by negotiation between the same parties, such as, for example, certain '*retail*' strikes and the three Autoplastics strikes, has been regarded as one strike, even if the action is spread over various branches or occurs in different centres. Also, strikes are regarded as lasting until workers are dismissed or go back of their own volition. Varying perspectives as regards these criteria may give rise to disparate figures from other sources, but, since the overall and more important trends established will probably be the same, it appears futile and irrelevant to

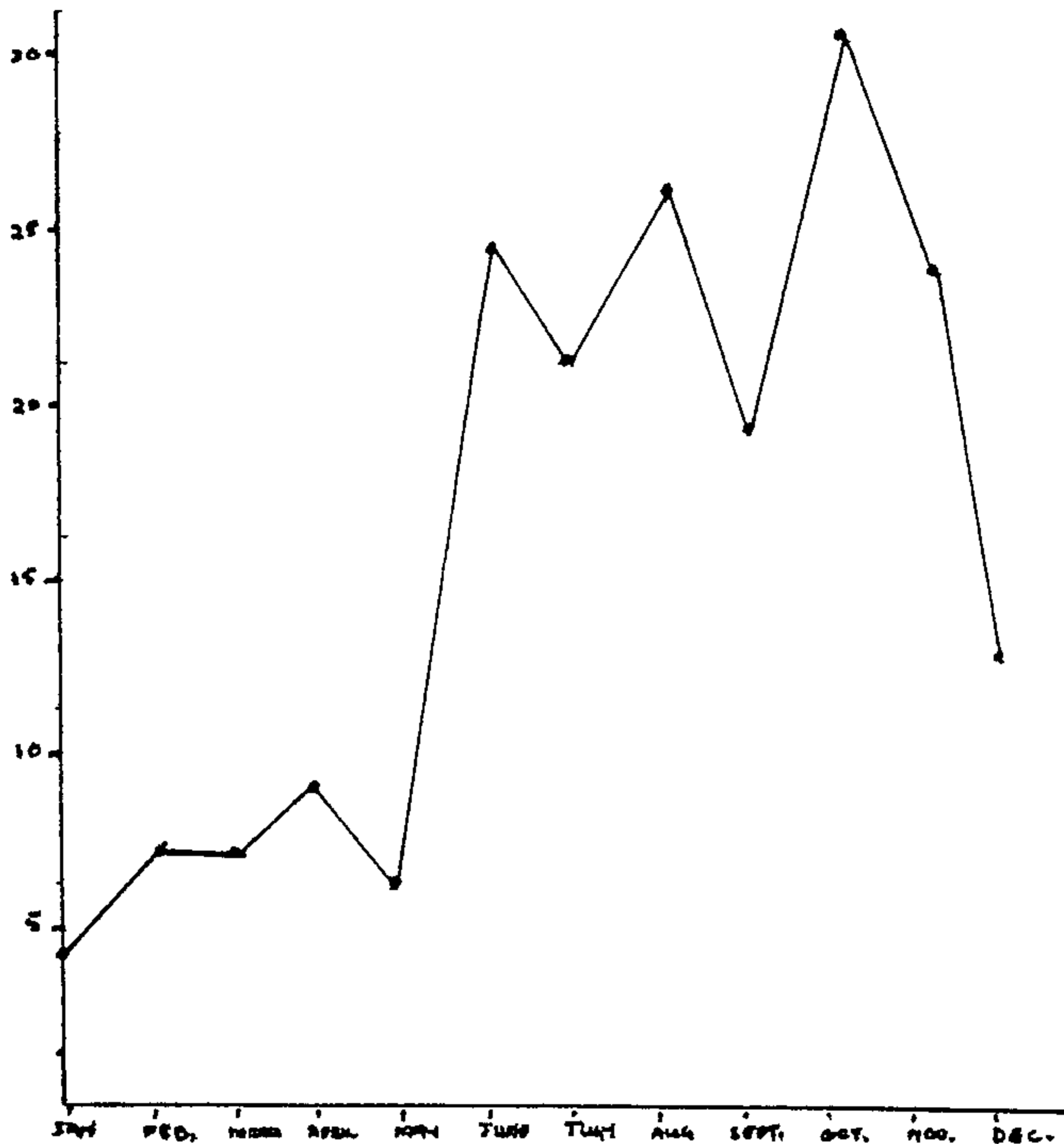
quibble over such differences.

With a view to the above, this analysis of strike action is presented, not as basis for figures to be quoted, but rather in the hope that it will assist industrial relations participants in assessing the general mood on the labour front and planning for the future on this basis.

FREQUENCY, DURATION AND MANPOWER INVOLVED

IRT recorded altogether 190 strikes during 1983, which, although the eventual '*official*' figure may be somewhat higher, is significantly below the figure of 394 finally arrived at by the Department of Manpower for 1982. The much lower total in comparison to 1982 is partly or mainly accounted for by the marked decline in labour action during the first 5 months of 1983 (incidentally, the busiest time during 1982). In June 1983, labour action escalated significantly and since then has been steadily, if irregularly, higher, as illustrated by the monthly totals and representative graph below :

<u>MONTH</u>	<u>NO. OF STRIKES RECORDED</u>
January	4
February	7
March	7
April	9
May	6
June	24
July	21
August	26
September	18
October	31
November	24
December	13
<u>TOTAL</u>	<u>190</u>



According to the data recorded by IRT, altogether 43,421 workers took part in strikes during 1983 (an average of 229 workers per strike), resulting in loss of 1,012,381 manhours or 126,548 mandays. (It should however be noted, that, particularly in respect of worker involvement, duration and consequent manhours lost, figures are, at the best, estimates, since accurate information is difficult to come by and criteria differ greatly). 'Official' figures for 1982 put worker involvement at 141,571 (an average of 359 workers per strike) and manhour loss at 2,922,696 or 365,337 mandays. Thus the number of workers involved in strikes and the total manhours lost during 1983 was, in both cases, approximately one-third of that for 1982.

Also, the average number of workers per strike was significantly lower. On the other hand, the average duration of strikes of approximately 2,4 days was not markedly lower than that for 1982 when strikes lasted 2,5 days on average.

The total picture emerging is, therefore, as follows :

- fewer strikes in general, particularly during the first half of 1983.

- lower worker involvement in strikes (the above together account for the lower total manhour loss)
- no significant decrease in the average duration of strikes, although some longer strikes may have loaded this average.

REASONS FOR STRIKE ACTION

The table below lists the reasons given for strike actions in order of their frequency of occurrence :

<u>REASON</u>	<u>NO. OF STRIKES</u>	<u>PERC. OF TOTAL IN</u> <u>1983</u>	<u>1982 PERCENTAGE:</u> <u>(IRT's OWN</u> <u>FIGURES)</u>
Wages/remuneration	61	32,1	48,0
Dismissal	47	24,8	20,0
Diverse, general Grievances	21	11,1	16,0
Specific grievance regarding supervisor or manager	20	10,5	16,0
Retrenchment	13	6,8	7,8
Recognition	11	5,8	5,3
Pensions	5	2,6	3,1
Overtime	4	2,1	
Referendum (direct and indirect)	4	2,1	
Safety	3	1,6	
Sympathy with strikers at another company	1	0,5	
	190	100,0	

As in previous years, dissatisfaction with wages again tops the scale. However, it has already been mentioned that discontent with wages is always underlying in the work situation and is readily furnished as the '*simplest*' reason for action, although it may not necessarily have been the actual cause of the strike concerned. Therefore, it will be noted from the strike tables that dissatisfaction with wages was often accompanied by other grievances or the demand for recognition, particularly where less established unions were involved. Furthermore, it should be noted that 50 of the 61 wage-related

strikes, or 81,9 per cent, occurred after June of 1983. This proves either a growing discontent or a greater utilisation of this discontent by sometimes 'opportunistic' unions.

Dismissals as a reason for strike action increased in importance during the year and, according to the information given, sparked off 24,8 of the reported strikes as against 20 per cent in 1982. Particularly significant is the increase in strikes sparked off by grievances in general (20,6 per cent in 1983 as against 16 per cent in 1982) and the fact that complaints regarding managers and supervisors came concretely to the fore. Other noteworthy points are the emergence of 'safety' strikes and the furnishing of overtime complaints as reasons for action. It should also be remembered that, although clear-cut recognition strikes were comparatively few, numerous strikes where wages or general discontent were given as main reasons were also accompanied by demands for recognition.

In general it can be concluded that :

- o dissatisfaction with wage levels, although perhaps more subdued, continues to contribute to worker action and to general discontent among employees.
- o dismissals and general bad treatment, and particularly the actions of line management are increasingly either giving rise to 'spontaneous' action by workers or being used by unions who wish to gain presence.
- o awareness of other spheres of worker interest is becoming more widespread.

To accurately analyse the root causes and patterns of strike action, a much more detailed study, beyond the scope of this report, would have to be conducted. It would have to be ascertained, in the case of each strike, whether the action arose out of dealings or negotiations between a union or workers and management, whether it was sparked off 'spontaneously' by a specific incident, or whether particular unions looked for trouble spots to stir workers to action. On a superficial analysis, there appears to be a fairly even division among the three, with, perhaps, and particularly during the first half of the year, the balance slightly in favour of the last two types of action.

UNION INVOLVEMENT

The 'activity levels' of the various unions as regards strike action is represented in the table below :

<u>UNION</u>	<u>NO. OF STRIKES</u>	<u>PERC. OF TOTAL</u>
Commercial Catering and Allied Workers Union (unaffiliated)	33	17,4
Metal and Allied Workers Union (FOSATU)	24	12,6
South African Allied Workers Union (unaffiliated)	24	12,6
Paper, Wood and Allied Workers Union (FOSATU)	9	4,8
Chemical Workers Industrial Union (FOSATU)	8	4,2
National Union of Textile Workers (FOSATU)	7	3,7
Sweet Food and Allied Workers Union (FOSATU)	7	3,7
Building Construction and Allied Workers Union (CUSA)	4	2,1
South African Chemical Workers Union (CUSA)	4	2,1
General Workers Union (unaffiliated)	3	1,6
National Automobile and Allied Workers Union (FOSATU)	3	1,6
Food and Beverage Workers Union (CUSA)	3	1,6

African Food and Canning Workers Union (Unaffiliated)	2	1,1
Transport and General Workers Union (FOSATU)	2	1,1
Insurance and Assurance Workers Union (unaffiliated)	2	1,1
National General Workers Union (unaffiliated)	2	1,1
Black Health and Allied Workers Union of South Africa (unaffiliated)	2	1,1
African Allied Workers Union (unaffiliated)	2	1,1
National Sugar and Refining and Allied Industries Employees Union (unaffiliated)	2	1,1
Media Workers Association of South Africa (unaffiliated)	1	,5
National Union of Mineworkers (CUSA)	1	,5
Textile Workers Union (CUSA)	1	,5
Black Allied Workers Union (unaffiliated)	1	,5
General Workers Union of South Africa (unaffiliated)	1	,5
General and Allied Workers Union (unaffiliated)	1	,5

National Federation of Workers (unaffiliated)	1	,5
Hotel Liquor and Catering Workers Union	1	,5
Rail Air and Sea Transport Workers Union	1	,5
No overt or known union involvement	38	20,0
TOTAL	190	100,0

Probably the most noteworthy fact emerging from the above table is that in 20 per cent of the strikes recorded during 1983 there was no overt or reported union involvement. This would point to spontaneous worker unrest, or to a hesitance on the part of unions with established relationships to become involved, or to certain unions working in the background and waiting for the right opportunity to emerge. The first two possibilities, however, appear the most likely. Furthermore, 23, or 12,1 per cent, of the 190 recorded actions showed involvement by unions who, in total, did not *'participate'* in more than two strikes. Many of these were smaller unaffiliated or newly emerging bodies. Again, this confirms the suggestion that almost one-third of the strikes which occurred during 1983 were random uprisings, either spontaneous in nature or instigated by unions utilising discontent to establish presence. This stands in contrast to 1982 when the more established of the *'newer'* unions were either responsible for or involved in the majority of strike actions.

One union which accounted for a large proportion of the 1983 strike action was the Commercial Catering and Allied Workers Union which surpassed even the Metal and Allied Workers Union, the most *'active'* union during 1982. Also significant is SAAWU's heightened activity during the year, but again, to establish the relative strength of the actions by various unions, comparisons as to the number of strikers, the manhours involved and the success achieved or failure suffered would have to be made.

Whereas FOSATU unions were involved in approximately 60 per cent of the strikes which occurred during 1982, their participation during 1983 was relatively lower. The following table reflects the position in this respect. It should, however, be noted that, according to FOSATU's own reports, its unions were involved in many more strikes than recorded here, but the FOSATU figures may be somewhat exaggerated.

<u>AFFILIATION</u>	<u>NO. OF STRIKES</u>	<u>PERC. OF TOTAL</u>
Unaffiliated unions	80	42,1
FOSATU unions	58	30,5
CUSA unions	14	7,4
No overt union involvement	38	20,0
TOTAL	190	100,0

The strike record of the unaffiliated unions is swelled by CCAWUSA and SAAWU, as well as by the comparatively large number of unaffiliated unions engaged in isolated actions. Within FOSATU ranks, the relatively smaller unions, with the exception of MAWU, accounted for most of the action. The National Union of Textile Worker's actions were less frequent than in 1982 and the National Automobile and Allied Workers Union appears to have remained in the background last year, although it was responsible for the first 'nationwide' strike (that at Autoplastics).

The general pattern emerging is as follows :

- one highly 'militant' union or section of the workforce (CCAUSA - retail workers)
- greater activity by smaller unions within the ranks of the more established federations
- much random activity by hitherto relatively unknown unions
- much apparently spontaneous action by workers

SECTORS AFFECTED

A sectional analysis of strike action in the various industrial, commercial and manufacturing sectors is presented in descending order of frequency in the table below :

<u>SECTOR</u>	<u>NO. OF STRIKES</u>	<u>PERC. OF TOTAL</u>
Engineering	40	21,0
Retail	30	15,8
Food and Beverage	25	13,2
Glass, Paint and Chemical	15	7,9
Wood and Paper	14	7,3
Manufacture of Building Materials	14	7,3
Textiles	9	4,7
Storage and Transport	8	4,2
Hotel and Catering	7	3,7
General Manufacturing	6	3,2
Mining	6	3,2
Motor	5	2,6
Municipality & Services	3	1,6
Insurance	2	1,1
Building	2	1,1
Laboratories	2	1,1
Newspaper and Printing	1	,5
Security	1	,5
	190	100

Although the engineering industry again, as in 1982, topped the list for strike action (partly attributable to the fact that it is the largest sector outside the mining industry), the picture is, in general, different from 1982. During that year more than 50 per cent of all strikes occurred in the metal, motor and textile industries, whereas in 1983 the retail and food and beverage industries replaced the motor and textile. This refutes notions of exceptional strike-proness in certain industries to the exclusion of other circumstances such as trade union organisation and strategy and particular

industrial relations practices.

The table furthermore reveals a wider spread of industries than during 1982, and also a shift of emphasis to relatively smaller sectors such as paper and wood, hotel and catering and even chemical laboratories.

GENERAL

As in 1982 and as can be expected unless there is a sudden surge in union activity or worker action in other areas, by far the majority of strikes occurred in the Transvaal. No signs of significantly increased activity were recorded for any of the other geographical areas. Also, and in contrast to 1982 (see IRT December 1982) there were no sudden regional or local surges of activity which would speak of a general 'infectiousness' or concerted union activity, although sectionally this was noticeable in the retail industry. On the whole, labour action during 1983 lacked the direction, drive and concentration which was a marked feature of the strike action in, particularly, early 1982.

STRIKES - JANUARY TO MARCH 1983

E. CAPE

19 2.83	O.K Bazaars (Port Elizabeth)	Dismissal	CCAWUSA
		103 Workers	18 Days
24 2.83	Frv's Smelter Plant (Berlin)	Retrenchments	SAAWU
		173 Workers	Fired
26 2 83	Brito's Bakery (Port Elizabeth)	Overtime	
		200 Workers	1 shift
9.3.83	Co-Operative Creamery (Queenstown)	Recognition	AFCWL
		70 Workers	2 Shifts (Fired)

TRANSVAAL

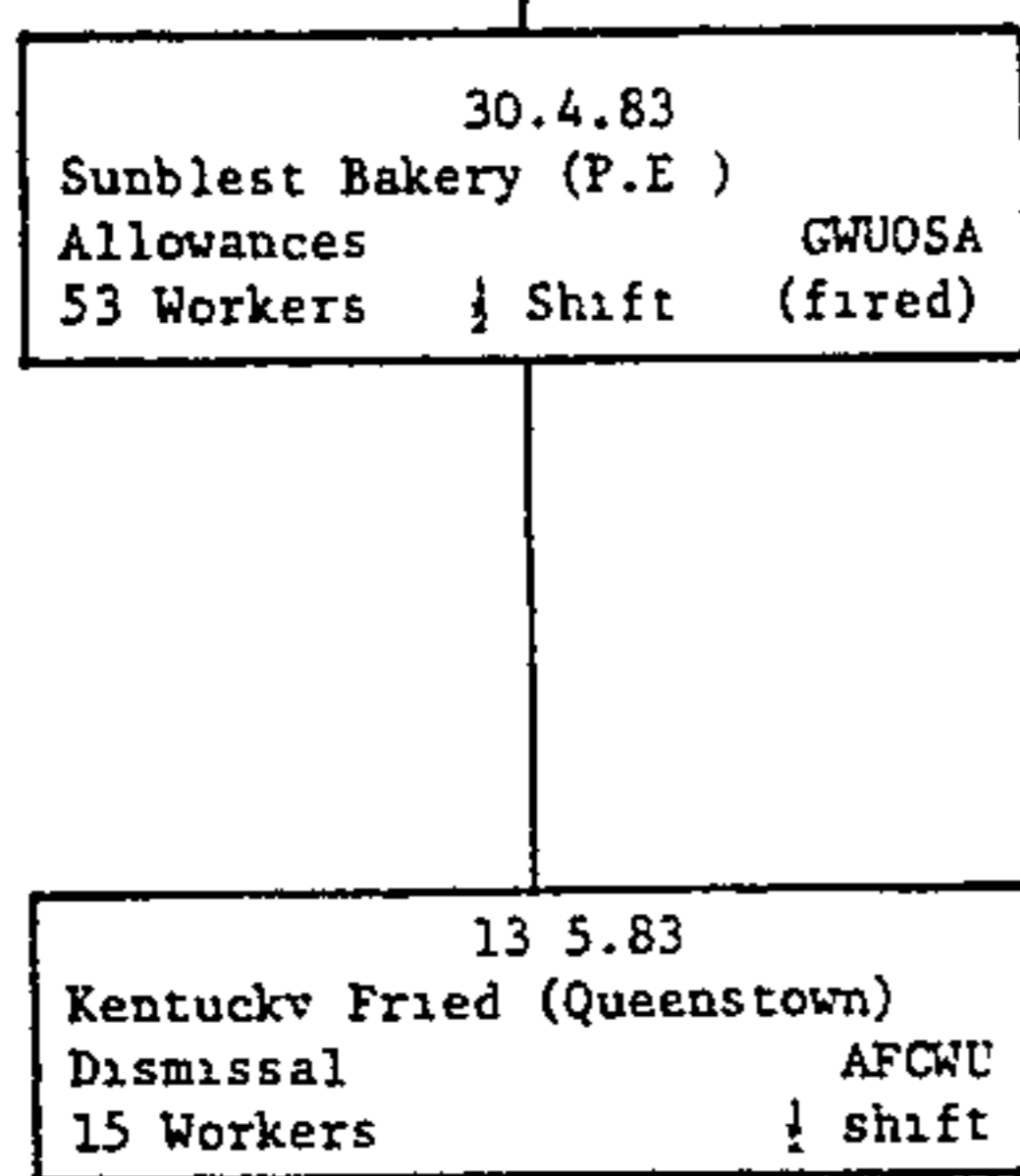
14 1 83	Gallo Africa (Bedfordview)	Recognition	CCAWUSA
		+/- 50 Workers	
14 1 83	Associated Dielsel (JHB.)	Dismissal	
		20 Workers	1 shift
16.1 83	Putco (Vosloosrus)	Grievance re Supervisor	
		175 Workers	5 hour go-slow
17 1 83	AECI (Sasolburg)	Grievance re Supervisor	SACWU
		300 Workers	2 shifts
1 2 83	Gallo Africa (Bedfordview)	Retrenchments	CCAWUSA
		100 Workers	2 shifts
3 2 83	AECI (Bedfordview)	Diverse Grievances	SACWU
			4 shifts
15.2.83	Putco (East Rand)	Grievance re Supervisor	
		250 Workers	2 shifts
16 3 83	Makro (Bedfordview)	Dismissal	CCAWUSA
		70 Workers	1 shift
17 3.83	The Star (Johannesburg)	Dismissal	WASA
		209 Workers	3 shifts
23 3.83	Landdrost Sunnyside & Tower Hotels	Promotions	CCAWUSA
		180 workers	+ hours

NATAL

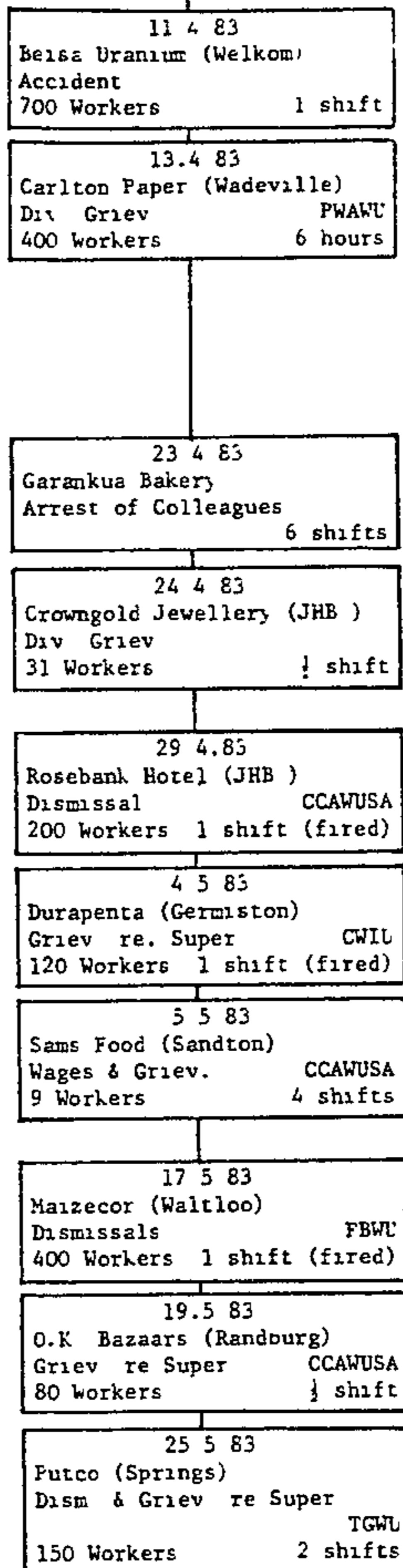
4 2.83	Carletonville Concrete (Estcourt)	Wage Negotiations	SAAWU
9.3 83	Safeguard (Durban)	Wages	CCAWUSA
		350 Workers	5 shifts
9.3 83	Ninian & Lester (Pine-town)	Dismissal	UUTW
		300 Workers	5 shifts
25 3.83	Union Flour Mills (Durban)	Grievance re Personnel Officer	SAAWU
		400 Workers	1 Shift

STRIKES - APRIL AND MAY 1983

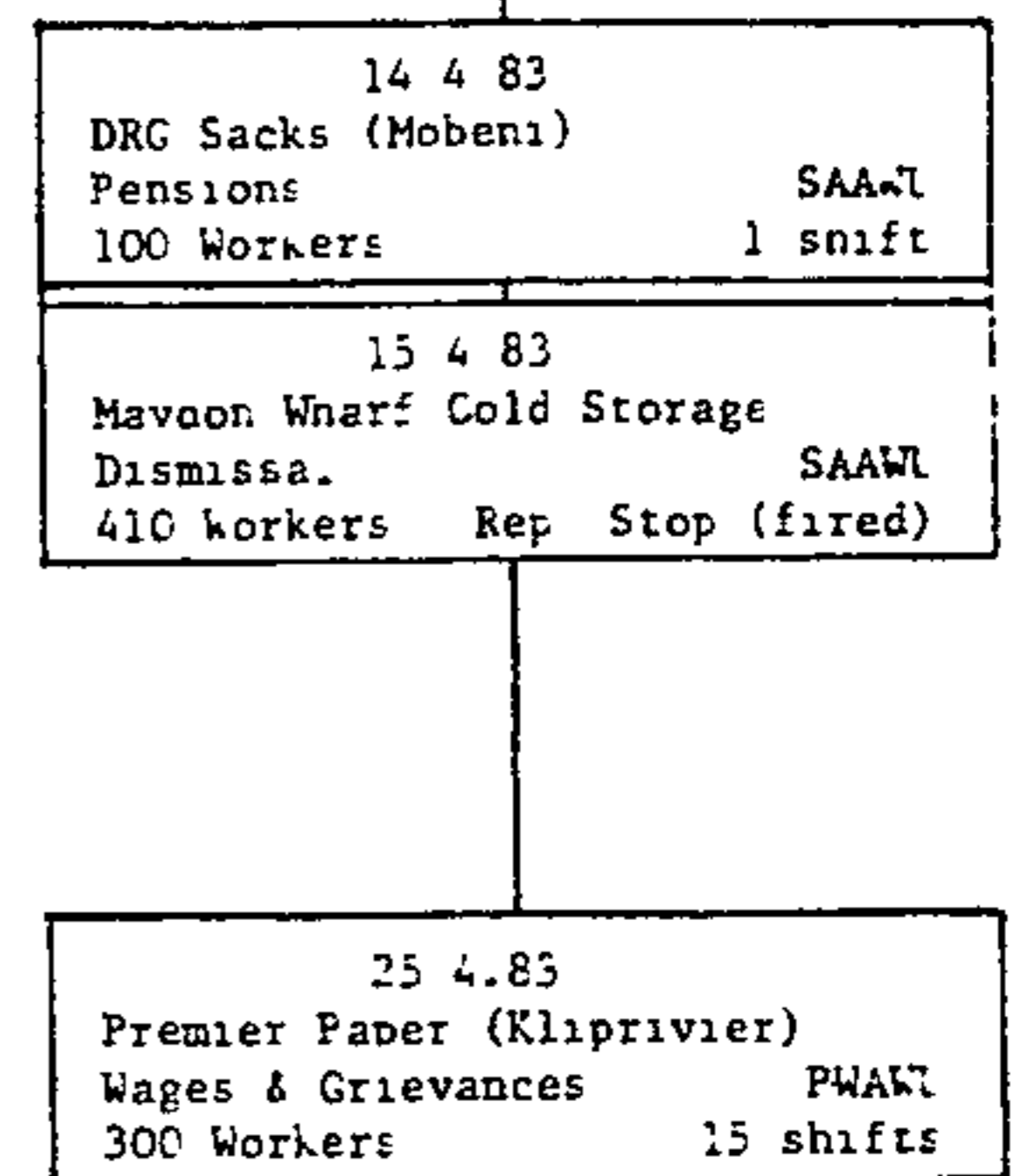
E. CAPE



TRANSVAAL



NATAL

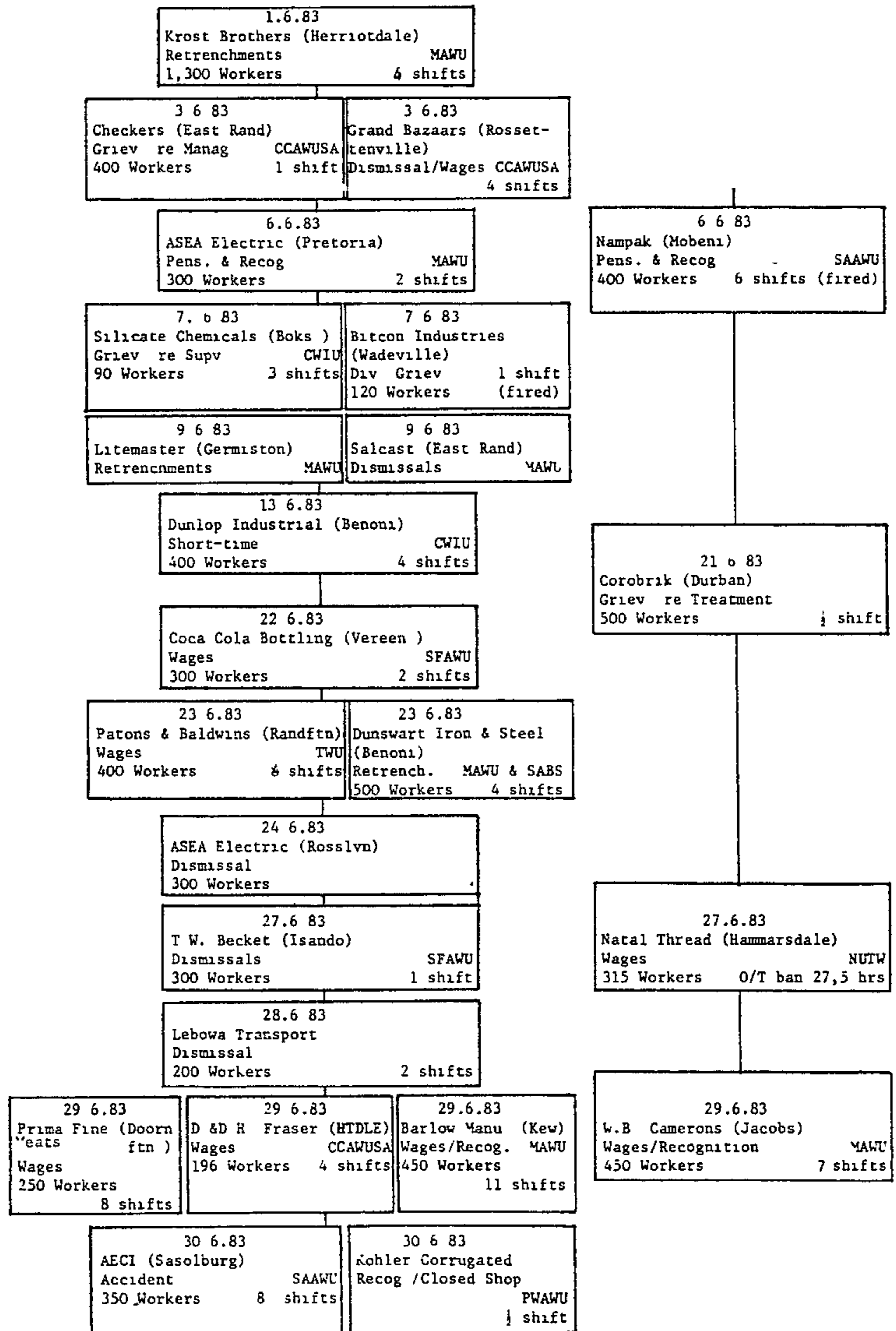


STRIKES - JUNE, 1983

E. CAPE

TRANSVAAL

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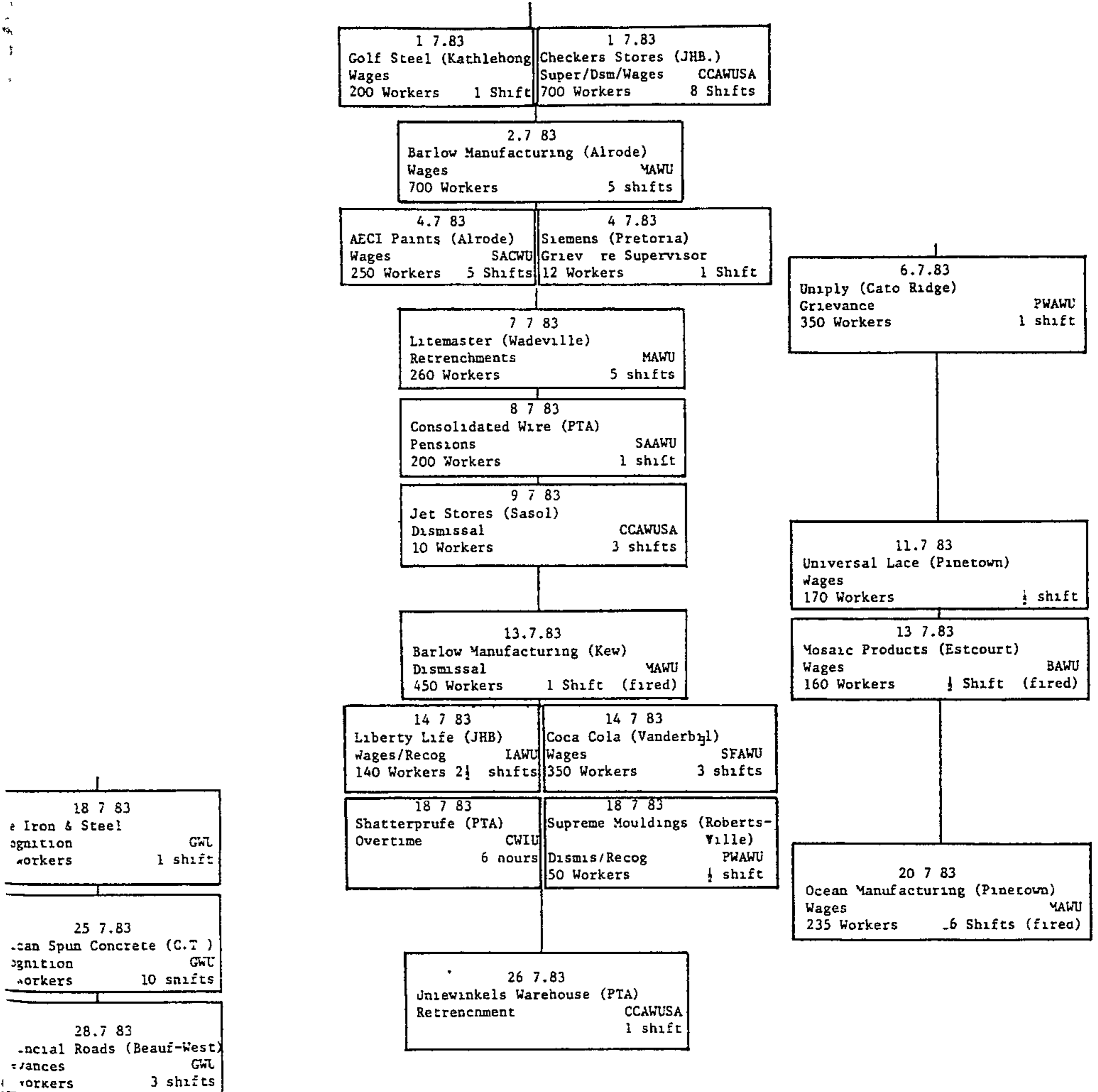
STRIKES - JULY 1983

W. CAPE

E. CAPE

TRANSVAAL

NATAL

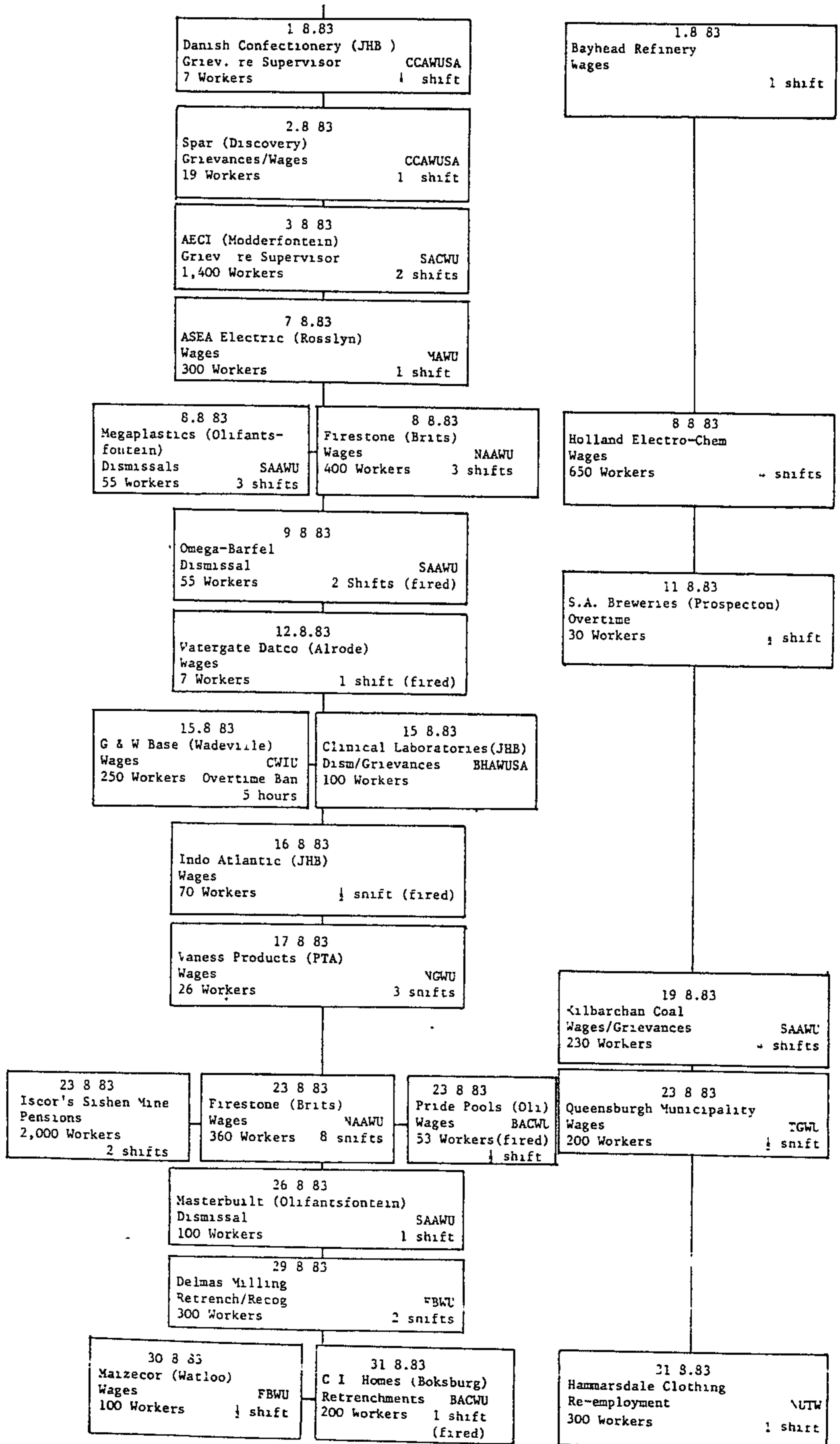


STRIKES - AUGUST 1983

E. CAPE

TRANSVAAL

NATAL



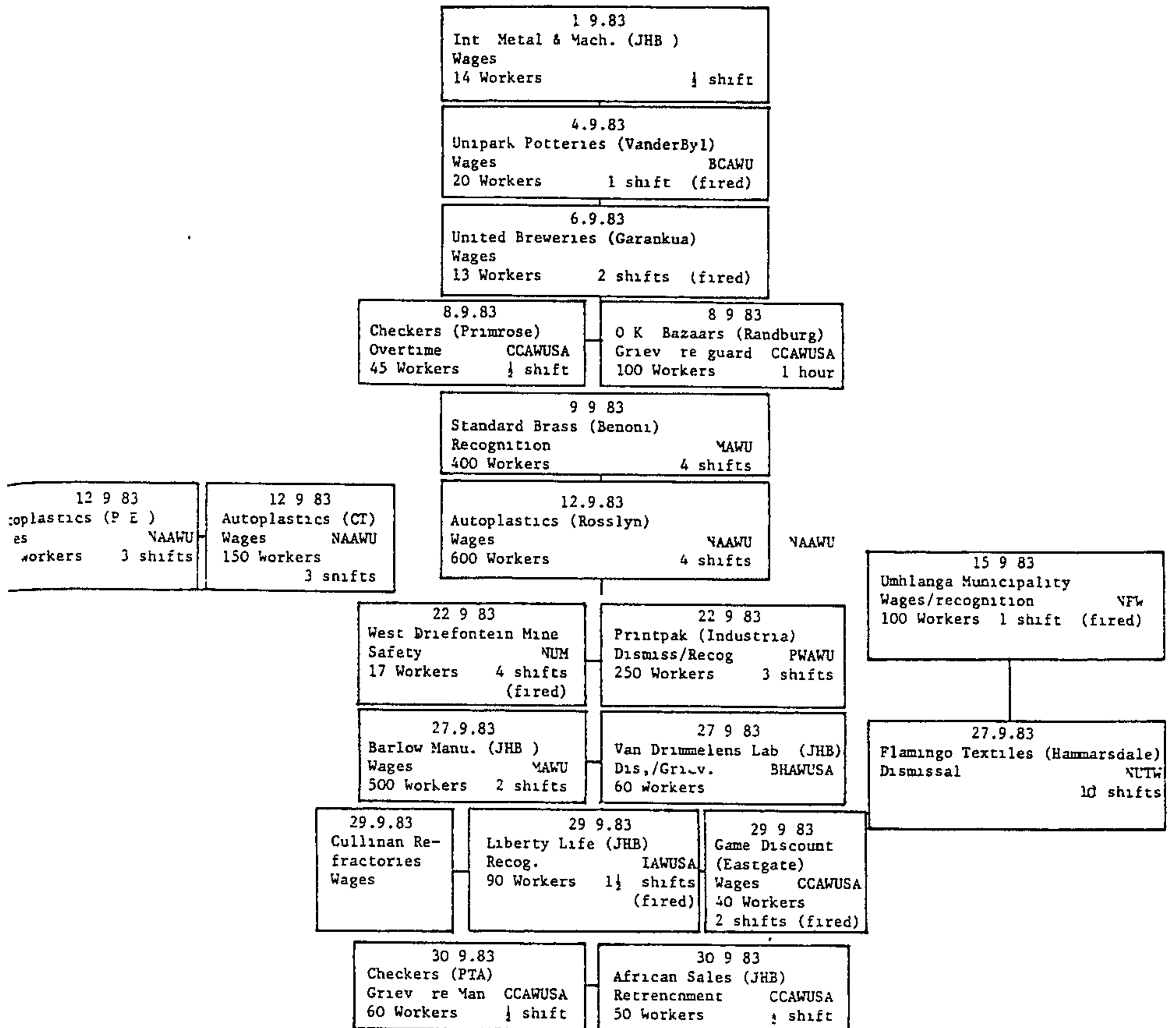
STRIKES - SEPTEMBER 1983

W. CAPE

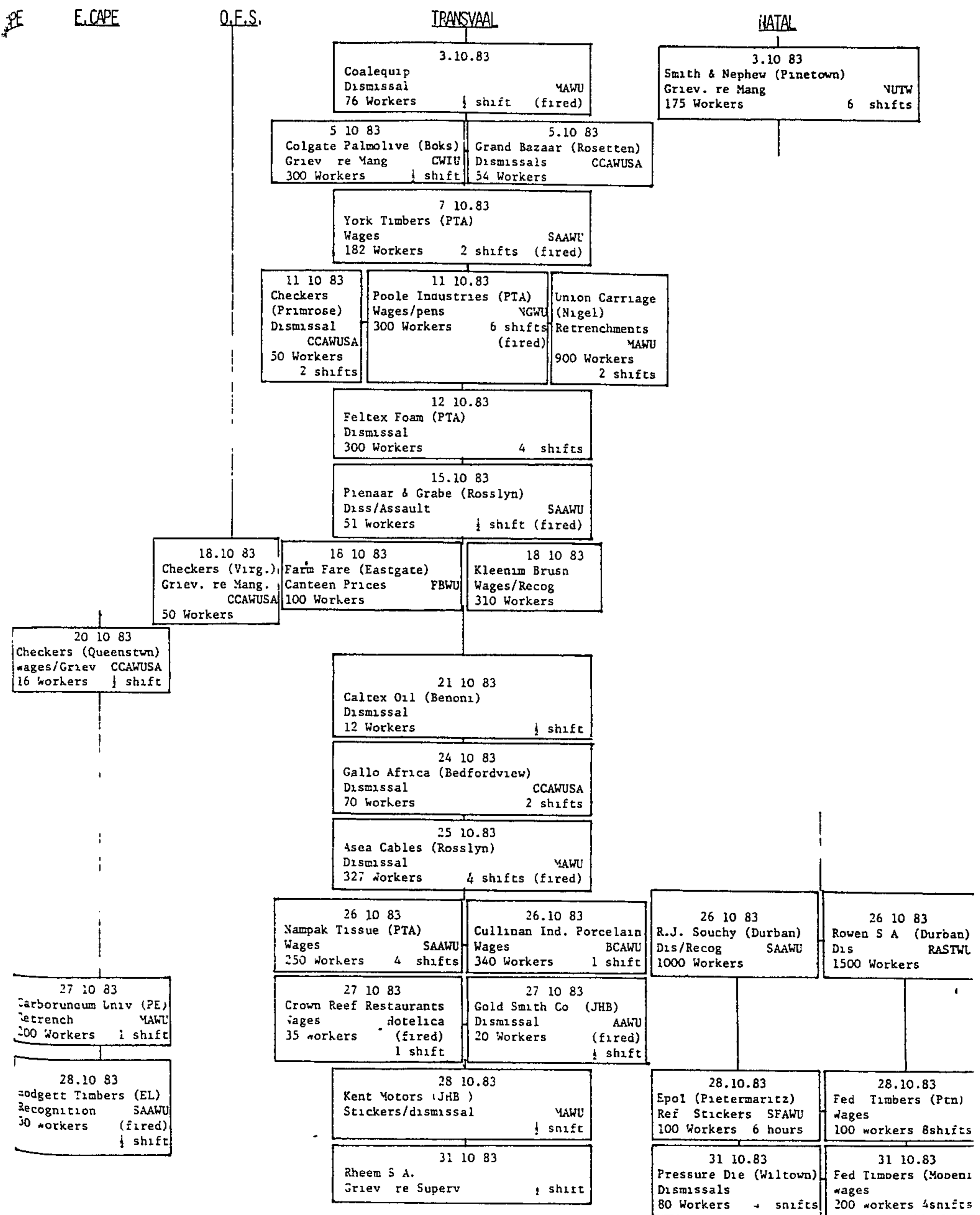
E. CAPE

TRANVAAL

NATAL



STRIKES - OCTOBER 1983



STRIKES - NOVEMBER 1983

W. CAPE

E. CAPE

TRANVAAL

NATAL

9 11.83
Durban Sea Hotel (C T)
Dismissal
150 Workers 1 shift

17 11.83
Shatterprufe (P E.)
Wages
400 Workers 1/2 shift
CWIU

1.11.83
Winterveld Chrome Mine
Wages
850 Workers
MAWU
9 shifts

5 11 83
Checkers (Eastgate)
Grievance re Manage
30 Workers
CCAWUSA
1/2 shift

7.11 83
St. Johns Knitwear (Hammarsdale)
Diverse Grievances
80 Workers 4 shifts(fired)
SAAWU

9.11 83
Jatex (Rosslyn)
Dismissal
150 Workers
NUTW
6 shifts

11.11.83
Golden Era Stationers (JHB)
Dismiss/Recog
100 Workers
PWAUW
3 shifts

18.11.83
Masterbuilt (Olifantsfontein)
Dismissal/Wages
200 Workers
1 shift

21 11.83
African Altex (JHB)
Bonus
29 workers 1/2 shift

21 11.83
New & Golden Paper
Dism/Recog
100 Workers
PWAUW
1/2 shift

22 11 83
Simba Quix (Isando)
Griev. re Man
700 Workers 4 shifts
SFAWU

22 11 83
Johnson Tile (Oli)
Sympathy Cullinan
1/2 shift

28.11 83
Kentucky Chicken (Reef)
Wages and Grievances
120 Workers
CCAWUSA
4 shifts

29 11.83
Hyperama(JHB)
Dismissal
1 shift
CCAWUSA

29 11 83
Fresh Meat Supply (JHB)
Overtime
160 Workers 1 shift (fired)
SFAWU

29.11 83
Kabelkar
Overtime
30 Workers
1 shift(fired)
SFAWU

30.11 83
Standard Brass(Benoni)
Wages
100 Workers
MAWU
4 shifts

1.11.83
Umfolozi Sugar Co-op
Referend/Recog.
600 Workers
VASRAEIU
3 shifts

2 11.83
Amatikulu & Felixton Mills
Referendum
1,400 Workers
VASRAEIU
2 shifts

14 11 83
Bestconstructa (Phoenix)
Wages
500 Workers
1 shift

15 11 83
Defy (Newcastle)
Retrenchments
500 Workers
SAAWU
4 shifts

21.11.83
Ngagame Quarries
Repatriation
SAAWU
1 shift

24 11.83
DGM Bus Serv. (Stanger)
Recognition
200 Workers
SAAWU
1 shift

30 11.83
Bakers Ltd (Durban)
Wages
SAAWU
1/2 shift

STRIKES - DECEMBER 1983

W. CAPE

E. CAPE

TRANSVAAL

6 12 83 Carlton Paper (Wadeville) Dismissal 250 Workers	PWAWL 4 shifts
7.12.83 Union Liquid Air (Germiston) Recognition 120 Workers	CWIU 1 shift
8 12.83 Caramel Sweetmakers Union Membership 120 Workers	SFAWU 1 shift (fired)
9 12 83 General Tyre (Booysens) Dismissals 70 Workers	GAWU 7 shifts
10 12 83 O K Bazaars (Vereeniging) Worker Friction 120 Workers	CCAWUSA 1/2 shift
12.12 83 Pick 'n Pay (Vereeniging) Wages 200 Workers	3 shifts
13.12.83 Ford-Struandale (P E) Dismissal 700 Workers	4 shifts
14 12.83 Pick 'n Pay (Kroonstad) Wages 150 Workers	CCAWUSA 1 shift
15.12 83 Putco (Wembley) Dismissals 170 Workers	3 shifts

NATAL

7 12 83 Bestform (Newcastle) Diverse Grievances 80 Workers	SAAWU 1/2 shift
14.12 83 Nortill Engineering (Mkondeni) Bonus 150 Workers	MAWU 1 shift
17.12.83 Teales Farm Prod. (Estcourt) Wages/Bonus 20 Workers	SAAWU 3 shifts
21.12 83 Bakers (Durban) Grievances 200 Workers	1 1/2 hours

RECOGNITION AGREEMENTS REPORTED TO HAVE BEEN CONCLUDED DURING 1983

<u>UNION</u>	<u>COMPANY</u>
Metal and Allied Workers Union - MAWU (FOSATU)	Bay Store Minerals Reliable Products C.I. Industries Mather and Platt (Elandsfontein) Scottish Cables C.Y.C. Steel B.M.R. Dunlop (Durban) Thos Barlow
Paper Wood and Allied Workers Union - PWAU (FOSATU)	Nampak Conical, Nampak Sacks, Nampak Cores and Tubes Carlton Paper (Wadeville) Uniply Mondi Paper Mill
Sweet Food and Allied Workers Union - SFAWU (FOSATU)	C.G. Smith Sugar Imbali Beer Brewery Congella Brewery Cato Ridge Abattoir
Commercial Catering and Allied Workers Union of South Africa - CCAWUSA (Unaffiliated)	Woolworths O.K. Bazaars C.N.A. Foschini

<p>South African Allied Workers Union - SAAWU (Unaffiliated)</p>	<p>Defy Corporation Park Bakery (Fedbake) Wireohm Union Flour Milling</p>
<p>Food and Beverage Workers Union - FBWU (CUSA)</p>	<p>Simba Quix Premier Milling (Newton) Maizecor Industries</p>
<p>Transport and General Workers Union - TGWU (FOSATU)</p>	<p>Putco Anglo American Property Services Freight Forwarding</p>
<p>National Union of Textile Workers - NUTW (FOSATU)</p>	<p>Tongaat Textiles Braitex</p>
<p>Chemical Workers Industrial Union - CWIU (FOSATU)</p>	<p>Duropenta Plate Glass and Shatterprufe (Germiston, Pretoria and Port Elizabeth)</p>
<p>National Union of Mineworkers - NUM (CUSA)</p>	<p>Chamber of Mines (agreement covering several mines) Chamber of Mines (Rand Refineries and TEBA) Douglas Colliery (Van Dyk's Drift Section)</p>
<p>Federated Mining Union - FMU (associated with Boilermakers)</p>	<p>Mathey Rustenburg Refineries</p>

National Automobile and Allied Workers Union - NAAWU (FOSATU)	BMW (S.A.)
Transport and Allied Workers Union - TAWU (CUSA)	Vaal Transport
General Workers Union - GWU (Unaffiliated)	Industrial Sands
African Food and Canning Workers Union - AFCWU (Unaffiliated)	Attwells Bakery
National Iron Steel Metal and Allied Workers Union - NISMAWU (associated with National Federation of Workers)	Bay Stone Minerals
National Sugar and Refining and Allied Industries Employees Union - NASRAIEU (Formerly NUSMRE - unaffiliated)	Federation of Civil Engineering Contractors?

SIGNIFICANT ACTUAL AND PROPOSED INDUSTRIAL COURT ACTIONS 1982 - 1983

RESPONDENT	APPLICANT	BASIS	ALLEGATION	OUTCOME
Vleissentraal	SFAWU	Dismissal of 30 workers after stoppage	Victimisation of union members	Settled out of court Company agreed to reinstatement
Triomf Fertilizer	SACWU	Retrenchment of 60 workers	Victimisation of workers committee	Out of Court settlement
Turnall S.A.	SAAWU	Selective re-employment of dismissed strikers	Victimisation	Settled out of Court
Master Diamond Cutter Association	SADWU	Stipulation for Association to act as sole labour broker in the industry	Practice was freezing labour mobility	Court declared it to be an unfair labour practice
ISCOR	BAWU	Unauthorized deductions		Court ordered employers to refund an amount of R28 000.
STOBAR	MAWU	Dismissal of strikers after alleged go-slow	Disguised retrenchment. Failure to follow accepted dismissal procedures of Industrial Council	Court ordered reinstatement Company paid out R38 000
Industrial Council for the Furniture Industry and NUFW	Grafton Everest	Closed shop with National Union of Furniture and Allied Workers	Failure by Industrial Council to grant exemption to 3 workers who refused to join NUFW constituted an unfair labour practice	Court ruled that Grafton should first bring dispute to Industrial Council or appeal to the Minister against the Council's decision
Argus	SASJ	Decision by employees to discontinue bargaining in central forum	Refusal to bargain in manner which had become established practice	Court ordered reversion to Status Quo The employers were, therefore, obliged to continue bargaining on the informal conciliation board
Dunswart Iron and Steel		Retrenchment of migrant workers		Settled before going to Court. Company paid out R500 each, (a total of R34,500) to the workers.
S A. Fabrics	NUTW	Retrenchment of Workers	Failure to give adequate notice of retrenchment, to provide severance pay and to negotiate on retrenchments	Out of court settlement for R16.000
Braitex	NUTW	Company's unilateral decision on wages and bonuses Refusal to negotiate	Unfair labour practice not to recognise and negotiate with a representative union	Out-of-Court settlement was made an order-of-the-Court. The company agreed to pay R40 000 compensation to workers and to recognise the union which achieved majority in a secret ballot.

Alfa Romeo	NAAWU	Company's evident reluctance to recognise union. Retrenchment of workers, including union officials	Blocking of union representation Victimization of union members through retrenchment	Settled in Italy before court action NAAWU to be granted recognition One union official reinstated
Frametex	NUTW	Rivalry between NUTW and TWIU Frame's granting of stop-order facilities to TWIU	Favouritism for TWIU. Victimization of NUTW members Failure to deal with representative union	Status Quo Order restoring Frame from recognising TWIU or granting it facilities not available to NUTW. Order later lapsed Industrial Court refused to extend it NUTW appealed to Supreme Court, but matter settled before Supreme Court action Conciliation Board later appointed.
Fry's Metals	Workers belonging to SAAWU	4 Workers dismissed after refusal to work overtime and to report to manager	Failure to follow agreed disciplinary procedure - unfair dismissal	Status Quo Order granted
Fodens	UAMAWU	Retrenchment of 3 workers. Union's unsuccessful attempts to negotiate Friction between supervisors and workers	Refusal to negotiate with a representative union Interference with the freedom of association Use of derogatory terms Failure to provide guarantee against victimisation. Failure to introduce grievance and disciplinary procedures Inadequate retrenchment procedures, etc.	Company agreed before not to continue practices, to commence negotiations and to repay all UIF moneys. Court ruled in the abstract that in Fodens's 'particular' circumstances, most of the practices were unfair.
Servix	EIWU	Dismissal of two employees who had complained to the Industrial Council about deductions for lost tools	Victimisation. Wrong reasons for dismissal given on UIF card	Pre-settlement made an order-of-the-court. Company to show 'retrenchment' as cause of dismissal and to pay R5.000
B & S Engineering	MAWU	Dismissal and 'selective' re-employment of workers after a 'strike' the previous year	Utilisation of dismissal to get rid of union members Therefore victimisation Workers not given a fair hearing Failure to negotiate with representative union	Out-of-Court settlement. Company agreed to pay substantial sum to 249 workers not re-employed.
Barlows Manufacturing (Kew)	MAWU	Dismissal of 12 workers after a strike	Victimisation	Barlows requested right to appeal to the Supreme Court against the Industrial Court's right to grant Status Quo orders where normal notice had been given Appeal refused. Case pending.

plaza Engineering	CWU	Retrenchment of 16 workers	Failure to negotiate on retrenchments and to follow procedures	Court indicated that it would refuse to grant a Status Quo Order since no agreed procedures existed. Company, however, offered to make <i>ex gratia</i> repayment
Bonus Fertilizer	CWIU	Dismissal of workers after supposed strike	Lock-out by employer Disguised retrenchment	Out-of-Court Settlement Company agreed to pay R25.000 and re-employ 30 of the workers
West Driefontein	NUM	Dismissal of workers who had refused to go underground until assured that mine was safe	Unfair to dismiss workers if no "reasonable" assurance has been given	Court ordered re-instatement of the 17 workers
FrameTex	NUTW	Retrenchment of 10 workers	Retrenchments not negotiated. LIFO principle not applied. Migrants retrenched before expiry of their contract	Status Quo Order granted Seen as indication that the Court regards negotiation and the LIFO principle as important
The Star	MWASA	Dismissal of workers two days after a strike about an individual dismissal	Dismissed workers not given individual hearings. Reason for dismissal not supplied. Company had no right to dismiss since strike was 'justifiable'	Application dismissed.

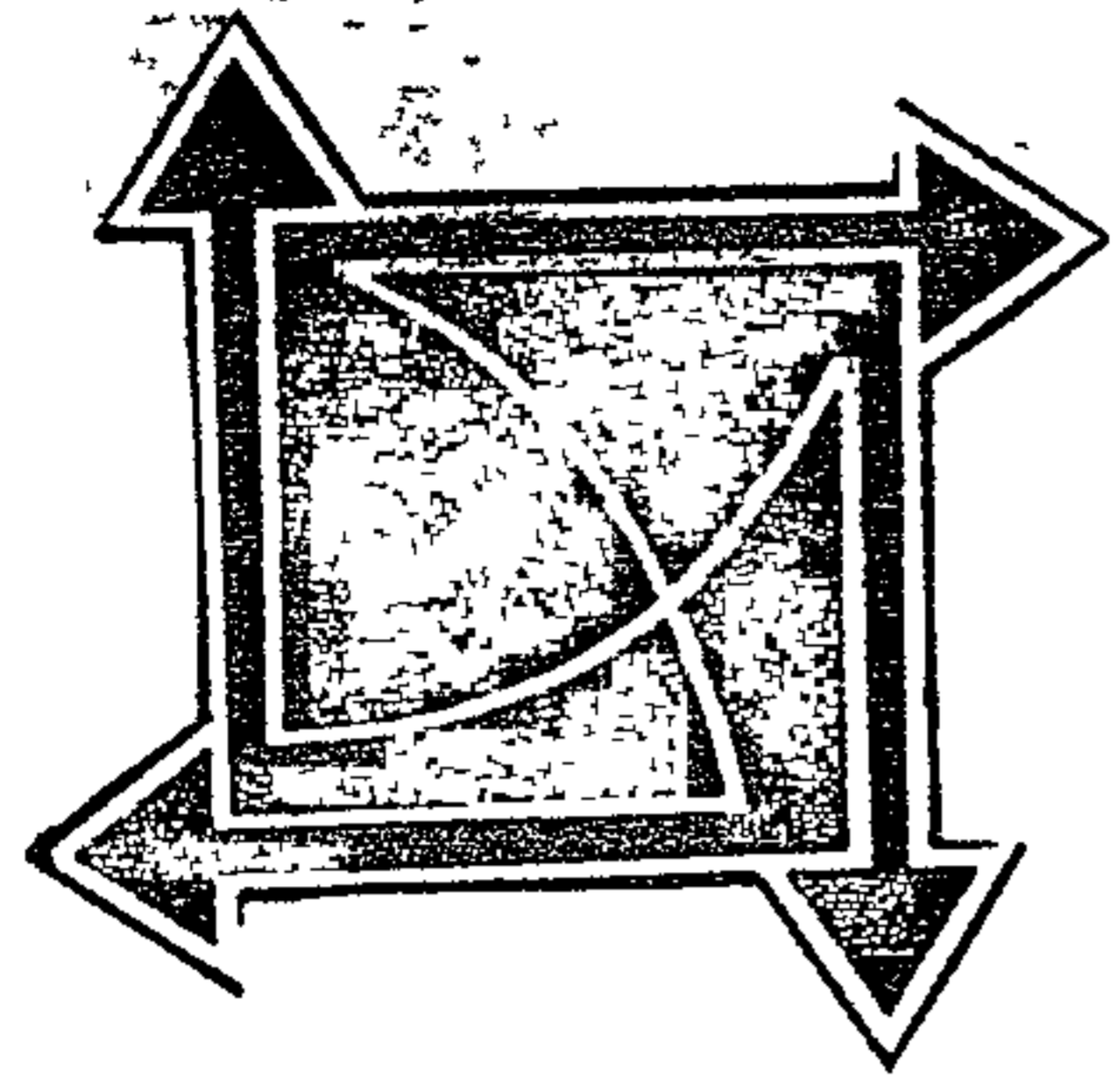
ABBREVIATIONS

AAWU	African Allied Workers Union
AFWU	African Food and Canning Workers Union
BAWU	Black Allied Workers Union
BCAWU	Building Construction and Allied Workers Union
BAWUSA	Black Health and Allied Workers Union of South Africa
CCAWUSA	Commercial Catering and Allied Workers Union of South Africa
CUA	Council of Unions of South Africa
CIWU	Chemical Workers Industrial Union
FBWU	Food and Beverage Workers Union
FCWU	Food and Canning Workers Union
FSAWU	Federation of South African Trade Unions
GAWU	General and Allied Workers Union
GU	General Workers Union
GUOSA	General Workers Union of South Africa
HLWU	Hotel Liquor and Catering Workers Unions
IWUSA	Insurance and Assurance Workers Union of South Africa
MAWU	Metal and Allied Workers Union
NAAWU	National Automobile and Allied Workers Union

NGWU	National General Workers Union
NFW	National Federation of Workers
NUM	National Union of Mineworkers
NASRAIEU	National Sugar, Refining and Allied Industries Employees Union
NUTW	National Union of Textile Workers
OVGWU	Orange Vaal General Workers Union
PWAWU	Paper Wood and Allied Workers Union
RASTWU	Rail Air and Sea Transport Workers Union
SAAWU	South African Allied Workers Union
SABS	South African Boilermakers Society
SACWU	South African Chemical Workers Union
SFAWU	Sweet Food and Allied Workers Union
SEAWU	Steel Engineering and Allied Workers Union
TAWU	Transport and Allied Workers Union
TGWU	Transport and General Workers Union
TUCSA	Trade Union Council of South Africa
TWU	Textile Workers Union
UAMAWU	United African Motor and Allied Workers Union

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1983



**INDUSTRIAL
RELATIONS
TRENDS** SOUTH AFRICA

DECEMBER 1983 - JANUARY 1984

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I R ISSUES

CONTROVERSIAL AMENDMENT

Most industrial relations observers have been dumbstruck, if not totally confused, by certain new provisions in the Labour Relations Amendment Bill 1984. Besides other minor amendments and the proposal that the power to grant exemption from Industrial Council agreements should once again revert to the Minister, which was contained in the last draft bill and discussed in IRT August 1983, the Bill now also concerns itself with the enforceability of agreements concluded at plant level and their compulsory submission to the Department of Manpower.

The Bill, in short, provides that no agreement "*...whereby any matter of mutual interest to, or regarding the relationship between, employers and employees is regulated...*" will be enforceable in the Industrial Court "*...or in any other court*" if such an agreement has been concluded between parties one or both of which have not complied with certain provisions of the Labour Relations Act. These make it compulsory for registered and unregistered unions and employers organisations to furnish the Registrar with a copy of their constitution, to keep a register of members and proper books of account and to submit these to the Registrar once a year and, finally, to have their Head Office in the Republic and to inform the Registrar of any change of office bearers or changes in their constitution. The Bill also stipulates that any party who has entered into an agreement, even if the agreement is a verbal one, must within 30 days furnish an inspector with a copy of the written agreement or with particulars of the verbal agreement. Any "*person*" (party?) who fails to do so, will be guilty of an offence. Furthermore, the provision will apply in retrospect, that is, also to all agreements entered into before the promulgation of the proposed amendment. Finally, Industrial Council agreements, Conciliation Board agreements and contracts of employment are excluded from the relevant provisions.

Several possible motivations, mostly interactive, for these extraordinary provisions present themselves -

- Firstly, it would appear that there is a growing feeling of resentment, particularly among *'established'* unions, and also among some employers, at the fact that unions who thumb their noses at the system should *"have it all their own way"* and should not only be making such effective progress outside the system, but even be challenging or usurping the role and function of Industrial Councils. This supposition, namely that the motivation for the Bill rests partly in a concern for the preservation of the Industrial Council and party trade unions is corroborated by the suggestion made at the Industrial Council summit last year that *"strong action"* should be taken to *"curb"* the development of a dualistic system as well as by reports of a stronger *'established'* trade union voice in the Departmental ear since that time. It appears that, by some convoluted process of reasoning, the conclusion was reached that enforcement of administrative requirements will somehow bring the *'newer'* unions into the system and that established bargaining forms and the process of registration will become more attractive or more effective. The argument seems to have been that, if plant-level parties are subjected to the same checks and controls as established bargaining bodies, the former will sooner or later decide that they may as well negotiate on Industrial Councils. This shows a complete lack of insight into the reason for plant-level negotiations which rests not so much in the avoidance of control, but in the assessment that greater power can be exercised at that level and more specifically suitable agreements reached. What makes the whole idea even more ridiculous is that the unions, both the majority registered and the minority unregistered, with whom plant-level agreements are concluded, are already subject to the controls stipulated in the Bill. Particularly the registered unions are already system-conformist in this respect, yet they still reject the established bargaining structures. The further stipulation that they should now submit agreements to the Department will probably not discourage them from plant-level negotiations either. Therefore, at best the provision, if based on the motivation as supposed, is futile. At the worst it can lead to resentment at the undue interference with voluntary agreements and to the justifiable suspicion that this is merely a first step towards increased control by the Department.
- The second possibility, and one most definitely intertwined with the first, is that certain parties may have reached the conclusion that it is *'unfair'* that some unions, particularly the unregistered ones, should,

while acting completely '*independently*', still enjoy protection of their agreements in the form of their enforceability as contracts in the ordinary courts. To add insult to injury, these unions have had the "*impudence*" to use those same '*renegade*' agreements as basis for action in the Industrial Court, by alleging that employers have not followed established or agreed procedures. This is evidently what is meant by the reference to the enforceability of agreements in the Industrial Court which is, after all, a creature of the system. If this was the motivation for the amendment, then the fact has been ignored that unions have other means of enforcing agreements or demands or rights, that is by strike action, whether legal, illegal or '*semi-legal*' (according to agreed, plant-level procedures). The proposed amendments may not encourage unions to conform, but merely discourage use of the Industrial Court. If this is the case, then they will most definitely be counter-active to one of the proposed purposes of the Court, namely "*the promotion of labour peace*". Not that it is agreed that all disputes should be processed by the Industrial Court, but there are some which are better settled there than by the power relationship. Another anomaly which presents itself is that unregistered unions were as recently as May last year granted access to the official conciliation machinery and, thereby, to the Industrial Court. A very quick change of mind appears, therefore, to have occurred.

Even more anomalous is the fact that unions, even if they do not comply to all the stipulations of the Bill, may still achieve legally enforceable agreements merely by applying for a Conciliation Board and requesting that the agreement reached be gazetted. (As has been stated, Conciliation Board agreements are exempted from the provisions of the Bill and unions applying for Conciliation Boards, although they must have submitted copies of their constitutions to the Registrar, have kept proper registers and books of account and have their Head Office in the Republic, do not have to prove that they have submitted their registers and audited accounts to the Registrar). Furthermore, unions do not institute action in the Industrial Court merely on the grounds that agreements have not been adhered to. More often than not their action is based solely on the very wide definition of the '*unfair labour practice*' and it is this which should have received attention from the legislators. Finally, it does seem somewhat presumptuous of the Department to attempt to eliminate the enforceability of agreements as legal contracts. Usually statutes limit, but do not completely negate

the contractual rights of various parties.

- A third, rather twisted motivation may have been the supposedly clever trick of getting unions to adhere to the already existent controls by using the enforceability of their recognition agreements as a threat against them. It is well known that the Department has been tightening up on its enforcement of the provisions which subject unregistered unions to the same controls as registered unions. The Department was perhaps not very successful and may have now decided to resort to these somewhat devious methods. (There are, in any case, some logical inconsistencies in the very concept of getting unregistered unions to 'register'.) Also, the Department previously justified its extension of controls by arguing that it would make registration less "*unattractive*". This ploy has not succeeded and it may, consequently, have been decided to now hold out the stick of the limitation on legal enforceability of agreements to encourage registration and conformity. Again it has not been understood that non-registration is, in the case of some unions which may operate perfectly '*legally*' otherwise, merely a matter of principle.

- Lastly, the Director of Manpower has himself provided the simplest, but least acceptable motivation for the Bill and particularly for the stipulation that agreements have to be lodged with the Department. According to him, the Department merely wishes to be completely in the know. Three questions have to be asked : whether it is necessary for the Department to know the exact detail of all individual, even verbal, agreements; whether the knowledge is required merely for statistical purposes or to achieve greater insight and understanding or for other less obvious motives, such as the extension of control; and whether, if mere acquisition of information was the purpose, this could not have been achieved by another, less controversial and, labour relations-wise, less dangerous means. Furthermore, the reason given does not justify the prohibition on legal enforceability, should stipulations regarding controls not be adhered to. In the light of this, the suspicion may easily be aroused that the Department is not seeking information in its purest sense .

Some employers may even support the proposed Bill in the hope that it

will give them yet another stick to wield over the trade unions concerned, by, for example '*catching them out*' if they have not adhered in detail to the necessary requirements. This would, however, be a somewhat short-sighted attitude, since a demand on strict conformity may do nothing but increase conflict. It should be remembered that plant-level agreements were entered into not as a legal necessity, but to regulate an otherwise unstructured relationship and thereby to contain conflict. The gradual insistence on the legal enforceability of the agreements, whether in the ordinary or the Industrial Courts, was a further step away from confrontation or reversion to a completely unstructured relationship. Of course, the readiest argument may be that unions will now no longer be able to use the Industrial Court also for disputes which should have been settled by the bargaining situation. However, it has been pointed out that the attack should have been on the '*unfair labour practice*' concept and not on the unions and that, moreover, the unions can still use the '*unfair labour practice*' to their advantage.

In general, care should be exercised that support is not given to provisions which are, seen in their most favourable light, useless and, at their worst, can sour rather than improve labour relations. The Bill as it stands is entirely unclear as to motivation and purpose. Had it been conceived in the sincere desire to promote more structured labour relations, the carrot of further enforceability by, for example, the granting of additional status to '*approved*' plant-level agreements, would have been dangled and not the stick of removing already existent legal enforceability. As it is, the Bill, like the now extinct provisional registration system, offers unions all the disadvantages of the '*system*', without any of its benefits and, moreover, further questions the sincerity of the government in its continual propounding of the so-called voluntaristic principle. The Department will have to realize that in such a system its role, though not completely *laissez faire*, should be supportiverather than controlling.

MORE OCCUPATIONAL SAFETY LEGISLATION

Following a long-standing in-fight between the Department of Manpower and the Department of Health and Welfare as to who should be responsible for ensuring safety at the workplace, the latter Department has now published its own Occupational Medicine Bill. There would be no quibble between the two departments if the bill did what its title suggests, that is confined itself merely to medical assessment of occupational hazards, the preventative measures which should be taken and the treatment which should be received by workers suffering the effects of unsafe working conditions. However, the Bill goes further by concerning itself with the employment relationship and imposing duties on the employer and employee. For example, it even contains a victimisation clause which, besides the usual victimisation provision that no employee shall be dismissed for supplying information in terms of the Act, also prohibits an employer from discharging "...any employee directly or indirectly on account of a medical condition which that employee contracted during his service with that employer or any previous employer" before he has taken the "...necessary steps to ensure that the employee receives the medical treatment and rehabilitation for the said medical condition after his discharge." Provision is also made for inspectors who may enter premises without previous notice, question any person, require documentation and "...prohibit or restrict the employee or group of employees concerned from continuing with the use of the agent mentioned in the direction". Even if such inspector is later proved to be wrong, he is protected by the provision that no legal proceeding "...shall lie against the State, the Minister...or any person generally or specifically authorised by the Minister...for anything done in good faith under this Act." Employers, on the other hand, whether they acted "in good faith" or not, are liable to a fine of R2.000 or 12 months imprisonment. Furthermore, the Bill empowers the Minister (of Health) to make regulations relating, among others, to :

- "...the measures to be taken by an employer to adapt his employees to the work environment"
- "...the designation or appointment of personnel to identify and to

bring such medical conditions or potential medical conditions to the attention of the employer..."

- *"...the education and training to be provided to employees regarding the dangers of medical conditions to which they are exposed at the workplace."*

All the above provisions duplicate the functions of the Department of Manpower and may lead not only to confusion in that there will be different sets of regulations and different inspectors enforcing them, but also to a waste of time and manpower. Moreover, some of the provisions are so vague as to be suspect. What, for example, does '*adaptation*' to the work environment entail and does the provision for the appointment of personnel not mean that we will now have '*designated*' '*medical*' representatives from the ranks of employees? As it is, even the Department of Manpower, which should possess the greater experience, sometimes commits mistakes in its provisions to regulate the employment relationship. To have another department interfering can only make matters worse.

In the meantime, the Department of Manpower has published another set of draft regulations under the Machinery and Occupational Act. These concern *"...the designation of employees for delegated duties under the Act; general duties of employers, employees and users of machinery; the registration of factories; and...other administrative matters incidental thereto,"* and should not be confused with the draft factory safety regulations, published in June last year and still subject to review. (See IRT - July 1983). The new regulations provide, firstly, that an employer / corporate body who is *"...not personally involved in the day to day running of the workplace"* must designate an employee or a number of employees, in descending order, of authority, and charge him / them *"...with the duty to ensure that the employer complies with the requirements of the Act"*. At a first glance, this provision appears ludicrous, since it would appear that an employer has to appoint someone to see that he does his duty. However, the intention is evidently merely that someone on the spot should also be responsible, although this could have been stated in simpler, clearer terms. What is also not clear is whether the employer or the first designated employee is ultimately responsible or culpable.

Employees subordinate to the first designee are definitely indemnified, since their appointment "...shall not relieve his employer or any other employee ...of responsibility or culpability under this Act." Does this mean that culpability will be established in ascending order? The clause is indeed most confusing.

The regulations further oblige an employer to have a copy of the Act available for "...perusal by persons in his employ", to take reasonable measures to ensure compliance by all in his employ, to establish possible dangers and to take precautionary measures and to take the necessary steps to remove the danger.

Of particular interest are the employer's duties as regards inspection by safety representatives. According to the regulations, it is the duty of the employer to determine the time, during normal working hours, when a safety representative will make his inspection, to release the representative so that he may also inspect workplaces where outwork is being done, to ensure that the safety representative reports to him and that the necessary records are kept. The same regulations, but in a wider sense, apply in the case of safety committees,

Besides the fact that unions may not accept that all this is the sole responsibility of the employer, it still seems anomalous that the employer should have the duty to ensure that he is being well-policed. Moreover, the employer evidently has not only to designate safety representatives to police the workplace, but also to appoint employees in descending order who will ensure that he is doing his duty in all respects, also in designating safety representatives. Indeed, the case does get curiouser and curiouser or, at the least, increasingly obtuse.

SOLE BARGAINING RIGHTS

The question of sole bargaining rights has once again reared its head, with the Metal and Allied Workers Union complaining that some Transvaal employers are attempting to force the union to bargain at plant level in the same forum as so-called "*minority*" unions, mostly representative of skilled workers, but also, in some cases, of unskilled workers. It appears that MAWU is as loathe to accept the principle of multi-unionism as some employers. The union's claim to sole rights rests in the fact that, as the representative of the unskilled employees, who normally form the largest proportion of most workforces, it has '*majority*' representation. One wonders, however, if the union's argument and stand would be the same at an enterprise where skilled workers are in the majority. Would it not then lay claim to representing the "*special interests*" of its members? In fact, there are enterprises where '*newer*' unions are representative of the minority of the workforce in total and where they have nevertheless been recognised by the employer as representative of certain classes or categories of workers. Most unions appear satisfied with this arrangement, yet MAWU apparently would not be. The '*newer*' unions will have to learn that they cannot have their cake and eat it and that workers in other interest or skill groups may be as '*valuable*' to the employer as workers represented by unions such as MAWU. The former may also wish to negotiate at plant-level and the employer may find it more feasible to negotiate once with all interest groups rather than to engage in numerous separate negotiations. This does not mean that where two unions compete for the same membership, both should be represented at negotiations. Here the majority principle applies. However, the existence of different interests and particularly different skill groups has to be accepted and catered for.

THE WAGE PUSH

With forecasts as to an economic upturn still varied and mostly pessimistic and employers digging in their heels in response to worker demands for wage increases, 1984 promises, particularly during the first half of the year, to be marked by continual pressure from workers and continued resistance on the part of employers.

Towards the end of last year, workers began to feel the pinch of the foregoing two years more acutely. According to the statistics, real disposable income dropped by 2,3 per cent during 1983, compared to a drop of 0,4 per cent in 1982. For the first time since 1979 black workers received wage increases below the rise in the Consumer Price Index. To add to these ills, the inflation rate started to rise again in November. Given these circumstances and the previous optimism that by the end of 1983 the economy would be showing positive signs of a recovery, and it becomes understandable that workers have become somewhat impatient.

On the other hand, between 1973 and 1981 average real wages of black workers had increased by 54 per cent. In 1981 wages rose by 25 per cent and in 1983 by 33 percent. Although, admittedly, black wages had started from a very low base, employers and economists have gradually become concerned at the lack of proportion between wage increases and productivity improvement. The Rand Afrikaans University has, for example, estimated that, if increases of 10 per cent in 1984, 21 per cent in 1985 and 26 per cent in 1986 are granted, the rate of inflation could again rise to 14 per cent in a matter of three years.

All this is, however, difficult to explain to the average worker who, regarding himself as hard done by in the first place, has become accustomed to a steady improvement and who regarded the lower increases in 1982 and 1983 merely as a break in the general push towards a decent living wage. Neither can the unions be too greatly blamed. Many union leaders now realize that a too concerted push for higher wages at the expense of fuller employment and at the risk of mechanisation by employers may not be too wise a policy. On the other hand, they have come to be regarded by their members as the only agencies by which to achieve a fairer share of the cake. Should they thus at a time like this attempt to be more reasonable, they might find their credibility diminishing or

their positions usurped by opportunistic bodies waiting on the side-lines for that very chance.

Opposed to the worker push is the increased '*militancy*' of employers. This arises not only from the fact that many are sincerely of the opinion that they cannot afford significant increases, but also from an increasing realisation that unions are not "*all-powerful*", together with rising indignation at evident attempts to usurp traditional employer-prerogatives. On the whole, employers are taking a harder line and discarding the moral guilt for previous inequities, by which much of our labour relations has been coloured during the past four years. In short, labour relations are being pushed into the more realistic sphere of a power-struggle between equals and unions are being obliged to judge their power bases not so much by notions of fairness, but by a realistic assessment of the expendibility of the labour which they represent, no matter how harsh this may sometimes appear.

However, the question does remain as to whether in South African circumstances labour relations can ever be quite '*normal*'. The difference between the haves and have-nots remains so great and so obvious that workers and their unions, even the more '*responsible*' ones, may, in their desire to close the gap, choose valour above discretion. Furthermore, growing frustration could be abused by bodies with, perhaps, a lesser sense of responsibility. Employers would, therefore, do well not to bask too smugly in their new-found '*status*'. While the more realistic perspective is welcomed and tough bargaining can do no harm, an uncontrolled bashing of the unions may only leave managements with a devil they do not know at all.

THE TAXATION ISSUE

Employers appear to be becoming increasingly nervous as March the first and the introduction of the new tax system draws nearer. These fears have not been allayed by FOSATU's appeal to the government to delay the introduction of the system and the news that one union, SAAWU, has already raised the issue in connection with a plant-level dispute. However, it may be that the rising apprehension is mainly unjustified. Since IRT was among the first to warn of the need for information, this assumption might appear unusual, but our warning

was aimed merely at encouraging employers to give the necessary information so that suspicion could not be aroused by uncertainty and so that such uncertainty could not be abused by opportunists. Where workers have been properly informed, they should eventually realize that most of them will stand only to gain. The only 'danger' area appears to be the case of the married female, but even here the number of children will offset the payment of tax. For example, a married couple with one child must earn R6.817 a year before paying tax, with two R7.651 and with three R8.484. Nevertheless, rebates have to be applied for and females who find themselves paying substantially higher monthly taxes while husbands pay nothing may become disgruntled. Furthermore, there is, of course, always the possibility that some unions will focus on taxes merely to concretise general disgruntlement, although the present worker position may not allow for very concrete expression. Finally, the ultimate danger lies in an increase in personal income tax with the new budget at the end of March. This will almost certainly set the cat among the pigeons. It is to be hoped that cognisance has been taken of this fact. The government, which has already burdened employers with an enormous administrative load by the introduction of the new system, should be extremely wary of endangering labour peace by unconsidered increases at the present moment in time.

I R SCENE

STRIKE ACTIVITY

Much attention has been focussed on the increased strike action during January, a month when workers and employers are usually still somewhat lethargic following the Christmas break. However, as pointed out under LABOUR UNREST, the action during January should not be seen in isolation, but in the framework of mounting discontent towards the end of last year. 1983 was a tough, hard year and for many the Christmas season did not hold much joy. Reaction and perhaps even overreaction when employees returned to work, is not inexplicable. Yet the rest of 1984 may well follow the pattern of the first month, although it is expected that the overwhelming defeats already suffered by some unions in strike action will make others more wary of acting overhastily.

Particular attention was drawn to the AECI strike, described as the first legal, national strike by a trade union representing black workers. It should be pointed out that the South African Chemical Workers Union, which was involved in the AECI strike, is not the first 'new' union to organise action on a 'national' or almost 'national' company basis. In September last year, the National Automobile and Allied Workers Union initiated strike action, also over wages, at Autoplastics plants in Rosslyn, Cape Town and Port Elizabeth. Only the Natal employees of the company did not join the strike. The fact that unions are able to muster and orchestrate support in different centres reflects a new and not unexpected phase in their development, greater organisational powers and resources and, also, greater discipline. It can, therefore, be expected that larger-scale enforcement strikes like this will be initiated more frequently in future. In a way, and although they may give unions a stronger hand, they should be welcomed by those who prefer to deal with the rational and predictable, as a sign of greater professionalism and centralisation in the union movement.

What differentiated the AECI from the Autoplastics strike was the fact that the former was a legal strike. Much controversy has arisen over the subsequent dismissal of the AECI strikers and the question as to whether employers should be allowed to dismiss workers engaged in a legal strike, is becoming most topical.

The issue has already been taken up by the all-white Mineworkers Union and court actions, should employers dismiss legal strikers, have been threatened by a number of the 'newer' unions. IRT fully discussed the problem in October and November last year. Essentially, it would appear that there is no advantage to be gained from using the 'official' machinery if possible repercussions remain the same as in the case of an illegal strike. A solution will have to be found and this seems to lie in the suspension and not the termination of contracts of employment, even though the question of housing and accommodation, particularly of black contract workers, will then become problematic.

RETRENCHMENTS

The year commenced not only with growing labour unrest, but also with news of large-scale retrenchments, particularly in the motor industry. On 19 January Sigma announced that, owing to a need to reduce fixed and variable costs, it regrettably had to retrench 120 salaried staff and 725 hourly paid staff. On 20 January Ford Motor Company retrenched 490 workers at its Ford Sierra plant in Port Elizabeth. The retrenchments aroused an outcry from workers who downed tools in protest, after which the company closed the plant and paid the entire workforce of 1,500 early. Both the National Automobile and Allied Workers Union and the Motor and Component Workers Union of South Africa later accused Ford of using the retrenchments to weaken the unions. Although Ford explained that unions had been notified in advance of the pending retrenchments, NAAWU maintained that the notice had been given at the last moment and that the union had not been able to report back to its members. Just a few days after the Ford retrenchments, Datsun Nissan announced that 700 workers at its Rosslyn factory had been retrenched. Like NAAWU and MACWUSA, the United African Motor and Allied Workers Union declared itself dissatisfied with the retrenchments. From Port Elizabeth it was later reported that Ford had held meetings with officials of both NAAWU and MACWUSA in order to discuss worker feelings about the retrenchments.

In the meantime, it had been announced that National Bolts in Boksburg had retrenched 200 workers, mostly members of the Metal and Allied Workers Union. In a statement made afterwards, MAWU rejected the company's explanation that it had

been obliged to retrench for economic reasons. According to the union, the workers could have been transferred to another plant. Retrenchments were, furthermore, also announced by Allied Publishing and the Lion Match Company in Cape Town.

The very incongruity of retrenchment announcements going hand in hand with growing labour unrest reflects the problematic situation in South Africa at present and the invidious position of both employers and unions.

INDUSTRIAL HEALTH

Occupational safety, particularly on the mines, is daily becoming a more important issue. At its annual congress in December, the National Union of Mineworkers once again focussed attention on safety. The union declared its intention of appointing safety shaft stewards and advised its members to refuse to work in areas which they considered to be unsafe. It demanded of employers and the Government that union or worker representatives should be appointed to all committees and boards dealing with safety. At the same time the union suggested that employers should conclude '*safety agreements*' with worker representatives. It also called on the government to appoint a commission to enquire into safety on the mines. According to the NUM, the death rate on South African coal mines is six times higher than in Britain and 50 per cent higher than in the United States. This allegation has been vehemently refuted by employers.

Other unions, too, are paying greater attention to safety. FOSATU reports that the NUTW campaign against '*brown lung*' is intensifying and that the Metal and Allied Workers Union is holding seminars on worker safety. The federation has also warned that it will oppose any moves by employers to nominate their own safety representatives and to bypass negotiations with union shop stewards.

Other important developments relating to the safety issue are summarised below.

- A demonstration stoppage by workers at Rietspruit Collieries, to mourn the death of two fellows, was followed by a strike when a worker was dismissed after an argument with the production manager about the stoppage.

- In mid-January three men were killed at the East Rand Proprietary Mine. The cause of the accident is not yet known.
- During the enquiry into the Hlobane Coal Mine disaster, which commenced at the end of January and in which the NUM also participated, it was suggested that a faulty scoop which had not been flame-proofed and the safety switch of which was out of order might have been responsible for the accident. The scoop had been taken to the surface for welding by an underground electrician the previous day. It was also claimed that 14 pieces of machinery found underground had not been flame-proofed.
- Everite announced that 23 of its workers had contracted asbestosis and would be put on early retirement. The average age of the workers is 52 and average length of service is 23 years. The degree of disability has been assessed at 35 per cent.

Attention has so far been drawn only to the most obvious occupational hazards. There is no doubt that other problems will increasingly surface.

NUTW VETOED

The Garment Workers Union, which has repeatedly urged that employers should encourage 'newer' unions to join Industrial Councils, has again vetoed the National Union of Textile Worker's entry to a Council. According to the NUTW, its application to join the Industrial Council for the Clothing Industry (Natal) has been blocked by the Garment Workers Industrial Union (Natal). The NUTW has now threatened a court action on the issue. Last year the Garment Workers Union also attempted to block the entry of the NUTW to the Industrial Council for the Knitting Industry (Transvaal). A dispute was declared and court action threatened. In that instance, the dispute was eventually settled and the NUTW granted two seats on the Council.

The power of veto granted to Industrial Council parties on the question of new entry was originally provided from the misconceived notion that existing parties needed some measure of protection within the 'new' dispensation. It is high time that the misconceptions and consequent mistaken and bigoted legislation be eliminated.

JOINT COMPANY NEGOTIATIONS

The Paper Wood and Allied Workers Union has formed a council of shop stewards from five of Mondi's six Paper Mills and appears intent on demanding that the company conduct '*central*' negotiations with this council. A demand for a minimum wage of R3 per hour, in contrast to the Industrial Council minimum of R1,50 per hour, has already been mentioned by PAWU officials. The union claims to represent 66 per cent of Mondi's workers although it has developed '*formal relations*' at only two mills.

The move is bound to bring the PWAWU into conflict with Mondi which, in its single recognition agreement with the union, has refused to negotiate on wages and working conditions outside the Industrial Council. According to a management spokesman, the company disapproves of "*fragmentary bargaining*" and will negotiate on issues "*common to all workers*" only "*with all unions present*".

The PWAWU is not the first union to demand joint company negotiations. Last year the Metal and Allied Workers Union established a committee of Barlow's shop stewards and demanded that Barlows should negotiate centrally with this committee. Barlow's refused, on the grounds that the companies in the group were diversified and operated absolutely independently. In Mondi's case, the circumstances may be slightly different.

MAWU MATERNITY DEAL

The Metal and Allied Workers Union has signed its first '*maternity agreement*', to cover mostly Asian female employees at Smiths Industries in Natal. According to the agreement, female workers who leave to have children will be guaranteed an equal or similar job at the same rate of pay if they return within a period of six months. Medical aid and pension fund contributions for the workers will continue while they are away, but they will not receive any paid maternity leave.

NUTW VICTORY

The National Union of Textile Workers has won a ballot to determine majority support at James North (Africa) Ltd. in Pinetown. A total of 219 workers voted in favour of the NUTW, while 43 voted for the Garment Workers Industrial Union. In a statement made shortly afterwards, the GWIU general-secretary expressed his objection to the ballot, on the grounds that his union had a closed shop agreement with the factory and had represented the workers for years without any complaints being received!

THE LIBERTY BOYCOTT

The boycott of Liberty Life by the Insurance Assurance Workers Union appears to have petered out soon after it went "*national*" in November last year. In the meantime, Liberty Life has reiterated its policy that it will accept only a multi-racial union in which Whites will of necessity be in the majority since the company has a majority white workforce. A spot-check conducted by the Sowetan shortly thereafter showed that, even if IAWUSA were to apply for multi-racial status, it would probably not gain the support of workers of other race groups. The company, therefore, appears to have gained the upper hand, but it is suspected that the long-term effects of the dispute may still be felt in unexpected ways.

NEW 'NEW' UNIONISM IN THE WESTERN CAPE

The Western Cape appears at present to be fertile ground for the emergence of hitherto completely unknown unions. These unions seem almost to spring out of the ground and to surprise employers not only with their presence, but also with their claims to representivity and, consequently, recognition. So, for example, the past few months has seen the emergence of the Clothing and Allied Workers Union, claiming to represent mostly Coloured, female workers in the garment industry, the Plastic and Allied Workers Union, representative of mostly

Coloured workers, the Retail and Allied Workers Union which has claimed representivity at a company employing mainly black migrant workers and, most recently, the National Union of Public and Allied Workers. It is still not quite clear whether the latter union represents workers who work in public or workers engaged in public works. What is clear, however, is that the emergence of these unions, whatever their origins and '*affiliations*', may be indicative of entirely new developments in unionism in this previously '*unharrassed*' geographical area.

HOMELAND UNIONS

The question of homeland unionism jumped to the foreground during January when members of the National Union of Mineworkers staged a strike at Union Carbide in Bophuthatswana. (See LABOUR UNREST) The company had evidently broken off negotiations with the NUM after the Bophuthatswanan government had informed UCAR that the NUM was operating illegally in the area. The union had already the previous week also received a notice from Bophuthatswanan officials to that effect, as had the Commercial Catering and Allied Workers Union and the South African Allied Workers Union.

Bophuthatswana is expected to promulgate its own Industrial Conciliation Act early this year. In March last year, IRT, reporting on the proposed legislation, warned that Bophuthatswana might find labour relations developing in a different manner to that envisaged in the legislation concerned. This appears to be happening.

Evidently taking its example from the rationale of the South African system prior to 1979, the proposed Act provides for a highly centralised bargaining structure by way of Industrial Councils. It, moreover, stipulates that no South African unions may operate in Bophuthatswana and that union leaders have to reside in the territory. While independent states may feel that they cannot afford unionism and may justifiably fear that South African bred unions may abuse their vulnerable condition, the problem cannot be legislated away. The links are so close that insistence on technical demarcation is merely an abstract exercise. South African unions, if they are clever, will still operate in the

homelands merely by establishing independent off-shoots under the leadership of 'home-bred' officials. Therefore, ordered compromise may be preferable to outright rejection, particularly in a case where the company is apparently not averse to dealing with the union concerned.

Kwazulu too, appears to be having teething problems in labour relations. The validity of this territory's Industrial Conciliation Amendment Act, passed soon after Kwazulu was excluded from the jurisdiction of the Labour Relations Act, is being questioned by legal experts. Nevertheless Kwazulu has announced that it will henceforth administer the Act, a task previously entrusted to the South African Department of Manpower. The Kwazulu government has now opened an office for industrial relations and has expressed its total support for the formation of trade unions within the region. According to a spokesman, "*Employers, employees and trade unionists should not find industrial relations a problem any more*". This optimism is, however, met with cynicism on the part of some South African trade unions. The general-secretary of the South African Allied Workers Union questioned whether "*progressive and independent trade unions would be accepted*." Another union which has reason for doubt is the National Union of Textile Workers. This union has finally had to admit defeat in its long-standing battle with the Bata-owned Kwazulu Shoe Company. According to the NUTW, this may be attributed partly to "*the unhelpful intervention of the Kwazulu government!*"

Another interesting development is the case of a worker who attempted to bring an Industrial Court action for unfair dismissal against Richards Bay Minerals. The case was later withdrawn following counsel for the employer's contention that the Labour Relations Act did not apply, since the company, Tison (Pty) Ltd, was actually situated in Zululand. Because the validity of the Kwazulu Industrial Conciliation Amendment Act has not been established, the worker concerned will have no alternative but to appeal to the civil courts for reinstatement.

It becomes increasingly difficult to see how separation can be maintained where companies and workers operate and move so freely across borders.

UNIONS

MWASA SPLIT

The split in the ranks of the Media Workers Association, over the questions of non-racialism and affiliation to political bodies, most adequately reflects not only the broad differences between the black consciousness and non-racial labour movements, but also the differing streams within each of these movements. Essentially, the division arose when the Border and Western Cape regions suggested that the union should apply for non-racial status and should seek affiliation with the United Democratic Front. The Northern and Southern Transvaal and Natal regions opposed the move, arguing the MWASA's black consciousness stand is "*non-negotiable*" and that unions should confine themselves to shop-floor issues, and not seek any positive political affiliations. MWASA will, therefore, split into a non-racial, politically-affiliated union and a black consciousness industrially orientated union. If this is compared to the non racial, industrially-orientated FOSATU unions and the black-consciousness, Inkhatha affiliated, Black Allied Workers Union, for example, then the complexity of the streaming becomes evident, particularly if it is considered that the classifications made are somewhat simplistic and that there is often much overlapping.

TUCSA RESIGNATIONS

Another three unions have resigned from the Trade Union Council of South Africa. The resignations include the South African Footplate Staff Association, which has 9.600 members, the Woodworkers Association with 6.000 members and the Concession Stores and Allied Trades Assistants Union which has a membership of a mere 600. All the unions, however, insist that their disaffiliation arises not from ideological and policy considerations, but rather from the increase in membership fees and the feeling that they have not really benefited from belonging to TUCSA.

MWU EXTENSION

The Mineworkers Union, whose extension of scope of registration was recently gazetted, has been angering other white and multi-racial unions by encroaching on their 'territory'. According to the Labour Mirror, the MWU reports that it is gaining "*hundreds of disenchanted members*" from the Boilermakers Society and that defections have also occurred from the Amalgamated Engineering Union, the South African Iron and Steel and Allied Workers Union, the Electrical and Allied Workers Union and the S.A. Engine Drivers, Firemen's and Operators Union. The claims may, however, be somewhat exaggerated. The MWU is, most obviously, thumping the drum of white worker protection and accusing other unions of not showing sufficient concern for the future of their white members.

DISPUTES

O.K. BAZAARS

The officially declared wage dispute between O.K. Bazaars and the Commercial Catering and Allied Workers Union and the National Union of Distributive and Allied Workers resolved at a third Conciliation Board meeting, held just before Christmas. CCAWUSA had initially demanded an immediate increase of R50 per month. The company had, in return, offered an increase of R20 per month in December and R15 in February, with the proviso that such increases would apply only to employees who earned less than R350 per month. During Conciliation Board meetings, the company proposed new increases ranging over an 18 month period. This the unions refused, insisting that the offer should cover a period of 6 months only. In the final settlement it was agreed that the company would grant an increase of R35 backdated to December 1, and another R10 increase on the first of April. The offer will apply only to workers *"in respect of whom the dispute was declared"*, that is to union members and those in the same job grades. However, it will be equally applicable in country areas, which hitherto has not been the case. It was, furthermore, agreed that the parties would meet not later than July 1984 to negotiate wages for the period October 1984 to October 1985.

DUNLOP

The Metal and Allied Workers has once again threatened legal strike action against Dunlop's Durban plant. (See IRT November 1983) By mid-December when it became evident that the Conciliation Board, appointed to resolve the dispute, was heading for deadlock, MAWU again called a strike ballot. According to the union, workers voted unanimously in favour of a strike. However, it was eventually decided to postpone any *'action'* until the new year.

AFRICAN SPUN CONCRETE

Deadlock has again been reached in the almost year long dispute between African Spun Concrete and the General Workers Union. The company has consistently refused to recognise the union, arguing that, in terms of the union constitution, employers are expected to deal with the workers committee and, while African Spun is prepared to do just that, it is not prepared to allow union officials at negotiations. Following a strike at the plant in July 1983, the GWU declared an '*unfair labour practice*' dispute and applied for a Conciliation Board. Repeated meetings of the Board have failed to resolve the dispute and it will now be referred to the Industrial Court, This will be the first time that the General Workers Union is involved in Industrial Court action.

The dispute is also an interesting one, since management has presented a logical challenge to the union's insistence that "*the workers are the union*" and "*the union is the worker*". It is also suspected that this argument had no small role to play in inducing the GWU to adopt an entirely new mode of recognition agreement.

COURT ACTIONS

FRAME VS THE NUTW

The marathon battle between the Frame group and the National Union of Textile Workers (See IRT September and November 1983) continues and, in fact, is becoming increasingly complex. In December alone, several actions, initiated either by the company or the union, were heard in the Supreme, Lower and Industrial courts. For the sake of clarity, the various issues are summarised below.

- The question of recognition at the Frametex Mill - This constitutes the basic issue and Frame's alleged favouritism towards the Textile Workers Industrial Union forms the major bone of contention between the company and the union. Earlier last year the Industrial Court granted the NUTW a Status Quo Order prohibiting Frame from granting stop-order facilities to the rival Textile Workers Industrial Union and from affording the latter union any facilities not granted to the NUTW until such time as a Conciliation Board had settled the dispute or the matter had again been brought to the Industrial Court for arbitration. However, as it happened, the Status Quo Order lapsed before a Conciliation Board was appointed. The NUTW, belatedly realising this, made a vain bid to have the order extended by the Industrial Court. When this failed, the union brought the matter to the Supreme Court. In this instance an out-of-court settlement was reached. According to the settlement, the NUTW agreed not to regard Frame's alleged verbal promise concerning recognition as a binding contract. Frame, in return, agreed not to recognise the TWIU for the time being. In the meantime, a Conciliation Board had been established, although Frame had attempted to prevent its appointment by, apparently, arguing that the issue in dispute could not resort under the concept of an '*unfair labour practice*'. As was to be expected, attempts at conciliation ended in deadlock. This made it necessary for the dispute to be referred to the Industrial Court once more.

Frame's next move was to appeal to the Supreme Court against the decision to refer the dispute to the Industrial Court. The company argued that, since an out-of-court settlement had already been reached, the dispute no longer existed. During the hearing in early December, the judge presiding decided that the matter was not urgent and deferred the case until the end of January. The outcome is, therefore, still pending.

- Reinstatement of retrenched workers - This dispute arose towards the end of last year when Frame retrenched 10 workers, some with lengthy periods of service. The union applied to the Industrial Court for a Status Quo Order, basing its case mainly on the fact that the LIFO principle had not been implemented. Frame, on the other hand, argued that selection of retrenchees on the basis of efficiency was a fair practice in a capitalistic system. In mid-December the Industrial Court granted a Status Quo Order in favour of the applicants. The company immediately announced that it would apply for a "*stay of execution*" as it intended to "*take the judgments of the Industrial Court to the Supreme Court.*" However, Frame has now paid out an amount of R9.500 in back pay to the 10 workers concerned, although it has been stressed that the payment has been made under protest and with the provision that the money will be "*refunded*" once the Supreme Court "*sets aside the ruling of the Industrial Court.*"
- Deduction of trade union subscriptions - In this case 19 Frame employees brought a civil action against Frame Cotton Corporation for, allegedly, continuing to deduct TWIU subscription from their wages after they had withdrawn their stop-order authorisations. The company contended that it was unaware of the workers' resignation from the TWIU and that, in any case, members had to give one month's written notice and to pay all moneys owed to the union when they decided to resign. According to the company, it could also not cancel stop-orders before being instructed to do so by the TWIU. At the end of January, the civil court ruled that Frame should stop deducting trade union subscriptions from the wages of workers who had resigned from the TWIU. The ruling was hailed by the NUTW as another victory over the company.

In general, it would appear that both sides are now so intent on winning battles that they may eventually forget about the war.

BARLOW MANUFACTURING

The 13 workers who were dismissed by Barlow Manufacturing in Kew last year and on behalf of whom the Metal and Allied Workers Union applied for a Status Quo Order, have been acquitted on a charge of intimidation and violence. MAWU is now demanding that, the workers' 'innocence' having been proved, they should be reinstated by the company. However, the Industrial Court has still to hear the Status Quo application, which was delayed when Barlow's requested leave to appeal against the Industrial Court's right to grant Status Quo Orders in the case of workers who have been dismissed according to the correct procedures and been given the required notice. Leave to appeal was refused by the Industrial Court and the case will now proceed. In the meantime, Barlow's, not wishing to prejudice the workers by its appeal, had signed an undertaking that it would pay the dismissed employees until January, with the possibility of extension until the Status Quo application is heard.

SCREENEX

The Industrial Court has held repeated sittings on the case brought by the Metal and Allied Workers Union against Screenex. The union is alleging that the company 'unfairly' dismissed the entire workforce after the employees had engaged in a stoppage to protest the retrenchment of a number of contract workers. The case is unusual in that it is the first in which oral evidence is being presented and also because Screenex originally refused to have anything to do with the dispute at Industrial Council level.

As in the Star case, the applicants appear to be arguing that the strike was justifiable and that, therefore, the dismissal of strikers was unfair. Although in the Star judgment the right of employers to dismiss workers who do not fulfil their contracts of employment, was reaffirmed, closer scrutiny of that judgment proves that it was influenced by the fact that the worker whose dismissal sparked off the strike had a long list of written and oral warnings against him. Furthermore, the Star followed meticulously correct procedures

in dismissing the strikers and gave them more than sufficient warning. The Screenex case may prove different. Workers went on strike just before the Christmas break in 1982 and, when they returned in January, found their jobs taken by migrant recruits. A MAWU organiser has also testified that he repeatedly attempted to discuss the problem with management during the Christmas holiday. Furthermore, workers are alleging that management had broken its previous promise not to retrench any contract workers. The fact that the Court has gone to the trouble to hear detailed oral evidence on the circumstances preceding and surrounding the strike action, seems to indicate that it regards such circumstances as relevant to the case. It will be interesting to see whether the Court will find that, in some circumstances, strikes or stoppages are indeed '*justifiable*'.

SARMCOL

The case brought by BTS Sarmcol against the Metal and Allied Workers Union for, allegedly, failing to '*bargain in good faith*' (See IRT November 1983), has been settled-out-of-court. Sarmcol's action had arisen from MAWU's insistence that retrenchment pay be negotiated at the same time as the recognition agreement. When deadlock was reached on the issue, the union instituted legal action and the company retaliated by bringing its own '*un-fair labour practice*' allegations. The two have now agreed to continue negotiations towards recognition, to outline a mutually acceptable severance pay policy and to commence wage negotiations in April of this year.

WEST DRIEFONTEIN

The case of the 17 West Driefontein miners who were dismissed for refusing to go underground in what they maintained were unsafe conditions, has once again

been referred to the Industrial Court. Towards the end of last year the Court issued Status Quo Orders obliging the company to reinstate or compensate the dismissed workers. Goldfields honoured the Orders but was evidently not satisfied that the case should rest there. Repeated Conciliation Board meetings ended in deadlock and the dispute has now, by law, to revert to the Court for a final and, it is hoped, precedent-setting judgment which, unlike the Status Quo Order, cannot rely on the '*balance of convenience*' principle.

LABOUR UNREST - DECEMBER 1983

OVERVIEW

Although, because it was a short month, there was a decrease in strike action during December compared to October and November, the last month of the year was busier labour-wise than expected. It appears that the increasingly expressed dissatisfaction with wages and bonuses, which had been evident in October and also at the end of November, had its spill-over into December as well. Workers went home for the Christmas break generally disgruntled and the sudden rise in action in January could not have been unexpected.

STRIKES AND WORKSTOPPAGES - DECEMBER 1983

FRESH MEAT SUPPLY (JOHANNESBURG) 29.11.83

160 Workers were dismissed after what was alleged by the Sweet Food and Allied Workers to be a lock-out by the employers. According to the union story, workers at one branch who had left work after refusing to work until 6.30 instead of 3.30, had come back the next morning to find that they were locked out. The workers in question were told to collect their pay at 11 a.m. the same morning. Other employees from the company's head office in Jeppestown thereafter went out in sympathy with the dismissed workers and were consequently dismissed. All 160 workers were reinstated about a week later after it had been agreed that a decision as to the 80 new workers who had been employed in the meantime would be made after Christmas.

BAKERS LTD. (DURBAN) 30.11.83

Bread deliveries to some Durban areas were delayed when the entire staff at

Bakers Ltd. went out on strike in a demand for higher wages. The strikers returned later the same day after management had agreed to hold a meeting with worker representatives in order to discuss their grievances.

CARLTON PAPER (WADEVILLE)

A strike by 250 workers at Carlton Paper's Wadeville Mill aroused great interest, since this company has recently signed an agreement with the Paper Wood and Allied Workers Union whereby it will dismiss all or none of its workers who go on strike and will not "*selectively re-employ*" dismissed strikers. In this case the company, however, pointed out that the workers had not followed the agreed grievance and disputes procedure and the agreement would, therefore, not apply. The strike had been sparked off by the recommendation of a supervisor that a worker be dismissed and the company later called on the workers to return to work so that an enquiry, according to agreed procedures, could take place. The strikers finally returned to work two days later and it was decided that "*...on the basis of an error committed by both sides*" the dispute would be brought to mediation.

UNION LIQUID AIR (GERMISTON) 7.12.83

About 120 workers went out on strike in protest at an alleged delay in negotiating an agreement. The union involved was the FOSATU-affiliated Chemical Workers Industrial Union.

BESTFORM (NEWCASTLE) 7.12.83

Approximately 80 workers were reported to have gone out on strike to express general grievances. According to the South African Allied Workers Union, the strike was of short duration and all the workers were later "*reinstated*".

CAMEL SWEETMAKERS (GERMISTON) 8.12.83

A strange type of strike occurred at this plant when workers already on notice stopped work a few days before the end of the year shut-down. According to the company, the dissatisfaction had been mutual, since workers had been dissatisfied with their conditions of employment while the company had not been happy with the way they were working. Following a short work stoppage, they had been given a week's notice. However, the following week the entire workforce downed tools and management "*politely asked them to leave*". The Sweet Food and Allied Workers Union, which alleges that the workers were dismissed for refusing to resign from the union, has threatened legal action against the company.

GENERAL TYRE (BOOYSENS) 9.12.83

70 Workers went out on strike in protest at the dismissal of a colleague. No report of the resolution of the strike has been received.

O.K. BAZAARS (VEREENIGING) 10.12.83

Approximately 120 workers at this O.K. Bazaar branch engaged in a brief stoppage in protest at the behaviour of a white worker who allegedly used racially insulting language towards a black employee. The workers, who were represented by CCAWUSA, demanded the dismissal of the white worker, but management evidently also insisted that the black worker, who had sworn at his white colleague, should be given a warning.

PICK AND PAY (VEREENIGING) 12.12.83

CCAUSA appears to have been particularly active in Vereeniging in December.

The Monday following the O.K. Bazaars strike, 200 workers at Pick 'n Pay's Bedworth Park Store stopped work. It appears that at first no demands or grievances were uttered, but that later the strikers, or their representatives, articulated a demand for an increase to R80 per week. The company's high public profile and that of its chairman was used to attract attention to the strike. Workers referred to the annual turnover of "R4 million" and demanded that the chairman personally attend a meeting between their representatives and management. After a personal visit from the chairman, workers were offered an increase of 10 per cent, effective as from January 1. The company also offered, as a gesture, to pay the workers for the 3 days they had been on strike. In the meantime, another 150 workers at Pick 'n Pay's Kroonstad store had also gone out on strike in support of the pay demands. All the strikers returned to work on Thursday 15 December. From the statements made during the strike, it emerged that CCAWUSA officials were perturbed by Pick 'n Pay's announcement that wages could not be increased until a mandate had been obtained from head office. Evidently CCAWUSA felt that this was hampering negotiations, but the complaint seems strange for a union which usually negotiates only with head office and wants its agreement to apply to all stores, whether it is representative at all or not.

FORD (STRUANDALE) 13.12.83

Approximately 100 workers staged a walk-out at this plant two days before the end-of-year shut-down. The strike had apparently been sparked off by the dismissal of a fellow-employee for being behind his scheduled amount of work (drifting). The decision to dismiss him was later reversed. When he was told to collect his cheque on Thursday, 15 December, his striking fellows announced that they intended to do exactly the same. Surprisingly the Motor and Component Workers Union of South Africa has denied any involvement with the strike. (It is wondered whether workers were merely "drifting" into the end of year break).

NORTILL ENGINEERING (MKONDENI) 14.12.83

In another pre-shut down strike, 150 workers at Nortill Engineering in

Mkondeni downed tools in protest at the announcement that they would not receive their full holiday bonus and that they would be paid only on 22 December instead of at the time of shut-down. The strikers, who stopped work on the second-last day, are reported to have "*merely stood around waiting for their pay*". The Metal and Allied Workers Union claims majority representation at the plant, but says that the company has so far refused to recognise the union.

PUTCO (WEMBLEY) 15.12.83

170 Putco drivers and conductors chose peak hour on Thursday, 15 December, to go out on strike in protest at the dismissal of seven fellow-employees. However, they had not reckoned with the fact that the following day was a public holiday, that far fewer buses would be needed and that management would thus not be overly perturbed. The strikers returned to work at noon on the 15th after management had agreed to look into their grievances and to review 3 of the 7 dismissals.

TEALE'S FARM PRODUCE (ESTCOURT) 17.12.83

26 Workers were dismissed by this Estcourt business after they had struck for three days in a demand for bonuses and higher wages. The manager, who said that he was prepared to negotiate with his employees but not with SAAWU officials, since they were not his workers, later announced that all but four or five "*union agitators*" had been reinstated. The others had evidently been willing to forfeit their claims to a bonus and to work for the same wages.

BAKERS LTD. (DURBAN) 21.12.83

In true Christmas spirit, 200 employees at Bakers engaged in a brief strike

after they had been given fruit cake instead of the usual box of biscuits for Christmas. The strikers returned to work after talks with management. In the meantime, supervisory staff had taken over their tasks to ensure continuity of production.

STRIKES - DECEMBER 1983

W. CAPE

E. CAPE

TRANSVAAL

NATAL

6.12.83
Carlton Paper (Wadaville)
Dismissal PWAWU
250 Workers 4 shifts

7.12.83
Union Liquid Air (Germiston)
Recognition CWIU
120 Workers 1 shift

8.12.83
Caramel Sweetmakers
Union Membership SFAWU
120 Workers 1 shift (fired)

9.12.83
General Tyre (Booysens)
Dismissals GAWU
70 Workers 7 shifts

10.12.83
O.K. Bazaars (Vereeniging)
Worker Friction CCAWUSA
120 Workers 1 shift

12.12.83
Pick 'n Pay (Vereeniging)
wages
200 Workers 3 shifts

14.12.83
Pick 'n Pay (Kroonstad)
wages CCAWUSA
150 Workers 1 shift

15.12.83
Putco (Wemoley)
Dismissals
170 Workers 3 shifts

13.12.83
Ford-Struandale (P.E.)
Dismissal
700 Workers 4 shifts

7.12.83
Bestform (Newcastle)
Diverse Grievances SAAWU
80 Workers 1 shift

14.12.83
Vortill Engineering (Mkondeni)
Bonus MAWU
150 Workers 1 shift

17.12.83
Teales Farm Prod. (Estcourt)
Wages/Bonus SAAWU
20 Workers 3 shifts

21.12.83
Bakers (Durban)
Grievances
200 Workers 1 1/2 hours

LABOUR UNREST - JANUARY 1984

OVERVIEW

The strike 'wave' which seemed to 'erupt' during January could not have been entirely unexpected if developments in October-November and even December last year are considered. It was evident at the time that worker dissatisfaction at wages and bonuses was simmering and might sooner or later erupt with greater frequency. However, what marked the labour action in January was the fact that there were more large-scale strikes than previously, even to the extent of the first 'national' or 'company-wide' legal strike by black workers, namely that at AECI. This shows not only a greater general worker awareness, but also that unions have been using their time well and are organising on a much wider front than before. On the other hand, a closer analysis of the strike action shows that, on the whole, the unions and workers did not come off very well. At AECI, Impala Platinum and O.K. Hyperama they were eventually dismissed. In most other actions they achieved no significant gains. Employers are evidently still holding the balance of power and are, moreover, prepared to use this power. In fact they seem more inclined to do so than before. Some hard clashes can therefore be expected, although the setbacks suffered by their fellows may make some unions a bit warier of head-on collisions.

STRIKES - JANUARY 1984

PICK 'N PAY (REEF) 4.1.84

The Pick 'n Pay strike at Bedworth Park during December appears to have been an indicator of things to come. The first week of the new year saw approximately 50 workers, mostly shelf-packers, at Pick 'n Pay's Bedfordview store and between 40 and 50 at the company's Ormonde store down tools to demonstrate dissatisfaction with the January increase of 10 per cent. Workers at the Florida Store were also reported to have rejected the increases, although they had not stopped work, and to be demanding a R25 across-the-board increase. Representing the strikers was obviously CCAWUSA, which, however, was told that no negotiations on wages could take place until the union was recognised. (Talks towards recognition of CCAWUSA had already begun). It was later alleged that, following a video announcement by the chairman of Pick 'n Pay, workers had expected a 20 per cent increase in January, instead of a 10 per cent in July, as intended by the company. They were now demanding that their misconception be accepted by the company as reality.

The Bedfordview and Ormonde strikers were later given the ultimatum to return to work by Friday, 6 January, or face dismissal. They decided to return, but the strike was by no means over, since approximately 350 workers at the Steeledale Hyperama and Florida store had, in the meantime, also decided to stop work. Management was reported still to be locked in talks with union officials. As if the company's troubles were not enough, the secretary of the National General Workers Union cleverly used the opportunity to announce that his union also had a finger in the Pick 'n Pay pie and that he would seek a meeting to discuss dissatisfaction among workers at several Northern Transvaal stores.

On Monday, 9 January, workers at the Norwood Hyperama and about seven other stores also downed tools, bringing the total number of strikers to 1,600. At a meeting between management and union officials, the company offered to bring the July increase forward to April. Union officials left the meeting to report the offer to employees, but announced soon afterwards that it had been rejected by the workers. The following day the union announced that

workers at Klerksdorp store had joined the strike, bringing the total number of strikers to close to 2,000.

On Wednesday, 11 January, the company which had hitherto, according to its own pronouncements, adopted a "*flexible*" attitude towards the strike and which had not wished to dismiss the workers, announced that the strikers had "*dismissed themselves*", but that present staff would be guaranteed re-employment until the following day at 5 p.m, whereafter workers would be employed on a "*free selection process*". A certified letter explaining the terms of dismissal and informing workers where and when to collect their pay packets had, in the meantime, been sent to each employee on strike. The following day a meeting was held at CCAWUSA's head office, but workers refused to allow managerial representatives to address them, stating that the company chairman, reported to be overseas at the time, should explain why they could not be given a 20 per cent increase.

Most of the strikers did not heed the return-to-work deadline, although some did start "*trickling*" back. However, after what was reported to be a "*stormy*" meeting which ended half-an-hour after the expiry of the deadline, it was eventually decided that the workers would return the following morning. According to CCAWUSA, which was confident that the company would still employ the strikers, the decision had been made after two conditions, obviously '*face-savers*', had been accepted by management. These were that no workers would be victimised for having gone on strike and that a request to consider improving the 10 per cent April increase would be conveyed to the company's board of directors. Workers would not, however, be paid for the time they were out on strike, as they were in the December strike.

There is no doubt that Pick 'n Pay has for a long time been '*first prize*' for the Commercial Catering and Allied Workers Union of South Africa and that the misconception about wage increases was played out to its fullest advantage, perhaps for lack of any other concrete grievances to show worker solidarity. This CCAWUSA appears to regard as a necessity to strengthen its hand in negotiations towards a recognition agreement. (Only at one company has this union not gone on strike before or during negotiations towards an agreement). Also, Pick 'n Pay's image as a progressive, even if, according to the union, paternalistic company, presented a further opportunity to prove how strong the workers' desire for representation was. If the union desired publicity, there was no '*better*' way to start the year. However, the union should take care that it does not arouse too much resentment and that its bargaining base, or

that of its members is not tested.

AFRICAN CABLE (VEREENIGING) 9.1.84

Approximately 400 day-shift and 500 night-shift workers, mostly members of the Engineering and Allied Workers Union, refused to start work on Monday, 9 January, demanding that management meet them about their grievances. The workers refused to elect a spokesman, insisting instead on seeing the managing director en masse. After they had refused to disperse, the M.D. addressed them, in the presence of police. The strikers were told to return to work by the following day or face dismissal. They were, furthermore, asked to sign an agreement that they would not partake in illegal strike action. A mere 20 per cent of the day shift arrived for work and signed the agreement the following day.

CENTRAL POST OFFICE (DURBAN) 10.1.84

Approximately 100 workers who went out on strike in general protest at working conditions, returned to work late the same afternoon after a meeting had been held with management to discuss their grievances. According to the National Post Office and Allied Workers Union (thought to be a pocket union of the NFW) the workers' grievances centred in objection to a 6 day week. They wanted a 5 day, 40 hour week, with Saturday work being done on an optional, overtime basis.

IMPALA PLATINUM REFINERY (SPRINGS) 12.1.84

Friction between workers and a white supervisor led to a strike by 1,400 workers at this refinery. The strike was sparked off by the dismissal of 7 fellow-employees who had, according to the workers, been involved in a "fight"

with a white supervisor over the use of racially derogatory terms. The strikers, demanding that their white supervisors be replaced and their fellow-employees be reinstated, complained of generally poor treatment by supervisors and unsatisfactory working conditions. Emotions ran high as workers chanted freedom songs and gave black power salutes. According to reports, a White warden was obliged to leave the premises when accosted by workers shouting "*Amandla*" and "*United we stand*".

Management later announced that an enquiry had supplied inconclusive proof of the workers' allegations, although one supervisor had been "*severely reprimanded*". The company, which was in the process of negotiating a recognition agreement with the National Union of Mineworkers, insisted that the strikers return to work before consideration was given to reinstatement of the 7 dismissed workers. The workers, on the other hand, insisted that their fellows be reinstated before they returned to work.

On Friday, 13 January, a warning was issued, informing the strikers that if they had not returned to work by their next shift, they would be dismissed. At the beginning of the following week Gencor announced that all the strikers, comprising almost the entire workforce at the refinery, had been dismissed. Since most of the employees involved were contract workers, they would be obliged to return to the homelands.

The National Union of Mineworkers afterwards made a belated attempt at reconciliation, by agreeing that the workers would return before the seven were reinstated. The offer was, however, rejected by management.

Gencor's action may seem hard in the circumstances, but the dismissal of the workers and their return to the homelands may be put as much at the door of the union. Admittedly, employers of contract workers may be perceived, within the moral framework of South African circumstances, to have an unfair advantage over their employees in a power contest. However, it is difficult to ascertain where justifiable moral indignance ends and '*blackmail*' begins. At the other extreme, employers heeding solely to moral pressure, may find the power balance tilted completely against them. Some unions will evidently have to learn that employers are becoming increasingly indignant at actions which display basic lack of faith while negotiations are actually in progress.

RIETSPRUIT COLLIERIES (WITBANK) 13.1.84

The death of two workers and serious injury to another, all of whom had been engaged in repairing a pylon at the Rietspruit Colliery, resulted in a two-hour demonstration stoppage by 300 fellow-workers, during which the workers visited the homes of the deceased and held prayer services to pay tribute to them. The stoppages had a sequel the following Monday when workers again downed tools after disciplinary action had been taken against a fellow-employee who had evidently been involved in an altercation with the production manager about the stoppage. The strikers returned after the case was re-considered and the suspended worker reinstated.

WAYNE RUBBER (DURBAN) 16.1.84

Dissatisfaction with a 6 per cent increase in wages led to a strike by 300 workers at this plant. The strikers demanded a 12 per cent increase, which management said it could not afford during the recession. Workers were sent home the same day with the warning that they should return by the following morning or face dismissal. However, the company later relented and gave the strikers another day to "*think over their action*". By Wednesday, 18 January all 300 had returned. Reports by the South African Allied Workers Union that the taxation issue was involved and that workers had warned management not to make any tax deductions from their pay slips when the new law came into effect, were denied by management. (It could virtually have been predicted that SAAWU would be the first union to try to raise the taxation changes as an issue)

COCA COLA (BEDFORDVIEW) 16.1.84

A wage dispute resulted in workers at this plant going out on strike. According to a company spokesman, the strike was settled and work resumed within a few

hours.

O.K. HYPERAMA (SANDTON) 16.1.84

Approximately 180 workers downed tools in protest at the alleged unfair dismissal of a CCAWUSA shop steward. The strikers warned that they would not return unless the worker was reinstated, even though management had already announced that an appeal had been lodged in terms of the recognition agreement with the union. On the second day of the strike, the company informed that the appeal had been rejected, but that the worker could still appeal to higher authority. Workers were warned that, if they did not return to work by noon on Wednesday, 19 January, they would face possible dismissal and that no dismissed worker would be re-employed. The deadline was not heeded and strict security was imposed as the dismissed workers, giving black power salutes, left the premises. In a sequel to the strike, workers at other O.K. stores downed tools the following week, demanding the reinstatement of their dismissed colleagues. (See Report).

NOTE : It is often wondered why managements allow for appeal only after dismissal. Is it not preferable to make provision for all possible appeals before the final dismissal occurs?

AECI (Modderfontein, Sasolburg, Umbogwintwini, Somerset-West) 16.1.84 & 17.1.84

Deadlock in negotiations following two officially declared disputes led to the first 'nationwide' legal strike by black workers in mid-January this year. The strikes arose out of an ongoing dispute over wages, leave and allowances between AECI and the CUSA-affiliated South African Chemical Workers Union. Towards the end of last year wage talks between the company and the union had already broken down. SACWU decided to declare a dispute with the Industrial Council in respect of the Modderfontein, Umbogwintwini and Somerset-West plants and to apply for a Conciliation Board to settle the dispute with the Sasolburg plant. By the second week of January agreement

had been reached on leave and allowances, but the union refused to accept the company offer of a R370 minimum wage, insisting instead on its demand for R400 per month. A strike ballot was held at the various centres during the same week and on Monday, 16 January, 5,000 workers at the Modderfontein plant downed tools to support the union's wage demand. They were joined on 17 January by 1,800 workers from the Sasolburg plant and 755 workers from Somerset-West and on 18 January by another 1,000 from the Umbogintwini plant, bringing the total number of strikers to approximately 8,500.

Management, had in the meantime warned that its offer of R7 on the initial offer of R363 would be effective only until Wednesday, 18 January. It was also reported that workers in key areas were turning up for work and that outside labour and apprentices were being used as far as possible. At Modderfontein, a meeting between management and shop stewards proved ineffective in bringing the dispute nearer to resolution. At this stage, the United Democratic Front, evidently eager to become involved, announced that SACWU had its full support and that it was seeking direct ways of supporting the workers.

On Thursday, 19 January, AECI officials and SACWU representatives held their first 'general' meeting in Johannesburg, at the request of the union. Soon afterwards management issued pamphlets to workers warning that, if they did not return, they would be dismissed. The pamphlet also advised that there would be no advance on the final offer of R363,47 minimum wage per month. Workers at Umbogintwini, Somerset West and Midlands started returning to work the following day while the Modderfontein strikers had all returned by the following Monday.

Although SACWU gained widespread publicity from the strike, there is no doubt that it ended in an outright defeat for the union. Many observers were, in fact, surprised that this union, which has suffered internal dissenion and member rebellions, could muster the organisation to persuade workers to engage in a nationwide strike. It would appear that SACWU, aware of the growing discontent over wages, saw the opportunity to make an impact by utilising worker frustration. However, it should have been more realistic in its assessment of management's power-base. A strike of this kind, if it is to be successful, must also rely on the prevention of scabbing or the use of alternate labour. For this SACWU had evidently not prepared

sufficiently. The union has now caught on to the straw of protest at the dismissal of legal strikers. This certainly is an issue. Nevertheless the question has to be asked whether SACWU would have won even if the employer had not been allowed to dismiss, but had still decided to hold out on the union by using alternate resources. On the whole, it would appear that the union was overhasty and that, in the belief that it could 'get' the employer with a legal strike, failed to give the circumstances full, professional consideration.

THREE SPEARS (WETTON) 17.1.84

According to workers at this factory, about 30 employees downed tools for two hours, in protest at the dismissal of eight colleagues, including a supervisor, and to complain about "*generally poor*" working conditions. The 8 dismissed workers had previously stated that they had been doubling up as cleaners and garment inspectors. They claimed that their dismissal had resulted from complaints lodged with management.

The employees who stopped work claimed that they too had been threatened with dismissal when they attempted to speak to the owner. They later went back to work while the owner conferred with the Canvass and Clothing Industrial Councils. Underlying the workers' dissatisfaction, is the fact that the employer recently applied for membership of the Clothing Industrial Council and has, it seems, attempted to pay most workers according to the latter Councils rates, which are lower than those of the Canvass Industrial Council.

The Clothing Workers Union, which claims to represent the workers who engaged in the stoppage, later alleged that management had refused to negotiate with this union regarding worker problems and had threatened employees with dismissal if they did not join the Garment Workers Union.

B.M.W. (ROSSLYN) 17.1.84 and 24.1.84

In yet another dispute over wages, workers at BMW's Rosslyn plant engaged in two strike actions within a matter of a week. On 17 January approximately 1,500 workers gathered in the service road between the factory buildings and refused to start work. Management closed down the plant and announced that it would discontinue production until the workers decided to resume work. About 500 workers then left the premises while 1,000 remained. By the same evening it had been agreed that the strikers would return provided that wage negotiations continued.

Less than a week later, wage talks again reached deadlock with BMW refusing the demand for a minimum of R3,50 per hour and the National Automobile and Allied Workers Union rejecting management's 6 cents across-the-board offer. On Tuesday, 24 February, workers again went out on strike and management closed down the plant, announcing that it would not reopen "*...until we are satisfied our people will be safe when they report for work.*"

The strike made headline news, with BMW declaring that the union had no control over its members and that the company would deal with the workers themselves. It was also reported that some workers, dissatisfied with NAAWU's handling of the strike, had resigned from the union. Both sides threatened legal action, the union on account of the company's alleged defamatory remarks and BMW for the damages suffered as a result of the strike. The company further announced that it might cancel its recognition agreement with the union. In a novel strategy, BMW used helicopters to drop pamphlets, criticising the union, over three black townships. However, both sides eventually decided that it was preferable to talk and the dispute ended on 7 February when an agreement was signed between NAAWU and BMW, in which it was confirmed that the present wage structure will not be altered until 1 July. NAAWU furthermore declared that it accepted the right of BMW management to take disciplinary action against workers who participated in illegal strikes. Shop stewards also agreed to partake in disciplinary hearings.

Yet again the action resulted in an unmitigated defeat for the union concerned, and it is surprising that NAAWU, which has shown remarkable restraint over the

past year, should have engaged in such unconsidered action, in the face of rising unemployment in the motor industry and against a company which is among the highest payers, if not the highest, in the entire industry. Perhaps the union wrongly perceived that it was time to re-establish its presence in the area or perhaps it was coerced into action for fear that other, more opportunistic, unions would utilise general worker frustration and usurp its position.

FREIGHT SERVICES (DURBAN) 18.1.84

Dissatisfaction with wages led to a strike by 122 workers at the forwarding warehouses of Freight Services in Durban. On the second day of the strike it was announced that negotiations were continuing, but that the dispute had not been resolved. By the third day, all the strikers had returned. However, the outcome of the dispute was not made public.

O.K. BAZAARS (RANDBURG, BLAIRGOWIE AND BRIXTON) 23.1.84
(YEOVILLE AND LINDEN) 24.1.84

In a sequel to the strike at O.K. Hyperama in Sandton earlier during the month, a large number of workers at OK's Randburg, Blairgowie and Brixton stores went out on strike in protest at the dismissal of their colleagues at Hyperama, claiming that the workers concerned had been "*victimised*". The strike lasted for one day, but was followed the next day by a similar one-day strike at the Yeoville and Linden stores. Workers were not given a return-to-work ultimatum since, according to its agreement with management, CCAWUSA has a 24 hour period of grace to resolve industrial action before management initiates disciplinary procedures against strikers. However, in a circular issued at the end of January, management warned that, in some cases, particularly where workers struck '*in sympathy*', disciplinary action might be initiated sooner.

COCA COLA (4 DEPOTS - JHB.) 23.1.84

Approximately 2,000 workers at 4 Coca Cola depots went out on strike towards the end of January to support a demand for a wage increase of 25 per cent for weekly paid workers and 20 per cent for monthly paid staff. The company had offered 17½ per cent and 15 per cent respectively, which, with the increase of 10 per cent last April, brought minimum wages to R433 per month.

The Food and Beverage Workers Union, which claims to represent most of the strikers, has accused the company of delaying tactics to avoid recognising the union. (Perhaps the reason for the strike).

UNION CARBIDE (BOPHUTATSWANA) 23.1.84

Management at the UCAR mine in Bophuthatswana has found itself caught in a tussle between the National Union of Mineworkers and the Bophuthatswanan government, which is to table legislation next month allowing for only home-bred unions to operate in the territory. (See IRT March 1983). Workers at the mine originally downed tools on Monday, 23 January, demanding recognition of the NUM and of union shop stewards. The strike lasted until 11.30 when it was agreed that workers would elect 16 representatives to talk to management. According to the National Union of Mineworkers, management had also offered workers an increase. However, when representatives returned to discuss their demands with management the following day, they were informed that the company could not recognise the union. Evidently UCAR had received a telephone call from government agencies pointing out that, as a South African union, the NUM could not operate legally in Bophuthatswana. The country's Minister of Manpower later denied vehemently that the issue of recognition had been at stake or that the government had exerted any pressure. By Wednesday, 25 January, the workers were still out on strike. According to UCAR, the company, which is not averse to dealings with the NUM, has for some time been attempting to "reach a compromise" between the Bophuthatswanan government and the National Union of Mineworkers, but has "made no progress in that direction."

CARLTON HOTEL (JOHANNESBURG) 24.1.84

A claimed "*misunderstanding*" about the dismissal of a fellow-employee resulted in a stoppage by the entire cleaning staff at the Johannesburg Carlton. According to management, the worker concerned had, in fact, resigned. The Commercial Catering and Allied Workers Union claimed, however, that the strikers had returned to work only after the reinstatement of their colleague.

S.A. FABRICS (ROSSBURGH) 26.1.84

The strike by approximately 400 workers at this textile plant had still not been resolved by the end of January. According to the National Union of Textile Workers, wage talks had deadlocked when management refused the employee demand for a 10 per cent increase and offered 4 per cent instead. The union declared a dispute and applied for a Conciliation Board in December last year. However, workers evidently became angry when management at S.A. Fabrics announced that it would retrench in January. This the workers saw as a "*counter-attack*" by the company. A strike ballot over the wage issue was then called. If union claims are correct, 91 per cent of the workers voted in favour of strike action. The union maintains that the strike is a legal one, although it is not clear whether the periods prerequisite to a legal strike have expired.

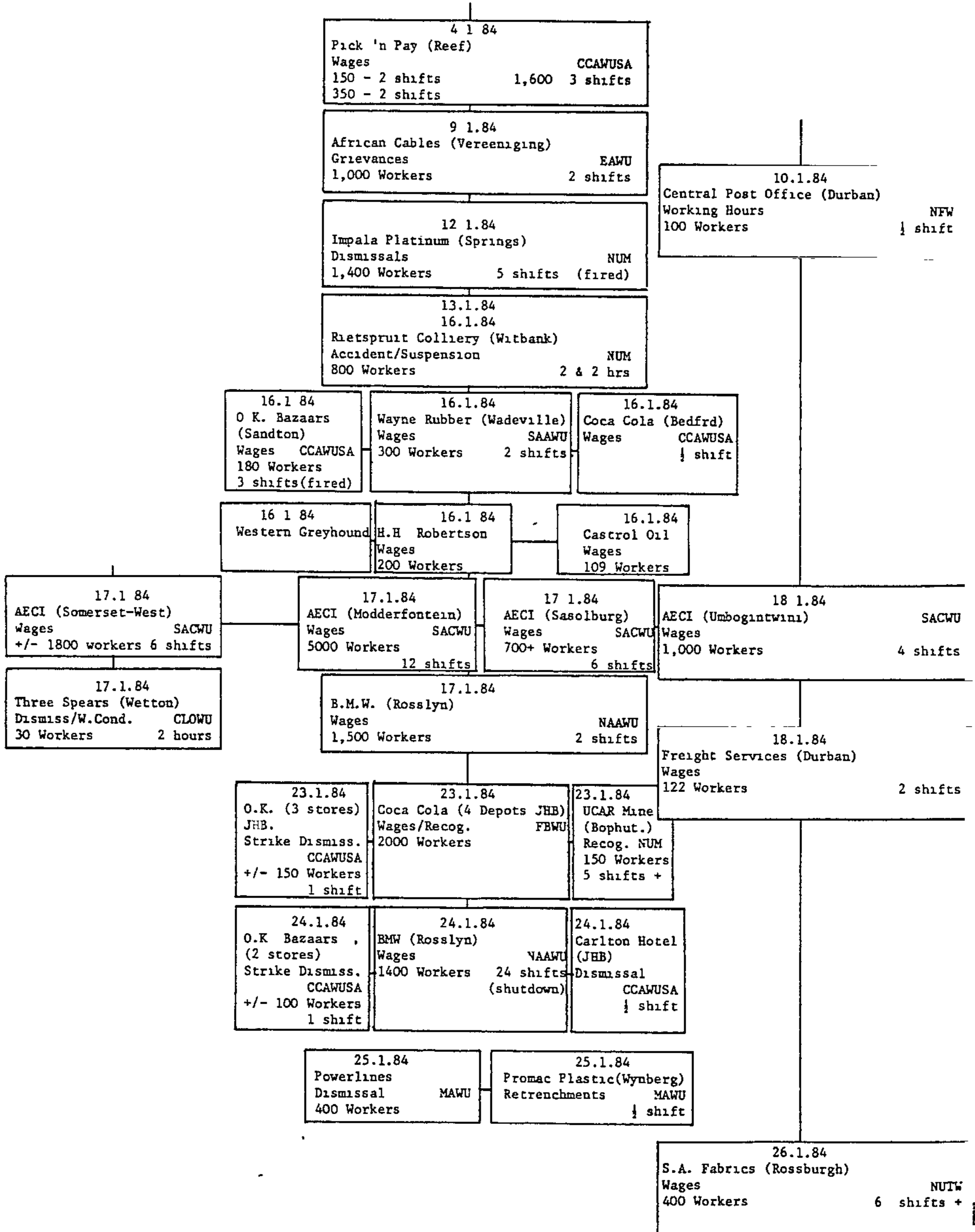
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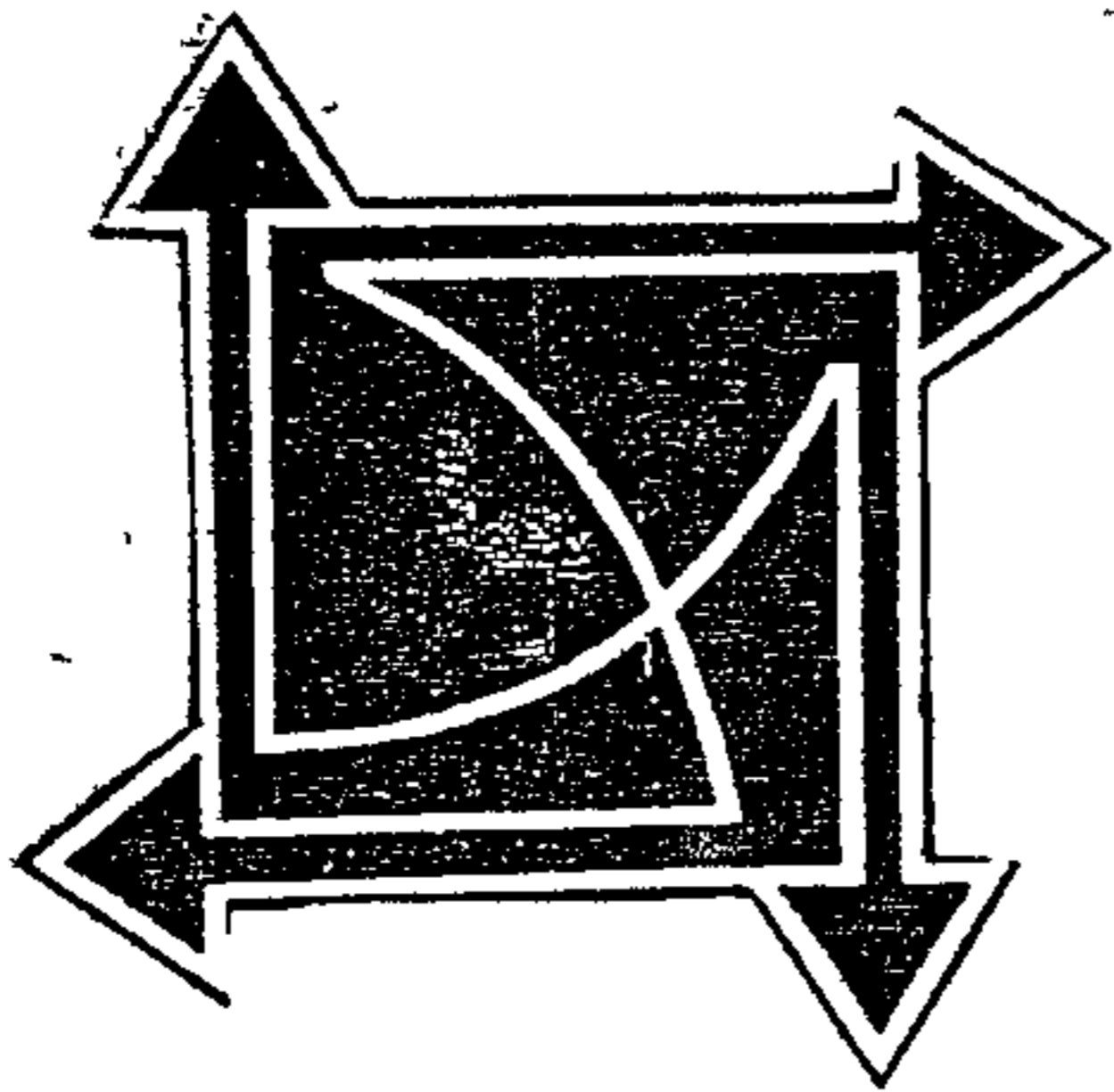
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I R ISSUES

COMPULSORY BARGAINING

In order to gain some clarity on the present controversial conflict between the supposed 'voluntary' nature of our bargaining system and the opinion expressed in some quarters that recognition or bargaining can be 'enforced', IRT went back to the relevant recommendations in Part V of the Report of the Commission of Inquiry into Labour Legislation and the reply to these, as contained in the Government's White Paper. Incidentally, both were published only at the end of 1981! For the purpose of very interesting elucidation, the recommendations and Governmental replies are briefly set out below.

The Commission maintained, at the commencement of the Section dealing with recognition, that

- * *"Essentially the question of recognition by the employer is not a question for regulation by the State"*

and that

- * *even if a union is "most representative", it "...cannot yet necessarily lay claim to recognition by the employer".*

However, the Commission went on to point out that

"...voluntarism is not always quite adequate in ensuring that essential relationships be established".

Consequently, it expressed the belief that

"issues of this nature should be actionable before the Industrial Court within the context of an unfair labour practice".

and that

- * *"...only after judgment by the Court should a strike over an issue*

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of recognition be permissible." (!!!)

The Commission further foresaw that

"...a situation could arise in which an employer who had been found to have committed an unfair labour practice by refusing to recognise a workers' organisation might succumb to the moral pressure of such a finding and agree to recognise the union, but then fail to 'bargain in good faith'"

Its solution to this 'predicament' was that

"Such failure should in itself constitute an unfair labour practice"

This, the Commission thought, would place the employer under increased "moral pressure" to *"...establish a constructive relationship"*

However, the Commission did express the realisation that

"...that is the furthest extent to which extraneous 'compulsion' could be taken".

Therefore, that

- * *"Should these measures all fail, the answer, in the ultimate analysis, would have to emerge from the power balance between the parties and the process of action, counteraction and interaction which lies at the heart of the employer-employee relationship".*

The findings of the Commission, on the basis of these considerations, were as follows :

- * that *"...provision should be made for the conduct of secret and officially supervised ballots to determine the degree of representativeness of an organisation..."*
- * that *"...recognition by an employer party of a workers' organisation should continue to be voluntary, provided that refusal to recognise a union which has been registered and which has been proved in a secret ballot to be adequately representative should constitute grounds for*

the submission of a complaint of an unfair labour practice to the Industrial Court, and a strike over an issue of recognition should be permissible only when and if positive finding by the Industrial Court is ignored by the employer party."

The Government, in its White Paper on Part V of the Commission's report, refused to accept any of the recommendations. As regards the recognition of workers organisations by employers, the White Paper stated that

* *"The Government has always held the view that recognition of any worker organisation by individual employers or groups of employers or registered employer organisations should be completely voluntary."*

In answer to the recommendation that failure to recognise should constitute an 'unfair labour practice', it stated that

"In the instances where employers or employer organisations are not prepared to recognise or to enter into negotiations with worker organisations, the latter can have recourse to the provisions of the Act in order to bring about such negotiation, for example, through a system of conciliation boards, provided they are sufficiently representative."

The suggestion that secret ballots be held was "sympathetically" received, but rejected for practical reasons.

Finally, the Government reiterated that it was "...committed to a policy of non-intervention in the regulation of labour relations, including reciprocal recognition agreements between employers and employees. Any element of compulsion which may be introduced into this voluntary relationship may constitute undesirable state intervention."

Thus, the recommendations of the Commission, the most important of which was that failure to recognise a representative union and failure to bargain in good faith should constitute 'unfair labour practices,' was not entrenched in law. Yet, even if by indirect means, unions are alleging 'unfair labour practices' on these grounds and, if the 'abstract' judgment in the Fodens case (See IRT - July 1983) is anything to go by, the Industrial Court might be inclined to regard as 'unfair' the failure to recognise or bargain 'in good faith' with a representative union.

Again, it should be remembered that the only precedent set in the Foden's case, was that there was no precedent and that the judgment applied only in Fodens' "*particular circumstances*". Be this as it may, it appears that the Court is, essentially, following the line adopted by the Commission.

The purpose in reviewing the recommendations of the Commission was not, however, to indulge in academic argumentation as to what should and should not be. Rather, IRT feels that, by looking at what some have described as the somewhat "*hazy*" and "*convoluted*" reasoning of the Commission, observers may gain a better perception of, if not understanding for, the present '*predicament*' of the Court and the entire dilemma of the '*unfair labour practice*'. After all, it was this Commission which was responsible for the present concept of an '*unfair labour practice*' and that of an industrial court.

The conclusions to be drawn from the Commission's argumentation are

- * that it was in favour of a '*voluntary*' system, but, at the same time, wished to "*ensure*" that "*essential relationships*" were established
- * that it envisaged that this would be effected by a system of '*non-compulsory compulsion*' (IRT's terminology)
- * that the vehicle towards achieving these somewhat anomalous ends would be the Industrial Court, which would exert '*moral pressure*' on the employer. (We can, therefore, assume that even now, and particularly in the case of recognition disputes, this is the Court's main purpose).
- * that the Commission realized that, in the end effect, "*moral pressure*" had its limits and that the Court's powers in this respect would, therefore, be restricted.
- * that it envisaged that, should the Court's efforts at '*urging reason*' fail, the dispute would again revert to the collective bargaining machinery and be dependent on the respective power positions of the parties concerned. It therefore saw, in the case of '*recognition*' disputes, the Court not as a legal body which could enforce its judgments, but rather as a '*good wale*' or '*mediator*' who would '*urge*' employers in the right direction. The ultimate irony lies in the suggestion that the Court's '*judgment*' be enforced by strike action.

Although subsequent developments have brought slightly changed circumstances and even though the Industrial Court maintains that it does not rely on the Commission's opinions to formulate policy, IRT is of the opinion that the above best illustrates the framework within which the Industrial Court still operates and within which the concept of an '*unfair labour practice*' in general is interpreted. The recommendations reveal not only an awareness as to the limitations of the Court's powers, but also a remarkable confusion between value judgments and logical principals and between judgment on rights and negotiation of interests. (c.f. the suggestion that the Court be used as '*intemediary*' before a legal strike is called.) In essence, this confusion still exists and, while it does, the concept of an '*unfair labour practice*', as well as Industrial Court actions and judgments in this respect, will remain controversial issues.

NOTE : Ad nauseum, IRT has to repeat that, according to our own '*value judgment*', the Court might, in some instances, be doing a good job, particularly in that it has obliged employers to carefully consider their actions. There is a need for a labour relations watchdog. However, the question is whether such watchdog can then be couched in the garb of a court or act as one. If it is to be a court, we have to insist on the removal of the present confusion. The law and a court have, to some extent, to be logically predictable.

UNION GROWTH

While Britain and the United States report a slump in union membership, unionism in South Africa is a growing enterprise. According to official figures, black union membership increased by 52 per cent during 1982 (See IRT June 1983) and, from all reports, the trend is continuing.

In Britain, the decline in union membership is attributed mainly to the scarcity of jobs, but also to the fact that workers are '*moving up the ladder*'. The working class, as a whole, is becoming more affluent, and, therefore, has less to gain and more to lose by militant unionism. In South Africa, there is, certainly, a scarcity of jobs, but the majority of workers still have more to gain and less to lose from unionism. Also, there are social and political circumstances which make unionism attractive and, moreover, unionism in South Africa is, in contrast to that in Britain, only in its infancy. All these conditions speak against South Africa following

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the 'normal' trend.

From the United States it is reported that organised labour, hard hit by the recession, is gearing up for a comeback. It is expected that unionism will increase and union action will escalate as the economy improves. The same will probably be true, or even more so, in South Africa where workers are only now becoming truly aware of the power which can be exercised by their collective labour muscle.

WAGES VERSUS EMPLOYMENT

Besides 'workplace' issues, such as wage levels, dismissals, retrenchments, 'unfair practices' and pension pay-outs, bargaining issues, such as the level of bargaining and the report-back machinery, and community-linked issues, such as influx control and housing, all of which are already entrenched or becoming entrenched on the South African IR Scene, IRT would like to pinpoint a few other issues which, on a macro-level, are increasingly rearing their heads and being discussed by participants on both sides. These issues all hinge around the basic conflict between the demand for higher wages and growing unemployment. There are, as could be expected, various perceptions as to how this conflict is most adequately resolved. Although the issues involved are so complex as to each warrant a thesis in its own right, an attempt has been made to outline them briefly below :

- * Wages versus ATTEMPTS TO PROMOTE ECONOMIC GROWTH AND CREATE EMPLOYMENT
This issue was already partly discussed in IRT August 1983 when we remarked on the new trend towards curtailing Industrial Council power in order to promote competitive labour market forces. The purpose is, evidently, to protect the interests of small business and decentralised enterprises, with a view not only to promoting economic growth, but also to creating more employment opportunities - the old argument that it is better to earn a low wage than no wage at all. However, besides the problems inherent in wage fragmentation and undercutting, there is the point raised by unions that "...wage protection for the infant industrialists is tantamount to subsidising development of the small business sector through low wages." There is also the moral question as to the stage at which wages are not merely low because of competitive labour market forces, but, in fact, exploitative.

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Also interesting to note in respect of small business development, is the outcome of an Australian survey which attempted to establish why small businesses go under. Failure was attributed to an extent of 25,3 per cent to lack of business ability, acumen, training and experience, 21,3 per cent of the responsibility lay with a lack of initial capital and 19,7 per cent with economic conditions affecting the industry. Other causes, none of which was more than 6,3 per cent responsible individually made up the remaining 33,7 per cent. Wages, evidently, played no, or a very insignificant, role.

A final aspect of this issue is the obvious desire to curb the sphere of influence of unions. It, however, remains to be seen whether, in the long run, this is possible and whether the present policy will not merely promote unionism but on a more '*fragmented*' basis.

* UNION DEMANDS VERSUS UNEMPLOYMENT

A very obvious issue and one closely related to that discussed above, is the argument that, as the demands of workers increase, so employers will be obliged to rationalise their workforces by cutting total employment. Besides the fact that this is not always so, since productivity improvement and extension of operations are also considerations, there is the question as to whether unions, particularly the '*newer*' ones, see their demands in this light. The view is, generally, that workers are not yet getting their due and until such time as they do, the pressure for wage increases has to continue. Furthermore, many unions believe that the employer, particularly in South Africa, is morally and socially obliged not only to maintain employment levels, but also to alleviate present unemployment.

* AUTOMATION

In keeping with the last-mentioned worker perception, unions are watching attempts at automation more closely. Most recently, workers at one company went out on strike over retrenchments although they had been timeously warned that new machinery had been installed and that a number of employees would become redundant. The union's argument was that they should have been consulted before the machinery was installed. In a recent statement, the Council of Unions of South Africa spoke of "*...terrorism by employers against workers through the increasing*

introduction of first world technology". According to CUSA, "This tactic of keeping fewer people on the wage roll, is limiting wages and is a clever move to try and restrict the growth of unionism in industry." The opinion was expressed that "...there must be social control and responsibility on the issue of introducing new technology". Three questions were asked, namely

"Why do we need machines?

What do we need, and

If we need, how will we implement the control by workers."

This, in a nutshell, is the general worker and union point of view.

* PRODUCTIVITY

Many general statements have been made on the need to improve productivity. Employers rightly believe that, if wages are to increase, so should worker productivity. Workers, on the other hand, believe that they are only now being compensated for underpayment in the past. In some employer circles, there is a tendency to look at productivity improvement as a co-operative exercise. In fact, although South African circumstances are very different to those in Japan, 'quality circles' are being promoted by some advisers as the answer to the 'productivity problem'. These methods may 'work' with one type of South African employee, but not with many others. A vast number of unions argue that productivity improvement is not the concern of the worker. They are also not prepared to bargain on a 'productivity basis' unless basic wages are, in their perception, sufficient. Even unions which accept that workers can gain by improved productivity point out that they cannot be expected to share responsibility only in this respect and that, therefore, workers participation in its fullest sense should first become a reality before it can be expected of employees to fully play their part in productivity improvement. It is doubted that South Africa is, at this stage, ready for workers participation in the more general sense.

The issues outlined above, although essentially macro-problems, are being considered by workers and, therefore, need to be looked at also by other participants in the labour relations area. Other, non-wage-related issues likely to become more pressing are union objectives to pensions investment in government stock and the yet untouched issue of 'black' taxation.

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SCENE

SA CONGRESS - MAKE OR BREAK

a time when employers are being bombarded with approaches for all forms of bargaining from all sorts of unions and accepted bargaining structures are being increasingly challenged, the insular attitude adopted by the majority TUCSA unions at this body's recent annual congress is, to say the least, disappointing, if not outright frustrating. The Trade Union Council's lack of resolve in facing up to the challenges of contemporary labour relations, in fact, once again diminished the hope that TUCSA will become more actively engaged in 'basic' labour relations and that unions representing different sectors of the workforce will gradually co-operate more effectively with the eventual aim of establishing a more 'unified' and more 'ordered' bargaining system. For employers, struggling desperately to muddle their way through the maze of conflicting interests, policies and structures, the 'pig in the manger' attitude of most TUCSA unions hardly bodes well for the future, unless, of course, these employers eventually decide, as a few have already done, that TUCSA is 'irrelevant' and that they should instead concentrate on strengthening their relationship with the so-called 'emergent' unions. This one-sidedness is, however, hardly desirable.

has, in the past, spoken for TUCSA. We have praised this body for its previous struggle for worker rights and its stand on issues such as unemployment benefits and urban rights, but we have, at the same time, warned that TUCSA should realistically assess its position and attempt to establish the reasons for its lack of punch within the 'new' labour dispensation. The rejection of the very moderate plea from the Boilermaker's general secretary, Mr. Ike van der Watt, merely that TUCSA hold a workshop 'to sort itself out', now proves that most unions within this body are not prepared to face the realities of their 'failure'. Instead they prefer to defend themselves by attacking other unions, particularly the 'unregistered' ones. Also, they find their solace in memories of past achievements, their still entrenched position on established bargaining bodies and their powerful lobbying voice in governmental circles. Instead of engaging in active recruitment and reassessing their policies and strategies, they talk about what was and what should be. Rather than 'going down to the bottom' and finding out what workers want, they plan to increase their fees

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in order to provide improved economic and legal argument. The position was best summed up by Mr. Freddie Swartz, who *'defected'* from his own Leather Workers Union to speak with the *'mavericks'* on the Council. Mr. Swartz claimed that TUCSA had lost direction and that leaders had no *"grassroots support or involvement"*. He further urged that : *"We should get involved in the day to day problems of our workers. We can't just stand here and deliver smart speeches."* Most leaders apparently did not agree with him. The speeches were many, but ideas and plans were sadly lacking.

TUCSA's future is said to be in the balance. In our opinion, this is an exaggerated view. TUCSA will remain, but will most definitely shrink in size. With the *'right-wing'* leadership of the South African Typographical Union (the oldest union in South Africa) and the Mine Surface Officials Association now firmly entrenched, more progressive elements will increasingly go their own way, some for pragmatic reasons, others by ideological conviction. Among the ranks of the *'defectors'* will probably be unions such as the Boilermakers Society, the Engineering Industrial Workers Union and the National Union of Clothing Workers. These unions will either establish themselves as independent bodies or seek affiliation elsewhere. Particularly the Boilermakers need have no fear of its continued existence and, by its pragmatic approach, may set the tone for future unionism.

Interesting to note about TUCSA is that only 26 per cent of its members are White. The other 74 per cent is made up of a 45 per cent Coloured membership and 29 per cent Blacks. The TUCSA stand cannot, therefore, be described as protective of *'white interests'*. Since a large number of the black members have been drawn in by *'closed shops'*, TUCSA may be described as a predominantly Coloured body. This perhaps explains the dog in the manger stand, since Coloured unions are most threatened by the recruitment drives of the *'newer'* unions. The latter initially concentrated on organising unorganised black workers, but have lately proved themselves increasingly successful in attracting Coloured workers, both organised and unorganised. The TUCSA unions, on the other hand, have not met with the same success in organising Blacks. This may be attributable to the fact that the Coloured leadership in TUCSA is comprised of the established *'old guard'*. Not only the more politically conscious Blacks, but also the new breed of Coloured worker are increasingly rejecting the establishment and its values. It has been argued that Coloured attitudes to the establishment may change, once the so-called Coloured participates in government. This will depend on the degree of acceptance of the Constitutional Proposals. However, the likelihood also exists that participation of their representatives in Government may make Coloured workers more aware of their

rights and lead to a call for more active democratic participation at the workplace. Should this be so, the present TUCSA leadership will not prove satisfactory. It would seem that, in the long run, the Coloured membership of TUCSA will either be drained away by 'newer' unions or the leadership character in TUCSA affiliates will change to such an extent that they will no longer be TUCSA unions. This may lead to the eventual demise of TUCSA as we know it and also to a complete change in the general trade union constellation. The attitude and affiliation of the Coloured worker is, therefore, crucial to future developments.

The rumblings within TUCSA have received much publicity, but few observers have studied their implications on the day-to-day conduct of labour relations. The fact that the majority of unions within TUCSA refuse to reassess their position means that employers are still burdened with an essentially dualistic system and that the possibility of compromise remains remote. IRT has repeatedly urged the acceptance of a segmented union movement and has stressed that various and even minority interests have to be represented. However, it was hoped that these conflicting factions could co-operate towards establishing a more meaningful bargaining structure and that, eventually, national industrial unions, representative of all interest groups, would emerge. As it is, it appears that employers will still for some time be faced by unions resentful of any participation by other bodies in already established relationships. They, the employers, will thus be obliged to make alternate arrangements with these other bodies, leading to the complication of relations and the bargaining 'system'. Ironically the TUCSA unions, by favouring attack above assimilation and co-operation, may be sounding their own death-knell and also that of the Industrial Council system. The 'new' union movement is too strong to be dismissed, calls for the banning of unregistered unions notwithstanding. (There are, in any case, only 4 unregistered unions of note, namely the General Workers Union, the National Union of Mineworkers, the African Food and Canning Workers Union and the South African Allied Workers Union. Most FOSATU and CUSA unions are already registered.) Among the 'established' unions, the more pragmatic TUCSA 'dissidents' will probably prove the best survivors.

THE NUM - TO BARGAIN OR BLUFF?

Since being recognized by the Chamber of Mines, the National Union of Mineworkers has managed, by a series of disputes, to be consistently and noticeably in the news. It was to be expected that the union would seek and use opportunities for publicity and that representatives of newly unionised black mineworkers would increasingly air grievances and demands which had remained hitherto unchannelled. However, the NUM's repeated outbursts have evoked the suspicion that the union and its leaders are flamboyantly exploiting circumstantial issues in order to extend their credibility and influence and perhaps to compensate for a lack of thorough grassroots organisation. Ironically, the verve with which the NUM 'got into' the mines as well as the industry's centralised labour relations structure, may have necessitated this approach. Although only 'partially' recognized for particular workers on particular mines, the NUM received its recognition from and bargains with the central negotiating body. It, therefore, regards itself as spokesman for all black miners and evidently feels obliged to tackle the complete gambit of issues arising in this gigantic industry. Furthermore, having not come up through the ranks and not being assured of a solidified power-base, the union's voice has necessarily to be louder and more insistent than under 'normal' circumstances. In this respect, it definitely has talent.

Hardly had the dust settled over the '*a posteriorally*' threatened wage dispute, than the union threatened yet another dispute, this time because the Chamber wished to '*clarify*' a commitment to remove discriminatory practices. This issue had scarcely been settled before the union applied for a Conciliation Board to break the deadlock over wages which had arisen at Rand Refinery. (The NUM had demanded 40 per cent as against the Chamber's offer of an 8 per cent increase) By mid-September, the NUM general-secretary, Mr. Rhamaphosa, was threatening to call a strike ballot if the Minister failed to appoint a Board and to institute Industrial Court Action should employers dismiss strikers in terms of their contract of employment. However, a few days before the '*deadline*' set for the ballot, a very tragic and actual disaster occurred. 63 Miners were killed in a gas explosion at Hlobane Coal Mine. The following day workers at the colliery naturally and predictably refused to go underground until they had been assured that the conditions were safe. An investigation into the cause of the disaster was immediately launched by ISCOR, which owns the

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mine, but the day thereafter the NUM made a public statement, alleging that there was "*a known weakness*" in the mine's ventilation system over the weekends and that equipment used underground had "*helped to ignite*" the explosion. The union called on the Government Mining Engineer to institute an enquiry "*with worker participation*" into the accident. At the same time, it was announced that the NUM might take legal action over the Government Mining Engineer's previous refusal to allow the union a seat on the official Mine Safety Committee. The NUM later clarified its allegations of negligence by claiming that methane gas had not been tested for on the morning of the accident, that the safety lamps used were '*outdated*' and that, in general, safety conditions on South African mines were "*appalling*". The Union demanded the passage of a miner's Bill of Rights which would include -

- * the right to their own safety representatives
- * the right to refuse to work under presumed unsafe, unhealthy or illegal conditions
- * the right to demand special inspections of suspected safety violations
- * the right to accompany inspectors
- * the right to participate in the development of mining procedure plans
- * the right to additional health and safety training

A commission of inquiry into safety on the mines was also requested and the union warned of continued industrial unrest until such time as safety standards were improved.

Mr. Rhamaphosa has since been invited to take part in the inquiry and has been informed that the Minister is considering his appointment to the Mine Safety Committee. However, employers have been predictably angered by what was termed Mr. Rhamaphosa's "*scurrilous misrepresentation of the truth*". A Chamber of Mines spokesman later branded it as "*...a disservice to the mining industry in which the new union is trying to recruit members.*"

A few days after the disaster the NUM announced that it was to call for a half-hour work stoppage the following Monday in order to mourn the miners who had died in the accident. Employers responded by stating that the industry had already publicly expressed its grief and that they were not

averse to employees' observing "*a private moment of silence*" between 9 and 9.30am. However, the NUM was adamant that a half-hour stoppage should take place. The union later claimed that over 30,000 workers had participated in such a stoppage. Industry sources, on the other hand, maintained that, although many had observed the agreed moment of silence, no actual stoppages had occurred.

To comment on the NUM's stand following the Hlobane disaster is difficult, since any criticism of the union might be interpreted as callousness towards those killed or as antipathetic to improved safety legislation. As IRT has so often stated, improved safety measures in all spheres, including the mining industry, are only to be recommended. Also, the NUM cannot be blamed for using the opportunity to draw attention to the need for safety awareness at all times. However, the nagging suspicion remains that the disaster was '*exploited*', perhaps to the future detriment of Mr. Rhamaphosa's personal reputation. Particularly disturbing are dramatic reports of Mr. Rhamaphosa's having to be led out of the hospital for fear of collapsing at the sight of the victims. It is argued that Mr. Rhamaphosa might have done himself, his members and the cause of safety in general a greater service by approaching the issue in a lower-key, more systematic manner. In fact, this may be true of all the NUM's dealings so far. Although publicity and definitive stands on certain issues are necessary to a union, the battle is not won by big words, but rather by backslogging and systematic labouring and the gaining of one, sometimes small, victory after another. The NUM has established a name, but it has not yet achieved one significant concrete victory for its members, who, like all of us, understand actions better than words. Furthermore, the union should take care that its sometimes exaggerated claims and allegations do not prematurely sour its relations with employers, who may, in time, lose their patience.

MINE SAFETY STRIKE

In the meantime, a very real and difficult situation has arisen over the dismissal of 17 West Driefontein miners who refused to work in an area which, they claimed, was unsafe. The men were dismissed when they continued in their refusal, even after the Inspector of Mines had visited the area and declared it safe. The NUM, which is not recognized at the mine, has now threatened an Industrial Court action.

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The question as to whether any worker can be forced to work in an unsafe area is easily answered in the negative. The problem arises in establishing the criteria for safety, which is, in any event, never absolute, and in the credibility of those who assure the workers of such safety. Furthermore, it is difficult to pinpoint the stage at which refusal to work becomes not merely extreme cautiousness, but outright recalcitrance. In this case, management was evidently of the opinion that the workers were being stubborn, but such opinion will be difficult to prove. It is hoped that employers can, at least, furnish concrete proof of the steps taken to inspect the workplace and to ensure its safety, as well as of the procedures followed in first reassuring the workers and, thereafter, dismissing them. This is essential if allegations of an *'unfair labour practice'* in this extremely sensitive sphere are to be refuted. Furthermore, it is obvious that the Inspector of Mines lacked credibility with the workers. The presence of an *'independent'* acceptable witness, trained in safety standards, therefore deserves future consideration.

LABOUR AND POLITICS

The Ciskeian government's banning of SAAWU and reports of alleged harassment of trade union members has succeeded in doing what the Constitutional proposals and *'Koorndhoff Bills'* could not do, that is, in eliciting concrete co-operation between the United Democratic Front and trade unions who had previously chosen *'not to play an active part'* in the UDF. Shortly after the banning of SAAWU, the UDF's Transvaal branch announced that it was to join forces with *"key worker organisations"* in protesting and actively campaigning against the Ciskeian government's actions. According to the UDF, these organisations included not only the already affiliated Council of Unions of South Africa (CUSA); but also the Federation of South African Trade Unions, the Commercial Catering and Allied Workers Union, the African Food and Canning Workers Union, the Orange Vaal General Workers Union and the Municipal and General Workers Union. In Cape Town too it was announced that a protest against the Ciskeian action had been planned by the UDF, together with the General Workers Union, the Media Workers Association and other community bodies. The Food and Canning Workers Union and the Cape Town Municipal Workers Union had sent their apologies.

The joint action committee which had been established in the Transvaal later issued a statement detailing its plans for action. These included a proposed attempt to bring international pressure to bear on South Africa and the Ciskei, a plan for direct material aid to detainees and their families, an exposition of the 'atrocities' through the media and public meetings, and, finally, consultation with individual unions to discuss the possibility of 'intervention through companies established in the Ciskei.' At the meeting, held in Khotso House (CCAWUSA's headquarters), it was predicted that other unions involved in community issues might also be banned in the near future. It was decided that "There can be no compromise on the right of unions to take up issues beyond the shop floor." and that, "To permit the Ciskei government to suppress union involvement in community struggles is tantamount to giving away a fundamental element of unionism".

In the meantime, the Western Cape branch of the UDF had decided to call a boycott of Ciskeian Government bus companies operating from Cape Town and to call for a ban on money from the Western Cape to the Ciskeian Government. After a placard demonstration at Hanover Park City Hall, six members of the UDF were arrested and held by police for four hours.

FOSATU, the GWU, and the FCWU have not joined the UDF, but the new developments could lead to closer co-operation. Indeed, the banning may have played into the hands of the UDF which has been consistently wooing these bodies and has not lost the opportunity of publicising the co-operation received. As IRT has observed in the past, most of the 'stabler' 'newer' unions prefer to concentrate on work-related issues or, at the most, community issues directly affecting their members. Although they do operate within a wider political framework and tacitly support political bodies, they will become 'politically involved' or co-operate actively with political bodies only in direct reaction to governmental actions, particularly those threatening the trade union movement. The banning of SAAWU was, evidently, one such action.

On the other side of the spectrum, Mr. Arrie Paulus's Mineworkers Union, has become, as IRT predicted, the first 'established' union to involve itself directly and concretely in politics. At a press conference in Johannesburg recently, Mr. Paulus called on the approximately 18,000 MWU members to vote against the new constitutional proposals since the union believed that "the Whites will be the only ones to suffer". within the proposed 'new' political dispensation. Shortly afterwards Mr. Paulus announced that he would campaign against the constitution in his personal capacity. He proposes

to speak at 11 Hersigte and Conservative Party meetings in areas where the union has a substantial membership.

URBAN RIGHTS

MTHIYA APPEAL

The Western Cape Administration Board has been refused leave to appeal against the *'Mthiya judgment'* in which a contract worker was granted Section 10 (i) (b) rights despite three lengthy periods away from his employment during the 10 year qualifying period. In the original judgment, Justice Tebbutt ruled that Mr. Mthiya was entitled to Section 10 rights, since he had "*worked continuously*" for Chicks Scrap Metals for 10 years and had lived in the city for more than 15 years. It was held that the interpretation and proof of '*continuous employment*' rested with the employer and, in the Mthiya case, Chicks had argued that, despite his leaves of absence, Mr. Mthiya had been '*on their books*' as an employee for ten consecutive years.

In refusing leave to appeal, Mr. Justice Tebbutt concluded that another Court would not come to a decision different to that originally reached by him. Shortly afterwards counsel for the WCAB announced that the Board would now petition the Appeal Court in Bloemfontein for leave to appeal. It is reported that, while 1,210 workers in the Western Cape have already been granted Section 10 rights in the wake of the Rikhotho judgment, another 1,418 have been turned down, many of them because their circumstances were similar to those of Mr. Mthiya.

In the meantime, the Black Sash continues to report '*obstructionism*' by Administration Boards in the granting of Section 10 rights. According to this organisation, the West Rand Administration Board is still not granting urban rights to "*homelands citizens*", while other Boards are using periods of absence as a reason for the refusal to grant workers urban rights. In a booklet entitled "*You and the Rikhotho Case*" the Sash suggests that workers should "*...inform employers and employer organisations of the situation.*" and that they should take "*...independent worker action*" to gain implementation of the Rikhotho judgment.

The Black Sash has also slated the passage of The Laws on Co-operation and Development Act, Section 4 of which forbids a worker from bringing his family to the city unless he is a legal tenant, the owner of a housing unit or resides in company housing supplied for that purpose. It is pointed out that families cannot be placed on the waiting list for township houses unless they are already legal families in legal lodgings. This, according to the Black Sash, has resulted in a "Catch-22" situation and proves the "cynism" of the government in "implementing" the Rikhoto judgment.

DEVELOPMENT OF BLACK MANAGERIAL POWER

In a thesis, the main purpose of which is to establish a model for the development of black management, Mr. Carl Hofmeyr comes to the conclusion that "accountability" is essential for the promotion of black managerial skills. According to black managers surveyed in the study, competency will be achieved only if people are told exactly what is expected of them and given the experience to achieve this. Mr. Hofmeyr has isolated five top training needs, as identified by black managers themselves. These include :

- * decision-making skills
- * planning skills
- * organising skills
- * problem solving skills
- * control skills

He further warns against generalising about Blacks and thereby evolving stereotypes.

As Mr. Hofmeyr states, companies are not yet in the position where they have to use blacks in managerial jobs, although the shortage of skills has led to Blacks being 'moved up the ladder'. It follows that the need to further promote these employees as well as a growing shortage in managerial manpower, will lead to an increased emphasis on the training of black managers. Those responsible would, therefore, be well advised to focus attention in this direction. Also, South Africa needs, for industrial relations purposes and otherwise, real black managers and not, as Mr. Ben Mokoatle so succinctly put it, managers who are given "king-size titles and Mickey Mouse jobs".

● SOUTH AFRICA AND THE I.L.O.

According to the most recent I.L.O. bulletin, the director-general of the International Labour Organisation has drawn some hope from the "...emergence of a genuine trade union movement in South Africa". He believes that, with it, "...a trend has been set in motion which could doom the policies of apartheid". It was, however, pointed out that the most difficult task facing the I.L.O. was to help people in South Africa in their "...struggle against oppression, especially the victims of the apartheid regime in South Africa which continues to violate workers rights to freedom of association and collective bargaining."

In the meantime, Mr. Arthur Grobbelaar, who attended the 18th I.L.O. conference, reports that enthusiasm for the Apartheid Committee's stand against South Africa is waning. Mr. Grobbelaar draws this inference from the fact that members were criticised for not implementing previous I.L.O. resolutions and even African trade unions were, according to Mr. Grobbelaar, "brought under fire" for not responding to questionnaires regarding action taken against apartheid. He concludes that a situation will arise "...where those involved with the I.L.O. will continue playing the appropriate propaganda melodies while avoiding actions that could harm their own interests."

WAGES

* According to the National Manpower Commission the real earnings of South Africans increased by approximately 7 per cent between March and December 1982. Average earnings for Whites were 22,5 per cent higher than during the same period the previous year, those of Coloureds 21,1 per cent higher, Indians earned 27,8 per cent more and the average earnings of Blacks rose by 22,4 per cent. However, the consumer price index rose by 14,9 per cent, bringing the total average in real earnings to 7 per cent. We would suggest that even this figure be treated with caution, since averages on such a vast scale do not tell the full story.

* In the meantime, the National Automobile and Allied Workers Union has announced that, although it has accepted the offer of employers in the

Eastern Cape, its demand for R3,50 per hour is "...still on the table." According to FOSATU, a message from NAAWU's motor workers reads: "We may have agreed to accept an increase to cover the cost of living this year, but we have not given up our fight for a living wage."

* From Natal, the Metal and Allied Workers Union reports that it has won a minimum wage of R90 a week from Prestige and from Barlow Rand subsidiary, W.B. Cameron. The settlement at W.B. Cameron follows the threat of Industrial Court action by the union, on the grounds that the company had refused to disclose "key financial information" to union negotiators (See - DISPUTES - IRT JULY 1983). According to MAWU, the company has now agreed to supply certain information during future negotiations.

RETRENCHMENTS CHECKLIST

Even with an economic upswing in the offing, retrenchment is still one of the most pressing labour relations issues. A record number of retrenchments occurred between July 1982 and June 1983 and employers, who had not during previous recessions faced a strong union movement representative of black workers, often found themselves in a difficult position. In the course of the year much has been done to improve retrenchment procedures and provide for negotiation on the issue. Also, seminars on retrenchments have been almost too numerous. IRT, which prides itself on having been the first to focus attention on the problem, does not feel that there is much more to add. Yet, although the 'heat is off', there are numerous companies who will still be retrenching or considering retrenchments during the next nine months or so. Furthermore, unions now insist that retrenchment procedures be negotiated when recognition is granted. It is for this reason that we have reproduced below the CUSA checklist on retrenchments. As a succinct representation of the union approach, it should assist management in preparing its own contingency plans and bargaining strategy.

IRT would merely like to add a note by pointing out that many unions no longer favour the 'last-in-first-out' (LIFO) principle as a criterion for selection. The reason for this lies in the fact that younger workers often constitute the majority of union members. Unions are, therefore, attempting to establish other 'equitable' criteria. However, the worker's record, particularly disciplinary wise, is definitely not a criterion they are prepared to accept.

On the other hand, there is now room for management to argue that if the LIFO principle does not apply, a trade-off should take place between the union's wish to retain membership and management's wish to retrench those with the worst track record.

CUISA'S CHECKLIST FOR SACKED WORKERS

MEASURES TO AVOID REDUNDANCY (PHASE ONE)

Has the company cut back on the number of temporary or casual workers?

Has the company stopped overtime?

Has the company stopped recruitment?

Has the company reduced its advertising budget?

Has the company redeployed workers?

Has the company planned early retirement of pensionable personnel with full benefits?

Has the company introduced short-term work-sharing schemes?

Has the company introduced short-time?

REDUNDANCY NEGOTIATION (PHASE TWO)

Has the union been allowed to examine the circumstances leading to possible retrenchment?

Has the union been allowed to examine possible methods of reducing the number of workers affected?

Has the union been allowed to negotiate redeployment and retraining of workers?

SELECTION OF REDUNDANCY (PHASE THREE)

Has a joint worker-management committee been elected to select the individuals who are to be retrenched?

Has special attention been given to early retirement?

Has special attention been given to voluntary retrenchment?

Has special attention been given to workers who are over the normal retirement age?

Has special attention been given to part-time workers?

Has special attention been given to short service rather than long service workers?

Has special attention been given to the protection of contract workers?

REDUNDANCY NOTICE (PHASE FOUR)

Has maximum periods of redundancy notice been given?

Have minimum statutory periods been taken into account by the company?

ALTERNATIVE WORK, TRAINING AND TIME OFF (PHASE FIVE)

Have possible alternative strategies for redeployment, transfer and retraining been considered and payments made to cover travel costs?

And new job opportunities?

And entitlement to be considered first for re-employment?

And appropriate realistic time off to find other job opportunities?

REDUNDANCY PAY (PHASE SIX)

Have the workers negotiated for payments above the statutory minimum?

Have workers made sure that payment is made on an agreed formula of age, number of years of service, and present wage?

UNIONS

MAWU AGM

At its recent annual general meeting, held in Wadeville, the Metal and Allied Workers Union pledged to "...fight for the rights and freedom of all workers in South Africa". A resolution was also passed to join with other union groupings "...in their fight against influx control and pass laws and the demolition of shacks in black residential areas." The union further expressed its solidarity with the United Democratic Front. A union spokesman later stated that: "We believe that we should also support all progressive parties that are fighting for the liberation of workers in South Africa".

General meetings are for ideological statements and should not be taken as reflective of 'active' MAWU policy, although the Metal and Allied Workers Union is one of the more 'community-orientated' in the FOSATU-fold and has taken up community issues with greater vigour than most other FOSATU unions. Of greater importance is MAWU's condemnation of SEIFSA for discouraging plant-level negotiations and also of "sell out" unions who agreed to the SEIFSA offer and who, according to MAWU, did not consult their general membership. MAWU again insisted that negotiators should be given sufficient time to obtain mandates from the workers.

According to its own report, the union is still growing. 'S-op-order' membership now stands at 20,000 and total membership is "conservatively estimated" at 40,000. In Natal where, by MAWU's report, "...more and more workers are turning to unions for help because of the worsening drought", there are now 5,470 organised MAWU members in 38 factories. The union also reports greater success in organising Indian workers. That negotiators have been kept busy is proved by the fact that MAWU has signed 11 recognition agreements in nine months and is, at present, involved in 13 disputes. The union's most recent victory is a substantial settlement for 249 B & S workers dismissed last year. (See COURT ACTIONS)

SAAWU ANNUAL CONGRESS

The annual congress of the South African Allied Workers Union, held in Durban on 17 and 18 September, received amazingly little press coverage, particularly in view of the prior announcement that a representative from the International Labour Organisation, as well as a delegate from the Zimbabwe Congress of Trade Unions, would attend. Furthermore, the congress was held shortly after the banning of SAAWU by the Ciskei government. This alone made it newsworthy.

Speakers at the congress included trade unionists, churchmen, politicians and community leaders, among them the president of the United Democratic Front, Mr. Archie Gumede, and a representative of the Namibian Workers Union. Mr. Paddy Kearney, director of Diakonia, in spelling out a 'charter' of workers rights, said that all workers should be entitled to a family life, adequate housing, freedom of association and collective bargaining, the right to form free trade unions and the right to withhold labour through strike action. A call was made for a moratorium on squatter removals, as well as for the abolishment of the pass laws and the workseeker's permit. It was, furthermore, suggested that the government be urged not to use pension contributions for the partial financing of the defence budget. In a remarkably down-to-earth statement, SAAWU general-secretary, Mr. Sam Kikine, appealed to employers to exercise greater restraint on job-cutbacks. The congress was concluded with a resolution that the I.L.O. and the United Nations be called upon to investigate the disaster at the Hlobane colliery, which had occurred the previous week.

In a sequel to the congress, freelance cameramen returning to Johannesburg after covering the first day of the conference, had their cars and bags searched by police and a film with 45 minutes of footage confiscated. Also, national organiser, Mr. Herbert Barnabas, afterwards denied that a resolution supporting the exiled South African Council of Trade Unions had been passed at the congress. Mr. Barnabas said that, owing to time pressures, the only resolution discussed was the union's banning by the Ciskei.

NUCW AGM

At the annual general meeting of the TUCSA-affiliated National Union of Clothing Workers, one of the main concerns of delegates was the protection of workers against retrenchments. Mr. Siphon Nene, NUCW president, stated that : *"I myself have seen at Industrial Council meetings how sensitive the employers are about retrenchments. I believe it is vital that workers leave at least with a week's notice pay after serving an employer for many years."* (Mr. Nene probably meant a week's notice pay for every year of service, since this is closer to the common demand of 'newer' unions). Mr. Athol Margolis, the union's new administrative officer, who was warmly welcomed, reported that the union *"...had tried to protect workers against retrenchment, appealing to employers to rather work short time in the hope of an improvement of the situation in the firm concerned."* Furthermore that, *"Where retrenchment is inevitable, we have tried to get firms to give more than a week's notice and to agree that compensation for service should be given"*. Mr. Margolis also reported that the union had taken several cases involving *"...alleged racial insults, assaults, unfair dismissals and other unfair treatment"* to court.

Dr. Lucy Mvubelo commented on events in the Ciskei. According to Dr. Mvubelo, NUCW members *"...have suffered badly at the hands of the Ciskeian authorities"*. The Ciskeian government's *"harassment"* and detention of trade unions was described as *"most disgusting"*. As regards the banning of SAAWU, Dr. Mvubelo made the following statement : *"To add salt to the wounds was the banishment of the South African Allied Worker Union. We strongly condemn the Ciskeian government for these actions. The new labour dispensation gives the right of freedom of association for workers to join a union of their choice. Let us hope that authorities in these 'national states' will soon see the light and act responsibly."*

Question: Is there any significant difference between the basic concerns of this union or, at least, some of its officials and the concerns of the 'unestablished' unions?

NEW CCAWUSA ISSUE

Besides its stand on maternity and *'maternal'* rights, CCAWUSA is now strongly opposing ill-treatment of workers by security staff. The union reports that it *"reacted very strongly"* to an incident at a Krugersdorp store where a cashier, suspected of helping a customer steal a paintbrush, was allegedly assaulted and abused with *"racist and very insulting language"*. R1,000 in damages has been claimed for the employee concerned. According to CCAWUSA, it should be made clear to security staff, whether from security companies or employed by the retailers themselves, that no *"inhumane treatment"* of workers will be tolerated. Security officers should be told *"...to avoid abuse, insults and assaults"* and not to question a worker *"...unless he or she is accompanied by a shop steward or someone else of his or her choice"*. The union has warned that it will *"...hold companies responsible for any abuse of or assaults on workers and will claim damages when we feel this is due to members."* It would appear that security companies will have to pay attention to training in basic labour or *'human'* relations.

PWAU VERSUS NASARIEU

The Paper Wood and Allied Workers Union has accused the National Sugar and Refining and Allied Industries Employees Union (formerly NUSMRE) of tricking workers at Sappi's Stanger Paper Mill into joining the *'wrong'* union. PWAU states that it was surprised to find that Indian workers, whom the union had started organising, but from whom it had not yet collected *'joining forms'*, had already *"joined the union"*. According to workers, they had been called in to the personnel department and had signed membership forms in the presence of personnel officers and *'union officials'*. PWAU claims that workers were later *"horrificed"* to learn that the *"green card union"* they had joined was NASARIEU and not the Paper Wood and Allied Workers Union. Evidently, NASARIEU had previously canvassed among African workers at Sappi and was now trying to woo also the Indian workers. In recruiting among the Blacks, NASARIEU had used as platform the promise that it would *"...get pensions money back for them"*. Since many black workers would like to have pension money repaid, this had been a useful drawing card. The PWAU has, in general, displayed greater responsibility regarding the pensions issue and was one of the first unions to negotiate worker participation on the

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board of a pension fund.

THE GARMENT WORKERS AND THE CONSTITUTION

Noting that, *"While it is against the law for trade unions to give financial support to party politics, it is not illegal for them to express views on political issues"*, the Garment Worker, mouthpiece of the Garment Workers Union, in September, devoted one of its editorials to the Constitution debate. However, the conclusion was reached that, owing to the diversity of views among union members, the union should *"...join others in abstaining from comment on the constitution."*

NEWSPAPER UNIONS

The South African Society of Journalists has criticised newspapers which have supported a 'yes' vote in the coming referendum. In a statement issued by the Society, the SASJ declared itself surprised that *"...any editor can encourage support of a constitution from which guarantees of press freedom have deliberately been excluded."* The National Council of the SASJ believes that editors should consult journalists as to the editorial policy on issues where press freedom may be at stake.

In the meantime, 21 members of the SASJ and two members of the Media Workers Association of South Africa (MWASA) have been arrested after a placard demonstration at the Carlton Centre to protest an alleged attack by East Rand Administration Board officials on squatters and journalists earlier during the same week. Those arrested were due to appear in the Johannesburg magistrates court on October 7.

UNITY TALKS

The second unity 'talk-session' between delegates from various 'newer'

unions and federations is to be held in Johannesburg during the weekend of October 8. It would appear that the 11 unions involved, representing approximately 300,000 workers, have reached the stage where they are discussing the funding of the proposed federation and the question of demarcation. Both may prove contentious issues.

RECOGNITION

FBWU AND MAIZECOR

The CUSA-affiliated Food and Beverage Workers Union has signed a recognition agreement with Maizecor Industries in Silverton. The agreement comes in the wake of a number of work stoppages at the company. Interesting to note is the fact that the union now intends to negotiate also a "*substantive health and safety agreement*" and a "*maternity agreement*" with the company. The interest scope of unions is definitely widening.

POOLE INDUSTRIES

The National General Workers Union reports that it has submitted a recognition agreement for consideration by management at Poole Industries. IRT - August 1983 reported that tension between the union and management had been mounting over management's alleged refusal to "*talk to*" the union. According to the NGWU, a meeting has been held and shop stewards have been assigned to follow up grievances.

MEGAPLASTICS

The managing-director of Sentrachem has announced that, if the South African Allied Workers Union, whose '*members*' went out on strike early in August, can demonstrate majority support at Megaplastics in Olifantsfontein, management will be "*only too happy*" to talk to the union. According to Sentrachem, management had not heard from SAAWU since last year when they had asked the union to prove majority support. However, the national organiser of SAAWU claims that management had asked for the union's "*receipt book*", which could not be supplied, since records were kept in a ledger. The request had been referred to the workers who had instructed the union not to comply and had instead demanded that management meet with

employees so that representivity could be proved. On 14 September last year Megaplastics had written back to say that they saw no reason for complying with the request.

It would appear that SAAWU was, in this instance, not very well organised nor was the union insistent in its demand.

COURT ACTIONS

FRAMETEX

The battle between Frame and the National Union of Textile Workers continues (See IRT - April, May and August 1983). In May this year, the Industrial Court granted the NUTW a Status Quo Order preventing Frame from recognizing the Textile Workers Industrial Union at its Frametex Mill and also from granting the TWIU any facilities not afforded to the NUTW. The order was granted mainly as a result of the NUTW's argument that a senior member of management had previously promised the union that it would be afforded sole bargaining rights, should it prove representivity of the weekly paid employees at the mill. According to the NUTW, representivity had subsequently been proved by way of signed stop-order forms, but this had not been accepted by management, who maintained that errors had been committed that some stop-order forms had been duplicated and that some of the signatories had since joined the TWIU. At the time, management was, or so the NUTW claims, allowing stop-order facilities to the TWIU. It had also been indicated that the TWIU would be recognised at Frametex because it had majority support. It was in these alleged circumstances that the NUTW, claiming an *'unfair labour practice'*, applied for a Conciliation Board and also for a Status Quo Order to prevent the recognition of the TWIU before the dispute had been settled. The Status Quo Order was, as we mentioned, granted, but the Minister stalled somewhat in appointing a Conciliation Board. Frame had opposed the application on the grounds that failure to recognise a union or afford it facilities was not an *'unfair labour practice'*, thus highlighting the polemic as to whether recognition is a voluntary process or not and as to whether the Court has jurisdiction in this respect - (See IRT, August 1983). Also, Frame argued that it should only recognise a union representative of all the workers at all the mills. In the meantime, the Status Quo Order had lapsed and, the NUTW alleges, Frame again commenced granting facilities to the TWIU. Having become belatedly aware of the expiry of the Order, the NUTW applied to the Industrial Court for an extension. This was refused, but, nothing daunted, the NUTW brought an urgent application before the Natal Supreme Court, requesting that the Court review the Industrial Court's refusal of an extension. Before the Court could judge on the application, an out-of-court settlement was reached in terms of which :

- * Frame agreed not to recognise the TWIU, or to grant it facilities at the Frametex Mill before the dispute had been settled by a Conciliation Board or otherwise
- * the NUTW promised not to contend in any proceedings that, on 1 October 1982, or at any time, a contractually binding agreement to recognize the union had been concluded between it and the Frame group.
- * the NUTW would not further contend the fact that the group's New Germany complex, though containing different operations owned by different companies, could constitute "*an appropriate collective bargaining unit*".
- * the union also agreed that, if called upon by Frame, it would join in reporting to the Minister of Manpower, in terms of Section 46 (9) (d) of the Labour Relations Act, that they were satisfied that they would not be able to settle the dispute. In terms of this section, a dispute arising from an alleged '*unfair labour practice*' will, if not settled, have to be referred for compulsory arbitration to the Industrial Court.

Ten days after the agreement had been reached, the Minister appointed a Conciliation Board. Since the Board was evidently granted on the NUTW's original application, alleging an '*unfair labour practice*', it would appear that the Minister might be of the opinion that failure to recognise a representative union or treating it '*differently*' to another union might be construed as an '*unfair labour practice*.' On the other hand, his decision may have been based on the NUTW's previous argument that there had been a verbal contractual agreement to recognise the union.

As it is, Frame has evidently decided to drop its opposition to the dispute's eventually reaching the Industrial Court. Instead, the Court, should the dispute not be settled, will be obliged to show its hand in respect of one of the most controversial issues in contemporary labour relations, that is the question as to whether an employer can be forced to recognise or grant facilities to a union. Whatever the opinion of the media and various unions, the Industrial Court has not yet set a precedent in this respect. In the '*Foden's case*', the employer party had already agreed to recognition and the Court pronounced only on the abstract principle. Also in granting its previous Status Quo Order against Frametex to the NUTW, the Court went mainly by the fact that Frametex had, according to the NUTW, verbally agreed to recognise the union. It will be interesting to see what the Court does now

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that the NUTW has agreed not to allege a previous verbal contractual agreement.

Furthermore, it remains to be seen whether the Court can without the agreement of Frametex, order a secret ballot to determine representivity. Frame has in the past opposed a ballot supervised by the Department of Manpower and also a suggestion that Departmental officials interview employees whose stop-orders were disputed.

Another interesting facet of the case is the concession from the NUTW that the group's operations may be regarded as one collective bargaining unit. Frame is evidently set on recognizing only the union representative of the majority of workers at all mills. This Frame believes to be the TWIU. On the other hand, the NUTW claims that it also has overall majority. Perhaps for this reason it agreed not to dispute the issue.

All in all, the case, should it be brought before the Industrial Court, will prove immensely interesting. Several important issues are at stake, not the least being the Industrial Court's power and jurisdictional scope.

BARLOW MANUFACTURING

Counsel for management at Barlow Manufacturing's Kew plant has requested the Industrial Court to refer to the Appellate Division the entire question as to whether the Court can rule on the '*unfairness*' of a dismissal when the required notice period has been given and the notice wages paid. Counsel for Barlow's also argues that the Court has no right to reinstate workers under these circumstances. The argument arises from a court action brought by the Metal and Allied Workers Union on behalf of 12 Barlow's Manufacturing (Kew) employees, who were dismissed earlier this year. Judgment on the argument has been reserved.

Again, counsel for the employer's argument strikes at the very heart of the polemic regarding the '*unfair labour practice*'. It also highlights the still existent conflict between contractual law principles and perceptions of '*fairness*'. In other words, can a dismissal which was executed strictly in terms of the contract of employment and which does not contravene the Basic Conditions of Employment Act still be regarded as unfair? The Industrial

claimed R850.000 compensation, but, before the court action, it was rumoured that they would probably settle for an amount in the region of R180.000. However, the exact amount of the settlement is not generally known, since the union and management have agreed not to disclose the final figure. The action arose out of the dismissal, on 7 September last year, of approximately 900 workers at two B & S plants in Brits. Management claimed that the workers had gone on a go-slow strike, whereas the union alleged a lock-out. 600 workers subsequently re-applied for employment. 400 of these were re-engaged. The 249 workers on behalf of whom the action was brought, consistently refused to apply for employment and have met every day for the past year. These workers will now receive compensation and are to be re-employed. A joint statement issued by the union and the company reads as follows : *"Both parties expressed satisfaction with the settlement and believe a satisfactory relationship will now be established between management and the union"*.

BONUS FERTILIZERS

The dispute between Bonus Fertilizers and the Chemical Workers Union (See IRT - March 1983) has been 'settled' out of court. The CWIU had alleged that the company, which had previously attempted to retrench 40 employees, had "locked its gates" against the workers. Bonus Fertilizers, on the other hand, maintained that the 60 workers had been dismissed for engaging in a go-slow strike.

According to the settlement, Bonus agreed to pay the dismissed workers a lump sum of R25.000 and to re-employ 30 of those dismissed. However, the CWIU now claims that the company has reneged on the deal, since it has re-employed only 25 workers. Five other workers, whom the company wished to re-employ, had preferred to go elsewhere. The union argues that Bonus should now employ another 5 workers. The company maintains that it agreed to re-employ only the 30 workers which management wanted. According to a company spokesman, they would never have agreed to take back *"just any workers"*.

THE STAR

The 209 workers who were dismissed by the Star after going on strike earlier this year, are still awaiting an Industrial Court decision on their application for reinstatement. In the meantime, the Media Workers Association of South Africa (MWASA) has set aside R15.000 to assist the unemployed workers.

SARMCOL

Sarmcol has paid out R300 each to 13 workers retrenched last year. The payout was made before an allegation of '*unfair labour practice*', brought by the Metal and Allied Workers Union, could be heard by the Industrial Court. MAWU, which claims that it has been : "*...struggling for 10 years against tremendous odds to win recognition at Sarmcol*", regards the settlement as the first step "*...on the road to victory*". According to the union, the company has now agreed to negotiate a "*full recognition agreement*" with MAWU.

GEO STOTT

An out-of-court settlement has been reached between Geo Stott and the Metal and Allied Workers Union. According to the settlement, the company will pay out R10.000 to 15 workers retrenched in December last year. Stott has also agreed to re-employ the retrenched workers and, according to the union, to recognise MAWU, should it prove majority membership in a secret ballot. The union now claims majority membership at Geo Stott, Scaw Metals and Dunswart Iron and Steel.

DISPUTES

GREATER USE OF OFFICIAL MACHINERY

Whether for pragmatic reasons relating to their diminished power-base or from a new insight into the *'systems'* advantages, the fact remains that *'newer'* unions are increasingly using official channels for the settlement of disputes. Initially these unions used the official machinery only in so far as they alleged an *'unfair labour practice'*. Their main purpose was, evidently, to obtain Status Quo Orders and, eventually, to elicit compulsory arbitration by the Court. However, most recently, a number of unions have chosen to declare a *'normal'* dispute after reaching deadlock in negotiations. Such disputes are not subject to compulsory arbitration. Should they not be settled by an Industrial Court or a Conciliation Board, they can lead to mediation, arbitration or a legal strike, depending on the agreement between the parties or in the Industrial Council.

In June this year, the National Union of Textile Workers set the precedent by staging a legal strike at Natal Thread after the *'official'* conciliation machinery had been exhausted. Shortly afterwards, the Metal and Allied Workers Union declared wage and other disputes with no less than 10 different companies. One such dispute, that with Highveld Steel over its refusal to meet the union's wage demand, has now been referred to the Minister.

In the mining industry, the National Union of Mineworkers declared a dispute with the Chamber of Mines after wage negotiations at Rand Refinery ended in deadlock. In late September, it was announced that a Conciliation Board had been granted. Should the Board fail to reach resolution, the NUM will be entitled to call a legal strike. It should, however, be noted that even workers engaged in a legal strike may still be dismissed for breaking their contract of employment. In fact, according to the NUM, mining employers have threatened to do this. The union, on the other hand, has warned that it will then allege an *'unfair labour practice'*

RETRENCHMENTS

Acrimonious accusations against Anglo American and Barlow Rand have been

made by the Paper Wood and Allied Workers Union which alleged that Mondi Paper Waste and Nampak Conical Containers had retrenched workers without due consideration or regard. According to the union, 22 of the 50 employees at Mondi Paper Waste were retrenched without warning. PWAU alleges that workers were "*simply informed*" to collect their pay packets and, further, that, in selecting workers to be retrenched, the company had chosen all the workers of 50 years and older, removed a third of these from the list and replaced them with younger workers. It was also alleged that pension contributions were being withheld and that retrenched employees would receive "*only 13 week's severance pay*".

At Nampak Conical Containers, workers claimed that they had not been placed in other NAMPAC companies because of their membership of the PWAU and that at one company incumbents had been told that they would have to join the South African Typographical Union. They also alleged that PWAU members had to "*bear the brunt*" of the retrenchments at Nampak. A spokesman for the company later explained that Printpak, to which some of the workers had been sent, was bound by a '*closed shop*' agreement with SATU, also that retrenchments at Nampak Polyfoil and Nampak Conical Containers had arisen from "*rationalisation*" at these plants. He maintains that employees at Nampak Polyfoil were informed a month in advance of the closure of the plant and that at Conical they were also not "*kept in the dark*" regarding retrenchments.

Meanwhile, at Sigma Motor Corporation, the number of workers to be retrenched has been cut from 341 to 237, following negotiations with the National Automobile and Allied Workers Union. However, the union still declares itself principally against retrenchments and wants to persuade the company to work short-time instead.

LABOUR UNREST

OVERVIEW

Although, since June 1983, labour action has been comparatively more frequent than during the first five months of the year, there are not as yet any signs of a significant escalation in strikes. Most significant about the actions of the past month, is the simultaneous strike over wages at three geographically dispersed Autoplastics plants. As seen in MAWU's dealings with Henred Fruehauf and the union's efforts to get Barlows to negotiate with a 'joint' shop steward committee, 'never' unions are increasingly favouring more 'centralised' negotiations with a particular company or group. The Autoplastics strike is the first joint action to support 'national' wage demands and might signify a new era in labour relations. Unions such as NAAWU, who have not organised 'from the top down' but have gradually built up overall support, are in a much better position, if they are well organised, to call national 'company'-wide strikes. Other significant aspects of the strike action which occurred during the past month are

- * the reversion to 'wages' as one of the major issues
- * the increasing involvement of municipal workers in labour action
- * the 'emergence' of the CUSA-affiliated Building and Construction Workers Union

STRIKES - END AUGUST 1983 TO END SEPTEMBER 1983

AFTERMATH TO PREVIOUS STRIKES

- * Subsequent to the Firestone (Brits) wage strike (see IRT August 1983), an agreement has been reached whereby workers will receive a productivity-linked increase ranging from 3 cents to 10 cents per hour. However, the company has agreed to a joint management-union investigation into the present incentive - based wage system. The intention is

to eventually change it to a '*measured day*' system. Furthermore, the company has committed itself to future wage negotiations with the National Automobile and Allied Workers Union.

- * Strikers at Delmas Milling went back to work following talks between management and the Food and Beverage Workers Union. The company, however, refuted the accusation of victimisation (workers had gone on strike after the retrenchment of 5 fellow-employees, two of whom were union officials). Delmas management also denied that it had been unaware of union activities at the plant. In fact, according to a company spokesman, they had been in the process of recognising the FBWU at the time the strike occurred.

- * Kilbarchan Coal Mine (Newcastle) 19.8.83

At Kilbarchan coal mine, 230 mineworkers were, according to management, dismissed for going out on strike over wage structures. However, the South African Allied Workers Union, whose '*subsidiary*', the Mine and General Workers Union, claimed to represent strikers, later alleged a "*protection racket*" at the mine by a white mine official. Workers also claimed that since the official had taken over, their increments had not followed a regular pattern and were discriminatory. According to SAAWU, the strikers were '*locked out*' when they reported for work. The union later said that it had given the company a '*reinstatement deadline*', but company sources reported that workers were being rehired after talks between them and management.

- * Queensburgh Municipality 23.8.83

Approximately 200 black and Indian municipal workers staged a sit-down in front of the Queensburgh civic centre in protest at the fact that they had received no wage increases. The strike followed a decision by the Queensburgh City Council to grant no increases to any workers whatsoever. The strikers, who were demanding a 15 per cent increase, were initially given one hour to return to work or face dismissal. Most of the workers recommenced work the same afternoon, after being told that they would not lose their jobs. Negotiations between the Council and the Transport and General Workers Union were said to be continuing.

offered to negotiate on behalf of the workers, had, in the meantime, reached deadlock. On Friday, September 2, the strikers were dismissed, but many have since been re-employed.

* Hammarsdale Clothing 31.8.83

Negotiations between management and the National Union of Textile Workers brought an end to the strike by more than 800 workers at this textile factory. The strike was said to have been caused by a "*misunderstanding*". According to a union spokesman, the action had been sparked off by the discovery that '*outsiders*' had been employed instead of fellow-workers who had been retrenched in April last year.

* Unipark Potteries (Vanderbijlpark) 4.9.83

Approximately 20 workers at Unipark potteries claim to have been dismissed after going on strike in support of wage demands. The strikers also "*requested membership*" of the Building, Construction and Allied Workers Union.

* United Breweries (Ga-Rankuwa) 6.9.83

13 quality controllers at this brewery were dismissed after downing tools to support a demand for a 15 per cent increase in wages. According to a management statement, the employees concerned had not heeded repeated calls to return to work and continue negotiations and had, therefore, "*dismissed themselves*"

* Checkers Primrose (Germiston) 8.9.83

45 workers at this Checkers branch staged a half-day stoppage in protest at the fact that a new manager was obliging employees to stay overtime. The strikers, members of the Commercial Catering and Allied Workers Union, agreed to return to work after management had promised to "*rectify*" worker grievances before the end of the day.

* O.K. Bazaars (Randburg) 8.9.83

The cause and details of the second "retail" strike, at OK Bazaars, Randburg, is not generally known.

* Standard Brass (Benoni) 9.9.83

The alleged refusal of management to recognise the Metal and Allied Workers Union led to a strike by 400 workers at Standard Brass Iron and Steel Foundries. According to these workers, management had refused to meet representatives of the union, which claims to have 325 members at Standard Brass. On the same day of the strike, it was, however, agreed that talks on the recognition of the union would continue. On this proviso, the strikers returned to work.

* Autoplastics (Rosslyn, Port Elizabeth and Cape Town) 12.9.83

Deadlock in 'national' wage negotiations for Autoplastics workers led to a strike by 1,000 workers at three Autoplastics plants. According to the National Automobile and Allied Workers Union, the company had originally offered an increase of 5 cents per hour as opposed to the union demand for a 15 cents per hour increase. On Monday, 12 September, 600 workers at Autoplastics in Rosslyn went out on strike in support of the wage demand. They were followed, the next day, by Autoplastics employees in Port Elizabeth and Cape Town. Only in Durban, where NAAWU does not have majority membership, did workers not go out on strike. The action ended on the second day when the union decided to accept management's offer of an immediate 8 cents per hour increase, which will raise the minimum wage from R1,23 per hour to R1,31 per hour. According to NAAWU, workers have accepted the offer as an 'interim measure' and will "continue the fight for a living wage". This is pegged by NAAWU at R3,50 per hour. In a sequel to the strike, NAAWU has announced its intention of looking into the legality of Sigma's refusal to pay 2,000 workers laid off for one day because the Autoplastics strike had brought production at Sigma to a halt.

Note : IRT regards the Autoplastics action as one strike, since it was instigated at the same company by members of the same union for the same

reason and was settled by a 'general' negotiation on behalf of all 1,000 strikers. All too often, simultaneous strikes at various plants or branches of the same company are regarded as individual actions - thus the confusion in statistics. IRT's purpose is to analyse trends, not to deal in absolute and often meaningless figures.

* Umhlanga Town Council 15.9.83

The long-standing tension between workers and management at Umhlanga Town Council erupted in a strike in mid September. Earlier in the year, IRT reported that tensions were mounting over the Council's refusal to recognise the Municipal Workers Union, a 'subsidiary' of the National Federation of Workers. On 15 September, 100 workers went out on strike in protest at the Council's refusal to grant a wage increase of 15 per cent. Workers, who, after an increase in July, are at present earning between R38 and R45 per week, were asking for a minimum wage of R55 per week. Also at issue was the question of union recognition.

The strikers were given an hour to return to work or face dismissal. 92 were subsequently arrested for refusing to leave the premises. The employees concerned were later ordered to pay a R20 admission-of-guilt fine and also to collect their pay from the Chief Commissioner at Verulam.

In the meantime, the Town Council reported that it was managing on a 'skeleton staff' and was busy "...reassessing labour requirements." According to a Council spokesman, it was regrettable "...that this unfortunate incident took place.", but it was felt that the Council "...had to act firmly because of the illegality of the situation." The spokesman further stated that "...in line with Government policy to combat inflation" the Council had to "...increase productivity rather than increase wages."

* Printpak (Industria) 22.9.83

More than 250 workers at this Nampak subsidiary downed tools in protest at the alleged 'unfair' dismissal of 7 colleagues and also to protest a 'closed shop' agreement with the South African Typographical Union.

The strike was settled the following day after management had agreed to "open recognition talks" with the Paper Wood and Allied Workers Union, which claims majority membership at the plant. Should the PWAU prove its representivity, SATU's 'closed shop' agreement will once again be endangered. (See IRT August 1983)

* West Driefontein Mine 22.9.83

17 Workers who, shortly after the Hlobane Colliery disaster, refused to go underground at Goldfields' West Driefontein mine, were later dismissed by the management at the mine. According to a spokesman for Goldfields, the mine had been visited and found safe by the Inspector of Mines. Following the dismissal of the 17 men, the company met with Mr. Rhamaphosa, general-secretary of the Mineworkers Union. However, it was stated that negotiations were "out of the question", since the NUM has "no legal standing" at the mine.

Mr. Rhamaphosa has now threatened to allege an 'unfair labour practice' in the Industrial Court (See IR SCENE)

STRIKES END AUGUST TO END SEPTEMBER 1983

E. CAPE

W. CAPE

TRANSVAAL

NATAL

23 8 83
Pride Pools (Jhb)
Wages BCAWU
53 Workers 1 shift

26.8 83
Masterbuilt (Olifantsfontein)
Dismissals SAAWU
100 Workers 2 shifts

31 8 83
C I Homes (Boksburg)
Dismissals BCAWU
200 Workers 4 shifts

4 9.83
Unipark Potteries (UDBP)
Wages BCAWU
20 Workers 1 shift (fired)

6 9 83
United Breweries (Ga-Rankuwa)
Wages
13 Workers 2 shifts (fired)

8.9.83
Checkers (Primrose) Germiston
Overtime CCAWUSA
45 Workers 1/2 shift

8.9.83
O.K. (Randburg)

9 9.83
Standard Brass (Benoni)
Recognition MAWU
400 Workers 4 shifts

Autoplastics (P.E.)
Wages NAAWU
250 Workers 3 shifts

Autoplastics (C.T.)
Wages NAAWU
150 Workers 3 shifts

12 9.83
Autoplastics (Rosslyn)
Wages NAAWU
600 Workers 4 shifts

22.9.83
Goldfields West Driefontein
Safety NUM
17 Workers 2 shifts

22 9.83
Printpak (Industrial)
Retrenchments/
Closed Shop PWAU
250 Workers 3 shifts

19 8 83
Kilbarchan Coal Mine (Newcast)
Wages/Grievances SAAWU
230 Workers 4 shift

23.8.83
Queensburgh Municipality
Wages T= 1/2 shift
200 Workers

26 8.83
Union Flour Mills (Umbi)
Recognition C= 6 shift
400 Workers

31 8 83
Hammersdale Clothing
Re-employment ... 1 shi
800 Workers

15.3.83
Umlanga Town Council
Wages/Recognition 1 shift (fir
100 Workers

SPOTLIGHT ON SAAWU

THE SAAWU CONTROVERSY

The South African Allied Workers Union, probably one of the most controversial of the 'newer' unions, has recently gained renewed 'prominence' as a result of its banning by the Ciskeian government and the detention of all its East London officials except president, Thozamile Gqwetha who has since gone into hiding. Numerous labour relations participants who have not yet had contact with this union are wondering exactly who and what SAAWU is. It is for this reason and also because a number of employers in the Transvaal have recently been approached by this, to them, unknown union, that IRT has decided to focus the spotlight on SAAWU and to attempt, in the limited space available, to provide some background and insight into SAAWU's organisation and policy.

SAAWU or, at least, SAAWU in the Eastern Cape, has since its inception had a 'political' tag. The reasons for this are numerous and interactive, not the least being SAAWU's strong community involvement and its consistent opposition to the 'homelands' government. Furthermore, the union has been accused of being opportunistic and also of lacking organisational and negotiation skills. Yet there are employers who have had a long-standing relationship with SAAWU and who regard the union as a reliable negotiating partner. These employers refute the allegation that SAAWU officials are unskilled in trade unionism and collective bargaining per se. In fact, they maintain that, despite the repeated detention of leaders, there are always new and equally skilled negotiators available to continue the work of the union. Whether this be true or not, the fact remains that 'pro'-SAAWU employers are few and far between and that the union's record in the industrial sphere is, in comparison to other 'newer' and even younger unions, not by any means remarkable. This lack of success may be interactively ascribable to a number of factors, such as

- * SAAWU's 'general' organisational base - the union organises workers in all spheres and has even been known to enlist unemployed workers
- * its concentration on community rather than industrial issues
- * the lack of any consistent strategy

- * a lack of organisation and a weak infra-structure
- * its reputation as a '*political*', '*militant*' union - this has, in turn, aroused the antagonism of employers
- * a lack of '*follow-up*' in already organised enterprises
- * high unemployment in its original stronghold, the Eastern Cape
- * '*outside*' attempts to undermine the union

Shortly after it had '*settled in*', in 1980, SAAWU engaged in a rush of actions in the East London area. In fact, mid-1980 to mid-1981 was by far the most active year for this union. The Eastern Cape actions culminated in the well-publicised Wilson Rowntree strike and consequent boycott. Yet, ironically, with this the union's star seems to have waned. During 1982 it remained in the background and it appeared that officials were reassessing their position and strategy. It was only at the beginning of 1983 that SAAWU again became noticeably '*active*' in the industrial sphere and this time in Natal rather than the East London area where little industrial action has so far occurred. In fact, the union's success in Natal has been proportionately and '*industrially*' greater than on its original '*home-ground*'. This may be due to better organisation in this region and to what appeared a narrowing down of interests to the employer-employee relationship, leading some observers to the conclusion that SAAWU in Natal was a bird of a different colour to SAAWU in East London or that SAAWU as a whole was attempting to '*purify*' its image as a trade union '*per se*' and a competent negotiating partner. It is, obviously, experiencing difficulty in this respect and the question as to whether SAAWU is, in its essence, a trade union or a populist movement remains, at the present moment in time, still unanswered.

ORIGIN

The South African Allied Workers Union has its origin in the Black Allied Workers' Union which, at the time of its formation in 1972, had strong ideological ties both with the Black People's Convention and the South African Council of Trade Unions. In 1978, divisions arose in BAWU, mainly as a

result of the union's representation by the exiled Drake Koka. The two factions arising from the division, namely the Johannesburg-Newcastle faction, supportive of Koka's Black Consciousness pronouncements, on the one hand, and the Durban-East London faction, in favour of non-racialism, on the other, came into open conflict at BAWU's National Conference in March 1979. The conference eventually voted to expel the Koka-supporters and to change its name to the South African Allied Workers' Union. The expelled group retained the union's original name and, since then, the Black Allied Workers' Union has increasingly expounded the Black Consciousness philosophy, true to the Black People's Convention, while SAAWU, on the other hand, has based its association on the principle of non-racialism and has become, in this respect, the inheritor of the SACTU tradition. SAAWU thereafter found its stronghold in the East London area. According to one observer, this region, being *"...the traditional stamping ground of the African National Congress and the birthplace of highly politicised black leadership, proved to be 'fertile soil'."* Initially, SAAWU kept a low profile, concentrating its efforts on finding offices and starting its organisation. In March 1980, the necessary premises were found with the Council of Churches in East London. At the same time, SAAWU officials were receiving valuable advice and assistance from Oscar Mhpetha, who had come to East London to establish a branch for the African Food and Canning Workers' Union. In April 1980, SAAWU began its recruitment drive in earnest and by July it was able to instigate a wave of labour unrest at various plants, which would abate only towards midyear of 1981. That the union was having some impact, is proved by the fact that, in October 1980, the Minister of Labour paid a flying visit to East London, in order to urge employers to *"...hold out against the union until such time as legislation could be passed to 'curb it'."*

IDEOLOGY

A well-known UCT labour academic has described SAAWU in the following way :
"SAAWU, the South African Allied Workers' Union, is, at present, a highly significant workers' organisation as a non-racial independent trade union, led entirely by Africans and overtly political in its pronouncements." Major-General Charles Sebe, on the other hand, has described SAAWU as *"...a front organisation of the South African Communist Party."* Although this may be an extreme and biased statement, SAAWU spokesman have admitted that, in the long term, the union intends to move beyond the factory floor. This does not reflect a move towards centralised bargaining, but rather to participation in

the drive for political reform. SAAWU has, further, declared that "...a trade union serves more than just the shop-floor interests of workers". The Union's Declaration of Principles, states that "Only the working class, in alliance with other sections of the community, can build a happy life for all South Africans, a life free from unemployment, insecurity and free from racial hatred and oppression, a life of vast opportunity for all people." Most recently, SAAWU has played an active part in the formation of the U.D.F., which has, in turn, been most vociferous in condemning the banning of the union. However, SAAWU president, Mr. Gqwetha, has repeatedly denied that the union's drive for reform extends to engagement in 'ANC activities'. In April, Mr. Gqwetha stated that members who engaged in such activities acted "...outside the scope of unionism," and had "no sanction from the union". It should also be noted that most unions' interests extend beyond the factory floor.

Although it emphasises the principle of non-racialism, SAAWU is led mainly by Blacks. Moreover, despite its expressed adherence to universalistic worker principles, it could also be described as a nationalistic movement. In fact, it appears to vacillate between acceptance of universal socialism and a natural predilection for black national socialism. Proof of this assumption may be found in the fact that, at the Third Union Unity Congress, certain elements in SAAWU sided with black consciousness orientated MACWUSA against non-racial bodies, such as FOSATU and the General Workers' Union. Most recently, SAAWU has again moved closer to FOSATU and has denied "walking out of" the Third Unity Congress. This may indicate a reassessment of its position. Also, SAAWU's previous partiality with MACWUSA may be attributable to MACWUSA's decisive stand against registration and the official system. SAAWU too, has consistently refused registration on the grounds that "...registration would mean swearing an oath of allegiance to racially discriminating laws with which workers do not agree." But again, also in this respect, there have recently been signs of change in SAAWU's policy. At the beginning of the year SAAWU participated 'informally' in Industrial Council negotiations in the chemical/explosives industry. At the time, one SAAWU official observed: "...We are not the hardliners some people say. We are prepared to compromise." Furthermore, SAAWU has twice used the 'official' machinery by alleging an 'unfair labour practice' in the Industrial Court.

As is to be expected, SAAWU involves itself strongly in community issues. Union officials frequently appear on platforms with community leaders. The black community around East London expects SAAWU to take an active role in its demands. The intention has already been expressed of forming a civic organisation to co-operate with SAAWU and SAAWU itself has formed a youth league to train youngsters for the 'work situation'. Frequently SAAWU officials board buses and drum up community feeling through sing-songs. As one observer has summed it up,

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"SAAWU's strength does not lie exclusively in shop-floor organisation. It also lies in the popular support it receives from East London's African workers."

ORGANISATIONAL STRUCTURE, POLICY AND RECRUITMENT STRATEGY

SAAWU describes itself as a federation and claims to have 26 affiliates. Its structure in this respect is unclear, since it usually operates as a union, providing backing and *'speaking for'* the SAAWU committees at various plants. The claim to federation status can be explained only in SAAWU's original intention of becoming an umbrella body for the various unions which were expected to evolve from plant level committees. Initially, these committees required assistance - *"Because of the ignorance of the workers, the union (SAAWU) had to organise workers before they were able to run their own lives."* - SAAWU proposed that, once these committees were strong enough, they would form their own independent unions, with SAAWU acting as the *'National Union'*. To date, this objective has not been achieved and the various divisions, such as for example, building and construction, which SAAWU often claims in negotiations, do not exist, although SAAWU does, in negotiations, refer to bodies such as the South African Chemical and Allied Workers Union and the South African Baking and Allied Workers Union.

SAAWU recruits members through its mass, general meetings. Certain workers at a particular plant are approached and invited to the meetings. Once a number of employees at a specific enterprise have been unionised, the task of recruiting the rest of the workforce is left to this core group, who are issued with blank membership forms. On the whole, the union does not have a formalised recruitment and organising policy. In fact, Durban official, Mr. Sam Kikine, recently stated that *"...SAAWU does not actively organise"*, but *"acts as a magnet for workers."* The union makes contact with workers in a particular factory and then *"...waits for them to be drawn to the magnet which is SAAWU"*. After 60 percent of the workforce, according to SAAWU, (less according to other observers), have been recruited, a Workers' Committee, to act and push for recognition under the auspices of the union, is elected.

The Workers' Committee consists of a Central Executive Committee and shop stewards from each department. Only the Central Committee has the power to *'negotiate'* with management, while shop stewards act merely as communication channels between workers and the Central Committee. SAAWU has also established

Branch Committees, consisting of the Chairman and Secretary of each Workers Committee in the area and, then, a National Executive Committee which comprises the real policy makers and decision-takers of the Union. At present these include :

Mr. Thozamile Gqwetha - President
 Mr. Sisa Njikelana - Vice-President
 Mr. Sam Kikine - General-Secretary
 Mr. Herbert Barnabas - National Organiser

The union's head office is, unexpectedly, in Durban.

The Committee System, adopted by SAAWU, resembles, on the surface, that of the General Workers' Union. However, while the General Workers' Union forces its committees to negotiate, with the union acting merely as advisor and backer, SAAWU officials refer only workplace issues to the Committee. The union usually conducts the actual negotiations and draws up agreements with management. In the past, this practice has caused a number of problems, as in the strike at Johnson and Johnson, where workers and their committee were unaware of the 'return to work' clause agreed upon by the union. Severe doubt has, consequently, been cast on SAAWU's expressed policy of 'mass participatory democracy'. According to SAAWU policy, decisions taken by the union, as well as proposed agreements, have to be ratified by workers at mass meetings, but, as one observer has pointed out, "...There are limits to mass participation, especially when officials use meetings to deliver interminable speeches." As a result, "...it is not clear that mass participation and the will of the workers is sustained in the movement when it comes to negotiation and the signing of an agreement." While SAAWU claims to be led by its members, there is strong evidence of too great a reliance on charismatic leadership. Furthermore, as previously indicated, it has often been alleged that the union also suffers from a marked lack of organisational and administrative skills and a concomitant dearth of the necessary expertise in handling the negotiation of agreements.

MEMBERSHIP

SAAWU's aim is to unionise all workers, including domestic and agricultural employees. It is also the only union in South Africa to have attempted the organisation of unemployed workers. This was done partly to keep dismissed workers within the trade union movement and partly because the vast mass of

unemployed labour in the Eastern Cape constitutes the greatest single threat to the union's power base in confrontations with management. Employers have been advised to keep lists of unemployed at hand and the Ciskei-based Vulkani Council regularly offers 'scab' labour to strike-hit managements.

The union's claimed membership of over 100,000 is regarded as being a gross overestimation. - "It would be unwise to take SAAWU's claimed membership as an indication of its strength." - Various management's have discovered that membership figures given are, at the best, 'uncertain' and that the union's book-keeping in this respect is somewhat erratic. In July 1981, for example, SAAWU claimed a membership of 20,000, while actual paid-up members totalled only 5,000. At the three East London companies where it has the strongest footing, membership totals only 2,500. So far, SAAWU has organised mainly among the 30,000 manufacturing workers in East London. Little recruitment has been initiated amongst the approximately 25,500 food workers, since these fall within the ambit of the African Food and Canning Workers' Union, which is also active in the area. There are, besides the workers mentioned, about 11,000 textile workers whom SAAWU could gain as members, but according to reports, the union has had minimal success in this section. Also, despite its non-racial policy, SAAWU has experienced difficulty in organising Coloured workers, even those who are not already members of established TUCSA unions. Its deficiency in this respect has dented the union's image and placed it in a disadvantageous position when requesting recognition on a multi-racial basis. At present, SAAWU's 'general' membership in the Mdantsane area is estimated at approximately 17,000. SAAWU's second largest membership is in Natal, where it claims a membership of 10,000 and, in the Transvaal, membership now stands at a claimed 5,000. However, it should be noted that there might be a significant discrepancy between claimed and actual, paid-up or even signed-up members.

AFFILIATION

SAAWU is an independent union ('federation'), which has, in the past, received valuable assistance and co-operation from the African Food and Canning Workers' Union and the General Workers' Union, with whom it shared an office building in East London. Whether this close co-operation and support will, in the light of present streams within the 'new' trade union movement, continue in the future, is not yet clear. The union has actively participated in unity talks, but may be loathe to establish a 'tight' federation with other unions.

It may also occur that certain factions in SAAWU will 'go the FOSATU way', while others will remain independent. As for the 'established' unions, here SAAWU remains adamant. Because employers in the East London area have been advised to encourage the growth of TUCSA unions in preference to accepting SAAWU, this union has declared 'open war' on TUCSA and its affiliates and has proved itself more antagonistic to the 'established' unions than most of the 'newer' trade union bodies.

INDUSTRIAL ACTION

The table below attempts a rough representation of the strike action in which SAAWU has been involved over the past four years.

DATE	COMPANY	CAUSE	DEMAND	OUTCOME
16.4.80	Special Organisation (Mdantsane)	Bad Treatment from Management	Recognition of SAAWU	Gqwetha and 3 other officials arrested
1.7.80	SATV	Dismissal of 2 SAAWU officials	Recognition and reinstatement	Workers shown a list of 800 unemployed. Strikers later fired
4.7.80	Raylite Batteries	Wage increase too low	R2,00 per hour and recognition	Workers shown a list of 200 'applicants'. Strikers later fired
8.7.80	National Converter Industries	Dismissal of members of workers' committee	Reinstatement and recognition	Dismissed. 128 strikers later arrested and charged
11.9.80	Border Boxes	Dismissal of workers committee chairman	Reinstatement	Half the strikers returned to work - half dismissed
27.9.80	Turner Bros.		Recognition	Strikers dispersed by police
Beg. Oct. '80	Wilson Rowntree (Toffee Dept.)	Victimisation (One shift strike)		Management capitulated
24.10.80	Wilson Rowntree	Foreman's behaviour Work Study operations		1,100 dismissed but later reinstated

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DATE	COMPANY	CAUSE	DEMAND	OUTCOME
Nov. '80	E.L. Furniture Industries	Threat to victimise SAAWU members	Recognition	National Union of Furniture and Allied Workers intervened - closed shop agreement
2.12.80	Wilson Rowntree	Pensions	Pay-out	Management agreed to pay out pension contributions
8.12.80	Wilson Rowntree	Ciskeian arrests (U.W.C. members)	Release of colleagues	Release negotiated with Ciskeian authorities
23.1.81	Huletts Warehousing and Supply Service (Durban)	Dismissal of SAAWU members. Retrenchments		Dismissed - consumer boycott considered
Feb. '81	C.D.A. East London	Dismissal & wages	Increase to R1.60	Dismissed and re-employed
9.2.81	Wilson Rowntree (Toffee Dept.)	Order to repair machine		Fired
19.2.81	Wilson Rowntree	Sympathy with first strikers	Reinstatement	Dismissed
23.2.81	Wilson Rowntree	Sympathy	Reinstatement	Dismissed - boycott called
March '81	Berkshire Clothing	Wages and Bonus		Police called in Strikers dismissed and selectively re-employed
March '81	Everite	Dismissals	Reinstatement & recognition	Fired
30.3.81	Ilco Homes (Durban)	Pay System	Fortnightly payment	Issue put to vote
21.5.81	Isipingo Textile Company	Wages	R2,50 per hr.	Dismissed
19.6.81	Huletts Sugar Mill	Allowances		Boycott considered After 5 days, workers returned
9.7.81	Ilco Homes	Retrenchments	Reinstatement	2000 dismissed 1200 rehired
Oct. '81	Johnson & Johnson	Dismissal	Reinstatement	After one week, strikers backed down
Oct. '81	Ridgeview Quarries (Pinetown)	Wages	Recognition	Dismissed

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DATE	COMPANY	CAUSE	DEMAND	OUTCOME
11.11.81	Ilco Homes	Pensions	Pay-out of contributions	Strikers given 30 minutes to return to work, then dismissed
10.3.82	Turnall Ltd. (Jacobs-Natal)	Misunderstanding	Recognition	Workers accepted offer to return
21.6.82	Non-Ferrous Metals (Isipingo)	Pensions	Pay-out of contributions	All 200 strikers fired
16.7.82	Chemco Laboratories (Rossburgh-Natal)	Wages	Better increase	Fired. Some later arrested for trespassing
14.2.83	Carletonville Concrete	Wages	Information regarding increases	
24.2.83	Fry's Smelter Plant Berlin (previously Chloride)	Retrenchments	Reinstatement	Dismissed. Status Quo order granted for 4 workers. Case re strike dismissals pending
25.3.83	Union Flour Mills (Durban)	Grievance re Personnel officers	Dismissal of Officers	Workers 'sent home' but returned after negotiations
15.4.83	Maydon Wharf Cold Storage	Dismissal	Reinstatement	Dismissed after repeated 'sit-in' stoppages
18.4.83	D.R.G. Sacks (Mobeni)	Pensions	Immediate repayment of contributions	
6.6.83	Nampak (Mobeni)	Pensions	Pay-out and recognition	Dismissed. Court action threatened
8.8.83	Megaplastics (Olifantsfontein)	Dismissals	Reinstatement	Dismissed

From the above, it has become evident that most of the strikes and work stoppages, although sometimes ostensibly over other issues, were undertaken in pursuance of a drive for recognition by SAAWU or SAAWU-backed Workers' Committees. Except in the initial unrest at Wilson Rowntree, striking workers either capitulated or were fired by management. In East London, the fact that companies are able so easily to draw on a vast pool of labour appears to constitute management's greatest power base against the union. Division between the Ciskeian faction and other black workers, as well as the dire need of workers in the area, made the prevention of 'scabbing' extremely difficult for SAAWU, and this despite SAAWU's strong community involvement. Also, it may be concluded that SAAWU's

organisation was not as strong or tight as required for the initial concerted industrial action and that, to a measure, the union and its workers' committees had '*jumped the gun*'. Its reputation still suffers from these setbacks.

SAAWU'S TRACK RECORD

As seen in the previous section, SAAWU's activities at various enterprises have resulted in few material victories. Following the 1980-1981 unrest in East London, the union was, in fact, faced by increasing employer resistance and attempts to promote TUCSA unions, rather than recognize SAAWU. Employer unity was, however, not absolute. In November 1980, SAAWU made its first major breakthrough when Chloride (S.A.) agreed to recognise the SAAWU-backed Workers' Committee, after holding a ballot at the plant which proved that 95 per cent of the workers supported the union. This was followed in March 1981 by recognition agreements with Kaffrarian Steam Milling and Johnson and Johnson. At present SAAWU's position is strongest at Chloride and KSM. Informal or de facto recognition is also claimed at Hoover, Buffalo Timber, Ark Garments, Parker Pen and Nairn Industries.

Besides East London, SAAWU has branches on the Reef and in Natal. Previously its action had been concentrated mainly in the East London area, but since the beginning of 1981, SAAWU has become increasingly involved in issues in Natal and the signing of a recognition agreement at the Isipingo plant of Coates Brothers, in August 1982, was hailed by the union as another major breakthrough. This was followed by an agreement with Resinkem in Umbogintwini. However, SAAWU's greatest Natal '*victory*' to date is probably the signing of a procedural agreement with Defy in March of this year. (The union also claims to have signed an agreement with Wireohm at the same time, but this has not been confirmed.) It would appear that the union is '*safer*' and enjoys more credibility in Natal than in the Eastern Cape. Also, organisation seems to be more industry than community-based, although SAAWU may be accused of over-using the '*pensions issue*' in a still highly '*pensions conscious*' area.

In the Transvaal, the union has approached employers in a variety of industries. Recognition has been granted at Oerlikan Electrodes and Forte Lubricants, as well as at Park Bakery, a Fedbake subsidiary. True to its community-orientated tradition, the union is also organising '*township committees*' in areas such as

Tembisa, but it is doubted that SAAWU will be able to exercise, in the highly industrialised and diversified reef area, the same community appeal that it enjoys in East London.

EVALUATION

In April, Mr. Thozamibe Gqwetha while predicting increased 'harassment' of SAAWU by the Ciskeian police, explained that "...The motive is to publicly discredit SAAWU by giving it the tag of a political organisation so people don't join us." In banning the union, the Ciskeian Commander-General of State Security did, indeed, declare himself "...satisfied that the organisation known as South African Allied Workers Union engages in activities in the Republic of Ciskei which endanger or are calculated to endanger national security or public safety." Yet, shortly before the banning, Mr. Gqwetha, denying that SAAWU had instigated the bus boycott, but offering to negotiate a 'settlement', stated: "We still say our pens are ready for negotiations and machine guns and detentions are not a solution to the bus boycott." He further explained SAAWU's involvement by stating that: "When capitalist exploitation of workers reached its highest level, trade unions - apart from political organisations - were bound to emerge at a rapid rate to strive for the economic interests of workers".

Some emphasis has been placed on SAAWU's 'political tag', merely to clarify and deepen the perspective on the union within the particular South African context and against its essential Eastern Cape background. IRT is of the opinion that the political orientation of a union is immaterial in the industrial context, as long as the union does not use its industrial relationship for political activism and is not proved to be actively revolutionary. What should be of greater importance to employers, is the union's competence and reliability as a negotiating partner and it is in this respect that a question-mark might exist. While there are indications that attempts have been made, even if only by certain factions in SAAWU, to establish a firmer industrial base and to concentrate on grassroots organisation and a sound employer-employee relationship, the union still appears to place exaggerated emphasis on community issues (See UNIONS) and to opportunistically use grievances in order to create presence instead of following a consequent recruitment and organisation strategy. Its claims to representivity and success are, therefore, often exaggerated. Perhaps the best solution would be to regard SAAWU, particularly as regards its activities

in Natal and the Transvaal, as a very new union, which is still finding its feet and direction and which still has a very long way to go before it can lay claim to any significant industrial power-base.