

In the case of the employee in question, assuming there is no right to an annual increase and no trade union or other employees involved, the employee should approach the employer, enquiring about the possibilities of agreeing to an annual increase. The employee should state his or her case for an increase and should hear out the employer on the employer's ability to pay an increase.

The employee might want to use the salary increases prescribed by one or more of the sectoral determinations – namely the consumer price index (CPI) + 2%. However, in the case of the employee in question, the employee has not had an increase since 2005 and the employee may therefore try to negotiate an initial increase above CPI + 2%, and agree that thereafter an annual increase of CPI + 2% will apply. If the employer agrees to this, the employee will then have a right to an annual increase at this rate.

If these negotiations fail the employee could approach the CCMA for conciliation (using Form 7.11) on the basis that it is a matter of mutual interest – section 134 of the Labour Relations Act allows 'one or more employees' to refer a dispute about a matter of mutual interest against an employer to the CCMA. A commissioner will then be appointed by the CCMA who will hear the parties and try to facilitate an agreement between the parties. Although the commissioner cannot impose an annual increase on the employer, the commissioner will try to get the parties to reach agreement on the issue. **LB**

Debbie Collier is the deputy director of the Institute of Development and Labour Law at the University of Cape Town.

Nactu embarks on membership growth

Nactu is proud and values the relationship it has forged with the newly established Association of Mineworkers and Construction Union (Amcu).

Making these announcements, the general secretary of Nactu, Narius Moloto said the new leadership elected at its last congress held in Sandton last year, was committed to ending the stagnation experienced by Nactu during the past few years.

'We want to break with the past, and begin to do things in different ways. The world is changing, and so should we as Nactu inject new life into our organisation. We owe this not only to ourselves, but to the workers who have entrusted us with the task of leading them,' said Moloto.

The one-million membership campaign is already underway and has been kick-started at the beginning of the year. The campaign has the backing of Nactu's president, Joseph Maqhekeni and including the entire National Office Bearers (NoBs) consisting of Daniel Lengoabala (deputy president), Narius Moloto (general secretary), Puseletso Tsukulu-Motsohi (1st vice president-international relations), Paulina Nkosi (2nd vice president – organising), Mamaponya Makgoba (3rd vice president – gender), Dorothy Marais (deputy treasurer) and Caroline Rakgotsoka (treasurer).

'The vision as envisaged by the leadership is not far-fetched. It is attainable, and with every member of the federation showing commitment, what Nactu sets to achieve will be achievable,' says Moloto.

Moloto adds that growing the federation is something that requires the commitment of all the affiliates, and not only a few, and so should be seen as an organisational effort with all the affiliates rallying behind the project.

'We are excited that the vision to achieve the target of one million members by the end of this year is getting the support and commitment of all our affiliates.'

'To reach the golden number of one million members is a challenge that requires total commitment to the ideals of the labour federation as well as the need to develop vigorous recruiting strategies. We need to commit ourselves to attracting new unions to join our fold.'

'There are millions of exploited workers, throughout the country, and in all sectors, who need to be brought under the umbrella of Nactu. As foot soldiers, we need to reach out to them, and bring them into the fold. I am not naive to think that the project will be easy. There are many challenges, including those of capacity. But to succeed, we need to build capacity, and this is something we need to be conscious of.'

'But as affiliates of Nactu we have a duty to unionise all workers and save them the trauma of being exploited by the capitalists. Already, there are unions who have signalled their intention to join Nactu. We are waiting in anticipation to sign them on.'

Related to the one-million membership campaign, Moloto said

The National Council of Trade Unions (Nactu) is buoyant and ready to grow its membership to top the one-million mark. This will be done through vigorous recruitment campaigns to be spearheaded by its general secretary and the organisation's leadership, writes **Jo-Mangaliso Mdelela**.



Nactu is excited that one of the largest unions in the mining sector, Amcu has thrown in its lot with the trade federation, and 'is now our official affiliate'.

There is no escaping that Amcu has been making ripples in the mining sector, challenging and eclipsing the dominance of the National Union of Mineworkers (NUM) in the mining sector around the Rustenburg platinum belt. As things stand, Amcu is spreading its wings, making inroads in the gold sector as well, an area that exclusively belonged to NUM.

'This is all exciting. We value our relationship with Amcu, and the contribution we collectively make on the labour front. As our affiliate, we will continue to support their efforts to bring about industrial justice in the mining sector, which includes averting the looming retrenchments of 14,000

mineworkers at the Anglo American Platinum and all the mining companies threatened by such actions,' said Moloto.

He said Nactu had sought to work with Amcu, and to show solidarity with the union when it came under attack from all quarters, including certain sections of the media that erroneously sought to portray it in bad light, linking the organisation to the violence that unfolded at Marikana.

'Violence at the mines has its long history, a history that predates the formation of Amcu. So to make a connection that links the violence at Marikana to Amcu is not only silly and dishonest, as it is also senseless, something that is not backed by objective facts, but is only a contrivance by the enemy camp to score cheap political points.'

'The rival union in the sector

cannot deal with the painful fact that Amcu in the mining sector is a force that cannot be wished away despite attempts by some to discredit it.'

Moloto said Nactu is appreciative of the good work that has been achieved by Amcu. As a way to strengthen the federation, Moloto said while the federation valued its independence, it was not averse to creating alliances with like-minded organisations which pursued similar socio-economic objectives.

Moloto has no illusion that the task that lies ahead will be hard and painstaking, yet he is confident that the federation and the affiliates will rise to the occasion to reach the target of recruiting one-million members by the end of 2013. **LB**

Jo-Mangaliso Mdelela is the Media, Communications, Publicity and Liaison strategist for Nactu.