

# Workers speak on Midrand dispute

Every Sunday since 1994 dismissed Midrand municipal workers have been meeting in Ivory Park, Tembisa in Johannesburg to discuss strategies to end the dispute. When **Elijah Chiwota** attended one of the meetings, the workers – most of them living in poverty and surviving on hand-outs from their families – shared experiences of their long struggle for the dispute to be resolved. He talks to James Sebola Chimurenga, Winnie Sakuneka and Paulina Nkhumane.



## JAMES SEBOLA CHIMURENGA

The strike started in 1994 on the backdrop of disputes over corruption. Some council officials were asking for money before one could get a job. Affidavits signed by those who received the money, and those from whom the money was demanded exposed the corruption. Because of our protests against this graft we were all dismissed.

The South African Municipal Workers Union then started negotiating with the Boers (white-led Midrand Council). Jan Stemmet, a mediator from Independent Mediation South Africa, who had failed workers at Coca Cola, and who acted in Boers favour was brought in.

However, the union rejected this and there were wildcat strikes and picketing at municipal yards. We also defied the internal stability unit's efforts to kick us out and they retaliated by shooting at us with live ammunition.

When we were locked out of the yard negotiations resumed



*Winnie Sakuneka and Paulina Nkhumane are part of the fight for justice.*

which led to arbitration. It was categorically clear that the Council feared losing the case in the Industrial Court and that explains why they opted for private arbitration. In arbitration there were three-a-side for workers and the Boers. There were witnesses present and representatives from Samwu. When an agreement was reached the Boers dishonoured it. The Boers then only agreed to talk to Samwu organiser, Andrew Nkoenyane, instead of all three representatives. We were then all dismissed in 1994. I am talking about plus or minus 500 workers.

Our strategy then turned to marches. We took our campaign to Tokyo Sexwale then Gauteng premier (1994–1998). At a meeting chaired by council management executive committee (MEC) member Dan Mofokeng unconditional reinstatement was agreed upon. However, a council meeting altered the agreement to selective reemployment thus defying the MEC.

The issue then went back for arbitration.

We then regrouped after two years and by that time we were surviving through support from families, as only 124 had been reinstated. Some are still at work up to this day.

We believed that we were close to a settlement when mayor Amos Masondo (2000–2011) was sympathetic. We are looking at compensation and reinstatement. We also want a forensic investigation by the City of Johannesburg to look into what happened to our pension funds.

However, when Parks Tau became mayor, he was not sympathetic to our case. But we continued to push for resolution. Tau said he could not undermine a court ruling. This ruling misled the mayoral committee and history will prove that we are right. We went to the Industrial Court which then referred the case to the Supreme Court.

Then Phillip Lebelo (City of Johannesburg director of

public relations) put forward a misleading report which said the case had been to the Labour Court which upheld our dismissal when there was no Labour Court at the time. What we know is that our case was struck off the Supreme Court roll because the papers were not in order.

#### **WINNIE SAKUNEKA**

It is hard life. I am not working and my child did not finish school because I had no money for fees. Although on the waiting list for an RDP house, I pay rent where I live. To make ends meet I do laundry work on a part-time basis.

#### **PAULINA NKHUMANE**

As I am not working I live on hand-outs from my children and grandchildren. I also receive grants for four of my grandchildren whose parents have passed on. Three are at school and the other one at crèche. Unfortunately two have dropped out of school because I couldn't afford the fees. **LB**