

Progressive and dynamic

NUM always improving service to members

In a previous *Labour Bulletin* Thabang Sefalafala argued that disgruntled members of the National Union of Mineworkers (NUM) were joining a private legal aid scheme. The members felt they were getting poor service from the union and this created a 'crisis of representation'. Far from it, replies **Eddie Majadibodu**, who argues that NUM has been improving services to its members all along.

The article mentions studies conducted by Sakhela Buhlungu and Eddie Webster; and we confirm that the studies were commissioned by NUM as part of our programme to understand members' concerns and to improve our service to them.

We have never attempted to conceal any findings from the studies in the past. In fact, we made them public and even invited some unions to attend the presentations of the report by the researchers.

I know no organisation worldwide that claims to satisfy all its members equally. Interestingly, the article acknowledges other studies by Buhlungu and Bezuidenhout which discovered that workers at Driefontein East, as well as other mines like Karee and Kleinsie like LegalWise and Scorpion. This is a true reflection of how mineworkers have used what I would term 'a double job security' cover with the belief that this would increase their chances of avoiding dismissals, retrenchments and victimisation.

Thus the use of legal firms is neither limited nor confined to reasons of poor service from unions. I worked on the mines for 21 years and was an NUM shop steward for 12 years, so I have known this 'double cover' by union members for many years, even during the times that many would argue were characterised by crazy militant unionism and respected leadership. This was when members would generally and blindly follow their leaders, but they still joined these legal firms.

Perhaps what the writer did not know is that mineworkers have been prone to unscrupulous fly-by-night greedy cheaters who have acted as unions, but never represented a single worker on work-related problems. For example, I recall when I was a steward at Greenside Colliery in Witbank between 1993 and 1998, I was called by a LegalWise lawyer who wanted to use my services to assist him on how to advise a worker who was a member of the union. What this meant is that the poor worker did not know that the lawyer had no expertise to represent him despite the fact

that he was paying a fee to the scheme. Lack of education on the mines, associated with the apartheid system, has exposed workers to this day-light robbery.

The NUM's aims and objectives are to protect mineworkers from greedy and selfish exploiters. After commissioning the five-yearly surveys since 2000, the last being conducted by the Society, Work and Development Institute (SWOP) between January and September 2010, we have formulated a number of responses to the findings. Therefore, we advise the writer to engage the NUM to source more information regarding our responses to matters of service delivery to members. For example, we have introduced a performance management system for union officials so as to improve service delivery to members.

As the writer puts it, 'Despite the NUM's record a large section of its members at Driefontein East believe the union has changed and lost some of the power that drew workers to it.' I suppose he means the record of service delivery and caring for members as we believe that we are a caring



NUM and Pawusa marches at COP 17.

union for members more than any other union in the sectors that we organise.

It could be true, though, that perhaps the NUM has not moved at the same pace with its members. The union has moved from the pure tendencies of an extremist militant workplace unionism to a mixture of being concerned with workplace issues. It is now casting a broader perspective that covers strategic socio-economic issues for the long-term benefit of its members.

For example, when we took resolutions to drive campaigns on skills development, Employee Ownership Plans (ESOPs) and the broader Mining Charter some quarters accused us of drifting

away from bread and butter issues. In fact the Kumba Iron Ore ESOPs pay-out has created a headache for the NUM as those who were initially opposed to the idea feel we have moved very slowly to include them in these schemes. In more areas than few, we are proud that we have taken such strategic resolutions that we believe have long-term benefits to our members and their families.

The NUM is the only union in the mining industry to have initiated strategic and progressive policies for mineworkers. In addition to the Mining Charter, we are the industry principal and founding champions of the Minerals and Petroleum Resources Development Act (MPRDA), which

gives communities a stake in the business of companies that are mining on their land. The Mining Charter captures all important elements of transformation including the employment of women, procurement of goods and services from local suppliers, etc.

Above all, the NUM has never abandoned its traditional way of engaging employers robustly on workers, immediate benefits, such as salary increases, medical aid, sick and maternity leave and all sorts of allowances incidental to income enhancement. We have called legal strikes where we believed such actions as warranted and engaged companies on mechanisms and initiatives to save jobs.

When the country, including the mining industry, faced challenges of the global economic meltdown in 2008, it was the NUM which approached the Department of Mineral Resources with proposals to finding solutions. We are very proud that this initiative led to the formation of a high-level structure named the Mining Industry Growth and Development Task Team (MIGDETT). The discussions and hard negotiations that came from this team saved many jobs. Initial projections for job losses in the mining industry were put at more than 100,000 during that year but only about 40,000 jobs were lost.

We have won many cases for our members over the years. It is undisputed that you just can't satisfy everybody. However, the fact that the NUM has grown to over 300,000 members currently is testimony to the fact that the majority of workers prefer the NUM over other unions put together in the mining, energy and construction sectors.

Had the writer taken time to read in full the surveys he mentioned in the article, he would have discovered that the workers had no plans of leaving the NUM in the future. This is what came from the NUM members themselves.

We acknowledge and accept that due to its size, the NUM may not have communicated effectively the achievements it scored over the 30 years of its existence. In fact, a recent survey by SWOP discovered that due to benefits negotiated by the NUM such as housing and living out allowances, the number of members living outside hostels has increased dramatically. This means that we need to formulate more effective communication strategies to reach an increasing number of members who can no longer be reached by mass meetings at compounds.

The NUM will never deny that

there are challenges facing trade unions in South Africa today. Some of these challenges include the easiness by which individuals can form a trade union and recruit vulnerable workers as a means to generate income. With the levels of unemployment in the country, forming trade unions is increasingly being regarded as a prudent business rather than a call to serve the exploited workers who may move from one union to another depending on their economic and social condition at that time.

Also with the increased competition and struggles for leadership positions within unions, the NUM is not immune to power struggles. There are instances where losers in a leadership contest move on to form a rival union. Sometimes such leaders create false reasons why workers were leaving the union.

In some areas, we have evidence of unions being formed with the assistance of management so as strip the powers of NUM. For example, in one of the coal mines in Witbank a union was formed in July 2001 by a former NUM branch shop steward with the backing of management. This was the case because management wanted to engage a weak NUM when the company consulted on retrenchments.

In the late 1990s a union called The Workers Mouthpiece was formed in Rustenburg and it recruited workers by lying to members that they would get a death benefit when the company changed ownership. Workers who were dismissed discovered after many years that lies were fabricated to create reasons for forming another union. These workers eventually returned to the NUM.

Therefore, we don't regard some movements of workers to

legal aid schemes or to other unions as a permanent feature in the sectors we are organising. Our philosophy is that genuine and honest engagement coupled with an ever-improving service to our members will sustain the union. We believe that despite all these challenges, the NUM will continue to represent the interests' of its members as it has been doing throughout the years and will engage on long-term and short-term issues for its members.

We have continued to introduce the best systems to assist us improve the provision of service to members where we felt we were ineffective. These improvements include organisational review and design including change management processes in terms of the Congress of South African Trade Unions (Cosatu) resolutions. We continue to recruit new and young members on a monthly basis. The 2010 SWOP research had shown that about 54% of NUM members are under the age of 50 years and the numbers of younger members keep on increasing, hence the establishment of a youth desk following the report from this survey.

In conclusion, the NUM values with respect all the constructive criticism labelled against the union but will also respond where we believe the findings fall short of establishing factual presentations from those the researcher interviewed. More so, when a conclusion is drawn to mean that the reason why members were joining legal aid schemes was simply dissatisfaction of service. **LB**

Eddie Majadibodu is the head of the production pillar responsible for recruitment, help desk, education, youth development, health & safety and campaigns at NUM.