

An unfinished strike



Moathlodi Mongale and **Pauline Sekaledi** are full-time shop stewards from the SA Municipal Workers Union's (Samwu) largest Johannesburg branch. They talked to *South African Labour Bulletin* about the Samwu strike last year.

Can you give some background to your membership and workplaces in the Johannesburg Branch?

We have about 25 000 members in the Johannesburg branch. About 6 000 fall directly under the Johannesburg Metro such as taxi workers while the remaining fall under Utility Agencies & Corporatised Entities (UACs) and other Agencies.

The UACs were created as a result of the City Council's Egoli 2002, which was a response to a financial crisis. The Council privatised certain entities which it believed could generate a profit and would attract the investment of foreign capital. These included

Jo'burg Water, City Power and waste removal. This privatisation was strongly resisted by us. At least 12 000 Samwu members work in these Utilities and when they were transferred out of the Council they kept their membership of the union.

Other Agencies also fall under the City Council although they are run by their own managements and are semi-autonomous such as the Johannesburg Fresh Produce Market, the Roads Agency, the Johannesburg Zoo and the Johannesburg Development Agency.

The UACs are constituted as private companies which are governed by the Company's Act and each one has its own board of directors. Although they belong to the Bargaining Council (SA Local Government Council) their managements claim they are not part of the bargaining unit although they pay Council levies. They conduct separate negotiations and want to use the CCMA

(Commission for Conciliation, Mediation & Arbitration) rather than the Bargaining Council dispute resolution mechanisms. But it is confused. The City Council got a court ruling to say the UACs did not fall under the Bargaining Council but during last years' strike, when a dispute was declared at the Bargaining Council, Samwu members in UACs were never interdicted from striking

Each Utility bargains separately which is resisted by Samwu as it believes it should bargain for all

local government workers in one forum. So members take a joint position prior to such negotiations. Union demands are discussed at a branch executive meeting which has representation across different Utilities and it is here that a joint position is taken on, for example, on a percentage wage increase.

Those bargaining in UACs do not have an independent right to alter this mandate and must follow the national union position gathered from all branches in the union.

What happened in the run up to the strike?

In January and February 1995 we got a mandate from workers to negotiate a 15% increase of R300 whichever was the greater. We were also mandated to reject a three year deal and to insist on annual wage negotiations. We also demanded the inclusion of employers earning R27 000 or above on five year contracts into our bargaining unit.

We believed it was important to demand annual negotiations as when we meet to discuss wage demands, we also talk about other issues especially as there is good attendance at meetings.

By May we had deadlocked on the Bargaining Council. Employers said they couldn't afford the increase and refused all other demands. We then entered a conciliation process but the mediator's position was rejected and we decided against arbitration. Imatu (Independent Municipal Association of Trade Unions) at first

agreed to the employer's offer and then changed its position and joined Samwu.

Imatu agreed to join us in a strike and we balloted membership first to get a feel of strike support. We made sure that people understood the history and background to the deadlock.

Employers immediately claimed that a number of the UACs were essential services. Jo'burg Water claimed this so in the end only some workers came out, including shop stewards, as others were afraid of being interdicted. This was not strictly true of course as not all departments in Water are essential. Water reticulation is essential but HR, drivers, workers who lay pipes - this is not essential work. We began to negotiate around this but at that point the strike was suspended.

Piki Tup also claimed that it was an essential service which was incorrect as it only becomes an essential service after 14 days of a strike. Even the Zoo claimed it was an essential service. The LRA defines an essential service as one in which people's lives will be endangered if workers strike. Many workers in the UACs did come out though.

Our branch is the largest in the country so the most activity happened here. We set up a Campaigns Committee which worked well. It would organise people to go out and visit depots where 'the reds' or 'amagundwane' were afraid to strike. Two weeks before the strike there were workers who were expressing doubts about striking. They were worried about bonds, school fees, supporting elderly parents.

The Committee would identify problematic depots to visit and would encourage people to go out.



We also reminded them about the strike fund which all workers contribute to and R2,50 is deducted every month from their pay. The UECs have provided stop order facilities for this deduction in all provinces so there is a reasonable strike fund. Only the City of Johannesburg with our 6 600 members has dragged its heels on providing stop order deductions for strike pay. In the end we didn't use the Strike Fund.

Campaigns Committee members also visited depots at 6pm when the night shift came on, especially to speak to the city's night cleaners. These night workers came out just as strongly as day workers. There are a lot of women amongst them and they were very militant. We have many powerful women shop stewards, more than men.

Tell us about the strike

The union launched 'project escalate' countrywide. The idea was for a two day strike, then back to work to assess the response, and then go on a five day strike if nothing happened. On one day of the strike we held a march in August and Imatu shop stewards joined us. Not many Imatu general membership attended the march though.

We were about to march when all the leadership was arrested at Beyers Naude Square, we call it Freedom Square where the old Library Gardens are. The Metro police came across to tell us the march was illegal. You are supposed to ask for permission seven days before and we had only asked three days before. We asked if we could just wait in the square in order to inform members but they arrested most of the Jo'burg office bearers and everyone in red T-shirts. They arrested 63 comrades. We were arrested at 9am and released at 6.30pm and charged with attending an illegal gathering. We appeared in court and were fined R62 000, which the union had to pay.

Workers got really frustrated in this strike. When thousands of workers marched to deliver a memorandum to the mayor, we were told by an official to march again tomorrow and then the mayor would receive our memorandum. The official said we had not arrived at the agreed time. It's hard to arrive on time when you are marching with many people. Workers were fed up but we marched again the next day only to be told we must give the memorandum to someone the mayor had delegated because he was attending a function.

Of course workers were angry and Cosatu, Willie Madisha [President], had to come and intervene. We were treated like criminals, they were protecting the mayor from criminals. They would not allow us into the precinct of the Metro Centre. They threw up razor wire around the entrance and announced that 'anyone with a red T-shirt can't come into the Metro Centre'.

We also had a big problem with the Metro Police and SAPS. They provoked marchers and picketers into getting angry and trashing the streets. Strikers were tear gassed and fired on with rubber bullets, especially at the August march.

We need to clarify the role of Metro Police in strikes. About 90% of Metro Police are our members. The police are defined as an essential service so they march with us in plain clothes when they are off duty but when they are in uniform they change.

They need to be educated to understand their role in the union. It is not that they are not militant. Three days after our strike they had their own strike. At least 75% of Metro Police came out around an unfair labour practice and other grievances with the department such as people being appointed without proper procedures being applied. Our president is now going to talk to the SAPS about their role during strikes. This must be negotiated in future.

In total we struck for eight days. We were about to declare an indefinite strike when the strike was called off. We weren't happy with this decision. Our 15% demand had now been reduced to 8% and workers felt they had compromised a lot. We felt we had lost the battle as we had been offered a 6% increase from the beginning and

that's what we got in the end. So we refused to sign the agreement.

We did win the right not to negotiate a three year agreement though, but contracted workers are still going to have their own negotiations.

The strike was called off by national leadership. The president indicated that KZN and Cape Town workers were not in favour of pickets and we had lost about six comrades. There were a lot of fines that the union had to pay and the media was hostile focusing on the trashing.

What do you think you learnt from the strike?

The Campaigns Committee worked very well. It was not large but it mobilised over 16 000 people on day and night shift. Small numbers came out in the beginning but it really increased as we went on. Our mobilisation strategy was a success. Workers were willing to go on strike. Samwu's position was not imposed on workers, even if they lost pay. No people complained when money was later deducted from their pay packets.

National coordination across the country could have been better though. Every province was doing their own thing. We didn't call marches all on one day. In future we need to plan with a national Campaigns Committee where every province is represented. Also there were no provincial Campaigns Committees in place. We need better strike communication, including with Cosatu. We need to do better preparation before the strike, and during the strike, where we assess progress and strategise.

In future we need to work more on solidarity with Cosatu unions and with the community. We have forgotten the meaning of solidarity

and of 'An Injury to One is an Injury to all'. We must know the demands of all affiliates in advance and what they plan to do. We need to mobilise across our communities before a strike. (See article 'Unions and new social movements, can they cooperate?' on p41.)

We also need to involve Imatu more. They marched with us once and once picketed with us but this was not all their members. We have better communication now as there are many things that we jointly caucus on in order to develop a common position, but we need to work on this more in a strike.

What was good is that we got a lot of new members after the strike. A number of Imatu members came over to us.

We did not sign the wage agreement so we are now mobilising to come out again this year.

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Pauline Sekaledi is a full-time Samwu shop steward. She was the Johannesburg Branch treasurer from 2000 - 2003 and is now Women's Coordinator in the branch. She works in the Metro Centre Planning Department. She has been a union member since 1983, first in the Johannesburg Municipal Combined Workers Union and then in Samwu when the two unions merged in 1985.

Moatblodi Mongale became a full-time Samwu shop steward in 2003. He was elected a shop steward in 1995 when he worked for the Johannesburg municipality as a nurse in the Meadowlands clinic. He served on the health and social development shop stewards committee of the Greater Johannesburg branch and in 2003 was elected deputy chair and is now its acting chair.