

Contract work

core problem in construction

Tebatso Mokoena and **Joseph Mathimba** are NUM shop stewards in construction. They discussed work in this vulnerable sector where conditions are often worse than in the mining sector of the union.

Tell us about your conditions of work.

There are three sub sectors in construction: civil engineering, building, and manufacturing where such things as ceramics, tiles and bricks are made. We work in the civil engineering side of things

These days there are few permanent workers in civil engineering. At least 70% work on a contract basis. This creates many problems. People work on limited contracts, and there are no benefits when you work like this. In fact the industry provident fund is in real trouble because there are so few permanent workers who can contribute to it. It is beginning to crumble.

Wages too are low although we bargain with Safcec, the SA Federation of Civil Engineering Contractors. Employers in the industry set wages for a three year period which the minister then extends across the industry. At the moment the highest wages within the minimum grade where the majority work is R9,02 per hour but in some regions like Mpumalanga this drops to R7,50. We are hoping to establish a bargaining council but we still have a problem of representivity.

Working elsewhere, abroad, is also a problem. Many contractors work in other African countries. We don't get a country allowance which whites and employees on higher grades all get. They get a country allowance which may go up to the equivalence of 50% of their salary. The allowance

is supposed to compensate you for being away from your family for long periods and for risks like contracting malaria.

Some companies don't even give annual holidays like they do for permanent employees because you are on contract.

Health and safety is also a big issue. In civil engineering and in building you work on constructing pillars, bridges, dams, roads, manholes and storm water holes which go up to six metres. On bridges the scaffolding sometimes collapses especially if it is a rushed job and the reinforcing to the scaffolding isn't done properly - especially if the foreman doesn't read the plans properly. Minor accidents are also common.

In manufacturing health and safety is also a big issue. Workers work on hot bricks and very often there are no safety shoes, no gloves and no masks. When you are manufacturing bricks if the wind blows you get sand in your eyes. Where they provide masks, workers wear the same mask for months and months. Those with sponges in them are expensive so workers seldom get these. Many suffer or die of TB because of this.

Employers test for TB and then don't give workers the results. When workers get sick they have no record of where they got it. So they can't blame the company for a work related disease. They can't get compensation.

The trouble is workers are in insecure jobs and you are unsure if



There is a potential for many women to work in the Construction Sector

your contract is going to be renewed. This makes you scared to refuse to work under dangerous conditions especially if it is towards the end of your contract which technically you can do. People are afraid of the foreman. Workers won't demand safety clothes as they fear dismissal or their contract not being renewed. Inspectors from the Department [of Labour] often turn a blind eye. Shopstewards are especially at risk. Some employers say directly, "Join the union and your contract is terminated." But where you have strong shopstewards who have had proper training you don't have these problems.

Many women are employed in construction manufacturing. In fact the sector could employ a lot more women but they don't. They chiefly pack bricks. Workers work on incentive bonuses. They have to work a lot of overtime, 20 to 40 hours of overtime a month, to get this. In our opinion this stops the creation of employment for others.

Hostel accommodation is also a big issue. Five to six men live in the same room and this makes it very difficult when wives and girlfriends come to visit and stay the night. There's no privacy. No place for visitors. They also sometimes refuse to allow visits.

If your contract ends you can only stay on at the hostel if you pay. While on contract the company pays. Even if you are only there for a month or two waiting for the next contract you must still pay R370 per month.

Some workers live in containers. This is usually limited duration work but sometimes it can go on for a long time.

How do you negotiate?

The building industry regional bargaining councils are on the point of collapse. Employers refuse to renegotiate the collective bargaining



agreement. They argue that BEE [black economic empowerment] companies don't bother to adhere to labour laws so they can undercut the older companies who abide by the laws by offering lower rates in tenders. These older companies believe they are being punished by the law so they won't sign the agreement. The result is that they pay low wages. The lower grades always have the worst conditions.

It's unfortunate because some companies want to make changes but they are worried about being undercut.

When the council operated, council inspectors checked that companies paid the required rates. Now, because of the collapse of regional Councils there are few inspectors.

Not having a bargaining council is a big problem. We cannot negotiate any broad policy. We have to negotiate everything at plant level.

We want to negotiate broad policy around shopsteward education. As the union we are battling to educate our shopstewards. They get three days a year education leave. In this time you must educate them on the LRA, BCOEA, the Skills Development Act, the Employment Equity Act and other industrial relations mechanisms. There is certainly no time for individuals to increase their skills.

Workers only get time off for

HIV/AIDS training and nothing else. With the Coega Project the idea was for local labour to learn new skills. But what companies did was to bring in skilled labour from other provinces.

So our main organising thrust is the creation of a bargaining council. Then we can deal with the issue of council agents. They are more accountable than department of Labour inspectors. The department has outsourced this function and also there are different inspectors for different things. So if you complain about one thing they may say they don't inspect that thing. They make recommendations to the company and if the company doesn't do it, that's the end of the matter.

We have achieved some things like narrowing the gap between wages for workers in the lowest grade. We have negotiated a Medical Aid Fund that covers building and engineering workers. We have also managed to recruit large numbers of workers by finding out when and where new sites are opening up. LB

Tebatso Mokoena is a shopsteward at Hanral Construction. He joined NUM in 1993. Jospeb Matbimba is a shopsteward at Grinaker LTA. He was originally a shopsteward in the Food & Allied Workers Union but was retrenched from work in the milling sector. He joined the NUM in 2001.