

Trade unions in Swaziland

Swaziland is a monarchy with absolute power resting in the Dlamini aristocracy. This situation predates independence from British colonial rule. In 1944, the Native Administration Proclamation incorporated the monarchy into the British Colonial Administration and ever since then, the monarchy has been politically active in civil society.

The first signs of resistance emerged in the period between 1962 and 1963 when a small group of militant workers organised a series of industrial actions and demanded better working conditions. This pioneered the anti colonial struggle and resulted in the formation of a nationalist party – the Ngwane National Liberation Movement (NNLC) – based on the principles of Pan Africanism. The colonial administration, with the support of King Sobhuza II, suppressed the NNLC. It only re-emerged as a strong opposition in the lead up to the first post independence elections of 1972.

In response to this strong opposition movement the king suspended the constitution and closed parliament. This proclamation of 1973 has had a serious impact on the social and political life of Swaziland and to this day restricts political activity. Under international pressure, parliament reopened in 1978 under a new electoral system known as the Tinkundla system. Within this system, political parties

Mohammed Motala reports on the labour movement in Swaziland.

are banned and the king appoints the cabinet and parliamentarians outside the electoral process. This history of political suppression has had a negative effect on the development of not only political organisations but also trade unions.

Swaziland and other southern African countries are currently undergoing political changes. Understanding the context and role of trade unions is important as they are an organised social force that plays a major role in transformation. This article briefly sketches the position of trade unions in Swaziland and the context in which they operate.

The economy

Swaziland is tied to the South African economy because of its size and proximity. Some 83% of its imports come from South Africa and South Africa buys 37% of its exports.

Swaziland is a small developing country with the majority of the population living in rural poverty. Sixty-six percent of the population received incomes below the poverty line. This has been set at E448 per month for a family of six. Swaziland and

FAFO COUNTRY REPORT

South Africa are members of a common monetary area and in terms of this agreement one Swazi emalangeni is equal to one South African rand. The rural population, comprising about 70% of the total population, is worse off than the urban population. Rural people have poorer access to basic necessities such as doctors, potable water, sanitation, transport, electricity, finance, markets, telephones and newspapers.

Employment

Swaziland has a population of around one million people. Total employment including informal sector and subsistence farmers is more than 267 000 people which is almost half of all the people in the economically active age group which comprises 597 961. In 1995 there were 15 282 persons employed in the informal sector. During the same period there were 74 676 persons unemployed.

Only about 20% of the approximately 10 000 school leavers per year are absorbed into the formal labour market. In the age group 15 to 49, the unemployment rate is about 50%. Formal employment is predicted to grow at 0,7% per year with the informal sector marginally higher. The population growth rate for the same period is about 3%.

Of the 88 000 formally employed, there are 60 790 in the private sector and

27 392 in the public sector. The agricultural industry is the largest formal employer and constitutes about 28% of the total paid employment in the private sector. Manufacturing employs 27% of those working in the private sector and distribution employs 19%. Industry in Swaziland is highly dependent on agriculture with sugar and fruit processing being the major manufacturing industry. Thus, agriculture is the biggest job creator in the private sector of Swaziland. Although services are a major employer, its contribution is restricted to the public sector. The service sector only contributes about 8% of employment in the private sector.

The South African gold and coal mines continue to be an important source of employment for workers from Swaziland. However, the employment of Swazis on South African mines has declined by about one-third in the last decade. In 1991 there were 16 358 Swazi miners employed in South Africa but by 1998 the figure had reduced to 11 686 workers. This decline in employment is compounding the unemployment problems of Swaziland. As South Africa continues to address its own unemployment problems, fewer and fewer Swazi miners will be employed.

Labour law

Although trade union rights are protected in the law, they are not always guaranteed

Formal employment by sector 1991-1997

(Department of Labour annual report 1999)

Year	Agric & Forestry	Mining & Quarry	Manuf.	Electr.	Constr.	Distr.	Trans.	Finance	Serv.	Total
1991	23 210	991	16 842	1 791	5 108	12 444	6 497	6 048	19 007	91 938
1992	23 506	599	16 787	1 188	5 985	11 937	4 891	6 094	21 148	91 135
1993	23 198	1 062	16 575	1 633	4 614	12 268	4 534	6 486	20 958	90 326
1994	20 940	1 248	18 237	1 128	4 238	10 842	4 268	5 920	22 371	87 290
1995	21 887	1 126	16 558	1 180	5 537	9 823	4 155	4 813	21 958	87 035
1996	22 437	1 138	16 170	1 189	5 001	11 889	2 703	6 168	23 169	89 864
1997	19 330	1 113	16 841	900	5 674	11 374	3 180	5 714	24 058	88 182

and workers cannot rely on the impartiality of the police during industrial disputes. The legislative framework allows workers to freely organise, but within a repressive state, with conservative employers and with union officials being arrested and harassed. Police have sided with employers in industrial disputes.

The Wages Act of 1964 fixed minimum wages and conditions of employment through the Wages Advisory Board and Wage Councils. Factories and work places are regulated under the Factories Machinery and Construction Works Act of 1972. Workers are protected under the:

- ☐ Employment Act of 1980;
- ☐ Workman's Compensation Act of 1983;
- ☐ Occupational Health and Safety Bill of 1999.

Industrial relations are governed by the Industrial Relations Act of 1996 which has been reviewed under the Industrial Relations Bill of 1998.

Employers do not easily grant recognition and collective bargaining, although they are provided for in the law. Verification of union membership is the first obstacle that employers place in the path of trade unions. Once union membership figures are disputed then recognition of the union and shopstewards becomes a struggle.

Collective agreements are provided for. These agreements have to be signed by both parties before they are registered with the industrial court and should not



COSATU supported trade union struggle in Swaziland.

prejudice any conditions favourable to workers set out by legislation.

The right to strike exists with the exclusion of essential services. Strict procedures have to be followed before workers can legally go on strike. This complicates the right to strike in favour of the employers who have access to finances for legal representation and are able to draw out disputes to the extent that workers are unable to pursue.

Wage regulation

The regulation of wages in manufacturing is very extensive and all encompassing.

Virtually all jobs are categorised and minimum wages set.

There are 25 categories and over 200 job descriptions covered in the regulations covering minimum wages. The minimum weekly wage for the lowest job category as agreed to in the Wages Council effective from 1 October 1999 is E110,88.

All bargaining is at factory level. The extensive regulation of minimum wages and the lack of industry-wide bargaining reflects the weakness of worker organisations in bargaining. Employers tend to rely on legislated wages and often refuse to bargain

knowing that they are protected if workers are paid the minimum.

The Swaziland National Provident Fund (SNPF) was established in 1974 as a mandatory employees' savings scheme to which employers must contribute 50% and workers to a maximum of E40 per month. It provides employee benefits for employed persons once they retire or become incapacitated. Swaziland does not have a national pension or any other form of social net for those who cannot work and the SNPF is an attempt to address this although it only applies to employed persons.

Table: Federation and trade union membership as of August 1999
(Labour Department Registry)

Union membership	
Swaziland Federation of Trade Unions (SFTU)	83 000
Swaziland Media Publishers and Allied Workers Union (SMEPAWU)	350
Workers Union of Swaziland Town Councils (WUSTC)	200
Swaziland Water Services and Allied Workers Union (SWASAWU)	
Swaziland Security Guards and Allied Workers Union	
Mining, Quarrying and Allied Workers Union of Swaziland	
Swaziland Agricultural and Plantation Workers Union	
Swaziland Engineering, Metal, Automobile and Allied Workers Union	
Union of Swaziland Conservation Workers	
Swaziland Electricity Supply Maintenance and Allied Workers Union	653
Association of Lecturers and Academic Personnel of the University of Swaziland	80
Swaziland Hotel and Catering Allied Workers Union (SHCAWU)	1 500
Swaziland Transport and Allied Workers Union	
Swaziland National Association of Civil Servants	
Swaziland Post and Telecommunication Services	600
Swaziland Nurses Association	
Swaziland Union of Non-Academic Staff for Higher Institutions	
Swaziland Manufacturing and Processing Industry Staff Association	50
Swaziland Federation of Labour (SFL)	11 656
Swaziland Union of Financial Institutions and Allied Workers Union (SUFIWU)	1 156
Swaziland Commercial and Allied Workers Union (SCAWU)	1 500
Swaziland Manufacturing and Allied Workers Union (SMAWU)	9 000
Non-Affiliated Organisations	
National Electricity Supply Maintenance and Allied Staff Association	
Swaziland Staff Association for Financial Institutions	
Swaziland Posts and Telecommunications Co-operation Staff Association	48
Swaziland National Association of Teachers	9 000
Insurance and Allied Undertakings Workers Union	68

Where figures are not reflected, the department is still in the process of verifying union membership.



In 1997 COSATU marched to the Swaziland embassy in Pretoria.

Trade unions and federations

There are two federations, the Swaziland Federation of Labour (SFL) and the Swaziland Federation of Trade Unions (SFTU). The SFTU is aligned to emerging political organisations, which are calling for the transformation of Swazi political life into a multiparty democracy.

In 1988 three unions (Swaziland Manufacturing and Allied Workers Union (SMAWU), Swaziland Commercial and Allied Workers Union (SCAWU) and Swaziland Union of Financial Institutions and Allied Workers (SUFIWU)) disaffiliated from the SFTU and formed the Swaziland Federation of Labour (SFL). The reasons cited by the current SFL leaders are that they felt some of the leaders of the then SFTU were not accountable. The SFTU remained the dominant federation in

terms of size and sectors, and organises workers in rural as well as urban work places.

In contrast, the SFL is totally urban-based organising manufacturing, commercial and generally skilled workers.

The two federations organise in different sectors and do not compete for membership currently. There are however differences between the two federations.

The extent to which these could be worked out will determine the extent to which the organised working class can unite.

Most of the paid workers in Swaziland are agriculturally based either on plantations or in the processing of agriculturally based products. Workers in these sectors are difficult to organise as they are spread out geographically, their

skill levels are low and they are poorly paid. Employers can easily replace workers and this insecurity does not give workers much strength at the bargaining table.

Conclusion

In 1996 the country had a general strike where all organised workers were involved. Their demands were contained in what was popularly called the 27 demands, which included both political as well as work-related demands.

Work-related demands covered industrial relations issues, job security, affirmative action, employee benefits, minimum wages and working conditions. General demands extended to privatisation, taxation and the poor treatment of street vendors by the government. Prior to that, in 1994 workers also went out on strike in solidarity with Coca-Cola workers.

These two forms of action indicate that the unions are involved in broader issues apart from their own members' wages and working conditions. The strikes also reflect a level of militancy that workers are prepared to engage in to win their demands.

Swaziland is in the process of reviewing its labour relations with new legislation recently being passed. This presents an opportunity for workers to get involved in tripartite discussions with both government and business. Business is well organised in the Swaziland Federation of Labour and government is becoming more open to interacting with unions.

The proposed Industrial Relations Bill of 1998 allows more than one union to be recognised in any establishment. This is going to be a serious challenge to the union movement, as it could have a divisive influence as unions compete for members in the same workplace.

Countries in the region and internationally are all trying to attract

investors and cutting labour costs will surely be on their agenda. There is relative peace in the sub-region with the political situation in Mozambique and South Africa being conducive to foreign capital taking advantage of investment opportunities in all the countries of southern Africa. Swaziland has lost its comparative advantage in this regard as it used to be regarded as a safe haven for investors in southern Africa with investors avoiding the sanctions imposed on South Africa and the war in Mozambique.

As the government is forced to look for ways in which to attract job-creating investment in the country, workers will have to be more vigilant. The incentives offered will definitely affect the lives of workers either collectively or individually as employers get tax and other concessions that could possibly erode workers' rights.

The trade union movement besides having to be vigilant about external pressures, also needs to assess its alliances and political affiliations. There are many lessons to be learnt from neighbouring southern African countries where trade unions have aligned themselves with political parties during periods of transformation.

The most glaring examples are in Namibia and South Africa where trade union federations have directly affiliated or entered into alliances with ruling political parties. Besides having done this, worker leaders have also taken up senior positions in the political and administrative arms of government.

This has had the result of workers losing valuable skills and experience. This close relationship with government has not always led to worker-friendly policies and programmes being implemented. ★

Mohammed Motala is a researcher at Fafo.