

# Fighting the LRA

by *CAROLE COOPER*

One of the most controversial sections in the Labour Relations Amendment Act promulgated last year is section 79(2) which makes it possible for unions, their officials or members to be sued for loss of production in the case of an unlawful strike. The section reads as follows: "Any member, office bearer or official of a trade union, employers organisation or federation who interferes in the contractual relationship between an employer and employee resulting in the breach of such a contract shall be liable in delict, and until the contrary is proved, be deemed to have been acting with due authority on behalf of the trade union, employers organisation or federation concerned."

Employers were quick to take advantage of the revised section, and it was reported in October 1988 that three Reef companies, Kwela Wholesale Meat supply, Ullman Brothers, and Pyramid Distributors, were suing three COSATU affiliates for a total of R4m for unlawful strikes. Although these actions were later suspended or dropped, the attitude of an industrial relations advisor for the three companies, Mr Phillip van Welbergen, was that unions should act responsibly

if they wished to avoid the law being used to close them down.

While it has always been possible for employers to sue unions for damages in the event of unlawful strikes, what has been changed is the burden of proof. In addition, the actual wording has been expanded making it easier for employers to sue unions for actions of their members by bankrupting them.

## NUMSA stands back

One of the ways of avoiding such action is for unions to withdraw from any involvement in unlawful strikes, and this has been a strategy adopted by the National Union of Metalworkers' of South Africa in a number of strikes in the metal industry in the last few months. The union has argued that the law, by forcing it to withdraw from involvement, will lessen the chances of speedily resolving the dispute, particularly in cases where management has to deal with a leaderless mass of workers. NUMSA's position has been that it will intervene only if management agrees to waive its right to sue under the new LRA.

NUMSA's strategy has been met with varying responses from the companies concerned. In all cases they have initially refused to agree to the waiver, preferring to take the workers or the union to court, or refusing to stick to the recognition agreement with the union.

In a strike of 1,200 workers at Haggie Rand in April, the company, faced





**Strike at Haggie Rand**

*Photo: Labour Bulletin*

with no union to bargain with and reluctant to agree to the waiver demand, went to the Industrial Court. It applied for a ruling that in not advising their members to return to work and in not playing a constructive role in settling the dispute, the shop stewards had committed an unfair labour practice.

The court action was delayed because hundreds of workers requested that their names be added to the list of respondents. The company, faced with a lengthy court action and a prolonged strike, finally agreed to the union's waiver condition and a settlement was reached. The company admitted that it had suffered substantial financial losses.

## **Bosses refuse to waive right to sue**

In three other strikes, at Altron's Lascon Lighting and Standard Telephone Cables (STC), and Barlow Rand's Robor company, the companies refused at all to agree to waive the right to sue. Altron's decision was based on legal advice that it should not agree. It chose instead, in both strikes, to use the courts to attempt to defeat the striking workers. In the strike of 500 workers at Lascon Lighting, the company was granted an interdict in the Rand Supreme Court instructing the workers to return to work. The workers complied, but not before the strike had lasted 15 days.

In the STC strike of 200 workers, the company appealed to the Industrial Court for an interdict ordering the strikers to return to work. The court granted the order but later suspended it, urging the union and the company to negotiate instead. NUMSA agreed to negotiate even though the company had not agreed to waive section 79(2), because it felt that acting on the court's instruction gave it immunity.

A third response has been the attitude of Robor, which, when faced with a strike, tried to compel the union to get involved by referring to the union's obligations in terms of the recognition agreement between them. The union argued, however, that the amendment to section 79 had changed the position and that the union would only intervene if the company undertook to waive its rights under that section. The company refused and tore



up the recognition agreement. NUMSA has accepted this action but still insists that the company deals with the union over issues affecting the workers at the company.

What is clear from the above, is that section 79(2), designed to reduce industrial action, has in fact led to longer strikes. NUMSA's tactics have driven the editor of *Business Day* to write that Section 79(2) should be scrapped as a "striking failure", as "management cannot go on trying to deal with an amorphous mass".

There are signs that the Department of Manpower probably agrees. It recently instructed the National Manpower Commission to review the entire Labour Relations Act.

NUMSA's response, it seems, has been a successful one. To quote a spokesperson of the union, "The act will either kill us or we will kill it". ☆

## **The I G Metall Code, the LRA and disinvestment**

by *CAROLE COOPER*

**T**he intention of the Labour Relations Amendment Act (LRA) promulgated in September 1988 has been to undercut the hard-won gains made by unions over the last decade. Concerned about this attack, the German

union, I G Metall, approached the South African Co-ordinating Council of the International Metalworkers' Federation (IMF) to discuss solidarity with I G Metall.

I G Metall is the union for metalworkers in West Germany, and it is the largest union in the country. Two working groups from I G Metall visited South Africa in 1988 and had discussions with the IMF unions here. After the discussions I G Metall drew up a 14-point code. The code aims to pressurise German companies operating in South Africa to sign the code as a standard which will govern relations between the company and the union. The code goes a long way to restoring those rights removed by the LRA as well as addressing problems of workers which arise from the system of apartheid in general.

Companies signing the code must:

1. Remove the 'exploitative advantages provided by apartheid laws', in particular in relation to the homelands.
2. Not take advantage of the use of security and emergency laws, and in particular continue to pay the wages and employ detained employees, as well as those who have been sentenced under security legislation.
3. Show a readiness to negotiate at company level with the representative trade union regarding all internal company affairs.
4. Grant unions right of access to company premises.
5. Provide facilities for meetings and voting on company premises without interference from manage-

ment.

6. Guarantee shopstewards rights, including the provision of the necessary facilities and a release from work.
7. Accept the right of unions to represent their members in disciplinary and grievance proceedings.
8. Recognise the right to strike, that is, not dismiss workers who have gone on strike.
9. Accept the right of workers peacefully to picket on company premises.
10. Renounce using the industrial council system to render strikes illegal.
11. Agree to refer any labour dispute which falls under South African court to mutually acceptable arbitrator.
12. Not jeopardise the right of employees to stay in hostel and other company accommodation, except in the case of a fair termination of the employment relationship.
13. Guarantee the maintenance of these standards also in the case of companies which are dependent on German subsidiaries and in the case of franchisees, and
14. Report annually regarding compliance with these principles in each company to the relevant South African trade union, as well as to the German parent company's central works council.

### Joint formulation

In expanding on the principles, I G Metall said that they reflected both the practical needs of the young black

trade unions, as well as the knowledge of I G Metall gained during numerous past attempts to offer help and show solidarity. The body said that the fact that they had been jointly formulated made them a 'new and significant step along the road to South African policy' and that 'it was not intended to pre-empt or influence from outside any of the actual result of the South African unions' struggle.'

Foreign companies operating in South Africa, it said, should be judged according to the minimum legal standards which they were accustomed to applying in their operations at home. These conditions were set out in the code. I G Metall went further, however, and said that the 14 points were not merely a matter of significance to German companies. Other measures, it said, such as various ILO conventions relating to South Africa, or the European Social Charter, could also lead to the same results. The implications of I G Metall's point is that such conventions or charters could be used to bind non-German companies to signing undertakings similar to the I G Metall Code.

But unions have experienced problems in getting the code accepted by companies. Initially negotiations seemed to run smoothly and in early December 1988 six of the major German multinationals - BMW, VW, Mercedes Benz, Siemens, Robert Bosch and Hella - signed or accepted in-principle agreement to implement the points. However they qualified this by saying it was necessary to adjust the points from company to



company. This led to negotiations at each company on the implementation of the code in line with the company's specific conditions.

According to one of the IMF unions involved in the negotiations, the National Union of Metalworkers of South Africa (NUMSA), two problems have emerged from these negotiations, which have been discussed at the shop-stewards council for stewards from German companies.

Firstly it was felt that the 'adjustment' clause was being used to introduce points which would change the actual principles of the Code. Secondly, companies were adopting a 'quid pro quo' stance: that is, companies were demanding that unions give up certain rights in exchange for signing the principles. Workers have felt that the quid pro quo stance would reduce their rights, especially in companies such as VW, where workers have won significant concessions in the past. As a result negotiations with the companies have been restarted on a new footing, with varied progress. According to NUMSA, the union is close to an agreement with Mercedes Benz, with some progress being made at VW, BMW, and Siemens, but with little progress at Robert Bosch and Hella.

### Moves in European Parliament

Discussion on the code has not been confined to negotiations between



German subsidiaries and South African unions. The West German government, in particular, the German foreign minister, Hans Dietrich Genscher, has spearheaded a move to have the code accepted by the Eu-

ropean Parliament and incorporated into the European Economic Community (EEC) code. A working committee comprising senior diplomats from all 12 of the member nations have met three times to discuss ways of implementing the code (*Weekly Mail*, 14 April).

However, there has been strong resistance to the idea of incorporating the code from, in particular, the British. According to the British labour attache in South Africa, John Sawyer, the code represents an interesting new departure, especially because of the involvement of unions in drawing it up. But Britain was opposed to its incorporation into the EEC Code as this would mean, he says, that British companies would be expected to adhere to principles which were enshrined in German law and not British law.

Adopting the 14 points would mean giving more rights to workers in South Africa than those in Britain, he says. He argues that the German labour relations system is far more legalistic than the British system, which relies more heavily on collective bargaining for the granting of rights to workers. He argues further that neither COSATU, the British Trade Union Congress nor the local metal unions have argued for it to be



incorporated into EEC Code. However, the British government would not object to British companies signing an agreement themselves based on the 14 points.

According to Peter Ruthman, the German labour attache, opposition to the incorporation of the 14 points into the EEC Code has also been expressed by socialist governments of Greece and Portugal. Other sources say that Spain and Belgium also oppose the move, with Denmark and France adopting a neutral stand.

However in a compromise measure, the EEC countries have agreed to draw up a declaration which would urge European companies in South Africa to adopt the 14 points. Commenting on the German move, officials from NUMSA said that while they would welcome it if the companies of other countries were subjected to pressure to sign the code, whether it was incorporated into the EEC Code was immaterial.

What implication does the adopting of the code have for the disinvestment and sanctions campaign? Is there not a contradiction in supporting disinvestment (in line with COSATU's policy on the issue), while negotiating the terms for German companies to operate here?

## Minimum requirements

In the code, I G Metall addresses this question, seeing the implementation of the code as the minimum requirements for those wishing to remain in the country. 'Companies

operating in South Africa despite all the international appeals for economic sanctions, must therefore at the very least declare themselves prepared not to benefit from this undemocratic and anti-social legal system. This principle forms the basis of the list of demands for minimum standards for labour relations and labour conflicts contained herein.'

NUMSA officials involved in negotiating the code have stressed their commitment to COSATU's sanctions and disinvestment policy. They see the 14 points as having nothing to do with the issue. The importance of the 14 points, they stress, is that they are a significant effort to fight the Labour Relations Act (LRA) and for unions to regain rights lost through the amendment act. The 14 points, they believe, represent a step in the campaign agreed on between COSATU and NACTU to get companies to agree to contract out of the LRA. Most of the points which unions object to in the LRA are by-passed by the points in the I G Metall Code.

Despite these union assurances, however, it remains to be seen whether the companies reaching agreements based on the code will use this as an argument for remaining in the country. This was a tactic used in the past by companies which signed either the Sullivan Principles, the EEC Code, or one of the other codes. Yet there is a material deference: in comparison to the above codes, the I G Metall 14 points have teeth and would, if agreed upon, represent a significant gain for unions - which is probably why com-



# Greater unity in the public sector

by RENE ROUX

There is a buzzing enthusiasm when leaders of the public sector meet, which for the last two months has been a regular occasion. At last S A Municipal Workers Union, S A Railway and Harbours Workers Union, Post Office and Telecommunication Workers Association and National Education, Health and Allied Workers Union have found the time to co-ordinate their efforts towards strengthening organisation in the public sector. All agree it is long overdue, that similar problems and changing conditions in this sector make united action an urgent task.

They have chosen to bring their structures and resources together in common opposition to creeping privatisation of state corporations and institutions. The guiding principle at this stage is *UNITY IN ACTION*, rather than the formation of permanent structures and constitutions at this stage.

Public sector unions agree the best weapon against privatisation is strong organisation in the private sector, and their planned joint campaigns will be

aimed at achieving this. They recognise that their duty to the entire democratic movement is to spearhead resistance to privatisation, as this could be the most vicious attack yet by the state and capital on the living conditions of the vast majority of South Africans, black and white.

## Changing conditions

The deepening economic and political crisis has raised privatisation as a serious option for the state and capital in the last few years. While the state hopes to solve its debt crisis by selling off its assets, capital is desperate for new areas of investment in the shrinking economy. Having abandoned

the white working class as a constituency which has long enjoyed protected employment in the public sector, the state no longer cares about the social effects of privatisation.

The rate and exact nature of privatisation will

differ between corporations such as SATS on the one hand, for which legislation is already underway, and services such as schools and hospitals on the other. This means privatisation will affect the four unions in different ways. But they are already feeling the effects as the state prepares for privatisation.

In SATS the effect on employment levels are more dramatic than elsewhere (see article on SARHWU). But generally the unions experience tight-





ning up. Retrenchments, the partially successful wage freeze, legislation aimed at weakening worker organisation, changing management structures and the formation of "business units", are all aimed at greater profitability.

The respective unions speak of increasing use of technology to replace workers, hidden retrenchments through dismissals, forced ill-health and early retirements and demotions, to the point that white workers are doing menial tasks, while management complain that they do not have the budget to create jobs.

### **Capital attracted by conditions in the public sector**

Ultimately, unions agree that capital is particularly attracted to the public sector because of the low level of organisation and working conditions that prevail throughout. When a developed infrastructure and sophisticated technology have been developed in this sector, capital will definitely have an added advantage if privatisation could happen as fast as prospective investors desire.

Decades of archaic and racist labour practices have left workers in an incredibly vulnerable position. Thousands of African workers in the public sector are still regarded as "temporary" and migrant. Brutal disciplinary codes and a proliferation of "sweet-heart" staff associations which reinforce the skills hierarchy, have all combined to weaken organisations and dilute the demands of the majority unskilled and semi-skilled workers.

### **Structures for unity**

The individual public sector unions recognise that a lot of time and energy will be wasted if they continue to organise their respective sectors in isolation from each other. They all face enormous problems of recognition, wages and working conditions, the temporary status of workers, the existence of conservative staff associations, and now privatisation. What's more, only about 80,000 out of a total of 500,000 workers in the public sector are organised.

The unions have not yet decided whether they should ultimately merge into one union. They believe that practical co-operation will show what form of unity would be most appropriate in the public sector. At this stage the respective unions need to address the peculiarities of their sector. Joint structures are being established at national, regional and local level to facilitate and encourage organising drives and campaigns. What proposals emerge from joint workshops or joint NEC's, will have to be fully ratified by the structures of each individual union.

The four unions agree that the central tasks are to organise public sector workers into strong unions and to be in a position to fight privatisation in united action or hopefully scare capital off altogether! How and when more formal structures of co-operation emerge in the future will depend on the process of struggle and whether workers will see the need for a general public sector union. ☆



# Mobil is mobile

by DEBBIE BUDLENDER

**M**obil has always been at the forefront of the anti-disinvestment campaign. Their president, Sal Marzullo, is a founding member of the Coalition on Southern Africa (COSA), an organisation of American business people founded in September 1987 with one of its chief aims being to fight disinvestment. Even Simon Barber, a US journalist who himself is anti-disinvestment, does not like COSA. He says "COSA was a gimmick snatched at by craven executives looking for an easy fix to their South African problem" (*Cape Times*, 21.3.89).

Mobil has fought hard against US laws which they think will affect their South African interests.

- In January 1988, the US government made a law, called the Rangel Amendment, which meant that US multinationals would have to pay tax both in South Africa and the United States. Mobil accused the government of "sneaking through" this amendment in the Budget Bill (*Cape Times*, 22.5.89). (It is estimated that Mobil lost at least R12m worth of profit through Rangel's effects in 1988.)
- In April 1988 Mobil and five other oil companies refused to give evidence before a sub-

# Mobil

mittee of the US House of Representatives which was investigating oil sanctions.

- In June 1988 Mobil employed a lawyer to prepare a case against the US government if the Dellums Bill became law. Dellums - which eventually was not passed - would have forced all US multinationals to disinvest completely. Mobil wanted to sue the US government for \$400m, the value of Mobil's South African assets.

Mobil has been in South Africa for more than ninety years. It is the US company with the biggest investment in South Africa. It owns assets worth about \$400m dollars here - companies which produce fuels, lubricants, asphalt and other products - and sells its products in South Africa, Namibia, Botswana, Swaziland and Lesotho. Mobil owns or supplies more than 1100 service stations. Their refinery in Durban produces 65,000 barrels of oil a day. They also have a 47% interest in a large oil refinery in Durban. Altogether Mobil companies employ about 2,800 people. About 1,300 of these employees are "white". Of the rest, 1,200 are members of the Chemical Workers Industrial Union (CWIU).

In the middle of 1987, CWIU sent a letter to the 41 multinationals in which they were organised asking that management come to a meeting to discuss the union's demands around disinvestment (see previous *Labour Bulletin*). Most of the companies re-



fused to come to this meeting. Mobil said that it was not relevant for them because they were definitely not considering disinvesting.

In the middle of 1988, CWIU again asked multinationals to come to a meeting. Again Mobil refused - using the same reason. Each time the company gave the same reply to the union - it was "not considering disinvestment, and should it do so in the future it will consider the appropriate method of consulting the union", (*Weekly Mail*, 28.4.89)

## Mobil pulls out

In February 1989, Mobil even added in their letter that they were "prepared to negotiate the issue with shopstewards should disinvestment become an issue".

Then in mid-April this year the newspapers suddenly announced that Mobil was disinvesting. They were selling their South African shares to Trek, a subsidiary of Gencor, which already owns 36 service stations.

Many people were very surprised at this move. But Rod Crompton, the General Secretary of CWIU, says that despite Mobil's denials to the union, the company has been making its plans for at least 16 months.

In October last year an internal memorandum from a senior advisor in Mobil US to Allan E Murray, chief executive officer, was leaked to the press. This memorandum refers to a document dated 18 December 1987.

The 1987 document discusses contingency plans for disinvestment. It

says that if Mobil must disinvest, they should establish a trust company in a Jersey Island tax haven. Then they should choose one of three ways to sell their assets: (a) sell to someone else (b) sell to their employees in the form of a trust or (c) sell to Mobil shareholders. After the sale money would then flow from the new owners to the Jersey Island tax haven.

After the disinvestment announcement CWIU asked the Industrial Court to stop the sale of Mobil's assets until the company agreed to negotiate. The court twice postponed hearing the matter. The matter is still to be finalised.

Workers took action in several plants. In Cape Town about 30 shopstewards held a 30-minute placard demonstration outside the company's South African head office. In Johannesburg workers also held a placard demonstration. In Durban the same action was taken, with workers also refusing to work overtime.

The company then agreed to meet with the union on 8 May. But Jacques Franken, Mobil industrial relations manager, admitted that they would only discuss the *consequences*, not the process, of the disinvestment. So they would not discuss demands such as twelve month's notice. Afterwards the union described the meeting as a "farce". Mobil refused to give any information about the deal. They said that local management did not know anything and the union must ask Mobil headquarters in the US.

But when a US activist asked Allen Murray, Mobil US's Chairper-





**CWIU demonstration outside Mobil offices in Johannesburg**

*Photo: Chris Ledochowski/Afrapix*

son, about this at the Mobil annual shareholders' meeting, Murray replied; "You ask us whether we intend to negotiate the terms of this agreement. Not that I know of." (*Cape Times*, 13.5.89).

At the moment many things about the deal are unclear. Many people are saying that Gencor is buying the assets at a "bargain basement price" of \$150m (R360m), instead of their real value of at least R906m. Other press reports quoted a spokesperson for Mobil who said that they were getting more than the "book value" of the companies, and mentioned a figure of R500m (*Argus*, 28.4.89).

Although the company has not given full details, we do know some things about the deal. Mobil is selling its assets but like many other com-

panies which say they have disinvested, Mobil will continue to do business with South Africa. Murray admitted that they will allow Gencor to use Mobil technology and formulas. Gencor can even use the Mobil logo! Of course, Gencor will also pay Mobil for the use of all this.

The industrial court case was postponed until 24 May when Mobil's lawyers promised that the company would provide full information to the union.

Meanwhile a group of black business people has approached Mobil with a counter-bid. They offered to pay more than Gencor. They said Mobil must sell to them to show that the company is against apartheid. These business people also approached CWIU. They had a meeting



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*14 May - Mobil puts id in paper saying that nothing will change under the new owners, especially their 'great team of people'. Mobil workers want some say in the process to ensure this.*

with representatives of CWIU on 12 May before travelling to the US to meet with Mobil head office.

After the meeting CWIU said that they appreciated the fact that these business people had consulted the workers. This is something Gencor, as one of "the most notorious anti-union corporations in South Africa" (South, 3.5.89) would not consider. Bernard Smith, director of Gencor, has said that it is up to Mobil to negotiate with the union. But CWIU also said they could not support the new deal either until Mobil agrees to negotiate with the union.

In June 1988 Mobil boasted in their evidence to a US Senate Committee considering sanctions that "It is companies like Mobil .. who have been the first ... to sign union agreements ..." Their dishonesty and refusal to negotiate on the subject of disinvestment seem to negate this. As they continued to refuse, workers at many Mobil plants came out on strike.

Then, after two weeks of refusing to negotiate or make any offers, Mobil's position changed and the union suspended the strike, which by that time had spread to 19 depots. A strike ballot had also been taken at the Mobil Refinery in Durban.

At the meeting with the union on 19 May, Mobil agreed to guarantee se-

curity of employment for all employees for 12 months. Gencor signed both the guarantee and a document setting out the present conditions of employment. Mobil also provided the union with a lot more information about the deal (much of the information was made public at Mobil US's AGM on 12 May, but the company refused to give the information to the union).

The information shows that Mobil is selling its assets, but it will continue to do business with South Africa - like many other companies which say they are disinvesting. Mobil has guaranteed that they will supply old technology to Gencor for at least five years (they do not say whether they will supply new technology). And Gencor can use the Mobil logo! Mobil has stated that there will be no royalty payments from Gencor to Mobil for the five year period.

By the beginning of June, the union and Mobil had deadlocked on several issues - the amount of separation pay for each worker, a copy of the agreement of sale, and the establishment of a trust fund. A new dispute has been declared and a conciliation board applied for.

The union has called a national general meeting of all Mobil workers in Durban on 17 June to discuss further action. (2.6.89) ☆



# Workers shot, intimidated in Plascon strike

by *KARL VON HOLDT*

**A** wave of industrial action has hit six Plascon plants organised by SA Chemical Workers Union. About 1,500 workers have been on strike/locked out for over a month. Management has made use of the lock-out, a tactic which has become increasingly popular with employers over the last 18 months. Workers at all six plants were locked out either just after embarking on strike action over their wage demands, or before they could do so. Plascon is clearly hoping to go on the offensive with this tactic, and force the workers into submission.

Workers from all plants are meeting regularly at the union offices in Lekton House. They have started a number of singing, drumming and poetry groups. Recently they held a fundraising concert. First on the programme were the "SACWU Black Mambazo", followed by a beauty contest where male workers dressed up as women competed with each other - there is still room for jokes and laughter in the middle of a bitter strike.

For the union, after the newly-laun-

ched MEWUSA, the second biggest affiliate of NACTU, the central issues are winning a living wage and establishing the right to national company bargaining. Workers are also angry about the violent harassment they are facing.

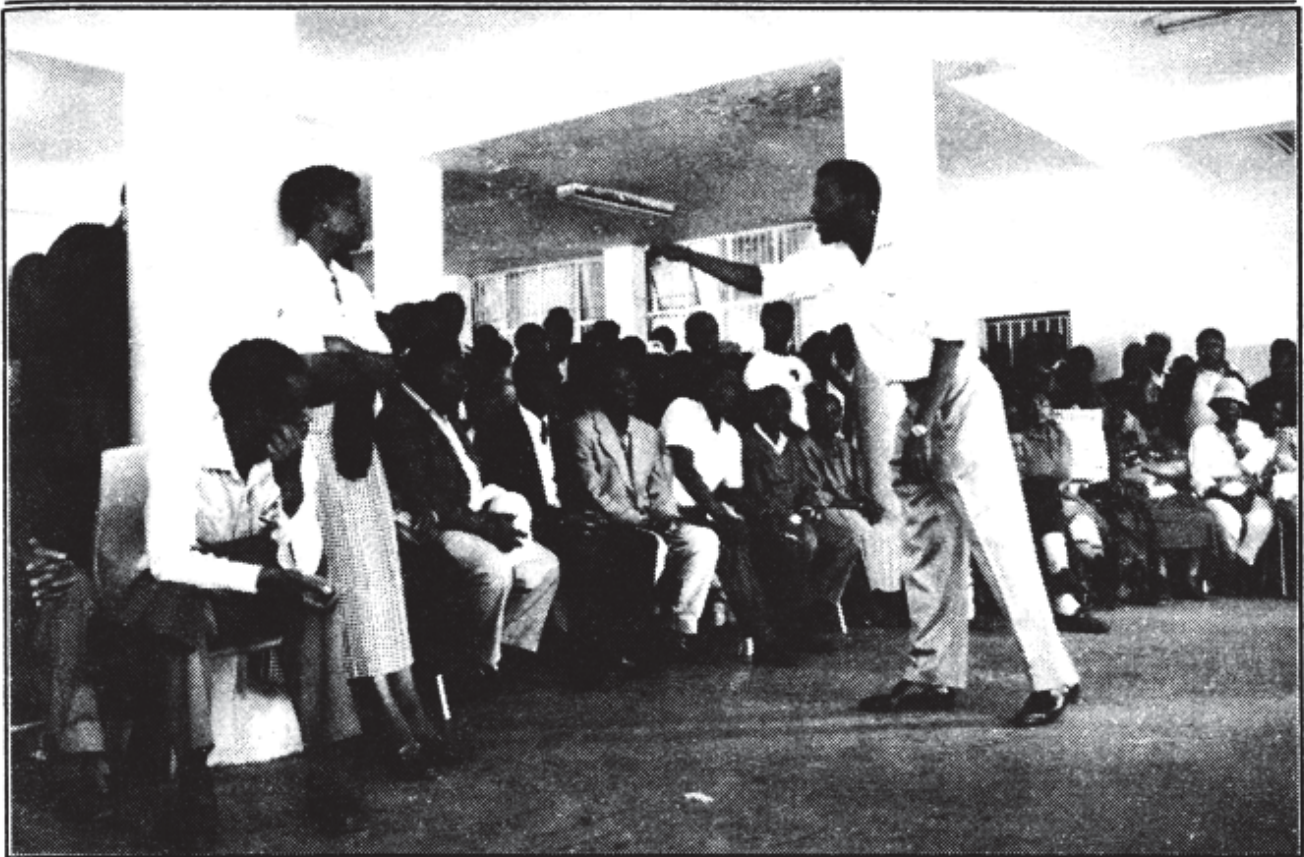
Plascon has refused to negotiate at company level, and the union has had to negotiate separately at each plant. The fact that at each negotiation the union meets the same Plascon personnel officer shows that this is unreasonable. There can be no reason to insist on plant-level bargaining other than to weaken the union's position and preserve wage differences between plants. In an effort to unify workers, SACWU tabled the same demands in all Plascon plants where it is organised. The main demands were for a R300 per month across the board increase, a 40 hour week, 21 March and 16 June as paid public holidays, and four months maternity leave.

## Strike

The dispute centres on wages. The company offered increases according to grades, R115 at the bottom and R148 at the top. Deadlock was reached in different plants. In accordance with the recognition agreements, this was followed by mediation - which failed to resolve the dispute.

The union then applied for Conciliation Boards in each plant. During meetings of the boards, the union reduced its demand to R200. The company accepted the idea of an across-the-board increase, and added





*Plascon workers from different plants meet to discuss strike*

*Photo: Labour Bulletin*

service allowances which took its final offer to R130 across the board, R135 for those with over 5 years, and R140 for those with over 15 years service. The union rejected this, but said that its demand of R200 was still negotiable. The last conciliation meeting was held on 5 May. After this various plants balloted, and the results were in favour of industrial action.

Workers at the Tarranova plant in Alberton staged a sit-in strike on 8 May. The next day they found the gates locked, and sat in the road outside. On the 10th they were dispersed by police.

At the Luipardsvlei plant workers started a go-slow on 10 May. On the 12th they were locked out. Inmont staged a strike on 9 May, and was locked out on the 10th. Doornfontein

launched a sit-in on 15 May, and were locked out the following day. At the Polycell plant in Aldrode workers were locked out on 28 April, even before they had balloted.

All in all some 1,500 workers are locked out, including those at a plant in Durban. They regard themselves as being on strike. According to SACWU'S Humphrey Ndaba, the strike/lockout "is now a trial of strength. He who backs down will be forced to give up his position. Management is trying to force workers to accept their offer."

When *Labour Bulletin* visited the striking workers at Lekton House, we found a mood of power and unity. Workers were *toyi-toying* and enjoying poetry, drumming and singing performances. Speaker after speaker



stressed that everyone should be involved in culture, that it is something belonging to the people. The union has placed great emphasis on developing and training cultural groups from amongst the strikers, as it expects the strike to be a long one. Through this workers can strengthen their resolve, communicate to other workers, and also raise funds.

### Workers shot at

Shopstewards told us of the following experiences of harassment:

- Tarranova workers allege that they have been visited at their homes by the black personnel manager together with police, to pressurise them into returning to work. They were promised protection against "intimidators"
- Workers at Tarranova also allege that the company is telling doctors not to treat workers as Plascon's medical aid will not accept responsibility.
- Another worker was woken at 1 am and taken to a place "near John Vorster Square". There he was told by his abductors that he was known to be an "intimidator", and if any scab was hit or harmed he would be held responsible. "Your family will wait for you for 10 years, but they won't find you," he was told before being released. Two days later a neighbor told the same worker that six men had been searching for him, one armed with a gun.
- More recently, three workers who

live in Thokoza were shot at by unknown gunmen. One, Themba Kubheka, was wounded. He had earlier been charged by the police with intimidation. When the union contacted the company about this, the response was that "it must be vigilantes retaliating against Khubeka, because it is believed that he threw a petrol bomb at the house of a scab. Scabs are being intimidated, and what does the union say about that?" according to Ndaba. The two others had shots fired into their houses. Ndaba alleges that one of them was arrested for intimidation when he reported the shooting to the police.

If these allegations are true, they show a shockingly high level of violence directed against workers who are engaged in a legal strike for higher wages.

### National bargaining

The fact that the wage negotiations started separately, but have now culminated in national industrial action over the same demands at six plants, may well force Plascon to accept national bargaining. Ndaba points out that if management settles at one plant, it will be very difficult to avoid extending the agreement to others. Workers are now striking together and will probably support each other. "As far as we are concerned," says Ndaba, "we are negotiating nationally. Plascon might realise that they cannot divide the workers, and reconsider."





*Cultural workers perform for strikers - the union plans to use cultural events to conscientise people about the strike and to raise money*

*Photo: Labour Bulletin*

He says that before the last mediation, at Luipardsvlei, Plascon's negotiator said that if they reached settlement there, the company would be prepared to extend it to the other plants.

Meanwhile, workers' determination has been strengthened by Plascon's response to a telex asking for information on its financial posi-

tion. The company answered that it had the money to meet the workers' demand, but that that was not the issue - the company was not prepared to pay wages above market rates.

Workers resolved that they must continue the struggle, as market rates have got nothing to do with a living wage. ☆



...the people of South Africa, declare to the world to know: ...

**WORKERS UNITE AGAINST APARTHEID ELECTIONS**



**NO! TO restrictions**

**The ANC's Constitution Guidelines**

**VIVA MAY DAY!**

**FREEDOM NOW!**

**UDF & WORKERS**

**STAY AWAY FROM SATU LIVING WAGE**

UDF logo and text: "UDF logo" and "UDF logo" repeated.

**JUNE 16**

**FREEDOM CHARTER**

**MAKE YOUR MARKS AGAINST APARTHEID!**

**SANCTIONS**



**PEOPLE'S POWER**



**POWER TO THE PEOPLE**

**NO! to high rent. NO! to community councils**