

Labour Action

RENÉE ROUX reviews labour action in October and November, 1989

Victory of solidarity action for Cargo Carriers workers

When *Labour Bulletin* Vol.14.4 went to print, 1 000 TGWU workers in 24 Cargo Carriers depots had just been dismissed. Their legal strike was in solidarity with their 282 comrades dis-



missed at the Van der Bijl Park depot.

The strike lasted from 4 October until 7 November, after settlement was reached on 2

November. In terms of the settlement, all of the 1 257 workers dismissed during the initial strike as well as the national strike were reinstated - except for three shop stewards at the Van der Bijl Park depot. In addition the company has agreed to hear an appeal against the dismissal of the worker whose assault case sparked off the strike at Van der Bijl.

The company was absolutely adamant that they would not take back the three 'instigators', but say that they are not precluded from future employment. This compromise was very painful for the workers, who offered

throughout the country to take a wage-cut in return for the reinstatement of their leaders.

In the end the three workers, all of whom also occupy leadership positions in the union structures, convinced workers to accept the settlement, rather than lose everything.

Railway workers stand firm on wages

In *Labour Bulletin* Vol.14.4 we looked at the tense situation developing at a number of SATS depots over unfair dismissals, especially after the dismissal of Ismael Mbira at City Deep on 28 September. Already the union sensed that workers were reaching boiling point over a number of grievances, and that very soon there might be a repeat of the 1987 strike.

A further factor aggravated relations: Clause 19.4 of the SATS Act says that any group of workers not constituting a union can be represented on wages and working conditions. However, when a workers' committee approached SATS independent of SARHWU for a minimum wage of R1 500, SATS refused

**SOUTH AFRICAN RAILWAY
AND
HARBOURS UNION**



AN HARRY TO ONE, IS AN HARRY TO ALL

to negotiate.

When the strike started the main question was whether SATS was more ready in 1989 to

address the far-reaching and fundamental demands of black railway workers: for recognition of their union, for the right to fair grievance and disciplinary procedures, and for a living wage. Through their actions, the use of brute violence, 5 000 dismissals targeting mainly the unskilled hostel dwellers, and refusal to make any concrete offers, SATS has aggravated the strike and created more obstacles to a settlement.

On the other hand, SARWHU has made substantial movement towards a settlement. The demands of striking workers as of 23 November were:

- Some offer on wages, if R1 500 is unreasonable
- Recognition of SARWHU. Agreement in principle to the proposal from SATS (see below)
- Reinstatement of 5 000 workers dismissed since the strike started, and no victimisation of returning strikers
- A date to negotiate other conditions of service, including disciplinary procedures and privatisation.

In contrast to the 1987 strike, SATS has been meeting workers' representatives and developing negotiating positions on workers' demands. At the time of going to print it was not clear whether a settlement could be reached, but there was hope



**South African
Transport
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in that talks were still continuing.

This briefing looks at respective negotiating positions that developed in a

series of meeting in the week between 22 and 28 November.

Recognition

In principle SATS has agreed that SARWHU has proved its overwhelming support in Natal. It agreed to de-recognise BLATU and recognise SARWHU in Natal without any further proof of representivity.

Essentially the new offer here is to cancel BLATU and ease the way for SARWHU to be recognised. SATS is basically saying it will begin negotiating a master agreement in Natal one week after return to work and support its application for registration in Natal. It is estimated that the Natal region could have full recognition within 2 months, while agreements negotiated would have a national effect and would be formally extended as soon a region proved its majority.

While this proposal is reasonable and seems to be a major step forward for the union, the union says that it is not a bargaining chip with which the company can settle the strike. SATS is prepared to de-recognise BLATU because of SARWHU's efforts and support on the ground, and not as a concession. The union is also not happy about the attempts to single out Natal for recognition.

It has been agreed since 1988 that recognition would depend on representivity and in August 1989, long before the strike, it was finally agreed that signed stop-orders, rather than paid-up membership would be adequate proof of representivity. The union says that the company is trying to bargain with something which the union had already won.

Disciplinary procedures and privatisation

The result of thousands of dismissals over the past decade and the conscious state strategy to reduce the work-force for privatisation (See *Labour Bulletin* Vols.14.2 and 14.4) is that workers are demanding protection. While SATS says that this should form part of the recognition agreement negotiations, there is no guarantee of how long this process will take, or that thousands more workers may not be 'weeded out' before agreement is reached. For this reason workers are insisting that fair procedures and protection against arbitrary dismissals should be negotiated soon.

Wages

The union has dropped its original demand for a minimum wage of R1 500, and simply wants SATS to make an offer to improve the present wage-levels. However, SATS' position is that it negotiates in the Labour Council forum and that it gave wage increases of between 10% and 20% in June. It also says that a further in-

crease negotiated with SARWHU would strain relations with other unions. As SARWHU was not represented in the labour council this argument does not hold for workers, especially the vast majority who earn poverty wages.

Reinstatement of dismissed strikers

At the moment the dismissals are an enormous stumbling block in reaching a settlement. SATS taking a devious position, and one which is very difficult for workers to accept. SATS says that if SARWHU drops wages from the list of demands, they will refer the dismissals to independent and mutually agreed arbitration. They are prepared for an arbitrator on the IMMSA panel to decide on the fairness of the dismissals. While one can speculate on the probability of an arbitration order being in favour of the dismissed workers, this method of trading under the present circumstances is crude and provocative.

Many details of the strike resemble the political situation in the country as a whole. Like the state, SATS is forced to recognise the majority. It combines a strategy of reform and repression, and uses devious means to undermine the resistance of workers. One of these is to pretend it has made substantial moves and to try to portray the workers as being unreasonable.

SATS police and other state structures have used as much violence as in the bitter 1987 strike. Workers have

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been shot and migrant workers have been booted out of SATS hostels. At the same time SATS promises to act in good faith and negotiate - and expects workers to trust them.

The bottom line is that like the state SATS doesn't really listen and doesn't really hear how fundamental and deep-seated workers' grievances are, and that workers are no longer prepared to wait or listen to promises. Decades of poverty wages and abhorrent living conditions have created an enormous barrier of suspicion and anger. Only when 'good faith' becomes concrete and when conditions start improving visibly, will there be any hope of fruitful negotiations.

Everite strike settled

Labour Action in *Labour Bulletin* Vol.14.3 reported on the Everite national wage strike. The strike was finally settled at the end of August, after five months and lengthy negotiations. While the company did not change their final offer, certain concessions were granted.



The minimum wage increased from R3,35 per hour to R3,85 per hour for the current wage agreement. The concession is that the wage agreement will span a shorter period, and the 1990 increases will become effective before the normal 12-month term. In addition the company agreed not to claim damages incurred during strikes, and not to

change the conditions of employment of workers who were on strike.

According to CAWU vice-president Simon Majola, who works at the Klipriver Everite plant, the strike did a lot to consolidate CAWU within Everite and more broadly. It also strengthened workers' resolve and commitment - to build their union into a skilful and powerful weapon.

Colgate reinstatement

Colgate workers have forced management to temporarily reinstate two workers dismissed in May (see *Labour Bulletin*, Vol 14.3). Workers allege racial bias in the dismissals. The union referred the case to the industrial court, but the



case has been postponed to April 1990. According to shop-steward Dusty Ngwane, a combina-

tion of worker pressure and international pressure forced management to capitulate.

Workers launched an overtime ban, and key operators in the main plant refused to sell their extra leave to the company. These operators are highly skilled and have worked for Colgate for 20 or more years. This entitles them to extra leave, which they traditionally sell back to the company so that it can continue operations. By refusing to do this, they threatened to shut the plant down a month early!

The company reinstated the two workers pending the outcome of the court case. ☆