

Social or selfish?

progressive trade unions and public service delivery

Today, an important debate on the role of trade unions is unfolding. Two groupings – each with many variants – are contesting this space.

On the one hand, there are those that argue that unions must sacrifice wage demands in the national interest. The best example of this was the stance adopted by the minister responsible for public service during the 1999 wage dispute. She argued that 'The amount the government pays its 1,1 million workers accounts for 51% of its budget, after meeting interest payments. If the wage bill continues to rise, we will put at risk even the meagre social services offered by the government. Very few South Africans will agree to cuts in the education budget – which will mean even greater difficulty in providing stationery and books – or the critical school building programme.' (Fraser-Moleketi, 1999)

Stripped to its essence, the quoted extract implies that a trade-off exists between wages and service delivery. Following from this trade-off, unions are urged (often with calls to a patriotic duty) to reduce wage demands. Failure to reduce these union demands leads to trade unions being accused of being 'economistic' and selfish.

COSATU unions have criticised this wage-service delivery trade-off at many levels. For instance, the wage bill has decreased in real terms (after accounting for inflation), which refutes the claim that the wage bill has been increasing

Ebrahim-Khalil Hassen
examines different views on whether COSATU trade unions are contributing to public service delivery or acting as a selfish elite.

exponentially. However, unions concede that the wage bill has not decreased as quickly as spending on other social services. The unions see this as an outcome of fiscal conservatism, rather than reckless wage increases. Moreover, the sharp decline in social spending neither supports government's call to accelerate delivery or the unions' call for lifeline tariffs and a basic income grant.

On the other hand, it is argued that meeting developmental challenges requires new approaches in the public service. For instance, Smuts Ngonyama argues that: 'It (ie a new way of doing things) requires a certain level of dedication from civil servants to understand that Batho Pele is about putting people first in the delivery of basic services. It is about the clerk who volunteers to stay an hour late because social pension payments need to be processed on time. ...It is about the teacher who volunteers to offer week-end

classes, early in the beginning of the year to assist students with their studies .. It is about the policeman who refuses to accept a bribe to destroy a docket which has evidence that can lead to the conviction of wrong-doers in society because this adds to general lawlessness.'

The question posed in this manner elicits a wide agreement that service delivery needs to be improved. Moreover, posing this question in this way opens up questions of how unions mobilise their members, the campaigns that unions embark on and the nature and content of the bargaining agenda. More importantly, this approach opens up the possibilities of a joint union-government approach to public service transformation.

This approach, however, poses several issues for unions. For instance, supporting volunteer work has implications for implementing the BCEA in government. In another instance, what approach do unions adopt to improve productivity in the public service?

A central weakness of both positions being advanced is that they often do not give a substantive account of trade union strategies. Instead, we are treated to a literal reading of Marxist-Leninist classics and shoddy historical accounts of COSATU from those arguing a simple wage-service delivery trade-off. Others focus on service delivery, without scanning unions' involvement in service delivery.

New terrain – new strategies?

One of the sharpest criticisms of COSATU is that it has not grappled with improving public service delivery while meeting its members' interest. Many public sector managers argue that globalisation and its realities require the unions adopt a less strident approach to restructuring the public service. Managers in Nelspruit and Dolphin Coast – where water concessions

have been given to multinationals – go even further. They argue that vast differences exist between national union offices and locals. Unions for their part have called manager's 'unilateral', 'neo-liberal' and 'union busters'.

Beyond the cut-and-thrust of public service restructuring, COSATU had attempted to understand the new and changing economic, political and social conditions in its September Commission on the Future of Trade Unions.

The commission outlined a programme that it called social unionism. 'Social unionism is social in the sense that it is concerned with broad social and political issues, as well as the immediate concerns of its members. It aims to be a social force for transformation. Its goal is democracy and socialism. Its influence on society is based on its organised power, its capacity to mobilise, its socio-economic programme and policies and its participation in political and social alliances. It is committed to worker control and democracy, and to maintaining its character as a movement. It is proactive and effective. It is able to negotiate and monitor complex agreements with government and employers. It is able to make important contributions to national and social development.'

The term social unionism is also called strategic unionism, transformative unionism and other terms. This orientation implies at least:

- ☐ trade unions redefine their constituencies to include the broader working class;
- ☐ trade unions attempt to strengthen the interconnectedness between worker struggles and societal transformation;
- ☐ progressive trade unions seek to use a mixture of negotiations, mass action and policy interventions to advance the cause of the working class;
- ☐ trade unions have a social project to

eradicate poverty, reduce income inequality and broaden ownership of production and decision-making. Social unionism as an orientation reflects a trade union response from resisting apartheid to unions locating themselves in a young democracy characterised by acute income inequality, large poverty and concentration of ownership. This strategic orientation of progressive trade unions remains a valid one today. At the level of tactics, the exact mix between negotiations, mass action and policy interventions requires a high level of orchestration and co-ordination to be successful. For instance, one criticism levelled at COSATU is that since 1994 it has placed too much focus on negotiations within the alliance and at Nedlac. This has led to many arguing that the trade union movement is losing touch with its base as it becomes more and more institutionalised.

Others argue that affiliates have all attempted – with varying degrees of success – to build shopfloor control and to create a new layer of skilled and committed shopstewards. Today, most think that COSATU's continued role in improving service delivery lies in organisational renewal coupled to new forms of worker security and improving public sector capability.

However, applying this orientation in practice is often complicated by unilateralism by public service managers. For example, the Johannesburg metropolitan council has indicated that over 40% of the Igoli 2002 plan has been implemented. Whilst the exact nature of the plan is beyond the scope of this article, the outcome is that unions, despite their opposition, have failed to reduce the managerial discretion in implementing this plan. This raises questions on how to mobilise, organise and negotiate for developmental restructuring. Unilateralism

from government is not just a local government problem. Unions in state-owned enterprises, the public service and universities have experienced an increase in unilateral action by management. New ways of organising and negotiating are required if this managerial autonomy is to be replaced with joint union-government restructuring.

An alternative view is that under conditions where the working class is under attack it is futile to speak of negotiated settlements. According to this view, resistance to privatisation and unilateralism need to meet head-on. Moreover, this view argues that unions need to 'bring things to a crisis'. While resistance to the ideology of privatisation must be supported, the danger of this approach is that unions close spaces for creating new forms of security and work in the public sector. More importantly, adopting this approach reduces the union's role in imagining and experimenting with public sector alternatives to improve service delivery. Less esoteric is the simple reality that, where resistance has been the only union weapon unions have lost these battles.

Transformatory bargaining

Since 1994, unions have made significant gains. These gains have been made when management has sought union participation in decision-making. The restructuring of water supply in Odi "championed by SAMWU is one example. In addition, in the public service, wage agreements have been linked to productivity and promotions systems. These new and innovative agreements demonstrate the value of linking bargaining to transformation of the public service. (See box opposite.)

However, the rise of unilateralism by public sector management has made these

Social unionism in practice

Social unionism experiences are observable in bargaining, restructuring and union activity

Bargaining

Agreements that indicate a wider programme of public sector transformation include

- ❑ *Development appraisal for teachers* This agreement provides for continued improvement in teaching. The appraisal system sought to provide a means to monitor and improve teacher performances
- ❑ *Discipline and incapacity code* The code provided for simplified and fair procedures in disciplinary cases
- ❑ *Upgrades for prosecutors* The salary upgrades for prosecutors were agreed to to retain staff in the justice system. The agreement also marks the first time institutional level productivity was explicitly included in a bargaining agreement.
- ❑ *Skills, service and personnel audits* This innovative agreement provided the means to determine a right size workforce/staff component. Unfortunately, this opportunity has not been utilised by the state.

Restructuring

Restructuring experiences have been a 'bitter experience for trade unions'. Trade unions sought to advance transformation of

state institutions and advance worker rights through framework agreements. The promise in these agreements was for consultative and open processes. Yet, the National Framework Agreement on Restructuring of State Assets and the Framework Agreement on Municipal Service Partnerships have seen the unions being marginalised, and the agreements not being implemented

Union campaigns

Several unions have been involved in wider societal issues in the form of campaigns and programmes. These experiences include the HIV/AIDS campaign at a national level, volunteer work by police persons over the holiday seasons, training for teachers and training of community plumbers. While unions have sought to reinforce the state through these experiences, unions cannot resolve wider state failures

Engaging parliament

COSATU has played a constructive role in the legislative process. The COSATU parliamentary office has provided input and submissions on a range of legislation. COSATU has also sought to 'open up' the parliamentary process, through calling for a Budget Reform White Paper. The process of lobbying parliamentarians has also seen the use of issue-based coalitions on the Open Democracy Bill and the Child Welfare Grants.

types of agreements more difficult to reach. The public service negotiations are the best example of this. In the space of 18 months, the strong link between COSATU-affiliated unions and government – often called the 'coalition for change' – has been eroded. Only the optimistic would argue that restoring this relationship of 'win-win' negotiations is possible under current conditions.

However, the challenge remains for trade

unions to provide leadership on progressive public service transformation. Recent discussions in COSATU on a labour policy for the public service point to a willingness to provide this leadership. These unfolding experiences will provide important indicators of whether trade unions can craft a progressive agreement with management that have adopted worker-unfriendly positions. The prospects are not good as government's transformation goal seems to



COSATU public sector unions have been criticised for taking industrial action.

be a narrow commitment to reducing the wage bill. Moreover, the recent arbitration ruling has made government confident (perhaps overconfident) that it can justify its position by pointing to its economic and fiscal programme. Transformatory bargaining – which links worker security and public service transformation – will thus face its most important test in the current round of negotiations. Unions in the public service face the mammoth – but not impossible task – of ensuring that the state's narrow and non-developmental agenda is changed into a wider developmental agenda.

Good faith agreements

One area where unions have learned bitter lessons is in signing framework agreements with government. The signing of the National Framework Agreement on the Restructuring of State Assets and the Framework for Municipal Service Partnership offered much but delivered very little. These agreements have been ineffective because they have been unenforceable. Both agreements were signed at a national level by trade union federations

and government. Public sector managers in the parastatals and local government argued that government departments or associations to which they belong (ie South African Local Government Association) could not bind them. The legal argument was a persuasive one from a narrow legal point of view. Moreover, politicians that had signed the agreements often left unions to fight these legal battles. Consequently, these agreements failed to provide the necessary protection for workers in the restructuring processes.

Unions, however, need to improve in two areas. First, unions have not yet instituted processes to redefine the status of negotiating partners. For instance, changing the status of the South African Local Government Association (SALGA) from an association to an employer organisation will provide the space for negotiating national agreements that are binding.

Secondly, unions have not been effective in translating framework agreements into collective agreements at an enterprise or local council level.

Therefore, the framework agreements are correctly called 'good faith' agreements

and have little practical value. In the new rounds of negotiations unions should be better prepared to negotiate agreements that are both politically and legally binding due to these 'bitter' experiences.

Campaigns

The most interesting and innovative area of union's engagement in service delivery has been in its campaigns and projects. SADTU, for instance, runs a national programme to train trainers on outcome-based education. This programme aims to give practical expression to SADTU's commitment to serving its members' professional interests. Even more ambitious is the Operation Fundisa campaign. This campaign based in the Eastern Cape is intended to improve teaching and learning through providing extra classes and strengthening school governing structures.

Unions like NEHAWU have embarked on similar campaigns. One of the most important is breaking down stereotypes on HIV/AIDS that some health professionals have. In many hospitals, health professionals still do not treat HIV/AIDS patients with the dignity and service that a compassionate public service should provide. The programme's aim of breaking down these stereotypes is ambitious, but the programme's intent and implementation require support. More ambitiously, NEHAWU has embarked upon a programme to create People's Hospitals. The vision is of hospitals as reliable, caring, democratically run and professional institutions. Other unions have also embarked on campaigns. These range from SAMWU training plumbers to stop leakage's in Cape Town's townships to POPCRU establishing a programme to combat corruption in the police force.

New challenges

The role of trade unions thus cannot be assessed in abstract philosophical debates

alone. Neither can it be reduced to a simple wage-service delivery trade-off. Instead, the practice over the last seven years indicates that unions have been willing partners in improving service delivery. This reflects COSATU's continued role as a representative of the broader working class and as a force for transformation. In this process both major advances and setbacks have been experienced by trade unions.

However, the nature of the engagement with the state now is different to the 'honeymoon period' after the first elections. Key changes include the closure of space for negotiations by managers and their will to introduce reforms without union participation. Trade unions thus face an extremely hostile environment. However, the mass base of COSATU and its improving policy capacity could substantively change the conditions of engagement. The central challenge for unions is to establish new forms of security and to build public sector capacity for transformation. ★

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Ebrahim-Khalil Hassen is the public sector co-ordinator Naledi. This article is a substantially shortened and revised version of an independent research paper presented at the COSATU Service Delivery Conference