

Union unity in Durban university strike

Merged tertiary institutions have struggled to develop a common identity.

Fazel Khan, however describes a rare strike where unity across three unions achieved some good results.



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The February 2009 strike and student boycotts at the Durban University of Technology (DUT) have exposed the deep divisions and contradictions that affect tertiary institutions in South Africa in general.

The events at DUT in the first two weeks of February are a microcosm of historical problems still confronting merged institutes of higher learning. When disputes arise historical differences of organisational culture, class, gender and race rear their heads.

It would be foolish to dismiss the Vice-Chancellor's (VC) remark in a communiqué to all staff on 14 February in which he stated that, "We need to face up to certain issues - many of which are historical, and others such as those arising out of the merger... [which

show] a disquieting and disturbing sense of unhappiness, bitterness and anger amongst many staff members... This is not just a 2009 thing. In my discussions with staff, many are carrying grudges, anger and unhappiness from 15-20 years ago... others are upset that the merger did not improve their lives, or they perceive that they were disadvantaged in the process.

The VC raised some critical challenges such as staff grading, synchronisation of curricula, management systems and the integration of staff and student life that have plagued university mergers. Those who have experience in university mergers will no doubt agree with the VC's comments.

DIVISION AND UNITY

In the events leading up to the staff

calling for a strike, the management continually exploited these historical schisms by playing one union off against the other in a divide and rule colonial manner.

For example, in late 2008 the university management signed an agreement with one of the unions, Nehawu (National Education Health Allied Workers Union) on salary increases that were totally unacceptable to the two other unions namely the National Union of Tertiary Education of South Africa (Nutesa) and Tertiary Education National Union of South Africa (Tenusa). The 2008 agreement recorded a 6.5% salary increment for academics and an 8.5% increase for non-academic staff. The other two unions were calling for a 14.6% salary increment instead.

The three unions that represent staff at DUT have shaky



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Students make their own demands at the same time as the staff strike.

relationships because of the differing historical contexts which shaped them before the merger. Nutesa was the staff union that represented the academic and administrative staff at the former Natal Technikon, whilst Tenusa mostly represented staff from the former ML Sultan Technikon.

Of course, one should not forget that both these institutions were burdened with the ills of apartheid, like salary inequities, inequalities in funding, infrastructure and skills retention which the merger was meant to address. Nehawu, a union of mostly general labourers only added more complications to an already complex milieu.

In the face of opposition, the VC and management concluded a salary agreement in 2008 with Nehawu which was to the disadvantage of workers because it was 6% below the CPIX index of 13% in September 2008. Nehawu's unilateral actions were deeply resented by sister unions in the same organisation.

In 2009 after much deliberation academic and support staff reached a decision to embark on strike action. The staff were also disgruntled with management because over the course of 2008 they had suffered many reversals in their conditions of service.

For example, in 2008, without any initial consultation, their accumulative leave days were reduced to vacation leave with an

equivalent cash value of 15 days. This was in addition to partial freezes in permanent employment contracts so staff like departmental secretaries are still employed on temporary contracts. These contracts that are renewed yearly may be tested in the courts and proven illegal.

The final straw was when management reneged on a standing agreement made in the salary negotiations of 2008 that increments were to equal CPIX effective from September 2008, in addition to a 1% or 2% increase effective from the beginning of 2009.

At the beginning of 2009 Nehawu and Tenusa were greatly angered by management's bad faith when it began negotiations for a 9% salary increase. By 27 January, just days before the full-blown strike, Nutesa had joined the other two unions in lunch-time picketing on all five campuses of DUT. It was then that management raised its offer to 10%.

At a mass meeting on Friday 30 January, academic, non-academic, part-time and contract staff from all three unions voted to go on strike from Monday 2 February. Nutesa had come a long way from reversing its earlier decision not to strike and finally endorsed the view of the other two unions.

This put management under great pressure to reach a settlement because of the unified voice of DUT's workers. Management had to reach an agreement before the

university opened and lectures were disrupted in the following week. It increased its offer to 10.5% for 2009, 9% for 2010, and a further 8% in 2011. This three-year deal was rejected by all three unions and the strike was on.

By Tuesday 3 February, despite continued disruptions of lectures and other activities of the university, management refused to move and repeated its offer of a three-year salary deal. Again it was rejected by the unions.

The Tuesday also saw students begin their own strike related to problems with registration and accommodation. In a country burdened with poverty and vast inequalities, poor students, year in year out, face financial problems when attempting to register at the beginning of every year. Thus it was inevitable that students also came out in support of striking staff in their dispute with management. It was unified discontent with management.

Many staff members found it very difficult to recognise this alliance with disgruntled students and themselves. An alliance between the various staff unions was the most they could endure.

Now the university management was fighting on two fronts, against students and staff. It hired expensive private security and called in the police. As far as the students were concerned, this was a particularly



For many staff members an alliance with students was difficult – joining with other unions was enough.

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aggressive move on its part. It raised emotions, and gave the impression that management intended to use strong-arm tactics to silence voices from the entire university community.

Students retaliated by smashing the windows of the VC's office. Some students were hospitalised when the police retaliated. Students also set up barricades on Steve Biko Street in self defence and pelted the police and security with stones. Student leaders were arrested and were held for five days.

Whilst such actions can be deplored, it highlights the desperation that students felt. Similar problems of accommodation and fees were experienced by the University of Zululand, Mangosuthu Technikon and the University of KwaZulu-Natal. Such tensions are regional, national and international as the 2009 French university protests showed.

Universities have been badly affected by South Africa's neo-liberal policies introduced in 1996 in the form of GEAR (Growth, Employment and Redistribution). These policies meant that government cut subsidies to institutions of higher learning while at the same time attempting to get students to pay as much as possible.

A strong alliance between staff and students would have been formidable. But because staff have more to lose than students in the

form of house bonds, school fees, and families to feed and clothe they acted within the confines of the Labour Relations Act. Poor students on the other hand have little to lose and are therefore more radical in their actions.

With the university resembling a battlefield, intensified by a media spotlight on it and pressure from the university council, management was forced to accept the staff's demand. The unions' demand had undergone several mutations and now stood at a 10.5% increase across the board in addition to a once-off non-pensionable allowance, staggered per grade as follows: grades 1 - 9: R2 000; grades 10 - 13: R2 500; and grades 14 - 16: R3 000.

In addition to the above, management and labour committed to meeting during March 2009 to further discuss a three-year salary plan which gave labour time to do its own research and to consult with experts. The management and the unions finally signed an agreement on 6 February 2009. They also reached an agreement with the students thus bringing to a close more than a week of disturbances at the university.

TEMP STAFF FORGOTTEN

But matters are never as tidy as they seem. The agreement only covered permanent staff. The union leaders were at fault for not better representing contract and part-time

staff especially as management's bonuses depend on reducing costs and maximising income so it will do so wherever possible.

As a result, the union leaders had to go back to management to renegotiate for an outcome that included non-permanent staff. But now they were negotiating from a weaker position because a large part of the workforce, the permanent staff, had already been appeased. It was impossible to agitate for another strike. All they could get out of management was a basic salary increase without allowances for non-permanent staff.

Management now has to rebuild trust with its staff. It should not embark on the legal route of court cases and disciplinary hearings. At present management is pursuing charges against staff who were involved in the strike and various charges against student leaders are still in the courts. This will be labelled as victimisation and go against the grain of trying to create a democratic culture.

The lesson we can draw from this strike is that solidarity is vital when dealing with management. Creating unified trade union platforms in tertiary institutions is a challenge that unionists who have the interest of employees at heart, must meet. ^{LB}

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