

# WPGWU says no to registration

In October 1979 the Western Province General Workers Union (WPGWU) distributed a memorandum on their position around registration. This elicited varied reactions from within the ranks of Fosatu and other unaffiliated unions.

**T**he Wiehahn Commission and the subsequent legislation have exposed certain important differences within the unregistered union movement. Certain of these differences were apparent before the release of the report. Hence, it is not surprising that the TUCSA parallel unions should be following the line of least resistance and seeking registration.

Registration is and has always been a key question in the union movement. White and coloured workers have always been permitted to form and join registered unions. The fact that black workers have not possessed this right has constituted a major aspect of racial discrimination and is a factor of fundamental importance in understanding the oppression of black workers. Is the extension of registration status a positive advance? It is not true that the strength of the unregistered union movement has largely

accounted for the decision to extend registration to unions of black workers? Therefore, what is at issue is not 'registration or no registration' but rather 'registration on what terms'. Surely we are in a position to demand terms, which can constitute the basis for the development of a united, democratic union movement.

There are recommendations in the Commission report that seek to divide the unions by determining the eligibility of particular groups of workers for union membership.

Dealing with the question of registration or non-registration, what are the incentives or 'carrots'?

Clearly, the big carrot being dangled in front of unregistered unions is participation in the industrial council machinery. But already we know that membership of the councils will not follow automatically from registration. The existing members of the council have been given the right to veto the entry of any new member. In order to get involved in councils unions will have to register. Over and above pleasing the registrar in the Industrial Court, we will have to win the approval of the extreme right wing registered unions who are current members of many of the industrial councils. What will we have to give in return for a seat on the industrial council? No less than our strength. We will in a word, have to start behaving like 'responsible' unions or, in the words of the Wiehahn Commission, 'bona fide' unions. The view of the progressive unions is surely that a bona fide union is one that is controlled in every aspect, by the members, by the workers. This approach is at odds with the view in the Commission. What point is there in sitting on a council, if, in order to do so we are compelled to emasculate ourselves?

What are the disincentives - the stick? There are a number of consequences



arising from a continuing refusal on the part of independent unions to register.

- Unregistered unions are prohibited in the law from negotiating stop order facilities while agreements with unregistered unions are not legally binding. It is questionable whether unions would be able to do their work in the face of such prohibitions. No amount of legislation is ultimately capable of determining the relationship between workers and bosses. The relationship is ultimately dependent on the organised strength of workers in each factory. By registration we will be precisely compelled to give up that factor which has accounted for our success to date, namely, our organised strength in each factory. There is also the question of how unions survive if they are unable to collect subscription fees.
- If we refuse to register, others will be prepared to register on our ground and we will enter into competition with these



newly registered unions.

- The most severe consequence arising out of a failure to register is the outlawing of unregistered unions.

### UNION RESPONSES

We should argue that the majority of independent unions are saying: 'We do not approve of seeking registration but if you force us to, then we will register.' Surely the only correct response is for all of us to say: 'We do not approve of the registration conditions proposed by the state and until such time as the state agrees to accept our principles of freedom of association and workers' control of the unions, we will continue to operate as unregistered unions.'

We must bear in mind that the new dispensation cannot succeed without our active cooperation. If we refuse to cooperate, the state will be faced with two alternatives either the state must outlaw and ban the existing unions, or it must go ahead with its

plan and register those organisations that are prepared to accept the restrictive conditions.

### CONCLUSION

Various Fosatu affiliated unions and those not affiliated such as the Food and Canning Workers Union, the African Food and Canning Workers Union and the WPGWU met to discuss the memorandum and the question of registration. Some unions have disagreed with elements of the memorandum.

- They argue that we exaggerated the controls inherent in the registration package. Many of the unions argue that whereas a degree of protection and respectability is achieved by registration, the most troublesome controls can be simultaneously avoided.
- It was argued that we underestimated the threat from the parallel unions.
- It was argued that if our arguments against registration are to be applied

consistently, then we must call for the deregistration of the few progressive currently registered unions.

After the meeting, the parties agreed to the release of a set of minimum conditions for registration. We cannot deny the fact that this joint statement does contain within it two very divergent strategies, two divergent views on how best to secure the acceptance of these principles. Fosatu intends submitting an application for registration on the basis of these principles and they will only accept registration if the registration certificate is consistent with their principles (where a registration certificate contains racial bars or requires acceptance of provisional registration). We on the other hand, do not intend applying for registration until these minimum conditions are enshrined in the law.

*This is an edited version of the WPGWU position, which was published in full in the November 1979 edition.*