

Western Cape farm workers strike

The backlash

After a successful strike farm workers are facing a backlash from farmers through retrenchments, reduced working days, and charges for on-farm housing and utilities. Unionised workers have been targeted at a time when unions have scaled back their organising of farm workers, writes **Jerry Mmanoko Mathekga**.

The numbers of permanent farm workers has dropped. According to the Centre for Legal Rural Studies the farmers rely more heavily on casual and seasonal labour, as well as labour broker workers. Most workers live on the farms and the surrounding informal settlements such as De Doorns, and often they are migrant and undocumented immigrants from neighbouring countries such as Zimbabwe, Lesotho, and Mozambique. Their work at the farms is very intensive and requires strenuous effort. Their wages are very low and there is also growing exploitation and inequality. Workers who are employed permanently are mostly males, and females are employed seasonally and casually as well as through labour brokers, write Devereux and Solomon.

Two years after the 2012–13 violent farm workers' strike that killed three men – Michael Daniels, Letselaeng Tokhwane and Bongile Ndleni – the fruit farms of Hex River Valley and other farms have returned to their quiet state and it is business as usual. The packing season at the farms is usually in the middle of summer, and workers in green overalls and caps are busy

throughout the fields. This article takes a closer look at the 2012–13 farm workers' strikes that took place in the Western Cape farming communities and its aftermath.

FOCUS OF THE PROTEST ACTION

Poor wages, bad working conditions and the contract system had been a perpetual focus of protest in the Western Cape. On 27 August 2012, farm workers in the Hex River Valley, and the fruit farming community in the Western Cape Province, staged a protest. Despite intimidation from the farmers, many workers around Robertson supported a second wave of strikes in January 2013. The strikes also spread to other farms in the Western Cape, including Clanwilliam, Citrusdal, Wolseley, Worcester, Grabouw, Villiersdorp, Ashton, Somerset West and Swellendam. The demands of the farm workers included: an increase of wages from R69 per day to R150 daily with benefits such as sick leave, annual leave, 8-hour working day, a stop to 'stukwerk' and 'mukpunt' systems (piecework), establishment of a provident fund, and pay for rainy days.

Workers demanded basic services such as free or subsidised electricity. They also wanted access to clean and free water, public transport, free and decent transport to and from work, free and protective clothing. On housing they wanted improved living conditions and better rent-free houses. They didn't want to be charged rent for children over the age of 18 and for family members who are too old to keep working. They also called for the suspension of evictions, Wesso notes.

Farm workers also wanted the government to properly implement the existing labour legislation, improved terms of employment, freedom of association, recognition of the rights of seasonal workers and the rights to be the same as those of permanent workers, women's rights which included equal pay for equal work and maternity leave. Farm workers further demanded access to land for subsistence farming, speeding up of the land redistribution process and sharing of land between farm owners and farm workers.

They also demanded the removal of labour brokers; and if the removal of labour brokers did not happen, either to work directly for



Farm workers toyi-toyi on the N1 in De Doorns, Western Cape. Credit: Shelly Christians/The Times.

farm owners or at least the proper regulation of labour brokers should be enacted. They wanted threats made by farm owners to increase deductions in response to a wage increase to be dealt with and that there should be no retrenchments by farm owners in response to wage increases. In the end, workers' wages were increased to R105 daily. Currently, workers earn R111.97 daily.

WHO SUPPORTED THE STRIKE?

The 2012-13 farm workers' strike was initiated by workers themselves, especially women, seasonal and contract workers, write Knoetze and Paton. The workers felt that the only way to make things better is through mobilisation. They came together and formed a farm workers' committee. The farm workers' committee started as a local, informal network between workers - mainly those who did not belong to trade unions. After the committee was formed, they embarked on the protest in Hex River Valley farm.

Later, the strike received support from trade unions and community organisations. A coalition of a number of independent trade

unions working on farms such as Bawsi and Allied Workers Union of South Africa (Bawusa), the Congress of South African Trade Unions (Cosatu) affiliated Food and Allied Workers Union (Fawu), Commercial Stevedoring Agricultural and Allied Workers Union (Csaawu) and non-government organisations and lobby groups announced a campaign of mass action in support of the demand to raise the minimum wage for farm workers to R150 a day from of R69, writes Plaas.

CONSEQUENCES OF THE STRIKE

In the end the farm workers won 52% in the minimum wage for the sector and the farm workers' daily rate was increased to R105. The minimum wage that farm workers won for themselves and all other farm workers in South Africa was an extraordinary achievement, states Paterson. However, the higher minimum wage won by farm workers as a result of the strikes was not to be enjoyed by those who fought hardest for it - many of them are now unemployed. For example, it was reported that there have been changes in terms of work on the farms.

At first, immediately after the strike, the increase in the daily payment did not affect employment levels. Two years later, employment has decreased and fewer people have farm jobs and work for fewer hours than before. More than 73,000 farm workers have lost their jobs, and the majority of them are women. The areas where women are worst affected are Rawsonville, Paarl, Wellington, Stellenbosch and De Doorns in the Western Cape. Persistent discrimination locks women in precarious reproductive work as they continue to suffer from economic discrimination. This makes them more vulnerable to exploitation and many were dismissed without explanation, writes Peterson.

Workers who were seen as the leaders of the 2012-13 strike were retrenched, and those who retained their jobs were seen as troublemakers and worked under pressure and the watchful eyes of the employer. Some workers who belonged to unions were no longer union members. Workers who used to work for six months, now worked for three months. The labour force statistics collected by statistics South Africa (StatsSA)



Farm workers marching in Stofland, De Doorns. Credit: Shelley Christians/The Times.

have revealed that employment in agriculture decreased from 739,000 in the third quarter of 2013 to 686,000 in 2014. Furthermore, Peet Els – a labour broker for farmers – was quoted in *Business Day* confirming the decrease in employment: ‘Before the strike, more people worked’.

Els said fewer people were getting jobs. For example, in the Hex River Valley farm, around 200 people used to be employed between May and September. After the strike, the number of people employed is now around 40 to 50. The number of seasonal workers also dropped by 25%, and were now employed for

shorter hours. At Stofland, farmers’ trucks line up every morning to get workers from labour brokers, and the foreman is always present checking ID documents before transporting workers to the farms. Labour is now a commodity that is bought and sold every day. Farm workers know that no union member is welcome on a foreman’s or a broker’s truck in the small closed labour market that operates at the Stofland traffic circle, adds Paton.

As part of the reform, farmers make farm workers who stay on the farms pay for benefits that were previously free. For instance,

farmers introduced a new levy of 10% of the wage for housing for those who live on farms and full charges are levied for all electricity. While a provision in the wage determination has always allowed farmers to make such deductions, this was hardly done in the past. After the strike, there were reports of retributive action taken by farmers against workers who took part in the strike. The workers were retrenched or evicted together with their families.

Some farmers increased rent by 100%, and have threatened to evict those who are not able to pay and demand rent from workers’ family

members who do not work on the farm. Many permanent workers have been fired, and evicted and replaced with seasonal workers employed through labour brokers. Over 60 Csaawu farm workers, including many union leaders and women, have been fired. Some retrenched workers claim to have been blacklisted by farmers making it difficult for them to find new jobs. Farmers have been defending their reactions based on the fact that workers illegally protested, as many farm workers who embarked on the strike did not belong to a trade union, argues Paton.

Since the end of the strike, trade unions have disappeared and are no longer in contact with the farm workers. The only union that stood with workers after the strike was Csaawu. Csaawu has been recruiting members and fighting small battles to protect workers' rights for around five years in the fruit farming communities of the Western Cape. For example, in December 2012, Csaawu was involved in providing support and guidance to members and non-members. On 3 December 2012, Csaawu organised a rally at Ashton's sports ground where members spoke of their struggles: of being too poor to pay for their children's education, and of being evicted from their homes with no place to go. They also spoke about the need to stand together and not be afraid. Many Csaawu shop stewards and their supporters were fired by farmers when they tried to return to work after the stayaway. Farmers sought revenge action after the strike. For example, in the Lenneberg area where Robertson and Ashton farms are located, workers have been facing a particularly severe counterattack from farmers, writes Peterson.

According to Csaawu, 53 workers were dismissed of whom 26 had their cases referred to the Labour Court. Workers had nowhere to go, and Csaawu farm workers' only recourse was at the farm. The union

had made a bold commitment to stand with the farm workers and to challenge what they saw as unfair dismissals in court. The union had tried to assist workers with court cases and it was severely taxed by its obligation to represent its members at the Commission for Conciliation, Mediation and Arbitration (CCMA). The union did not win even a single case because the court ruled that the strikes were unprotected. The Labour Court ordered Csaawu to pay the legal costs of the farmers at La Maison and Steytler Boerdery farms outside Robertson. The legal costs were estimated to be around R600,000. The union is now fragmented and has put out a call to all who support farm workers' rights to donate funds for the union.

On 17 November 2014 it was reported that Csaawu faced bankruptcy for supporting farm workers dismissed after the strikes in 2012/13, and the union was planning to launch a fundraising campaign and website in the coming weeks. Later, Csaawu launched a platform, via crowd-funding website IndieGogo, where supporters could pledge money to help raise the R600,000. By December 2014 the site had raised just over R5,000.

Bawusa is one of the unions that helped rally workers during the strike action. Fawu, and Cosatu were also involved. After the strike, none of these unions were to be found. 'The Bawusa office opened in De Doorns after the strike has been closed for months and the bakkie that farm workers say belongs to the union was seen being used for private duties', writes Paton. Part of the reason for unions to disappear is that farmers do not hire union members anymore, and have resorted to hiring casual, seasonal and labour broker workers instead. Those who belonged to unions have left the unions fearing that they will lose their jobs.

As one of the leaders of the 2012–13 strike, Betty Fortuin, put

it, in *Business Day* 'the unions are not to blame for abandoning the workers because unions have no one to organise because farmers do not hire union members, and those who belonged to trade unions have withdrawn'. The aftermath of the strike meant that unions are no longer effective at the farms and they are left with no choice but to abandon its members. Workers are now very vulnerable and exploited. It is business as usual for farmers.

CONCLUSION

The consequences of the farm workers' strike have affected the workers and trade unions, especially unions that were directly involved in fighting for farm workers' rights. Job losses were mounting at the farms and unemployment is climbing. With few exceptions, the winners in the farming sector in the Western Cape are farmers who have gained power over farm workers and trade unions. Farmers have managed to change the course of labour relations in their interests. The unemployment, decrease in permanent workers and reliance on casual, seasonal and labour broker workers have weakened workers' unity and trade union powers on the farms. The disorganisation of working-class organisation in unions and workers' committees have been destroyed. Farm workers tend to encounter more difficulties in guaranteeing decent minimum social protection. For this reason it is unlikely that the farm workers will be able to initiate a legal process, let alone carry it through. They are unable to afford the high cost of paying legal representatives and the court fees. ^{LB}

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