

Workers' Charter campaign

RENÉE ROUX reports on the workers' charter campaign. We also reprint COSATU's Workers' Charter questionnaire and SACTU's draft Workers' Charter.

During 1985 there was much heated debate within COSATU about whether or not to draw up a workers' charter. The debate was initiated by MAWU in the context of COSATU's process of developing a political policy on issues such as alliances, the relationship between COSATU and political organisations such as the UDF, and ANC and the SACP.

The debate was highly polarised: many proponents of a workers' charter argued that the Freedom Charter was inadequate because it was not a socialist document. They saw the workers' charter as an alternative to the Freedom Charter. On the other hand, supporters of the Freedom Charter saw the workers' charter as a challenge to the Freedom Charter. Underlying the Charter debate were opposing views on whether 'Congress' organisations like the ANC, the UDF and the SACP represented the interests of the working class.

The 3rd Congress of COSATU has again put the idea of a workers' charter on the agenda, this time under different condi-

tions:

1. *COSATU has established strong alliances with other political formations in the struggle for democracy.*

2. *Over the past four years, there has been thorough consultation with these organisations, including the ANC, SACP and SACTU, so that today there is a clearer understanding of, and consensus on, the role of organised workers in the struggle for democracy and socialism.*

3. *The ANC constitutional guidelines have clearly stated that there should be provision for a workers' charter in the constitution of a democratic South Africa. As with the other clauses, the ANC has encouraged mass organisations to discuss the content of such a charter.*

COSATU's Third National Congress

When the question of a workers' charter was again raised at the July 3rd National Congress, it was felt that discussion should not be based on the draft of one union or another. The danger with drafts is that they tend to

pre-empt grassroots discussion. Rather it was felt that the draft must come out of a process of discussion and education, and that the formulation itself would be an instrument of struggle. Direct involvement in the formulation would ensure that such a charter would "articulate the basic rights of workers and all the toiling masses guaranteed by the constitution of a people's government".

COSATU's July Congress resolved:

1. *To launch and spearhead a Workers' Charter Campaign involving the broadest section of the oppressed and exploited masses of our country.*

2. *COSATU and its allies must canvass the views and opinions of the toiling masses through democratic and participatory methods of consultation.*

3. *The campaign should culminate in the drafting of a Workers' Charter as a matter of urgency.*

The SACP Central Committee welcomed the initiative taken by the Third Congress and prepared a draft which it stressed reflected preliminary thinking on what such a charter should contain, and urged all structures to examine it critically. *Labour Bulletin* Vol.14.6 carried the SACP draft, and in this edition we carry the SACTU draft which was also circulated soon after the COSATU congress to contribute to the debate.

Role of the workers' charter

Subsequent meetings and discussions in COSATU have clarified that the role of the workers' charter is to contain a set of demands around which workers

are struggling now. Any gains made by workers should be transformed into rights and defended. Therefore the charter must serve as a vehicle for attaining and defending workers' rights that will be enshrined in the new constitution.

Campaign objectives

The short- and long-term objectives of the campaign have also been clarified through discussion. These can be summarised as:

1. to develop a charter of demands that will become a fighting document for the rights of workers now and in a post-apartheid South Africa
2. to strengthen the unity of the working class:
 - unite workers in different federations and non-affiliated unions
 - unite black & white workers
 - organise the unorganised
 - unite rural & urban workers
3. to raise the political consciousness of workers
4. to create a platform for political discussion at all levels of organisation.

Process

COSATU plans to have an intensive campaign with a tight timetable over a short period, but aims to continue a programme of sustained action and discussion even after adoption of a charter.

There is a strong feeling that it must be conducted on a non-sectarian basis, and that while COSATU must spearhead the campaign, it should draw in other sectors of the democratic movement and non-affiliated unions at local level.

COSATU has established a

working committee under the newly constituted National Campaign Committee, consisting of one representative per affiliate.

The campaign will be divided into three phases:

- **Information, education, consultation and launch:** as part of this phase affiliates and COSATU structures are:

1. discussing the history of workers charters (the first one was drafted by white mineworkers in 1913) and the SACP and SACTU draft charters, in the context of the Freedom Charter which is the guiding document of the democratic movement as a whole;

2. drafting and completing the questionnaire (printed below);

3. conducting regional and local workshops and rallies to discuss and popularise the process of drafting the charter.

- **Assessment of the campaign:** This will take place in June.

- **Adoption of the charter:** This will take place in a special congress, scheduled for September or October.

COSATU questionnaire

The SACTU draft charter deals mainly with workers' workplace and social welfare rights. The SACP draft deals with both the economic and political aspirations of the working class, ownership and control of the economy, the relationship between mass organisation (including trade unions) and the state, their role in planning, etc.

The COSATU questionnaire tries to cover both areas. ☆

The SACTU draft charter preamble

We, the workers of South Africa, declare that the future of the people of South Africa lies in the hands of the workers. It is only the working class, in alliance with other progressive-minded sections of our community, who can build a happy life for all South Africans, a life free from unemployment, insecurity and poverty, free from racial hatred and oppression, a life of vast opportunity for all our people.

The working class can only succeed in this great and noble endeavour if it itself is united and strong, if it is conscious of its inspiring responsibility. The workers of South Africa need a united trade union federation in which all sections of the working class can play their part unhindered by prejudice or racial discrimination. Only such a truly united federation can serve effectively the interests of the workers, both our immediate interests of higher wages and better working conditions, and our ultimate objective of complete emancipation from national oppression and economic exploitation.

There can be no peace in our country or in the world until all forms of racial discrimination, oppression and exploitation are completely abolished. We, the workers of South Africa, resolve to protect the interests of all workers with our guiding motto:

**An injury to one
is an injury to all!**

The SACTU draft charter

All workers shall have the right to work.

The most fundamental right of every worker is the right to work.

In a free and united democratic non-racial South Africa, every worker shall be guaranteed the right to work.

All workers shall have the right to:

- Form and join trade union of their own choice.
- Organise trade unions on the basis of one industry, one union.
- Organise all unorganised workers.
- Work towards unification of all democratic trade unions into one national federation.
- Oppose victimisation, harassment, bannings, banishment and imprisonment of trade unionists and workers.
- Reject all forms of representation which are not in conformity with the principles of democracy.

All workers shall have the right to freedom of movement, assembly and speech.

Passes shall be abolished and all pass laws shall be repealed. All workers shall receive equal treatment at the workplace and before any court of law.

All workers shall have the right to live with their families in decent housing near their place of work.

The state shall provide workers with accommodation, recreational facilities, creches, nursery schools and play grounds for our children.

All racist legislation restricting the right of our people to live where they choose - like influx control and Group Areas - shall be abolished.

There shall be equal opportunities for all workers.

Workers shall not be discriminated against on the basis of race, class, colour, sex or religion. All forms of education and training shall be free and compulsory for all.

Workers shall have the unconditional right to strike in support of their demands.

There are irreconcilable contradictions between capital and labour, therefore workers shall have the right to withdraw their labour to win their demands.

Workers shall be paid a wage which enables him/her to satisfy the minimum needs of the family.

- Discrimination in wages on the basis of colour and sex, shall be abolished.
- All workers shall be paid a living wage.
- A national minimum wage (NMW) enforced by law shall be established, linked to the rate of inflation.
- The national minimum wage shall take into account the need to cover rent, electricity and water, upkeep of the home, food and clothing, transport and entertainment.

Worker shall have the right to:

- Free medical care.
- Three weeks sick leave per annum on full pay.
- Four weeks annual leave on full pay.
- Women workers shall be guaranteed the right to return to their jobs at the same rate of pay after maternity leave.

There shall be a maximum eight-hour working day.

- In order to ensure full employment, a maximum of eight hours per day shall be worked, i.e. a basic 40 hours per week.
- Overtime must be banned and the working day shortened.
- Shift work shall be shortened/abolished.
- Where workers are involved in strenuous work, a six-hour day shall be worked i.e. 30 hours a week. This shall ensure adequate time for rest and leisure, giving workers the opportunity to develop their talents and skills unrelated to their specific jobs. This will encourage all-round development of the worker.

Unemployed workers shall be the responsibility of the state.

- Unemployed workers shall be entitled to unemployment benefits, which will take into account all the basic needs of the worker and his/her family.
- Unemployed workers shall be the responsibility of the state and will be fully supported.

All workers shall be eligible for retirement with full pension.

Pensioners shall be the responsibility of the state.

Male workers shall be eligible for pension at the age of 60. Those doing strenuous work shall be eligible for pension at 55.

Female workers shall be eligible for pension at 55.

Health and safety shall be guaranteed.

- A 'health and safety at work' charter should be evolved to guarantee the wellbeing and safety of workers.
- Families of all those injured at work and the injured workers themselves shall be fully compensated.

Women workers shall have the right to participate in all sectors of the economy without discrimination.

- Women workers shall enjoy full rights as equal participants in the economy of our country.
- Women workers shall be guaranteed their jobs back after maternity leave at the same rate or higher rates of pay.
- Childcare shall be available for the children of working parents.
- Women shall have the right to train for any job they wish to.

All racist labour legislation shall be outlawed, including the racist Labour Relations Amendment Act.

All restrictive racist labour legislation shall be abolished - such as influx control and the Group Areas Act.

All workers shall have full political rights.

All workers shall have the right to vote without any qualification and to stand as candidates for all institutions which make laws that govern the people in a united people's state. Workers shall have greater control over and share in the wealth they produce.

All workers and people shall have a universal franchise in South Africa. The working class, the peasantry, the revolutionary intelligentsia, progressive youth and women shall fight side by side until South Africa is free from national oppression and economic exploitation. ☆

An injury to one is an injury to all!

COSATU's Workers Charter Questionnaire

1. Basic Worker Rights

What rights should workers have, from the state and employers, in relation to:

- 1.1. Right to join trade unions
 - 1.2. Living wage
 - 1.3. Social security
 - 1.4. Education, training and skills upgrading
 - 1.5. Job security
 - 1.6. Right to work/full employment/job creation
 - 1.7. Right to healthy and safe working conditions
 - 1.8. Other rights
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2. Trade Union Rights

What rights should trade unions have, from the employers and the state in relation to:

- 2.1. right to bargain collectively
 - 2.2. right to determine bargaining levels and bargaining issues
 - 2.3. right to strike
 - right to sympathy strikes
 - right to picket
 - right to job security while on strike
 - right to protection against employers taking on scab labour during a strike
 - right to a strike fund
 - 2.4. the right to appoint judges to the Industrial Court
 - 2.5. the right to negotiate all laws affecting workers
 - 2.6. the right to represent workers to state administrative bodies on labour issues.
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3. Women Workers Rights

- 3.1. What women workers' rights should the workers' charter have in relation to:
 - wages and grading
 - education, training and skills upgrading
 - job security
 - social security
 - taxation
 - sexual harassment
 - contraception
 - other
 - 3.2. How must trade unions, worker political parties, all other mass organisations, employers and state correct inequalities based on sex?
 - 3.3. How can we ensure all workers have equal rights and equal opportunities, regardless of race, sex and creed.
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4. Parental Rights

What kind of provisions should we make for workers to enjoy family life and what social facilities should be provided?

5. Political Rights

- 5.1. What political rights should workers have?
 - 5.2. Should trade unions be independent of the state and political parties?
 - 5.3. Should the state have any say in the running and control of trade unions?
 - 5.4. Should trade unions have a right to differ with the state?
 - 5.5. Should the state have powers to reverse/suspend worker rights eg. during a state of emergency?
 - 5.6. What access/control should trade unions have to all forms of media?
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