INDUSTRIAL RELATIONS
DISPUTES.

JULY — DECEMBER
MINE LABOUR 1/7/83
Black union balks

Events in the mining industry this week have revealed just how difficult it is going to be to create a sound working relationship between employers and emerging black unions.

Two weeks ago the Chamber of Mines reached an agreement in wage negotiations with the Black National Union of Mineworkers (NUM) and the black, coloured and Asian Federated Mining Union (FMU). This week, however, the NUM demanded that the chamber agree to renegotiate important aspects of the agreement — the first between the chamber and unions representing black mineworkers.

The chamber initially would not comment on the NUM demand and the allegations the union is making (see box). However, employers are strongly opposed to re-opening the wage talks.

It appears that the NUM leadership has encountered strong resistance from its members to the agreement, and that feelings are running high on some mines. NUM members have instructed the union to demand a re-opening of talks and NUM general secretary Cyril Ramaphosa says the union is likely to declare a dispute if the chamber does not agree to this.

The union bases its case for the re-opening of talks on a clause that the chamber had created an artificial deadline for the completion of wage bargaining. The chamber had said it wanted the negotiations to be completed by June 17 to ensure that wage increases could be granted to employees on time. The union, however, claims it has since discovered that there were a further two weeks available before the date on which the increases have been traditionally announced.

The NUM also argues that the chamber had refused to negotiate immediately on certain "novel" issues raised by the union, and said these could be discussed later in the year. "We accepted that in good faith," says Ramaphosa. But he says the union has

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CHAMBER SAYS 'NO'

The Chamber of Mines has rejected the NUM's call for the wage agreement signed this month to be re-negotiated. The rejection came in a statement released as the NUM went to press.

The chamber said it had rejected NUM secretary general Cyril Ramaphosa's allegations that the union had been misled during the negotiations. In particular it denied having set an unrealistically early deadline for completion of the talks — arguing that wage levels had to be finalised in time for wage rolls to be adjusted and everyone concerned to be properly briefed.

In addition, the statement said, it was not true that some mines were not implementing the agreed increases and it was not true that the chamber had rejected some demands on the grounds that they were "novel." All mines that were members of the chamber were implementing the increases while the other demands, which required in-depth study, had been delivered to the chamber the day before negotiations began.

The chamber said it had informed Ramaphosa that it was not possible to re-negotiate the agreement, but it would hold a meeting with him to find out what his problems were. The meeting was scheduled to be held on Thursday this week.

new found that some of these are not new issues and that service increments, for example, have been in operation in the industry.

The union also claims that some mines are not giving workers the full increase agreed on between the chamber and the NUM.

The FM understands that the union and the chamber will meet soon to discuss this impasse. The chamber did say during the wage negotiations that it was willing to continue discussions this year on other conditions of employment. But it made it clear that agreements on changes would only be implemented immediately if they did not have direct cost implications.
The paternity issue

The National Union of Mineworkers (NUM) recent demand for paternity leave for migrant mineworkers raised management eyebrows. However, it is a demand that could become a common item on the agenda at future negotiations — and not just in the mining industry.

Says the NUM's Cyril Ramaphosa “Most Council of Unions of SA (CuSA) unions, particularly those with a high migrant membership, are in favour of paternity leave and intend taking it up as an issue.

"NUM members have indicated clearly that they require this kind of leave because one of the major problems for black miners is absence from the family. White workers live with their families on the mines but black miners may be away from their families for up to two years.

"A mineworker may not have a chance to be with his wife or new baby, and obviously it is important for every parent to spend time with his family particularly at the birth of a new family member."

"We have demanded seven days as a separate type of paid leave which is expected to occur every two to three years until the

continued on page..."
Employers who want to fragment artisans’ jobs to enable their work to be performed by lower-paid, semi-skilled workers, can expect especially strong opposition from artisan unions.

This is the message contained in an editorial in the latest edition of the Metalworker, official journal of the 32 000-member Amalgamated Engineering Union.

It is written by AEU general secretary Tom Neethling, who vigorously defends the artisan unions’ long-held obsession with the maintenance of training standards for their jobs and the boundaries between the different trades.

He lists the artisan unions’ traditional arguments in favour of these boundaries, emphasising the need for clearly defined areas of responsibility in the workplace. He argues that the boundaries are important for job security, safety and establishing liability in the event of an accident or other failure.

Some employers, of course, often see matters differently. They favour fragmentation of artisans’ jobs to allow various aspects to be performed by a number of lower-paid, semi-skilled workers at an overall lower labour cost.

Neethling says the retention of boundaries may appear to be inefficient, but...
THE National Union of Textile Workers an affiliate of FOSATU has commenced its first official strike.

The dispute is over wage increases payable to union members from March 1 1983 at Natal Thread Co in Hammarsdale. Negotiations over the increase deadlocked when the company refused to budge from an offer of 6 per cent for eleven months. The increment offered is less than half the current rate of inflation and is also less than half the percentage increase given to members at all other mills in Hammarsdale where the union is recognised (i.e. 10 firms).

The company refused any other form to resolve the dispute and the union was accordingly obliged to hold a strike ballot. 315 members voted in favour of the strike and only 8 voted to accept the company offer.

Notwithstanding the overwhelming rejection of their offer by workers the company stuck determinedly to their position.

Their only movement was to take additional security measures to defend their factory from violence

On June 27 workers commenced their strike by banning all overtime work at the factory. This represents a cut back of production time by 27 and a half hours per week. The overtime ban has been placed for an indefinite period. Workers established a strike fund 3 months ago in preparation for the anticipated hard line of the company. The union has further resolved to support the worker action by all means at its disposal and it will accordingly complement the worker strike fund if this becomes necessary.

Notwithstanding the lawfulness of the strike action police reinforcements with dogs were present in Hammarsdale though there have been no incidents.

The union believes the company had grossly underestimated the resolve and discipline of its workforce in ruling out all avenues of redress of their pay grievances.

30 6 83

THE Chemical Workers Industrial Union yesterday entered into a recognition agreement with Duropenta (Pty) Ltd an AECI subsidiary and major plastics convertor after 2 1/2 years of negotiations.

The agreement is significant in the following respects:

* It is a national agreement and will come into effect in each Duropenta factory as the Union gains membership. It currently covers the Natal (New Germany) and Transvaal (Roodekop) factories.
* The Union has won plant level bargaining rights, something which has been strongly opposed by SIEFSA, Duropenta’s employer body on the main Iron and Steel Industrial Council.
* It also accrues the Union shop stewards rights, including senior shop stewards with time off to conduct union business, time off for union training, grievance and disciplinary procedures, negotiating and disputes procedures.

The agreement recognises strike action as a legitimate means of resolving disputes.

In terms of this agreement the Union is currently negotiating to improve the dismal increases agreed by the main Iron and Steel Industrial Council of R4.50 per week to last for 12 months.

01 07 83
Maternity benefits

Union wages war for working women — and wins

A historic agreement concerning maternity benefits for women was reached between the Commercial, Catering and Allied Workers Union of South Africa (Ccaswa) and OK Bazaars last month.

In terms of the agreement, workers will be allowed to take up to 12 months maternity leave — thus safeguarding their jobs when they return.

Ccaswa, which has a large female membership in department stores and other retail establishments, found that pregnant women suffered particularly from discrimination in the workplace.

Problems and hardships experienced by the union's members, were, among others that pregnant women usually lost their jobs. They were unlikely to get back the same job or even a job in the same company.

If they were re-employed, they usually suffered a drop in salary or position. Their absence while they had children was treated as broken service, and they received no wage increase that usually goes with length of service.

When allocating work, management did not consider the physical needs of a pregnant woman. Even women in advanced stages of pregnancy were often moved off the shop floor and into less visible positions like warehouses which usually require heavier work in unhealthy conditions.

The Shops and Offices Act states that shops have seats available for workers to sit at 'reasonable intervals'. This regulation is seldom adhered to, and even then pregnant workers are seldom given jobs with seats.

Women also had problems claiming maternity benefits. Pregnant women need to go for check-ups at clinics and management often do not recognize this need, nor do they count days taken off as sick leave.

Women cannot take time off to attend to their children, and no thought was given to breast feeding.

The union's secretary, Emma Mashimpi, said the agreement was a major breakthrough in that women would no longer lose their jobs and other benefits after giving birth.

The agreement also states that women will not be given 'tough tasks or jobs that will be a 'danger to their lives' during pregnancy.

"Hats off to Ccaswa," said SACC's Sophne Mazibuko.

"I hope people will realize how effective it is to belong to a union and we hope for better things to come," she added.

Sheena Duncan of the Black Sash said that this was an enlightened ap-
against SA

held in Los Angeles next year to estimate the export participation with South Africa by countries intending to compete in the 1984 Olympics.

Mr Geheb is chairman of the UN Special Committee Against Apartheid.

Conference delegates saved their heaviest condemnation for the United States, Britain and New Zealand for continuing sporting links with South Africa — Spaa-AF.

AA to have SOS service

Mail Reporter

THE Automobile Association will provide breakdown services for motorists travelling on the main routes from Johannesburg to Durban when the Transvaal school holidays begin next week.

Its help centres will start when schools close on Thursday, July 7, and go through until Saturday, July 9. Pick-up trucks, will be manned by mechanics who will help motorists who provide minor services such as hoses, plugs and fan belts.

AA service vehicles will be stationed 68km intervals along the two major routes, Johannesburg/Harrismith/Durban and Johannesburg/Standerton/Durban.

South of Heidelberg and Vliemmers.

South of Heidelberg at Standerton.

between Valverde and Warden (south of Cornwall).

At Warden.

At Van Reenen's Pass.

South of Ladismith.

South of Eastcourt.

South of Howick.

The senior liaison officer for the National Road Safety Council, Mr Pierre Hugo, said there were no special traffic plans for the holiday period.

The assistant superintendent of the Johannesburg Traffic Department, Mr Errol Peace, said yesterday that although no special campaign would be launched, the major roads of the city would be monitored on the official school closing day.

The AA said holiday-makers would help spread traffic if they took alternative routes to Durban.

Two suggested routes are:

Johannesburg/Vrede/Meerendal and Delmas/Volksrust/Sikken/Verbeek/Molmo/Signdown.

to negotiate wages "with be he said.

Mill hit by legal strike

Labour Correspondent

THE first legal strike by black workers in 70 years, which threatened a confrontation between the two sides — appears to have been defused after a meeting yesterday.

The unions, the National Union of Metalworkers and the Federation of Mine Union, met the chamber yesterday to discuss their demand for a re-opening of wage talks which were concluded a fortnight ago.

The NUM said it had discovered that the chamber had withheld information from it and had bargained "in bad faith", charges which the chamber denied.

The NUM had threatened to declare a dispute, the first step towards a legal strike, if the chamber refused.

But statements issued by the two sides revealed the agreement on yesterday that the chamber had agreed to meet the two unions within a fortnight to discuss work-conditer demands raised during the wage talks.

Bond ad upsets White House

WASHINGTON — The White House yesterday protested to a local television station over its use of part of an appearance by President Ronald Reagan to plug a programme about the spy hero, James Bond, and the latest 007 film, "Octopussy."

Mr Reagan, in remarks recorded in April for a British television tribute to the film, said Bond was a British spy, called Bond "brave, skilled, handsome, but not much of a come-on."

The promotional spot produced by the station, due to be aired Friday, would be offensive to British officials, the White House said.

The spot, which was produced by an independent station in California, was in connection with the opening of "Octopussy," opens with the words: "Now a special announcement from the President of the United States."
Centre for cripples sacks 11 workers

By SOPHIE TEMBA

ELEVEN women workers were sacked yesterday at the United Cerebral Palaye's Harry Kesler Centre — which suffered extensive damage in a fire last weekend — after objecting to working 12 hours a day, some for as little as R45 a month.

The women, all of whom claimed that they had helped carry crippled children to safety when the blaze ripped through their quarters, have asked the Black Sash to give them temporary housing and help in their fight against their dismissal.

The sackings will be the second shock the children have experienced this week. One of the women said: "We love those children and they love us too. They were away when we left this morning — it will be a shock when they find out we've had to go."

Ten of the women are from Transkei, Lebowa and Bophuthatswana. Only one lives in Soweto and has worked for the home for 15 years. They said their salaries ranged from R45 to R89 a month.

The workers claimed they were sacked because they had gone to the matron in charge of the centre, which has 52 children, to complain about the new working hours introduced from Monday this week. They say they were also insulted.

The secretary of the centre, Mr W Wasserzug, said yesterday: "Nobody insulted them. All they were required to do was to work the normal nine hours a day. They have been working for less hours and we are only trying to put the routine straight.

"When we told them that they were to work their normal hours, they opted to go and I could not hold them back."

"I have more than 100 people working for me and losing 10 is not a serious issue."

Asked about the workers' claim that they were poorly paid, Mr Wasserzug said: "You either accept a salary or you reject it."

The workers claim they were to work more hours and were told they would no longer be given their weekly day off.

One of them said: "All along we worked from 8am to 5.30pm and were required to wash, feed, help dress the children and look after them."

"And last week we were told that as from Monday we would have to work from 6am to 6pm for the same salary."

"We went to the centre's matron-in-charge to complain that the hours would be too long for the same salary, but we were insulted and told to go."

Discrimination the next target

South Africa's black miners, fresh from negotiating wage increases with their employers for the first time, are now preparing to fight racial discrimination in the mines — the last redoubt of legal job reservation for whites.

Last month a black trade union, the National Union of Mineworkers (Num) sat down with the Chamber of Mines for the first time to work out a wage agreement.

Although attempting to win a 30 percent pay hike, they settled for rises ranging from nine percent for unskilled laborers to 15 percent for semi-skilled workers.

Previously the Chamber had unilaterally set black wage increases.

The Num also won a commitment to do away with racial discrimination in the mines, an emotive issue for South Africa's 77,000 white miners.

Job reservation for white miners dates from 1922, when an unlikely coalition of communists and Afrikaner nationalists struck to defend their right to perform certain skilled tasks in the country's gold mines.

Over 50 years later, possession of the blasting certificate — essential for skilled work — is still restricted to whites, and although the Government has moved to abolish job reservation in other areas, it is unwilling to confront the white miners, traditional supporters of the National Party, for fear they be driven into the arms of Right-wing parties opposed to any dilution of apartheid.

While Chamber policy in recent years has been to narrow the wage gap between white miners and the mainly unskilled black workers, Government figures show a novice white miner receives R1,332 compared with R247 for a newly-recruited black worker.

Of about 448,000 blacks working in South Africa's gold mines, the vast majority come from either neighbouring black states or the Republic's tribal homelands.

Many are illiterate — one mining executive has estimated the figure may be as high as 90 percent — and are often employed on short-term contracts of one to two years.

Despite these problems, the Num has succeeded in unionising around 30,000 miners in the nine months it has been allowed to recruit members in the mines, according to Num general secretary Mr Cyril Ramaphosa.

And while the Num's immediate aim is to fight discrimination, Mr Ramaphosa is well aware some issues, such as trade unions for blacks not being allowed to bring their families with them, form deliberate planks of government policy.

Mr Ramaphosa has no illusions about the problems his union faces in the coming months.

"Union policy is to do all we can to make labour forces more stable — workers coming in on longer contracts or on a permanent basis, with total freedom to bring their families with them," he told one interviewer.

"The barriers at the moment are all political, but we intend to chip away until they are removed" — Reuters.
DEMANDS by the National Union of Mineworkers for migrant mine workers to be granted "paternity" leave raised a fitter among many employers recently.

But they may have to get used to hearing the demand across the bargaining table, for at least two other unions have reportedly endorsed the demand.

Migrants are separated from their families and see them only once a year. Children are often born while their father is away at work, and the first time he will see his child is at the completion of his annual contract.

Some unions are now arguing that if employers are opposed to the break-up of family life which migrant labour brings, they should be prepared to take concrete steps to reduce the effect of this system on workers.

Granting "paternity leave", they argue, is one step in this direction.

RELATIONS between the Chamber of Mines and two black mine unions flared briefly last week.

Last month, the two sides concluded their first-ever wage agreement. Just as everyone was hailing this, the black National Union of Mineworkers demanded that talks be reopened and threatened to call a dispute if the Chamber did not agree.
THE General Workers' Union lost last year's recognition dispute with SA Transport Services. But it got a little of its own back last week.

SATS have agreed to pay two GWU Eastern Cape organisers, Mr David Thandani and Ms Nomonde Ngxumane, R2,000 each plus their legal costs after the two sued SATS for wrongful arrest and malicious prosecution.

The organisers were arrested under the Fund Raising Act by Railways Police while engaged in union work in May last year, shortly before the dispute came to a head. They were tried and acquitted.

The R2,000 is the full sum demanded by the two and, not surprisingly, the GWU says the pay-out confirms its claim that its members were subject to Railways Police harassment during the dispute.
Metal union wins big pay increases

Labour Correspondent

THE Metal and Allied Workers' Union says it has won wage increases from several Natal firms which exceed the 7% increase negotiated recently at the Metal Industries Industrial Council.

Recently the Steel and Engineering Industries Federation (Seifsa), which represents metal employers and unions on the metal council, agreed on increases from 5% for the highest paid to 7% (or 16c an hour) for the lowest paid.

MAWU rejected this agreement and the unions who signed it said they had done so with grave reservations, adding they would seek higher increases with individual companies.

Seifsa said it was opposed to such negotiations.

In a statement, MAWU said that a Maritzburg firm, A.P.V. Kestner, had agreed to an increase of 13c an hour because of talks with the union.

A second Maritzburg firm, Pillar Naco, had agreed on a 15c an hour increase.

It said Forbo Krommende, of Jacobs, had agreed to pay a 8c an hour across the board increase and a Pinetown engineering firm, Glacier Bearings, had agreed to meet MAWU's demand for a minimum wage of R2 an hour.

MAWU added, however, that the negotiations had not been without incident and that certain factories were still refusing to negotiate increases with it.

At some factories, it said, workers had struck in an attempt to win increases over and above those negotiated at the council.

"We informed Seifsa that we did not believe our members would accept the 7% they were offering — clearly they have not," said Mr Maxwell Xulu, MAWU's Southern Natal branch chairman.
Mining union warns chamber on blacklisting

By ANTON HABER

The National Union of Mineworkers has warned the Chamber of Mines that it would face legal action for an unfair labour practice if by the end of the month it did not stop blacklisting dismissed workers.

And, in a letter to the chamber and to individual mine companies yesterday, the union claimed that the practice was arbitrarily keeping dismissed workers out of the industry for three months, six months, 60 months or for the rest of their lives.

Because of the monopoly of the mine labour bureaus and the mine companies themselves, this meant that some workers were being indefinitely barred from any legal employment, the union said.

The blacklisting was imposed for workers who took part in strikes, were found in possession of alcohol, were accused of being "loafers", or who allowed non-workers to sleep in their rooms.

The union said that when a worker was dismissed, the chamber recommended penalties to be imposed on the worker by the employment bureaus.

The most severe penalty was to prevent a worker ever being employed again in the mining industry. Other penalties included preventing employment of the worker in the industry, or on a particular mine, for between three and 60 months.

In one case, a worker who took part in a strike was blacklisted from the entire industry for the rest of his life, the union said.

In another, a worker who asked for a transfer to another mine was prevented from working in the industry for a year.

This was aggravated by the fact that the worker was not given a fair hearing and that there was no independent verification of the alleged misconduct, the union said.

The union said it had taken legal advice and believed this to be an unfair labour practice and therefore illegal. A spokesman for the Chamber of Mines said last night that he knew nothing about the matter.
Union threatens legal action over closing of factory

By Tony Davis, Labour Reporter

The Food, Beverage Workers Union has threatened to take immediate legal action against the Premier Group because of plans to close the Premier Biscuit factory in Springs tomorrow.

About 400 workers are affected by the closure, which Premier says is the result of economic difficulties.

The FBWU has a long-standing recognition agreement at the factory and has complained they were given notice of the shutdown only last week.

At a meeting with senior Premier management this week, the union warned that workers had asked for assurances that all 400 would be relocated at other Premier firms. It also said all workers would refuse to collect any severance pay tomorrow until they were guaranteed alternate employment in the group.

The union gave Premier until this afternoon to agree to the appointment of a committee to investigate the closure and retrenchments or face an urgent legal application, an FBWU statement said.

The Premier Group's deputy chairman, Mr Peter Wrighton, said it was examining the union's complaints.

The union statement also said it had been mandated to protect members' jobs and the attitude of management was not in keeping with public statements on labour issues by Premier's chairman, Mr Tony Bloom.

Workers are being paid out one week's notice pay for every year of service.
Charge of blacklisting not true, says Chamber

By ANTON HABER

The Chamber of Mines yesterday denied claims by the National Union of Mineworkers (NUM) that the Chamber blacklisted and victimised its workers.

A spokesman for the Chamber said yesterday that the mining industry, like all employers, was subject to the provisions of the Labour Relations Act, which made victimisation and unfair labour practices illegal.

"If the union had evidence of victimisation they could seek redress in terms of the law," he said.

He was reacting to a letter from the union, which threatened the Chamber and individual mine companies with legal action if they did not stop blacklisting dismissed workers.

"We do not blacklist workers as alleged by the NUM," the spokesman said.

But Mr Cyril Ramaphosa, general secretary of the NUM, said yesterday the union had documentary evidence that showed the system was still in operation.

The union had received several complaints from workers in recent weeks relating to the issue.

"It is known that employers do refuse to re-employ people who have committed certain offences. But it is unheard of that an employer can ban a worker from an entire industry and make it impossible for him to get work even from another employer," he said.

In their letter to the Chamber, the union had claimed that workers were arbitrarily being kept out of the industry, or out of specific mining areas, for three months, six months or for the rest of their lives.
400 Premier workers to lose jobs as plant closes

By ANTON HARBER

PREMIER BISCUITS has told 400 workers that they are to be retrenched because the company’s East Rand plant is closing today.

And in a statement yesterday, the Food and Beverage Workers’ Union, to which most of the workers belong, accused the company of breaking one of the oldest agreements signed with a black union.

The union said it would take legal action if the company did not agree to form a joint committee to investigate the need for the closure and the retrenchments.

“The lofty ideals of Premier chairman Mr Tony Bloom appear not to be translated into reality by divisional executives in so far as members of this union are concerned,” the statement said.

The union said its officials were told at a meeting last Wednesday that the plant was to close. Fifteen minutes later the workers were assembled for the announcement that production would cease today.

The union immediately demanded a meeting with the Biscuit Division of the Premier Group. A meeting was scheduled for Tuesday but was cancelled by management and rescheduled for Wednesday as a director could not be found for the meeting.

The company offered retrenchment pay of one week’s wages for every year of service.

“It became apparent at the meeting that the board of directors saw the decision as an economic one and appeared not to have taken into account the effect that the decision will have on 400 workers,” the statement said.

At Wednesday’s meeting, workers demanded that they be kept on and said they would not accept severance pay until their continued employment within the Premier Group had been guaranteed.

They asked that management give “a categorical guarantee” by yesterday to establish a joint committee to investigate the need for the closure and retrenchments.

The union would lodge an urgent application to the courts to protect their rights if there was no such guarantee, the statement said.

A spokesman for Premier Milling referred questions to Premier Biscuits, whose spokesman could not be contacted last night.
Another food poisoning case

A THIRD person has been taken ill because of alleged food poisoning in the United Brewerie's canteen in Ga-Rankuwa.

Two employees had to undergo treatment at the local hospital after suffering severe tummy cramps. Workers complained about the meat served in the canteen and were yesterday on a food boycott.

One of the victims told The SOWETAN: "At first I thought I was suffering from a minor stomachache but became suspicious when another colleague who complained of the same symptoms started vomiting. I believe there was something wrong in the food we ate because we only experienced pains after lunch."

A white lady from the canteen company head offices in Pretoria said: "My company is not aware of complaints at any of our canteens," and then hung up the receiver.
The document from Teba, the mine labour bureau, saying a worker is barred indefinitely from mines.

We blacklisted, Chamber admits

By ANTON HARBER

THE Chamber of Mines has admitted that it had blacklisted workers who were dismissed, but said it stopped the practice "a few weeks ago."

Yesterday, the National Union of Mineworkers (NUM) gave the Rand Daily Mail a number of documents to back their allegation that the chamber and individual mine companies were illegally blacklisting and victimizing workers.

The chamber had earlier this week denied it practised blacklisting, but said until recently it did "keep track of employees who failed to comply with their conditions of service or who broke their agreement of service for unacceptable reasons."

The NUM claimed that the practice was "continuing" and threatened legal action if it was not stopped by the end of this month.

The NUM documents include a form used by Teba, the labour bureau, setting out the penalties imposed on particular workers.

The form, labelled Teba 463, has space for officials to indicate whether the worker is barred from a particular mine, area or the entire industry and whether it is for three, six, 12, 24, 36, 48 months or for an indefinite period.

In one case, the document says the worker was barred indefinitely from all mines as a result of refusing to work during a strike at Buffelstontein in July 1987.

The document is dated May 22, 1993.

In an affidavit with the union, a worker said he had been on the mine as a contractor worker since 1978. Workers had gone on strike on July 3 last year, demanding a pay increase.

"Since there was a lot of confusion on the mine I decided to leave and go home. I went to the hostel manager and asked to terminate my contract," he said.

The worker claimed he had been told at a Teba office in May this year that he could get a job at Buffelstontein. He entered into a contract, but before he could be transported to the mine he was told his contract was being cancelled because he had taken part in the strike.

"At Johannesburg, Teba officials told me that I had been blacklisted from working in all the gold mines in the industry," he said.

In another case, a form indicates the worker was barred from a particular mine indefinitely and from the industry for 12 months.

The reason given was that he was injured at an accident at one mine and asked to be moved to another.

The NUM said it viewed this as an unfair labour practice and therefore illegal.
JOHANNESBURG — Trade union officials warned yesterday there could be serious repercussions if railway workers, whose living standards have already declined because of inflation, were not given wage increases soon.

The officials were reacting to conflicting assurances recently by the Minister of Transport Affairs, Mr Hendrik Schoeman, that railway workers would not get pay rises this year but wages would be reviewed later this year.

The issue is so serious that the Federal Council of SA Transport Services Staff Associations, which represents more than 250,000 workers had decided to meet Mr Schoeman next month to demand pay hikes.

The Minister had told union leaders in March there would be no routine pay rises this year, but gave them an assurance he would reopen the pay issue with them in August.

Yesterday, Mr Mosakololo Qotole, a spokesman for the General Workers Union (Gwu), said in Cape Town: "It is totally unacceptable and inexcusable for a Minister to just say there would be no increases this year and that it is that take it or leave it."

Mr Jimmy Zurich, president of the Artisans Staff Association and chairman of the Sats Federal Council, also reacted strongly to the conflicting ministerial statements.

Unless adjustments were made, he warned, the worsening situation could result in an "explosion of big disruptive wage demands" when the economy began to emerge from the recession.

Yesterday, Mr Jan Havenga, public relations spokesman for Sats, said his department had not yet received official notice the status quo had changed since the beginning of the year.

"As far as we are concerned, nothing has changed since the Minister briefed us at the beginning of the year. He has not approached us again and in any case it is his prerogative to decide on whatever he wants to," said Mr Havenga.

Doctors to meet in SA
CAPE TOWN — The assembly of the World Medical Association is to be held for the first time in South Africa in 1983.
Pay deal by Escom

Labour Reporter

A wage agreement has been reached in talks between Escom and various trade unions, the Electricity Supply Commission said today. Unions last month rejected offers of rises of 5 percent and 6 percent. Escom had called on employees earlier to accept economic restraints because of the recession. Exact details of the new agreement were not made available.
Play the game, scholars warned

Mail Correspondent

UPINGTON — The Administrator of the Cape, Mr. George Louw, yesterday called on 480 youngsters to play rugby in any way which would help to "develop our national character".

Openers in the first Craven Rugby Week to be held in Upington, Mr. Louw warned the players from South Africa should only face the future with confidence when people respected each other and maintained a positive attitude.

Mr. Louw said politics and differences in skin colour should not interfere with attitudes to members of other races on the sports field.

He urged the young players to "play the game according to the rules", and said it would help shape disciplined people — which the country needed.

He also asked them to practice sportsmanship at all times.

"Let rugby be the winner at Upington during the week. If this is your motto, it will give each of the 24 teams a chance."

"You have not come here to practice 'pressure sport', which usually highlights the worst characteristics of sportmen. You have come here to further healthy attitudes and sporting behaviour."

Mr. Louw said Craven Week had become the "glittering window" of rugby participation in it was the best time to recall a rugby player could ever have."

Copter pair to stand trial

BAHRAIN — Two Iranian embassy limousines will stand trial in Oman on charges of illegal entry after landing their helicopter on a desert airstrip, an Oman police spokesman said yesterday.

He said the two landed early on Saturday at the al-Fahd oilfield near the United Arab Emirates border. Oman and Bahrain have reported several similar incidents involving Iranian helicopters in recent weeks — a sign of continued high inflation.

An undertaking was given that the government would release the positions of public servants.

Public sector workers, including Post Office and Rail personnel, were dismissed on their annual routine increases in April this year.

The President of the federal council of S.A Transport Services Staff Associations with the Minister of Transport, Mr. Hendrik Schoeman, to make demands for interim increases later this year.

And we seek a period of 10 years as a way to avoid "factors affecting..." in the minds of public servants.

In the minds of public servants.

On not lending families' heartbreak home...

Our society invited her to come in for an interview. She feared another snub, but she was quite the opposite. She was very tactful, to have plans drawn and to seek quotes.

But her plot is to help her to extend upwards. The founders don't take a normal second chance, so an applicant and an engineer are trying to devise a solution for the problem. When she produces that costly, pioneering plan, he will be said. "Sorry, you were part of Coronoville."..."
agrees to probed union

BY ANTON HARBUR
PREMIER Bunning, who agreed
already this week, that the other
the executive of the Council of Trade
at the last meeting, was satisfied
the union's request for them to
form a committee to investigate the
work of the

Union officials accepted the
unanimous agreements of the
government to negotiate a
union peace. The union has
also

Last week the unions said that
the hooks company had
agreed to pay the workers for
the week they had

The WSU has also
agreed to

[Handwritten notes and marks on the page]
CANTEEN BOYCOTT ENDS IN RECOGNITION

A FOUR week boycott of the company canteen has eventually ended with the management of Dunlop S A. Limited and the Metal and Allied Workers Union of S A concluding a full recognition agreement covering the union’s members at the plant.

The Agreement gives the union full negotiating rights at plant level for its 900 members and covers shop steward recognition, grievance, dismissal and retrenchment procedures.

The Agreement took nearly 6 months to negotiate and involved the company withdrawing from and hence closing down the Durban Rubber Industrial Council which covered the Durban plant of Dunlop. The one union which was party to the Council, the Durban Rubber Industrial Union, will also probably be closed down as the Company is obliged in terms of its recognition agreement with the Metal and Allied Workers Union to cease giving facilities to minority bodies.

The MAWU Branch Secretary Mr Geoff Schreiner hailed the agreement as a very important step forward for MAWU in the Durban area and said that while the negotiations had been tough the union was satisfied with the outcome and would test the agreement in its practical application at the shop floor.

15.7.83

ANOTHER MAJOR RECOGNITION AGREEMENT SIGNED

THE Metal and Allied Workers Union of S A signed another major recognition agreement on Friday with the C I Industries Group in Pinetown.

The Agreement follows two days after the Union’s Recognition Agreement with Dunlop S A in Durban, and covers all five C I Industries plants in the Pinetown area where the Union has majority membership.

C I Industries is the biggest employer in the motor industry in Pinetown employing some 1 500 employees engaged in the manufacture of caravans, trailers and mobile housing units.

The Agreement gives the union plant based bargaining rights and covers the recognition of shop stewards.

The parties have immediately embarked on wage negotiations for minimum and across the board increases which will be back paid to the beginning of July.

"We proved two things at C I Industries" said Geoff Schreiner, MAWU Branch Secretary – "firstly that it is quite possible that recognition agreements be negotiated and signed in less than a month and secondly that MAWU is one of the few unions in the industry which is seriously able to represent a proper multi-racial membership."

18.7.83.
About 160 workers at a mosaic glassware manufacturing plant at Estcourt have been dismissed after a work stoppage this week.

Mr Simon Kapa, branch secretary of the South African Allied Workers' Union in Estcourt, said yesterday that the workers at Mosaic Producers refused to accept their notice of dismissal and had not collected their pay.

They said they will return to their jobs on condition that their wages are increased. At present some earn less than R30 a week. They want the minimum wage increased to R50.

He said the workers went on strike on Monday after management refused to act on a complaint by the workers' committee against another worker.

Mr Robert Craig, a director of Mosaic Producers, told the Mercury yesterday that the workers, mainly women, were dismissed after they ignored an ultimatum to return to work.
Post Office workers 'disgruntled'

Mercury Reporter

TENSION is mounting and threatening to reach breaking point among thousands of Post Office workers who are extremely dissatisfied with the way in which demands for higher salaries are being handled by the Government.

A motion of no-confidence in the Minister of Posts and Telegraphs, Dr LAPA Munnik, as well as Internal Affairs Minister F W de Klerk, is being considered.

Top-level negotiations have apparently reached a deadlock — and many workers claim they have been left out in the cold, struggling to maintain living standards while there is no immediate hope of a recovery in the economic recession.

It is believed that meetings are being planned throughout the country and hundreds of angry workers have threatened to resign.

Spokesmen said yesterday the workers were no longer prepared to wait to hear from the Government whether their demands for interim increases would become a reality soon.

"The general feeling is that indications of pay rises and statements regarding this have become promises and more promises while our standard of living is decreasing rapidly," a spokesman said in Durban.

Meanwhile, the Public Servants' Association is still waiting to hear from Mr de Klerk that they will receive across-the-board pay rises in October after an urgent meeting had been called two weeks ago.

The president of the association, Dr Colin Cameron, said from Pretoria last night that the urgency of salary increases had been emphasised during the meeting and Mr de Klerk had told delegates the matter would be studied by the Government.

He gave no indication whether a statement could be expected.
Talks on Mercury wage rise in catering

Labour Reporter

THE non-racial Natal Liquor and Catering Trades Employees' Union, which represents more than 5,000 workers, is negotiating a 'substantial' wage increase for workers in the hotel and catering industry.

'At this stage we cannot divulge any information about the actual increase sought, but waiters can rest assured that it will be substantial,' Mr A C Reddy, the union's general secretary, disclosed yesterday.

He said it was hoped to get the minimum wage of a waiter increased to R250 a month from January.

Negotiations would also take place with the Natal South Coast Catering Accommodation and Bottleshop Keepers' Association next month for a hike in pay for the South Coast workers.

Low pay and poor working conditions have been a bone of contention among hotel employees for many years.

The problem was further highlighted at the union's annual provincial conference in Durban recently when Mr Reddy pointed out that these two issues were major drawbacks in attracting young people to the hotel and catering industry.

Today, the youth is not interested in peanuts because of attractive wages offered by other fields of employment,' he said, adding that unless urgent steps were taken to upgrade the wages of waiters, the industry was likely to be faced with a serious shortage of manpower.

Service

At a recent Wage Board investigation into wages and conditions of service in the liquor and catering industry, Mr Reddy said the hotel industry was probably the only industry which did not have a wage scale and proper conditions of service to protect the employee.

'A new Basic Conditions of Employment Act was promulgated this year which will now control the hotel and catering industry in so far as conditions of service are concerned,' he added.
Union and CNA sign agreement

By Tony Davis
Labour Reports

The Commercial, Catering and Allied Workers' Union signed a comprehensive procedural agreement with the Central News Agency yesterday.

The agreement covers union members at the hundreds of CNA branches throughout the country.

Important features of the agreement include union and shop steward recognition, union access to stores, the right to negotiate wages and working conditions, disciplinary, retrenchment and grievance procedures, a dispute agreement, and a time-off agreement.

PREGNANCY

A maternity agreement provides for time off during pregnancy, automatic salary adjustments during these times as well as 12 paid days off a year for members to see to the medical needs of their children.

A major feature of the retrenchment agreement provides that management must negotiate any pending retrenchments with union officials well in advance.

White employees are likely to benefit from some of the agreements.
Two mine unions declare dispute

JOHANNESBURG: Two trade unions today declared a dispute with the Chamber of Mines, the first step towards a legal strike, during negotiations on 6,000 members' conditions of employment at nine gold mines.

The unions are the National Union of Mineworkers and the Federated Mining Union.

Unions and mining employers were to discuss 18 employment issues, but the talks appeared to have broken down on the first subject of abolishing racial discrimination in employment practices.

A statement issued by the chamber said the unions had advised them of a dispute situation, but employers were willing at any time to continue discussions — Sapa.
Premier and union negotiate

Labour Reporter

Negotiations on the future of over 400 workers at Premier Biscuit factory in Springs continue.

The factory was due to be shut down last Friday, but protests by the Food, Beverage Workers Union over the workforce's future won a postponement. After meeting union officials, the company increased its pay-out offers to workers. Premier is also reportedly looking at the feasibility of re-training workers for jobs in other group companies.

However, union officials are still unhappy and negotiations are expected to continue.
A paper union this week claimed a Boksburg subsidiary of the Kohler packaging group was guilty of an unfair labour practice after seven of its members were recently retrenched.

The Paper, Wood and Allied Workers’ Union, a Fosatu affiliate, said the company had laid off the workers without consulting the union and they were likely to take the matter up at the Industrial Court.

Kohler was willing to pay the men until the dispute was resolved.
Hoteliers react to wage hike call

Hotel owners on the Natal South Coast yesterday reacted with mixed feelings to a move by the non-racial Natal Liquor and Catering Trades Employees Union for a 'substantial' wage increase for workers in the catering industry.

The owner of a two-star hotel said the hotel industry was going through a recession and some would be forced to retrench staff if demands for big pay increases were made.

Mr S Swan, chairman of the Natal South Coast Liquor, Catering, Accommodation and Bottlesstore Keepers Association, said, however, that wages would be increased to keep pace with the rise in cost of living.

He said his association was presently negotiating a new wage agreement with the union which would be effective for the next three years.
DURBAN — Recognition negotiations between Dunlop South Africa's tyre factory and the Metal and Allied Workers' Union were concluded on Friday, July 8.

A procedural agreement, signed on Wednesday, July 10, provided for wage negotiating procedure, conditions of employment of shop stewards, disciplinary and grievance procedures, and retrenchment — Sapa.
Mine talks end in deadlock

By ANTON HARBER

NEGOTIATIONS between the Chamber of Mines and the National Union of Mineworkers ended in deadlock yesterday, raising the chances of the union declaring a dispute in the next few days.

The two bodies, who recently reached agreement on recognition, wages and the elimination of racial discrimination on the mines, were meeting to negotiate 17 issues outstanding from their last talks.

Yesterday's talks deadlocked when the chamber asked for clarity on the meaning of a joint commitment to an elimination of discrimination. The joint commitment was reached at the previous talks last month.

In a statement the chamber said it had reaffirmed this commitment, but did not see it as meaning "the equating of all conditions of employment of all employees irrespective of occupation or rank."

The chamber also said that agreements between various unions would not necessarily be identical. They said it would be difficult to move to other issues until this had been clarified.

A union spokesman said afterwards that they considered the matter to have been resolved at the last meeting and refused to allow it to be reintroduced. The talks then broke up.

The union spokesman said he had sent a letter to the chamber asking to meet their full executive by Wednesday next week. If this did not happen, they would declare a dispute, he said.

The chamber said in the statement it would be prepared at any time to continue negotiations.

The talks affect 6,000 members of the NUM and the Federated Mining Union on nine of the 42 mines that fall under the chamber.

The recognition agreement between the NUM and the chamber is the first signed between a black union and the mining bosses.
RECOGNITION agreements signed recently between a goods transportation company and an independent trade union marked the first such agreements in the Transvaal, a spokesman for the Transport and General Workers' Union said yesterday.

He said the Federation-affiliated TGWU had signed preliminary recognition agreements with Freight Services Forwarding and Freight Air.

He said the preliminary agreements facilitated "the election of shop stewards, meetings between shop stewards and management, access of union officials to workers on the company premises, and the ongoing negotiation of a full-scale recognition and procedural agreement" — Sapa
Dispute over race issue looms in mine talks

Labour Reporter

A dispute threatens future negotiations between the Chamber of Mines and two trade unions.

Talks between the chamber, the Federated Mining Union and the National Union of Mineworkers (NUM) broke down yesterday over the issue of doing away with racial discrimination in employment practices on the mines.

A statement by the chamber said it would not conclude the issue until it was clearly defined and suggested that the unions could examine a draft document on the matter.

But the two unions had refused to accept this situation and had advised the chamber they were in dispute, the statement said.

However spokesmen for the unions said they believed the issue had been resolved and they wanted to address themselves to a number of other matters of employment.

A letter would be sent to the chamber asking for a meeting with the mining body's executive before Wednesday and, failing that, a dispute could be declared, the union officials said.

The declaration of a dispute is the first step towards a legal strike.

A NUM official asked whether or not the chamber was prepared to finalise the matter of abolishing racial discrimination in employment practices if it was bringing up the matter again.

The chamber statement also said it was willing to continue discussions with the unions at any time.

The two unions represent about 6,000 workers at mine chamber gold mines.

There were also problems over wage issues last month.
Blaze heroes sacked

ELEVEN BLACK heroes have been sacked — less than a month after risking their lives to save 30 crippled white kids from a fire that ripped through their special home in Johannesburg.

On 23/6/85 The brave women, who include nine contract workers, were fired after protesting against having been told on June 28 to work up to 12 hours a day without overtime pay.

The women, some of whom earn as little as R45 a month, have been fired from the United Cerebral Palsy Association's Harry Kessler Centre in Johannesburg.

Last month a fire nearly destroyed the cerebral palsy home, causing R100,000 damage. The women who have now been sacked joined other staff members in braving the flames during the blaze to rescue the crippled children.

"This is a cruel blow. To think how we risked our lives saving those children in the fire," said sacked Mrs Anna Chauke. "There was nothing we could do but save those children. After all, children are children — no matter if they are black or white," she added.
London's most famous landmark — 1. etter Bridge.

"Garlic, juicer, killer," the sign on the wall in the factory. The workers say it's a joke. They work in the factory making juice and food. The factory is run by a company that pays very low wages. The workers are unhappy with the low wages and long hours. They want better working conditions and higher pay. The union is trying to help them organize to demand better rights. They are planning a strike to improve their working conditions.

"Workers stand together," the sign says. The workers are united in their fight for better rights. They are determined to improve their working conditions.

"They have had no income since September," the sign says. The workers are in debt and struggling to make ends meet.
Mediated settlement ends long dispute

PREMIER Paper in Kippsville and the Paper, Wood and Allied Workers' Union yesterday reached a mediated settlement, ending a lengthy dispute that climaxed in a week-long strike last May.

The mediators, Professor Johan Piron and Mr. Paul Pretorius, were called in after the strike, according to a statement from the Fosato-affiliated union.

The strike had occurred when workers demanded an increase of 20c per hour, but management refused to go above 10c.

The mediators provided for a 10c increase for all workers and a back-dated "bonus" of 10c for all hours worked between January and July.

They also reinstated the union's stop orders, which had been suspended during the strike, and re-opened the case of a worker who the union said had been dismissed without the company going through the proper procedures.

The union said they were happy with the mediation and praised the two mediators, one of whom had been appointed by each side.
Dispute looms

The chances of the National Union of Mineworkers declaring a dispute with the employer's association, the Chamber of Mines, may be reached soon following a deadlock reached during negotiations between the two parties.

The two parties, who recently reached an agreement on recognition of membership, wages and the elimination of racial discrimination on the mines, were meeting to negotiate 17 issues outstanding from their previous talks.

The talks reached a deadlock when the chamber asked for clarity on the meaning of a joint commitment to an elimination of discrimination.

In a statement to The SOWELAN yesterday, the chamber reaffirmed its commitment to the removal of discrimination, but requested that a clear understanding be formulated of the commitment entered during last month.
Anger in public sector over pay

By GERALD REILLY
Pretoria Bureau

THE Government is on a collision course with one million public sector workers unless an early announcement is made on interim salary increases.

Anger among senior public servants is mounting at the extent of the big salary increase Members of Parliament have voted themselves, while no assurances have been given to public servants of interim relief.

Leading trade unionists claimed yesterday it was outrageous that politicians had quietly raised their earnings by more than R300 a month, while ignoring the desperate plight of the nearly one million workers in the Government and provincial departments, the railways and the Post Office.

The 23% hike in the salaries of MPs will bring their total earnings to about R36 000 a year, including a R16 000 tax-free remuneration allowance.

The president of the Trade Union Council of South Africa, Dr. Anna Schepers — a former Senator — said: "If politicians expect other workers to make sacrifices then they too should be prepared to give up their increases. After all no-one will starve on their present earnings."

She stressed it was 18 months since the public sector workers had received increases. They had been told by the Minister of Finance, Senator Owen Horwood, that because of the recession inflation and lack of funds, they would get no rise in April.

Dr. Schepers said, "The only solution is for the Government to announce immediately that they intend giving public sector workers increases, or to refuse their additional R300 a month."

The president of the Federal Council of SATS Staff Associations, Mr. Jimmy Zurich, agreed the Government and its MPs should be the first to set an example and resist their proposed increases.

"The 250 000 railway workers have had no increases since April 1972, and with inflation running at 13% their plight has become serious," Mr. Zurich added.

Mr. Zurich said the Minister of Transport, Mr. Hendrik Schoeman, had agreed to meet the council next month to discuss interim rises.

"We will make the point strongly that if MPs can unflinchingly give themselves increases, then there are no grounds for asking railway and other public sector workers to make sacrifices," the Minister of Internal Affairs, Mr. F. B. de Klerk, hinted some time ago in Parliament there might be adjustments for public servants later this year.

The president of the Public Servants' Association, Mr. Colin Cameron, said yesterday he had no objection to MPs getting increases, provided this meant rates for Government workers.
Dispute settled

THE long-standing labour dispute between a Fosatu-affiliate, the Paper, Wood and Allied Workers' Union and the Premier Paper in Kiprivi
er has been solved after a mediated settle-
tment was reached by the two parties at the weekend.

In a statement the union says it was "hope-
ful that management's attitude will change when negotiations on a new agreement starts soon."
Union agreement for 800

The Federation Mining Union has signed an agreement covering 800 people who work at a factory in South Africa but live in Bophuthatswana.

The agreement, covering all 800 workers at the refinery, involves retrenchment arrangements and a wide range of work conditions.

According to the union, the fact that the workers live in Bophuthatswana does not affect their trade union rights in South Africa.

The union, led by general secretary Mr. De Villiers Watt, was formerly for coloured workers until it changed its constitution to include all races.
Major win for Mawu

THERE were many smiles among members of the Metal and Allied Workers' Union (Mawu), which has signed a major recognition agreement covering 1,500 workers at five plants of the CI Industries group in Pinetown, near Durban. The agreement, which gives the union plant-based bargaining rights and recognises shop stewards, was signed on Friday, according to a statement from Mawu.

CI Industries, makers of caravans, trailers and mobile houses, is the biggest employer in the motor industry in the area. The Fosite-affiliated union has begun negotiations with the company for wage increases that will be back-dated to July.

"We proved two things at CI Industries," said Mr Geoff Schreiner, the Mawu branch secretary. "Firstly, that it is quite possible that recognition agreements be negotiated and signed in less than a month, and secondly that Mawu is one of the few unions in the industry seriously able to represent a properly multiracial membership."
Workers drop legal action

Mail Reporter

THE Paper, Wood and Allied Worker's Union (PWWAU) this week withdrew a legal action over retrenchments at a Brakpan factory after the company agreed to reemploy the workers and negotiate the issue.

PWWAU began legal action after management at Kohler Corrugated, Brakpan, retrenched seven workers, including the chairman of the shop stewards' committee.

PWWAU said it had been surprised at the decision to retrench staff because the company was working substantial overtime, was employing casual labourers and was opening a new department.

PWWAU, which is affiliated to the Federation of SA Trade Unions (Fossatu), also accused the company of avoiding negotiations because it preferred to deal with the SA Typographical Union (SATU).

But this week, PWWAU withdrew the legal action after management offered to reemploy the workers for six weeks while retrenchments were negotiated.

Next week the workers will also vote for a second time in a ballot to show whether they support PWWAU or SATU. At the first ballot 94% of the workers supported PWWAU.
Final bid to end talks deadlock

Mail Reporter

The Chamber of Mines and the National Union of Mineworkers (NUM) will make a last attempt this morning to break the deadlock in their talks.

Officials of the NUM and the Federated Mining Union, who will meet a representative of the chamber early today, are hoping "to sort out the matter" before they reach their deadline for declaring a dispute.

The NUM said on Friday that if they did not meet the full executive of the chamber by today, they would declare a dispute.

The deadlock began during negotiations between the three parties on Friday when the chamber asked for clarification of an earlier joint commitment to eliminate racial discrimination on the mine.

The NUM refused to reintroduce the issue, saying it had been settled at earlier negotiations.

Last month the three parties agreed on wages and issued the joint commitment on racial discrimination, but 27 demands made by the union remain to be negotiated.
Police disperse workers

By SELLO RABOTHATA

ABOUT 50 workers at Supreme Moulding in Robertsville, yesterday claimed that the company's management called police and dogs, before ordering them out of the premises because they had joined a union management did not like.

They also claimed that before they were ordered out, they were asked whether they wished to work for the union or the company. All the workers have joined the Fosatu affiliated Paper, Wood and Allied Workers' Union (Pwawu). A rival union was said to have addressed the workers some time last week in a bid to woo them over to their side. Pwawu already claims a majority of the workers at the company and had already written to the company requesting a meeting to finalise their recognition by the company.

Ms Jemimah Futchani, one of the four workers elected as shop stewards, said: "I was called to the manager's office on Thursday last week and told that management was aware of my movements. Management was also aware that we had joined a union and wanted to know why we needed a union. We were then told I was suspended and should not come back to work.

"On Friday I went to work, ignoring the suspension but was reprimanded by the manager. When I was about to go all the workers already knew about the action against me and decided to down tools. The issue was discussed and workers said I should apologise for being rude. We went back to work and three hours later organisers of another union came to recruit and were turned back because we had already joined Pwawu.

"On Monday management questioned us on a letter from our union requesting a meeting to discuss their recognition. A meeting was arranged for lunchtime but instead of a meeting taking place, police with two dogs arrived in three cars and a van. We were then told to disperse."

Meanwhile Pwawu officials have threatened to take legal action against the company.

The company's manager, Mr Gilbert Emume, could not be reached for comment yesterday. A secretary at his office told The SOWETAN that he was "busy" and would phone back.
Mines bid to avert dispute

Two trade union leaders will meet Chamber of Mines officials today in an attempt to avert a dispute with the employer body.

The meeting follows a deadlock in negotiations on conditions of employment on mine gold mines for members of the National Union of Mine Workers and the Federated Mining Union.

A chamber spokesman said there were practical difficulties in eliminating racial discrimination in employment because of the wide range of occupations on the mines.
New hitch in mine talks

THE National Union of Mineworkers (Num) has refused to accede to a request from the Chamber of Mines not to continue with further talks until there is a proper understanding on both sides on what is meant by "the removal of racial discrimination from the industry".

The Chamber of Mines and Num were supposed to continue their talks on conditions of employment. At the historic meeting where the union was granted recognition the removal of discrimination from the industry and wages was finalised.

But when talks resumed to discuss outstanding issues, the Chamber of Mines asked for a clarification of the question of eliminating racial discrimination. The union refused to reopen discussion on the issue, saying the chamber had already given an assurance that it would eliminate discrimination.

The talks, which were postponed on Friday, resumed briefly yesterday and union secretary Mr Cyril Ramaphosa said he reiterated the stand previously taken "The chamber wants to put certain qualifications on their commitment to remove discrimination will not mean making conditions of employment equal for all workers in the industry," said Mr Ramaphosa.

"We are against management setting preconditions for the continuation of our negotiations. We are not going back on an issue which was understood by both parties at the previous talks," he said.

Mr Ramaphosa said unless they removed the preconditions they would declare a dispute. The representatives of the chamber who met with Num yesterday are going to get a ruling from their principals and will report back to Num.

Labourer wins case

A MAGALIESBURG farm labourer shot in the leg for trespassing by a local white farmer three years ago, was this week paid R600 plus legal costs following an out-of-court settlement in Krugersdorp on Monday.

The settlement is a sequel to an incident in which Mr Matse Daniel Montsioa (54) was shot and injured while visiting his brother-in-law at a Magaliesburg farm owned by Mr J du Plessis in October 1980.

In his affidavit, Mr Montsioa said Mr du Plessis came into his brother-in-law's house and fired a shot at him. "without a reason." The farm worker was injured in the leg as a result, and spent a night in a police cell after the farmer laid a trespass charge against him.

A marathon civil action instituted by Mr Montsioa, with the help of Legal Resource Centre in Johannesburg, shortly after the shooting incident, came to a dramatic end this week when the farmer paid the complainant R600 plus legal costs.

Focus on creches

PARENTS with children at pre-primary schools in Kwa-Thema, Springs, are invited to a seminar on Friday that will address itself to problems affecting their dependants.
Deadlock broken on mine talks

Labour Reporter

The Chamber of Mines will continue negotiations on conditions of employment of the members of two trade unions next week after a deadlock was averted yesterday.

The National Union of Mineworkers and the Federated Mining Union had warned that a dispute could exist between them and the chamber.

This would arise unless the employer body was willing to agree to take the issue of racial discrimination in employment on mines off the negotiating agenda.

The chamber agreed to this yesterday, and a spokesman said today that this would allow negotiations to continue next week on other employment conditions.
THE NATIONAL Union of Mineworkers (Num) scored a small victory when the Chamber of Mines agreed not to press ahead with their demand that further talks should not continue until there was a proper understanding on what is understood by removing racial discrimination from the industry.

The second round of talks between the Chamber of Mines got bogged down when the Chamber wanted the issue of removing racial discrimination to be reopened. This issue was finalised at the first meeting between the two bodies. The Chamber wanted to make this a precondition for the continuation of the talks, but Num stood their ground and refused. They threatened to declare a dispute.

The talks will now continue on Tuesday.

Watching these developments from the sideline is the White Mine Workers Union of Mr Arrie Paulos. When asked for his response to the elimination of racial discrimination in the mining industry, Mr Paulos told The SOWETAN that they would cross that bridge when they reached it.
Union slams Liberty Life

BLACK workers at Liberty Life Insurance Company have unique problems compared to those of their white colleagues and as such they cannot belong to a multi-racial union.

Thus is the view of the workers' union, the Insurance Assurance Workers' Union, who have been battling to gain recognition from Liberty Life. One of the reasons the union is unacceptable to management is that it is an all-black union.

Mr Jeff Lengane, the national organiser of the union, said they rejected Liberty Life's policy of multi-racialism as it did not apply to the black workers. "Our members are definitely not regarded as equal to their white counterparts", he said.

Mr Lengane said it was precisely because their members were discriminated against that they went on strike. "If our members were part of the multi-racial policy of Liberty Life they would not have had grievances," he said.

At a workers report back meeting held on Wednesday, management's claim that they met with union officials and that the workers agreed to submit a list of grievances were refuted. The workers reiterated that the union should negotiate on their behalf.

The union has however written a letter to Liberty Life informing them that if they do not respond to the demands of the workers within seven days a dispute will be escalated.
Mining deadlock broken — ‘race’ cut from agenda

By ANTON HARBER
Political Reporter

The week-long deadlock between the Chamber of Mines and mining unions was broken yesterday when it was agreed that the question of racial discrimination would be removed from the agenda of their talks.

The parties — the Chamber, the National Union of Mineworkers and the Federation of Mining Union — will continue negotiations on 17 outstanding issues on Tuesday.

The deadlock began last week when the chamber asked for discussion on an earlier joint commitment to remove racial discrimination. The chamber wanted to make it clear that this did not mean that "all workers would be treated the same", since there were different unions with different agreements. The unions refused to discuss the matter, saying it had been settled when the joint commitment was issued.

But yesterday, during the third meeting between them this week, it was agreed to remove the item from the agenda and "deal with it in another manner", according to a spokesman for the chamber.

Mr Cyril Ramaphosa, general secretary of the NUM, confirmed that the chamber had agreed to remove the race issue from the agenda.

He also said some of the issues that remained to be discussed was a demand that black workers who, by virtue of a special exemption, were doing jobs reserved by law for whites would be paid the same as whites.

Other demands to be discussed were annual leave, accident leave, paternity leave and the preservation of employment and working conditions in the event of changes in technology.
UNION TO SEEK LEGAL ADVICE

By NKOPANE MAKOBANE

FIVE OF THE six Commercial, Catering and Allied Workers' Union of South Africa (Ccwusa) members acquitted in the Johannesburg Regional Court yesterday under the Intimidation Act are to seek legal advice.

The sixth accused, Miss Stella Mashgo (21), of Meadowlands, was again not present in court and has once had a warrant of arrest issued against her.

Appearing before Mr T Kleinhans were, Mr Jacob Rafapa (31) of Diepkloof, Mr Jack Mangwane (45) of Alexandra, Mr Josiah Podile (35) of Naledi, Miss Joyce Mokoin (27) of Rockville, and Mr Victor Danoed (44) of Emdeni.

The union members, all employees of an electronics firm, Taltex, in Newton, Johannesburg, had pleaded not guilty to charges of intimidation and assault on their co-workers.

The State had alleged that between November and December last year they had compelled several employees to abstain from going to work and to participate in a strike. During that period they had stoned one employee and assaulted another by sambokking him.

In an application for the acquittal of his clients who he did not call to testify, Advocate J N de Vos argued that evidence before the court was insufficient.

He said some of the witnesses had contradicted themselves and were unreliable. Some had said they were not threatened while others said although they were threatened, it was not by the accused.

Before freeing the accused, the magistrate, dealing with Mr Mangwane, said evidence had been that he had approached an employee and spoke to him when other people started to stone the employee and then ran away. Mr Kleinhans said he had no reason to convict him on this evidence.
Public sector clamour for pay rises grows

By GERALD REILLY
Pretoria Bureau

PUBLIC sector workers — there are more than 1 600 000 of them — have intensified pressure on the Government for urgent pay rises.

And senior public servants warn the Government will have to submit to the demands being made or face a situation of "disruptive dissatisfaction" throughout the public service.

However, the cost to the Government — and the taxpayer — of even limited increases would be huge.

For every 1% rise in the Central Government departments alone — they employ nearly 250 000 workers — the cost would be about R65 million.

The growing clamour for pay adjustments has been strengthened by the more than 25% rises MPs and the Cabinet have voted for themselves.

This was in spite of repeated appeals from the Government to the private sector to moderate pay demands.

The public sector staff associations are now demanding something more than the "vague undertaking" given by the Minister of Internal Affairs, Mr F W D Kloek, that there could be a salary review later in the year.

Teachers and Post Office workers have now joined State and provincial departments and the railway unions in the swelling agitation for immediate pay adjustments.

The chairman of the Federal Council of Teachers' Associations, Mr John Stoner, said yesterday that members of the council would meet the Minister of National Education, Dr Gerrit Viljoen, next month to discuss early salary adjustments.

And on Thursday the central executive of the Postal and Telegraphs Association met in extraordinary session in Johannesburg following a rejection of their demand for interim rises by the Minister of Posts and Telegraphs, Dr L A F Munnik.

In a statement after the meeting the executive said further "urgent representations" would be made to the Government for immediate pay adjustments to compensate for an inflation rate which averaged more than 13% over the past 18 months.

The Federal Council of SATS Staff Associations will meet the Minister of Transport, Mr Schoeman, next month to press for immediate financial relief for railway workers.

The chairman of the council, Mr Jimmy Zurcher, said yesterday: "If the Minister rejects our demands I fear he is going to have a lot of very unhappy workers to contend with by October — the latest acceptable date for an adjustment — it will be 20 months since we got our last adjustment."

In the meantime, Mr Zurcher emphasised, inflation had eaten away more than 28% of the purchasing power of wages and salaries.

The Public Servants' Association has also made pay demands to the Commission for Administration.

Public sector workers were refused normal pay rises in April this year.
Govt facing pay crunch

Mercury Reporter

A TOUGH stand to get general pay rises for thousands of disgruntled Post Office workers is expected from the Post and Telegraphs Association after a decision at a special meeting to maintain top-level pressure on the Government.

The secretary of the association, Mr Frank Gerber, said from Johannesburg yesterday the association was disappointed with the outcome of recent requests and would urgently ask the authorities to reconsider.

The association had not heard from the Minister of Posts and Telegraphs, Dr LAPA Munnik after top-level negotiations in June. Dr Munnik said increases were not possible at that stage and he gave no indication when an answer could be expected.

Meanwhile, many workers throughout the country are said to be extremely dissatisfied with the way in which their demands were being handled at Government level. Many are on the brink of resigning because of their struggle to maintain living standards.

Committee leaders warned that the Government could not afford to bluntly reject demands for drastically needed increases with the forthcoming constitutional referendum at hand.

The president of the Public Servants' Association, Dr Colin Cameron, said from Pretoria yesterday his association was also waiting to hear from the Minister of Internal Affairs, Mr F W de Klerk, after urgent requests on the salary question.

The Mercury's Pretoria correspondent writes that public sector workers — more than a million of them — have intensified pressure on the Government for urgent pay rises.

And senior public servants warn that the Government will have to submit to the demands being made or face a situation of disruptive dissatisfaction throughout the Public Service.

However, the costs to the Government — and the taxpayer — of even limited increases would be high.

For every 1 percent rise in the central Government departments alone — they employ nearly 250,000 — the cost would be about R68 million.

The growing clamour for pay increases has been strengthened by the more than 20 percent rises Members of Parliament and the Cabinet have voted themselves.

This was in spite of repeated appeals from the Government to the private sector to moderate pay hikes.

Salary

The public sector staff associations are now demanding something more than the 'vague undertaking' given by Mr de Klerk that there could be a salary review later in the year.

The chairman of the Federal Council of Teachers Associations, Mr John Stonier, said yesterday members of the council would meet the Minister of National Education, Dr Gerrit Viljoen, next month to discuss early salary adjustments.

The Federal Council of SATS Staff Associations will meet the Minister of Transport, Mr Hendrik Schoeman, next month to press for immediate financial relief for Railways workers.
Mawu condemns refusal

THE Metal and Allied Workers' Union yesterday condemned the "rigid refusal" of the Association of Electric Cable Manufacturers to continue wage negotiations and said it was proceeding with a dispute against two companies.

Mawu also warned it had asked for the co-operation of employees of these two companies in Sweden and Germany and had contacted the International Metalworkers' Federation to co-ordinate this support.

Mawu has been in dispute with Asea Cable and Siemens Cables since the association refused to allow them to return to the works to get a mandate on wage negotiations.

The dispute centres around Mawu's claim that the negotiations were concluded prematurely and that the wage increases were too low.

In a statement yesterday, Mawu "strongly condemned the rigid refusal of the association to show any movement in their dispute."

Mawu said the employers had refused to negotiate at a meeting last week and had also refused to follow the alternative steps for a dispute set out by the industrial council.

These steps were voluntary mediation or voluntary arbitration.

The refusal to take these steps made a mockery of the industrial council's procedures.

Mawu is now proceeding with disputes against Asea Cable and Siemens Cables, where it claims to have majority membership.

"The union has also notified Swedish and German workers in Asea and Siemens of the disputes and has asked for their co-operation. The International Metalworkers' Federation has been contacted to co-ordinate this."

"Mawu is also calling on workers in Aberdare Cables, Aycliffe Cables, African Cables and ATC to join Mawu and unite with other workers," the statement said.
Steel bosses getting tougher

Mail Reporter

The Metal and Allied Workers' Union (Mawu) claims that Sefsa, the employers' body in the metal and engineering industries, has issued tough new guidelines for companies facing industrial action.

In a statement yesterday, Mawu condemned the guidelines and said the companies were using the recession to crack down on unions.

Mawu has been informed by some employers that Sefsa is circulating new guidelines in the metal industry, the statement said.

It was not clear whether these are formal or informal guidelines, but they advised employers faced by a restive workforce, or by any industrial action, to take a hard line, according to Mawu.

The guidelines apparently tell employers faced by industrial action to dismiss all employees, then re-employ all except those allegedly implicated in intimidation, and to reinstate long-service benefits only after the workforce has proved docile.

This hard line was consistent with the very rigid attitude taken in negotiations by companies such as Highveld Steel, Dunsart Steel and the Cable Manufacturers' Association, the statement said.
Union faces battle over top official's sacking

By ANTON HARBER

The Johannesburg Municipal Combined Employees' Union (JMCEU) has stripped vice-chairman Mr Greg Daniels of his office for representing a worker who was fired for staying home on June 16.

But supporters of Mr Daniels, who may be prevented from running for re-election at the union's annual meeting next weekend, have called the move unconstitutional.

The union's executive will meet tonight to discuss whether two shop stewards who voted for Mr Daniels' suspension from office, had the constitutional right to vote.

The issue is the latest in a long series of conflicts in the closed-shop, Tucsa-affiliated union for Indian and coloureds.

Last year a committee member, Mr George Harris, was granted an interim interdict to stop the chairman, Mr George Huntley, from cutting him unconstitutionally.

Mr Huntley is a senior staff member in the Johannesburg City Council's housing department.

Another executive committee member, Mr Terry Jeewananthan, was expelled for criticizing his colleagues in the union leadership, but the expulsion was overruled at a general meeting.

Early this month Mr Daniels represented Mr E Philips at a city council disciplinary hearing. Mr Philips was fired for not working on June 16, the anniversary of the 1976 Soweto unrest.

Mr Philips was subsequently called before the union executive for a disciplinary inquiry.

He was charged with disregarding an instruction from the chairman not to attend Mr Philips' disciplinary hearing, acting selfishly and not in the best interests of Mr Philips in doing so, and casting a poor reflection on the union's credibility.

He was also accused of behaving in an arrogant and insolent manner when he defied an order from the chairman to recuse himself from a meeting.

The executive decided that Mr Daniels, who was due to run for re-election at the AGM this weekend, could not hold office for three years.

This would mean that a former vice-chairman, Mr B Isles, a member of the faction opposed to Mr Daniels, would be elected unopposed.

Mr Daniels' supporters claim it was unconstitutional for two shop stewards to vote for his dismissal because they were not elected members of the executive.
Junket trip abroad stopped

Staff Reporter

MEMBERS of the Divisional Council of the Cape have stopped two of their colleagues from enjoying an overseas "junket" to study light rail transport systems.

The three-week trip to Europe and North America was to have been financed by Divo's general rate fund and the Atlantis Capital Account.

The purpose of the trip would have been to examine transport systems overseas with a view to building a similar one in Atlantis.

But Mr Len Pothier described the tour as "something of a junket" and said the best experts in the world were currently available at the transport exhibition in Johannesburg.

The council chairman, Mr G M Bosson, also opposed the idea of councillors going on the trip.

Mr M J Aggenbach, deputy council chairman, one of the councillors due to go on the trip, said he would not go directly to the Department of Community Development for which the council merely acted as an agent.

The other councillor due to join the overseas tour was Mr L J Rothman, chairman of the works committee.

Workers in dispute with employer

Labour Reporter

ABOUT 170 workers at the African Span Concrete Company in Blackheath have not worked for two days after a six-month recognition dispute flared up this week.

The workers, all members of the General Workers' Union, downed tools yesterday after the company's management had apparently declined to meet with the union.

All have remained on the factory premises since then.

According to union spokesmen, management has told workers that the factory was closed until tomorrow.

The general secretary of the GWU, Mr D Lewis, said union officials and worker representatives had first met with management in February to negotiate a recognition agreement.

cancelled

However, negotiations had stalled and on June 23 management "summarily cancelled a planned meeting to discuss recognition of the union," Mr Lewis said.

"The workers wish to work but they also want their union recognised," he added.

A spokesman for management today refused to comment on the dispute.

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Metal union set to declare war

THE Fosatu-affiliate Metal and Allied Workers' Union is to declare a dispute with the Association of Electric Cable Manufacturing who have "rigidly refused" to open wage negotiations with the union.

The union has condemned the management for its behaviour and has already canvassed international support to solve the dispute.

In a statement the union said that the management has also refused to follow the alternative steps of the Industrial Council dispute procedures which include voluntary mediation or voluntary arbitration.

At a previous meeting the employers pressed that Mawu should agree to other unions being allowed to take part in the proceedings. Mawu refused on the grounds that the other unions had already agreed on the increases.

Mawu's delegates have noted that the management's insistence on the proposal to have other unions in the negotiations was "making a mockery" of the dispute setting procedure.

The union has also notified Swedish and German workers in Asea and Siemens of the dispute and asked for their co-operation.

The international Metal Workers' Federation has been asked to arbitrate in this matter.
SA trade does well

PRETORIA - South Africa recorded a favourable trade balance of R2,589.4 million for the first half of this year, according to preliminary statistics released today by the office of the Commissioner for Customs and Excise.

Exports for the first six months totalled R10,552.7 million, compared with R8,670 million for the corresponding period last year.

The country's total import figure for the first half of the year stood at R7,912.9 million, down on the previous year.

Europe remained the major importer of SA goods - Sapa.

East Cape motor trade wage talks resume tomorrow

POST REPORTER

A SECOND round of wage negotiations in the Eastern Cape's motor industry resumes tomorrow, with unions anticipating counter-proposals from employers.

Union proposals were tabled when the talks opened early in July and are believed to restore wage demands at minimum levels of R225 per hour, which last year led to prolonged deadlock and strikes.

Parties to the new series of talks - conducted under the umbrella of the Industrial Council Automobile Manufacturers Association Eastern Province - are:

- The Eastern Province Automobile Manufacturers Association chairman, Mr. Fred Ferrero of Ford (SA).
- The National Automobile and Allied Workers' Union general secretary, Mr. Henry Ferreira.
- The Motor Assemblies and Component Workers' Union of SA is not represented and is not a party to the talks.
Paper, wood workers reject Satu

THE Paper, Wood and Allied Workers Union (Pwawu) has for the second time in a month received overwhelming support from about 400 workers at a Brakpan firm against the management-favoured South African Typographical Union (Satu).

In a ballot vote held at Kohler Corrugated yesterday, Pwawu received a 94 percent vote from workers who also indicated their desire to resign from Satu, to which they are bound by a close shop agreement.

According to a statement released by Pwawu yesterday, the first ballot vote organized by management was held on June 27 this year, when the two unions contested for membership of workers at the firm.

The results showed a 94 percent support for Pwawu by members who belong to Satu. But the results were challenged by management who charged that some work-

By SAM MABE

ers had been intimidated into voting in favour of Pwawu. Satu also charged that it did not know about the holding of the ballot elections.

When voting was cast for the second time yesterday, Pwawu once again secured the support of 94 percent of the workforce.

A spokesman for Pwawu said: "We are pleased to have now proved beyond doubt that the majority of Kohler workers want to be represented by Pwawu. We hope to begin negotiations with management on the issue of seven workers who were retrenched last month.

"We look forward to a long and constructive relationship with Kohler. Unfortunately, the workers are still compelled to belong to Satu by the closed shop agreement between management and Satu.

"We call on Satu to concede defeat and allow workers who wish to resign to do so. We also look forward to Kohler Corrugated receiving a complete and unconditional exemption from Satu's close shop agreement in the near future."
Railways Workers Demand Equal Pay for Equal Work

The National Mercury, Wednesday, July 27, 1983

(continued from previous page)

Amendment

In the absence of a specific management proposal, the Union of Railway Employees proposes to amend the existing agreement to include:

1. Equal pay for equal work
2. Protection against unfair dismissal
3. Improved working conditions

Mercury Correspondent

The NEC (National Executive Committee) of the Transport and General Workers' Union has authorized its representatives to negotiate with the railway management on the proposed amendments.

The NEC has also instructed its representatives to ensure that the amendments are implemented promptly.

The amendments are expected to be implemented by the end of August 1983.
THE Paper, Wood and Allied Workers Union says it will launch a key industrial court action against a Durban subsidiary of Anglo American if it does not agree to negotiate with the union by tomorrow.

If the action takes place, it will test again the court's attitude to union bargaining rights in individual companies. The court has handed down two key decisions this year.

It is understood the PWAWU would base its case in part on the court's recent decision in the Poden's case, where it ordered an employer to negotiate with a representative union.

A PWAWU representative said the union had told Mondi Paper it would launch the action if no new meeting between them was held by tomorrow.

It alleges that Mondi refused to negotiate with it at its mill in Morebank, Durban, where the union claimed to have signed up about 800 of the 1,400 workers. The majority of workers at the plant are Asian, it says.

Mondi's managing director, Mr Reg Donner, could not be contacted for comment yesterday.

Mondi and the union were recently involved in a recognition dispute at the company's mill in Felixton, Natal. Since the dispute, the two sides have been negotiating on recognition.

But PWAWU says an agreement has been held up by Mondi's insistence that majority unions also be given bargaining rights and that some issues be negotiated at an industrial council. The union rejects both points.

The union says it recently approached Mondi for recognition at the Morebank mill and was granted stop order facilities.

But management says there will be no recognition agreement until the Felixton agreement is signed.

"In the interim, they are refusing to recognise our shop stewards or to negotiate with us on worker grievances. We believe this is part of an attempt to force us to join the council. Unless the Felixton agreement is signed, which means we must agree to negotiate at the council, they will not bargain with us at Morebank."
Union is given the nod

Labour Correspondent

ANGLO AMERICAN subsidiary Anglo American Property Services (AMPROS) has recognised the Transport and General Workers Union.

According to an Anglo statement issued yesterday, the agreement covers "a number of AMPROS buildings in Johannesburg, Benoni and Pretoria in which the union has achieved a membership of more than 50% of the employees."

It said the agreement allowed the union to achieve bargaining rights at other AMPROS buildings when it achieved majority support from their workers.

The statement said the agreement gave the union the right to negotiate annually on wages and other issues such as health and safety, retrenchment and leave.

It also covered the election of shop stewards, access to buildings by union organisers and dispute and grievance procedures.

According to the statement, contact between AMPROS and the union began after the TGWU had recruited "a substantial number of members" at the Carlton Centre, after which it approached AMPROS for recognition.
govt faces crisis over wage hikes

by Gerald Reilly

And their luxury homes in Pretoria and Cape Town will now be freed of the nominal R5a-month token rental.

Deputy Ministers have also benefited substantially. Their salaries will shoot up to R59,904, including the same reimburse allowance. Dr. Africander reported.

MPs' salaries will also rise by about 24% to R38,800 of which R10,000 is tax-free.

This was in spite of repeated appeals from the Government to the private sector to moderate pay hikes.

Labour leaders have condemned the MPs' "selfish and totally unjustified action."

The chairman of the Federal Council of SATS Staff Associations, Mr. Jimmy Zurch, and the president of the Trade Union Council of South Africa, Dr. Anna Scheepers, have both criticised the move.

They say the Cabinet should have set an example to the rest of the country by rejecting the agitation among MPs for pay rises.

In any case their pay — R10,000 a year, plus R10,000 reimbursable allowance, should, according to Dr. Scheepers, "keep them from starving."

The Prime Minister, Mr. P. W. Botha, announced during the recent Parliamentary session there were to be salary and allowance increases for MPs.

In a statement made with the approval of the opposition parties he said the link between the civil service ranks and MPs had become largely inapplicable with the current programme of professional differentiation in the service.

Changes in the civil service structure, he said, had affected public servants but there had been no similar adjustments in the salaries and allowances of MPs.

Political observers say it is noteworthy that there are virtually no major issues on which the National Party and the opposition parties agree, but on salary adjustment there is a blissful unanimity.

Earlier this year the Minister of Internal Affairs, Mr. F. W. de Klerk, and the Minister of Finance, Mr. Owen Horwood, hinted at the possibility of pay adjustments later in the year for Government workers.

However, public sector staff associations are now demanding something more than the vague undertakings of Cabinet Ministers.

And teachers have joined the State departments, the railways and the Post Office in the agitation for immediate pay adjustments.

The chairman of the Federal Council of Teachers Associations, Mr. John Steyn, with members of the council, is to meet the Minister of National Education, Dr. Gerrit Vlok, next month to demand financial relief.

The Minister of Posts and Telegraphs, Dr. Lapa Munik, rejected an appeal from the Postal and Telegraphs Association for increase last month. In spite of this the association last week made a new and urgent appeal to the Government.

On August 29 the Federal Council of SATS Staff Associations will lay a demand for increases at the latest in October before the Minister of Transport Services, Mr. Hendrik Schoeman.

Mr. Zurch said this week: "If the Minister rejects our demands I fear he is going to have a lot of very unhappy workers to contend with in October — the latest acceptable date for an adjustment — it will be 20 months since we got our last adjustment."

In the meantime, Mr. Zurch emphasised, inflation had taken away another 10% of the purchasing power of wages and salaries.

The Public Servants Association have also made pay adjustment demands on the Commission for Administration.

Public sector workers were refused normal routine increases in April because of the worsening recession, the Government's commitment to fighting inflation, and a general lack of funds.

However, political observers believe the Government will submit to pressure for interim rises — even though they may be nothing more than 5% to 8% — because of the looming referendum on its constitutional proposals.

They stress there are more than 400,000 white workers in the State and provincial departments, the Railways and the Post Office, most of them with the vote.

And this did not take into account the large numbers of their families, it was further pointed out.

So the Government, with a strong and growing opposition, from its Right and Left to its proposals, is not likely to have any stone unturned in the effort to get approval for its reforms.
Detained unionists were due in court

Labour Correspondent

Two members of the SA Allied Workers Union who were detained in Atteridgeville township, near Pretoria, on Sunday night were due to appear in the Pretoria Magistrate's Court yesterday, according to a police spokesman.

He said they would be charged under the Criminal Procedure Act.

The two men, Mr Khotso Mabola and Mr Gerald Ramano Dau, were arrested at a party in Atteridgeville on Sunday night.

According to SAAWU, Mr Mabola, 26, is an ordinary union member who works at Olympia International in Pretoria, and Mr Dau, 28, is a member at the electrical multinational Siemens.

The union alleges that, since the detentions, police have raided the two men's homes and confiscated union membership forms. It condemned the police action as "harassment.

In response to a telex requesting confirmation of the detentions, Mayor V. Haynes, of the South African Police Public Relations Division, said the men would appear in a Pretoria Magistrate's Court yesterday "on a charge or charges under the Criminal Procedure Act."
Union accuses
brickworks of

t2/17/87

By STEVEN FRIEDMAN
Labour Correspondent

A KRUGERSDORP brick-
works has been accused of
victimising members of the
Building, Construction and
Allied Workers Union - a
charge it angrily denies.

The union claims West
Rand Brickworks fired one of
its members, Mr. Isaac Maso-
ega, after learning he was a
leading member of the union.

It also claims the company
confiscated membership
cards from union members
and has refused to return
them.

But a company spokes-
man, Mr. Van Graan, yester-
day denied that Mr. Masoga's
sacking was connected with
his union membership and
added that union members
had voluntarily handed over
their membership cards to
him.

According to the union,
which claims "substantial
membership" at the plant,
management told workers at
a regular Friday afternoon
meeting that it had learned
some were members of the
union.

It alleges that the follow-
ing Friday, Mr. Masoga was
called to the office of a man-
agement man, asked why he
had not told his employer
that he had joined the union,
and threatened

It said management had
subsequently "gone round the
company collecting people's
membership cards" and
warned workers that Mr. Ma-
soga was a "snake."

It said Dr. Van Graan had
said then that he would take
further action against Mr.
Masoega and that he had sub-
sequently been fired.

Dr. Van Graan said yester-
day Mr. Masoga had been
working as a clerk, but that
there was no work for him in
that job. He asked to become
a driver and the company
agreed, as he said he had a
driver's license.

"But he failed a driving
test arranged by the province
and we had to part with him.
We are hurt by these claims
because he left in good
spirit."

Dr. Van Graan said he had
become aware of the union's
presence at the plant when
discussing with workers a
benefit scheme he planned to
introduce.

"Some said they already
had a benefit scheme which
turned out to be the union.
But many were against this
and a split developed along
ethnic lines."

On a subsequent occasion,
he said, he had come across
union officials at the plant
and invited them to a discus-
sion. "But they mulled me
about their identity and de-
 nied being union officials."

He had told workers of this
incident and some had been
so angered that they had
wished to burn their mem-
bership cards. He advised
them against this and these
workers had handed their
cards to him.

"They can have them back
any time they like."

He said workers had little
understanding of "what a
union entailed."

"I can understand that
unions have an important
role in large companies
where there is little commu-
nication between manage-
ment and employees. But I
don't think they would have
much of a role here."
Union claims bar on meeting strikers

Staff Reporter

THREE members of the General Workers Union (GWU) have claimed they were prevented from entering Mfuleni township and meeting with striking workers from Blackheath's African Spun Concrete Company on Wednesday night.

Production at the company came to a halt on Monday following months of worker dissatisfaction at the management's failure to recognize the GWU. Negotiations over several months to establish the union's representation at the factory have so far failed.

Permits

The general secretary of the GWU, Mr. David Lewis, said yesterday that he and two other members had been refused entry to the township by Administration Board security guards, who said they would arrest them if they entered the township without permits.

"I don't understand it—we've been going to meetings in Mfuleni without a permit for the past 18 months and have never been questioned," said Mr. Lewis.

He said the union had more than 2,000 members in the township and warned that many of the workers might read management complacency into their barring of the union's representatives from the township.

"This could cause major problems for management if they want to have any type of relations with their employees," said Mr. Lewis.

Numerous attempts to obtain comment from a WCAB spokesman failed yesterday.

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In another dispute involving GWU members, about 350 employees of the Provincial Roads Department in Beaufort West downed tools this week.

According to a GWU spokesman, the workers, who have always been paid on the 22nd day of the month, were told last week that they would be paid a week late. After a week had passed and there was still no sign of their money, they downed tools and demanded it, he said.

He said the Roads Department management had locked the workers out yesterday morning, but that after negotiations with the workers committee, the management had agreed to pay the workers and work would be resumed today.

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UNIONS

Arguing about race

Important questions in labour law are being raised in a recognition dispute between Liberty Life and the Insurance and Assurance Workers' Union of SA (Lawusa).

Lawusa is trying to represent black workers in the insurance industry. About 100 of its members employed by Liberty Life were recently involved in a two-day strike over wages. They demanded that the company recognise and negotiate with the union, which claims to represent a majority of black workers at the company's head office in Johannesburg.

The union has since made a formal demand for recognition and says it will officially declare a dispute with the company if this is not granted. Should the dispute not be resolved at a conciliation board, the union says it will take action through the Industrial Court to have the company's refusal to recognise it declared an "unfair labour practice."

Liberty Life is willing to recognise and negotiate with unions. However, the company is extremely reluctant to recognise a racially-based union and prefers to negotiate with a multiracial union.

This impasse raises a number of interesting questions. Trade unions which restrict their membership to a particular race group are, of course, common in SA. This is partly the result of government policies which until fairly recently discouraged unions from being multiracial.

Although these policies have been re-

vised, racially-based unions continue to exist because workers of different races perceive themselves to have different needs, interests and priorities. This has especially been the case in industries where there is a wide skills and pay gap between the races.

What makes the impasse between Liberty Life and Lawusa so interesting is that the company says that most of its black employees are clerical workers, who receive the same pay and enjoy the same conditions of employment as their white counterparts. Therefore, it can be argued that in the workplace the different race groups do not differ much.

Liberty Life says it is proud to be an equal opportunity employer and is opposed to anything which could cause divisions and tensions between employees of different race groups. Not surprisingly, the company fears that recognition of a black union could do just that.

The union, however, has a different view.

It says the company cannot define how black workers should exercise their right to freedom of association. It questions the company's claim to be an equal opportunity employer and argues that black workers' needs and problems are different from those of whites and that it is impossible to have a "unity of unequals."

The union is also committed to the development of black leadership - something it believes is hampered by multiracial unionism. The union emphasises that it is opposed to wildcat strike action and claims its role has played a moderating role in persuading the company's employees not to strike earlier this year.

The dispute is looming at a time when the Industrial Court is moving increasingly towards the view that an employer does have the obligation to bargain in good faith with a representative union. (Current Affairs July 22) Should the dispute go before the court, it seems likely the court will have the task of defining more precisely what 'representative' means in a union representative in a company if it has the majority support of a section of the workforce who belong to a particular race group. Or should the union be representative of employees of all race groups who basically do the same kind of work?

Answers to questions such as these could obviously have a profound effect on the theory of union recognition in many other industries and sectors.
A Step to Majority Bargaining?
talks with Posna's Paper, Wood and Allied Workers' Union for which workers voted.

The key question now is whether SATU will use its representation on the council to block this application.

If it does, workers at the plant would still have to belong to SATU - despite the fact that 94.5% of those who voted don't want to.

EAST LONDON unionists are unlikely to arrange any protests about the detention of Ciskeian security supremo Charles Sebo and his minions General Sebo, of course, spent the years before his own detention administering the same treatment to any unionist who crossed his path.

But any suggestion that events in Ciskei would lead to a more tolerant attitude towards unions have been quickly scotched.

No sooner had General Sebo fallen from grace than SA Allied Workers' Union vice-president Mr Ssa Njahana was detained for the umpteenth time together with a SAAWU organiser.

They are still in detention. Sebo may come and go, but Ciskei's war against workers and unions seems set to stay.
Motor industry wage talks continue

Business Editor

WORKERS and employers in the Eastern Cape's motor industry meet for the third time tomorrow in a new bid to conclude a wage agreement.

The latest talks were scheduled after last year's impasse when union demands for a minimum wage of R3.50 an hour led to deadlock and strikes. Employers subsequently raised wage levels unilaterally, but agreed to stage regular six-monthly talks.

In the first session in July union representatives are believed to have reopened demands at minimum levels of R3.25 an hour.

Since this first round employers and unions have both tabled counter-proposals and at today's talks reaction is expected from the employer body, the Eastern Province Automobile Manufacturers' Association (Epama), to amended proposals from the unions.

Representing the workers at the talks, which are being held under the umbrella of the Industrial Council, Automobile Manufacturers' Association, Eastern Province, are:

- The National Automobile and Allied Workers' Union (Naawa)
- The SA Iron, Steel and Allied Industries Union (Susa)

Current chairman of the council, Mr Henry Ferreira, said yesterday he had no comment.

Epama chairman, Mr Fred Ferreira, would also not comment and Naawa's general secretary, Mr Freddie Sauls was not available for comment.
By STEVEN FRIEDMAN
Labour Correspondent

A KEJ labour law issue — the refusal of the industrial court to grant costs to parties who win cases before it — is to be tested in the Supreme Court for the first time.

In general, parties who lose cases before the court are expected to pay their own legal costs even if they win the case.

The particular case involves a dispute over the length of notice required for a change of pay. The employer refused to grant a 30-day notice period as required by the law, and the worker, represented by the labor union, won the case. However, instead of being awarded costs, the worker was required to pay the employer's legal fees.

The Supreme Court will now hear the case and decide whether the industrial court's decision was correct. If the Supreme Court rules in favor of the worker, it could set a precedent for future cases.

Ban on Saspu paper lifted

By ANTON HABER

The South African Students Press Union (Saspu) has won an appeal against the banning of the May 1988 edition of its newspaper Saspu National.

This means that Saspu has been able to print and distribute the banned issue. The Union has praised the decision and thanked the court for its ruling.

Saspu also won an appeal against the banning of the May 1989 edition of its newspaper Saspu National. The ruling overturns the previous decision and allows the newspaper to continue publishing.

New row looms over land plan

Labour Correspondent

A NEW wrangle between the leadership of the Johannesburg Municipal Employees Union (JEMEU) and the Johannesburg City Council over the land use plan for the city has erupted. The labour union has threatened to strike if the council does not listen to their demands.

The union has said that the council's plans will lead to the demolition of many low-income housing areas and the displacement of the residents. The union has also called for the establishment of a comprehensive housing plan that takes into account the needs of all residents.

Police believe US couple were murdered

STUTTGART — Bodies found in a cellar of an American military apartment house on Sunday and Monday and police believe the couple were murdered, an American Army spokesman said yesterday.

The spokesman for the U.S. Army in Stuttgart said the bodies found in the basement of a housing complex were those of a man and woman.

The couple, who were found dead in their apartment, were identified as Mr. and Mrs. Smith. They had been living in Stuttgart for the past two years.

The investigation is ongoing, and the Army is cooperating with the Stuttgart police in the investigation.
PRESS STATEMENTS

August 1983

JOINT PRESS STATEMENT – MAWU / OCEAN MANUFACTURING

FOLLOWING the recent stoppage by employees of Ocean Manufacturing Ltd at Pinetown, representatives for the Metal and Allied Workers Union and the management of the company met and negotiated a settlement acceptable to all parties.

In terms of the settlement, procedural arrangements between the company and the union were continued, the method for the re-engagement of former employees was resolved and ex gratia payments were made for some employees.

The union confirmed its satisfaction with the terms of the agreement and trusted that it would lead to good industrial relations in the future.

Management expressed that it was pleased with the spirit in which the discussions were conducted and was looking forward to the resumption of normal production operations with immediate effect.

11.8.83

MAWU DECLARES DISPUTE AT PIETERMARITZBURG FACTORY

THIS week the Metal and Allied Workers Union was forced to declare a dispute with McKinnon Chain SA which is a subsidiary of Columbus McKinnon USA.

The dispute at McKinnon Chain arises out of the company's continued refusal to enter into negotiations on recognition with MAWU which has been organised at the plant for some three years and represents a majority of the hourly paid employees.

Mr Mbanjwa the local MAWU organiser reported that the company had made many undertakings to the union that it would give it recognition but it always ended up reneging on these agreements.

He said the union was keen to take the case to the Industrial Court because it had now been established that employers were bound to negotiate in good faith with representative unions.

11.8.83

CWIU AGREEMENTS COMPLETED

THREE Recognition Agreements have recently been completed in the Glass Industry. The Agreements are between the Chemical Workers Industrial Union, a FOSATU affiliate, and companies in the Plate Glass Group.

Full Recognition Agreements have been signed at Plate Glass, Germiston, Shatterprufe Safety Glass, Pretoria, and Shatterprufe Safety Glass, Port Elizabeth. The Port Elizabeth plant was previously organised by the TUCSA affiliate Glass Workers Union. But workers resigned and joined the FOSATU union when they heard about the progress in glass factories in the Transvaal.

The Agreements are the first in the Glass Industry and have been negotiated since the merger of the former Glass and Allied Workers Union with the Chemical Workers Industrial Union. The merger took place in December 1982.

The Agreements cover recognition of shop stewards, access for organisers, stop order facilities, procedures for handling grievances, discipline, retrenchment and disputes. They also allow for full collective bargaining rights on wages and working conditions.

17.8.83
The implications of entering into a recognition agreement with a trade union are very broad, and a number of disputes resulting from such agreements have already been referred to the Industrial Court which have resulted in some rather interesting, if not controversial judgments.

With this in mind, the Human Resources and Social Services Committee of the Midland Chamber of Industries has organised a forum on the legal consequences of entering into a recognition agreement and its implications for industry.

The objectives the forum will be setting out to achieve are:

- To define a recognition agreement in the South African context.
- To determine the consequences of entering into recognition agreements with a registered trade union or an unregistered trade union.
- To establish the legal status of recognition agreements and to look at the channels of redress for breaches of recognition agreements in terms of common law and the Labour Relations Act.
- To establish the consequences of entering into a recognition agreement where an industrial council agreement is already in force.
- To isolate what factors should be taken into account when negotiating a recognition agreement.

The format of the forum will take will be an introduction to recognition agreements by Prof Roux van der Merwe, Chair of Industrial Relations, University of Port Elizabeth.

A case study will then be presented by an industrialist who has already entered into a recognition agreement.

This will be followed by a discussion by Prof Johan Piron, School of Business Leadership at Unisa, on the legal consequences of entering into a recognition agreement and its implications for industry.

The forum will be held in the main sale room, PE Wool and Mohair Exchange, Grahamstown Road, Port Elizabeth on Thursday, August 25, starting at 10:15am.

The cost of the forum will be R20 per head, or where a company sends more than one delegate the cost will be R15 per head, and reservations can be made by contacting either Mr Max Hoppe or Mrs Rita Bell at 344 430.
MINE LABOUR

Deadlock averted

Talks between the Chamber of Mines and unions representing black, coloured and Asian workers in the industry are continuing. A deadlock between them over an interpretation of a commitment to eliminate race discrimination in the mining industry appears to have been averted — at least for the moment.

The chamber made this commitment during wage negotiations in June. However, at talks held last month to discuss other conditions of employment in the industry, the chamber sought a clear understanding from them of what this entails. The black National Union of Mineworkers (NUM) and the black, coloured and Asian Federated Mining Union (FUMU) opposed this effort, perceiving it as an attempt by the chamber to qualify its commitment.

A deadlock seemed imminent and union leaders threatened to declare a dispute — a preliminary step towards possible legal action or the holding of a legal strike.

However, it seems that an impasse on the issue has been averted — for the time being. The talks about conditions of employment are continuing and the whole question of the interpretation of the commitment has been removed from the agenda. However, the FM understands that discussions on the commitment will still be held, and that the unions are busy formulating their position.
Food company suspends 10 after incident

By CLAIRE PICKARD-CAMBRIDGE

Ten workers at ICS Foods in the Markman Township of Port Elizabeth were suspended from work after an incident between management and workers at the deboning department yesterday.

Mr Michael Totile, vice-chairman of the ‘members group’ of the General Workers Union at the factory, said the incident arose when workers were told they could go off duty when they had finished offloading cartons.

The foreman, Mr Brian Smith, reportedly reversed his decision after workers had done this and said they had to move more heavy cartons into the coldroom.

Mr Totile said workers had refused to do this because the three pallets, each with 40 cartons on each, were too heavy to move and the job was normally done by forklift trucks. He said the workers were ‘willing to work, but could not perform a duty needing the power of a machine’.

Secondly, the personnel manager of the deboning department, Mr Terry Kelly, had refused to come on shift with the shop steward and would not let him discuss the issue with management.

He said Mr Kelly had given management the ‘unfair suspension’ that workers were on strike. ‘We are not trying to squeeze the management, but just want a good working relationship with them’.

Mr Totile said they had not taken the issue to the General Workers Union as they hoped to discuss it with the manager who returned on Monday.

Mr Kelly said he did not wish to comment until the manager returned. The assistant manager, Mr George van der Merwe, also declined to comment.
Bleak news expected on State service pay

Mercury Correspondent

PRETORIA—The Cabinet is expected to take an early decision on whether to grant interim increases to public sector workers from October, according to sources here.

But, according to senior public sector workers, the prospects for relief are becoming more bleak by the day.

Earlier this week the Minister of National Education, Dr Gerrit Viljoen, handed off a plea from the Federal Council of Teachers' Associations for interim rises.

He told them the issue of increases in the public sector was the responsibility of the Minister of Internal Affairs, Mr W de Klerk, and if anything was to be said on the subject he would say it.

Maximum

Later this month the Federal Council of SATS Staff Associations — representing more than 250,000 railway workers — will meet the Minister of Transport, Mr Hendrik Schoeman, to demand rises from October.

However, they are likely to get the same short shrift as the teachers.

Public sector workers are pinning their hopes for relief on the expectation that the rises would be part of the 'buttering up' process adopted by the Government to ensure maximum support for a 'yes' vote in the proposed constitutional referendum, expected in November.

They also point out that the Cabinet, having approved huge increases for Cabinet ministers, Members of Parliament and the President's Council from the beginning of July, could not, without antagonising thousands of public sector workers, refuse to approve financial relief for State and provincial workers, police, prisons and SADF personnel, and SATS and Post Office staff.

Senior Government workers said if their interim rises were rejected this would be 'harsh but acceptable' in the light of the current recession and the fight against inflation.

But now that the politicians had granted themselves handsome increases there would be an extremely angry reaction if their claims were rejected.
UNION RECOGNITION

Frame's clash with new union

Frame occupies an important position in SA's labour history. Its labour practices were a central issue in the massive wave of strikes in Natal during 1973 and 1974, when thousands of blacks took to the streets in protest against low wages and appalling housing conditions.

Those strikes helped spawn a new generation of trade unions, and prompted government to re-examine — and finally reform — its labour relations policies.

Now the group faces another formidable labour challenge. This time it has to contend with two forces set in motion by the 1973-1974 unrest: emerging unions in the form of the National Union of Textile Workers (NUTW), and the new restraints and obligations imposed on employers by government's labour reforms.

At the heart of the dispute is the issue of union recognition. Frametex and the NUTW have been wrangling for years, with the result that the group has yet to see a recognition battle.

This time it is tough-minded, but reasonably pragmatic. For example, it persuaded fellow affiliates of the Federation of SA Trade Unions (Fosatu) to revise their opposition to industrial councils. It has been willing to resolve disputes through the Industrial Court, and it recently became the first union to hold a legal strike in the post-Wiehahn era.

But recognition battles have fought so far are insignificant compared with the one it now faces. The Frame Group is the single largest employer in the industry and has a reputation of being hostile to unions.

The union claims it received an undertaking from a senior member of management last year. This was that the group would recognise as the sole collective bargaining representative of its workers:

Every now and again, SA's labour relations system is crystallised in an issue which reverberates far beyond its local causes. This is the case with a recognition dispute between the Frame Group and the National Union of Textile Workers.

In December the NUTW began submitting stop-order forms signed by Frametex employees to prove it had majority support. But management rejected many of these, claiming they contained errors, that the employees concerned had left, or that the signatories had joined the TWIU.

In March and April this year, management told the NUTW that the TWIU would be recognised at Frametex because it had majority support. The NUTW brought a successful Industrial Court action temporarily restraining management from doing this.

It is extremely difficult for an outsider to judge the merits of claims made by unions and employers involved in a recognition dispute — especially when rival unions are involved. In addition, the group has chosen not to respond to certain questions put to it by the FM about the dispute. It cites a number of reasons for this. One is that some of the questions deal with group's version of events in the dispute and this still has to be submitted to the Department of Manpower. The group does, however, state that "our policy as responsible employers in industry is not to become involved in any way in the competition between trade unions."

However, it is worth noting some issues which have emerged during or since the court action launched by the NUTW.
union they support.

The group also appears to have taken exception to the way the union has applied for a conciliation board hearing. By alleging in its application that the Frametex has committed an unfair labour practice, the union is paving the way for the Industrial Court to make a determination on the dispute, should it not be resolved by the board. The group denies that it is guilty of an unfair labour practice and therefore says it is opposing the application.

The union believes the court is an appropriate forum at which such a dispute could be heard, if all other peaceful means to resolve it fail. But the group appears to believe that it is an employer's right to decide whether or not to recognise a union, and that an employer should be allowed to test a union's strength by a confrontation in a legal strike, should this be necessary.

This approach can obviously be questioned — both from the viewpoints of labour law as well as sound industrial relations policies. Recent cases before the Industrial Court have shown that the court is placing an obligation on an employer to recognise and negotiate with a representative union. A growing number of employer organisations have also been moving towards the view that employers would be wise to recognise representative unions.

In addition, confrontation between the NUTW and the group is looming at a time when there is growing unrest in black townships in the Durban area over rent increases. The desirability of having a turbulent recognition battle in such an environment is open to question — and the FM understands that some employers in the region do not relish the prospect of such a conflict.

Respected labour academic Blackie Swart says it is vital that a conciliation board should be appointed. He says the union has shown great responsibility by trying to go through the "official" dispute-settlement route.

The Minister has the discretion to refuse the NUTW's application for a conciliation board — an act which would prevent the Industrial Court from dealing with it. The FM believes it would be a great pity if this happened. Fundamental issues in labour relations and labour law are raised by this dispute. These include questions about an employers' role where there are unions competing for recognition, as well as what is the most appropriate way to determine whether a union represents a majority.

These could be resolved peacefully by allowing the court to make a determination. After all, the court has the task of creating a body of case law on unfair labour practices and it would be sad if it were prevented from fulfilling its intended role.
pledges housing aid at meeting

Lorraine Swart, Beverley Schafer, Erika Boynton, Melonie Du Preez, Debbie Abbey and record which stands at 33 hours

For a joint and coordinated effort by all sectors of the community.

The bilingual newsletter deals with:
- The role of the public and private sectors in housing
- The Big House Sale
- Procedures and cost of 99-year leasehold
- Types of home loans

MR F F STOCKENSTROM
Of Handelsinstitut

with home improvement

Employers who want to add their voice on housing problems, are invited to do so through Actioncom or other associations or through the PR Director, Communications Consortium, P.O. Box 2983, Johannesburg 2000.

Does it leave Mrs Preller’s

Johannesburg to Durban cycling record are physical education efforts.

with home assistance.

The delegates to yesterday’s AGM believe in the supermarket.

If we have not been fully informed on housing policies and developments, it is through a lack of regard to the role of the community that the private sectors role is vital but also in the development of new housing. Mr Kotte said

A company spokesman confirmed yesterday that Poole would not deal with the union because it was not registered and did not belong to the council.

We asked them why they would not register and they said it was against their principles. That is not a valid reason,” he said.

He said the company was covered by the motor industry’s industrial council and would therefore only deal with unions on that council.

“We prefer to deal with only one union at our plant,” he said.

He said the company had told the union its organisers were not allowed on company premises but that “what they do outside our gates is their affair.”

Mr Kumalo had threatened to take legal action against the Motor Industry Federation’s lawyers, he said.

He said the company had always had good labour relations. “We have been hit by the state of the economy and have been lead to short time rather than retrench workers that has involved keeping elderly workers who are unable to continue working,” he said.

Because of the “difficult time” the company faced, it was reluctant to have its relations with workers disturbed by the union, he said.

In row over ‘rights’

BY STEVEN FRIEDMAN
Labour Correspondent

The unregistered National General Workers Union says it is considering legal action against a Pretoria motor components firm which refuses to recognize the union, because it is not registered.

The NGWU’s general secretary, Mr Donnie Kumalo, also says the company, Poole Industries, has threatened to call in police if union organisers are seen in or near its Pretoria plant, but a company spokesman denied this yesterday.

Mr Kumalo says the NGWU approached Poole after recruiting about 120 of its 300 workers. He was told on Thursday when he met the company’s management that the company would not deal with the union.

The reasons they gave were that we were not registered and that we are not members of the motor industry’s industrial council. We regard these as unacceptable reasons,” he said.

He also alleged that the company had threatened to call in police if union organisers were seen anywhere near the plant.

We will now report back to workers on management’s attitude and also consult our legal advisers,” Mr Kumalo said.

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Hotel denies firing

By PHIL MTIMKULU
THE management of Sun City has emphatically denied allegations of rampant and arbitrary dismissals which are being levelled against the hotel by both present and former employees.

The allegations of constant dismissals were made in anonymous letters sent to The SOWETAN. But an on-the-spot investigation failed to confirm the allegations as the workers were either evasive or refused to answer questions for fear of losing their jobs.

One of the letters received by The SOWETAN said that Sun City was firing black workers for no reason.

The general manager of Sun City, Mr Peter H Wagner denied the allegations. He said Sun City's staff turnover of 42 percent was the lowest in the Southern Sun group. He added that Sun City employed between 2,600 and 2,700 people.

Mr Wagner said that employees were given a staff handbook which contains the employment procedure and working rules. It says employees may receive a written warning for:
- Being late for work,
- Absence without leave,
- Poor standard of work and appearance,
- Drunkenness, and
- Improper conduct towards guests, management and staff.

An employee may be warned twice within a six-month period before dismissal is warranted.

The employment procedure provides for summary dismissal for:
- Any criminal offence,
- Insubordination or threatening of guests, general public, supervisors or fellow workers,
- Job desertion, sabotage or hindering work schedules,
- Immoral conduct, and
- Gambling on hotel property.

All the employees sign the handbook on being employed.

Mr Wagner said if someone was fired there was a full procedure to be followed. "If that person still feels dissatisfied that he was unfairly treated or unjustly dismissed, he can take his dismissal to the Department of Manpower and Labour in Mmabatho. All the files of the employees we have fired are open to scrutiny by anybody with an interest in the matter," he said.
Sacked workforce 
are low on food, 
but high on courage 
and solidarity

BY PHIL 
MTIMKULU 

EVEN people who earn a 
pittance regard Friday 
as an important day, but 
for 300 dismissed work- 
ers in Brits Friday has 
long since lost its mean- 
ing.

The children of these 
people — who were last 
employed 10 months ago — 
no longer rush to 
meet them in anticipa- 
tion of getting sweets 
and other presents — as 
they have realised that 
their parents no longer 
bring parcels home on 
Fridays.

These people lost 
their jobs 10 months ago 
when their employer, 
B & S Steel Furni- 
ture Company in Brits, 
dismissed the entire 
workforce and later re- 
hired others — leaving 
300 out of work.

Since that day — Sep- 
tember 7 last year — the 
300 have been fighting 
against their dismissal. 
The case first appeared 
before the Industrial 
Council, which rules 
that 60 percent of them 
should be rehired. The 
300 rejected this as they 
wanted all the workers 
to be rehired. The case 
has now been taken to 
the Industrial Court.

During the 10 months 
these workers have been 
meeting every day at the 
Roman Catholic Church 
Hall in Brits.

Approaching the hall 
one is greeted by shouts 
of "Amandla" and the 
swinging of trade union 
songs which the workers 
have composed them- 
selves. Everybody takes 
part in the singing and 
anyone who has some- 
ting to say says it.

A committee of 16 
men and women co-or- 
dinates the activities 
of the 300. The commit- 
tee has no chairman or 
secretary, and all its mem-
bers participate on an 
equal basis.

The committee members 
said that they had 
been meeting every day 
giving them the 
strength to continue.

"It always helps be- 
cause when one of us 
has a problem and is 
asleep, we will be able 
and help. But if one of us 
has a sick child and does 
not have money to take 
the child to a doctor, we 
club together and make 
contributions," said 
committee member Mr 
Ernest Masala.

The committee re-
vealed that some of 
them used to earn as 
little as R45 a week and 
the highest paid was 
getting R188 a month, 
they all looked forward 
to earning wages again 
and providing for their 
families.

How have the dis- 
missed workers survived 
for the past 10 months?

"We are depending 
on the sympathy of our 
neighbours and friends 
to sustain us, otherwise 
some of us would have 
died from hunger. It has 
been difficult. Some of 
us had to take our chil- 
dren from school or send 
them to relatives. Some 
of us had to sell our live-
stock to have money to 
pay our accounts and 
buy food," they said.

When I asked whether 
they ever go to bed with- 
out a meal, they laughed 
at my naivety "It is not 
a thing that happens 
sometimes, but is a fre- 
quency occurrence. We 
no longer get hungry, 
because you cannot get 
hungry when you know 
there won't be any re-

The workers, who 
were being unionised by 
The Metal and Allied 
Workers Union (Mawu), 
said they have received 
help from organisations 
outside Brits. In Brits 
they received assis- 
tance from the local 
churches. They said they 
would welcome more 
community assistance to 
solve their plight.

"People must not see 
this as the problem of 
the people of B & S in 
Brits, but they must 
align it with the general 
workers' struggle for a 
fair deal from those who 
own the means of pro-
duction," they said.

And what are the 
prospects of them find- 
ing employment else- 
where in Brits? "No," they 
said. The commit- 
tee members said B & S 
had blacklisted them by 
telling the Labour Bu-
reau that as they were 
still locked in a dispute 
with them, they should 
not be hired by other 
companies. Other com-
panies had also been 
told that they should not 
be hired as they would 
not be able to make the "peace-
ful" workers, the com-
mittee alleged.

One committee mem-
ber, Mr Davud Sh-
langu, said they strike 
and subsequent dis- 
missal had broadened 
their perspective about 
the "struggle", a work 
they used frequently 
"We are now 
to face the struggle," he said.

Mr Shilangu said they 
had expanded their activi-
ties and were trying to 
make other workers 
in the Brits area aware 
of their rights. "We have 
realised that it is only by 
the workers coming to-
gether that they can 
achieve victory," he said.

The fate of the work-
ners depends on the In-
dustrial Court. But they 
are confident of victory.
concerned about who is awarded costs in an industrial court action?

The answer is that the issue has a great deal to do with the ability of workers and unions to make use of the court at all. And the court is a cornerstone of the new labour dispensation.

The normal practice in the courts is that the winning party has its costs paid by the loser. This means parties who can’t afford litigation, but are sure they will win their case, will not be forced to foot the bill.

Not so in the industrial court. The law setting it up allows it to grant costs only if it believes a party has engaged in an action wantonly or frivolously.

The court has interpreted this strictly and has invariably ordered each party to pay its own costs regardless of the result.

These often exceed R10 000 and workers and unions, to whom the sums involved are enormous, must meet the full bill even if the court decides they were in the right.

It is not difficult to see how this can prevent them making use of the court.

The court provides a forum where disputes can be resolved without factory confrontation and the costs stipulation limits the extent to which it can play this role.

Now the issue will be tested in the Supreme Court. Cemex’s United African Motor Workers Union has appealed against the court’s decision not to grant it costs in the Foden’s case, which it won.

This is the first Supreme Court test on the costs issue.
Govt under pressure over pay demands

The Government is under great pressure to make an announcement about pay rises in the public sector later this month, sources have said.

However, with Cabinet Ministers from the Prime Minister down stressing the acute dangers of inflation and the need for continued tightening of belts, prospects for any meaningful relief are bleak, according to the sources.

Economists agree with the Minister of Finance, Mr. Owen Horwood, that there is no painless way out of the recession.

The sources concede the Government is at least partly to blame for the growing clamour for October pay adjustments. The Minister of Internal Affairs, Mr. F. W. de Klerk, said during the parliamentary session there could be good news for Government workers later in the year.

It is estimated that to give the 620,000 workers in State and provincial departments a rise of 10% would cost more than R300-million.

And to extend this to the whole of the public sector, including railways and Post Office workers, would almost double the figure.

Last week, the Minister of Education, Dr. Gerrit Viljoen, told the Federal Council of Teachers' Associations that the issue of increases in the public sector was a responsibility of the Minister of Internal Affairs and if anything was to be said on the issue he would say it.

Also last week the committee of university heads, led by the chairman of the SABC and rector of the University of the Free State, Prof. W. L. Mouton, pleaded with Dr. Viljoen for increases for university personnel.

It said inflation was eroding the living standards of academics and that adjustments were necessary.

The Federal Council of SATS Staff Associations, representing more than 250,000 railways workers, will meet the Minister of Transport Affairs, Mr. Hendrik Schoeman, to demand rises.

Post Office Staff Associations have also asked for immediate interim relief.

Senior public servants point out that the Government has approved huge increases for Cabinet Ministers, MPs and members of the President's Council.
Union awaits bosses' reply

by PHIL MTIMKULU

A RESPONSE to their letter will determine the kind of action that the Insurance Assurance Workers' Union of South Africa will take against Liberty Life in their battle to be recognised by the insurance company.

Early last week a legal representative explained to the union the different courses of action open to them in their fight against Liberty Life. The members then decided to meet last Saturday to consider the implications of each action.

But because Liberty Life had not as yet responded to their letter, they thought it premature to decide on positive action. However, consensus was strong that they should resort to the Industrial Court.

In their letter to Liberty Life, the union gave the company certain information it had requested while refusing to divulge other information. The union enclosed its constitution, date on which it was formed and stated that it is not registered. It declined to provide Liberty Life with a headcount of its members in the industry as it felt this information was irrelevant to the dispute. They also declined to provide the company with the names of their members employed at Liberty Life as they said this could be used to victimise them.

At issue here is Liberty Life's refusal to recognise an entirely black union. It prefers to deal with a multi-racial union. If the union eventually takes the case to the Industrial Court or Conciliation Board, the decision on the issue will set a precedent — whichever way it goes.

Trade unions which restrict their membership to a particular race group are common in South Africa.
THE NATIONAL Union of Mineworkers (Num) scored yet another victory when they signed a recognition agreement with the Chamber of Mines which will cover 800 workers of the Rand Refineries and Teba.

This agreement is separate from the one Num signed with the Chamber of Mines in respect of mineworkers working in the gold mines. Rand Refineries and Teba are service arms of the Chamber.

Today Num and the Chamber will negotiate on wages.
NUM signs agreements

The fast-growing National Union of Mineworkers (NUM) yesterday signed two more recognition agreements with the Chamber of Mines, covering the Rand Refinery and the Employment Bureau of Africa (TEBA) — both in the Transvaal.

This gives the union negotiating rights for the 750 workers in the chamber’s two key-service areas, the general secretary of the Cusa-affiliated union, Mr Cyril Ramaphosa said.

The agreements are significant steps forward for the year-old union as the refinery processes all the gold South Africa produces, and TEBA is the channel for all workers recruited on to the mines.

The union has now signed a total of 10 recognition agreements in the mining industry and claims a membership of 30 000. There are an estimated 500 000 black workers on the mines.
Black miners union in key move

By STEVEN FRIEDMAN
Labour Correspondent

The South African Union of Mineworkers yesterday signed a recognition agreement with the Chamber of Mines, giving it bargaining rights at two arms of the chamber, Rand Refinery and theEmployment Bureau of Africa (Tebco), its general secretary, Mr Cyril Ramaphosa, announced yesterday.

Yesterday's recognition agreements are a significant breakthrough for the union because, although relatively few workers are employed at Tebco and Rand Refinery, both are key areas of the mining industry's operations.

Mr Ramaphosa said wage negotiations on behalf of workers at Rand Refinery would begin today. The union would bargain with a chamber negotiating team,

He said Tebco workers had already received their annual wage reviews so that would not be negotiated.

Tebco is the chamber's recruiting arm and is responsible for recruiting black labour for all chamber mines.

Mr Ramaphosa said Rand Refinery, which is based in Germiston, employs about 250 workers.

Comment from the chamber could not be obtained yesterday.

The NUM recently became the first union to win bargaining rights on behalf of black Mineworkers when it won recognition which enables it to bargain for workers in specific job categories on eight mines.

As a result, it negotiated black wages with the chamber this year along with the Federated Mining Union, which represents coloured and black workers.

The NUM claims a membership of 30,000.
SEVERAL employers complained at a recent meeting of the Port Elizabeth branch of the National Council of Women that their domestic workers and gardeners were forced to lose a day's work to pay their rents.

The president, Mrs M. Chappel, said it had been decided the NCW would investigate and try to establish whether these complaints were widespread or isolated.

She said there were complaints of long queues at the Port Elizabeth Community Council rent offices and also of closing at 3:30 pm.

Mr Renier Scholtz, acting secretary of the Port Elizabeth Community Council, said he had not received any complaints from employers about delays at the rent offices.

He would welcome complaints in writing.

Mr Scholtz said there were long queues at the peak periods the week before the month-end and up until the seventh of the month.

He said rents could be paid at rent offices at Walmer, New Brighton, Kwazakule, Zwane and the single men's hostel.

Mr Scholtz said the offices stopped taking cash after 3:30 pm so the cashiers could balance in readiness for banking the next morning.

He said the cashiers were sometimes still trying to balance at 6 pm.

Mr Scholtz said employers could post a cheque for their employee's rent to the relevant rent office direct.

They should enclose the rent card, their employee's name, employee's identity number and employee's full address.

The rent card would be posted back to the employer with the receipt.
No probe into
dismissal of
nursing sisters

BY SHIRLEY PRESSLY

THE Director of Institutional Care of the NG Kerk in the
Eastern Cape, Mr T J Barnard, said today there was
definitely no investigation at circuit or synodal level into
the dismissal of three nursing sisters from a home for the
aged run by the church in Humansdorp.

The dismissed nursing sisters were Mrs Ina van Onselen,
Mrs Elena Ferreira and Mrs Anne van Rooyen.

Mr Barnard said as far as he was concerned the matter
was closed.

He said the post of matron of Ons Tustie had been
advertised and processed in the normal way and he was
satisfied the recently-appointed matron was the best appli-
cant for the position.

Mr Barnard said he had appointed Mrs Bets du Toit as
matron on the recommendation of the governing board for
Ons Tustie, the chairman of which was Dr Peter van Taak.

Mr Barnard said none of the three sisters had applied for
the position of matron. Nor had any of them approached
him with any complaints about the appointment of Mrs Du
Toit as matron.

He said he was unaware that black staff members had
been made to strip to be searched for stolen goods.

"If staff at any of our institutions have any complaints
they are welcome to direct their complaints in writing to
me," he said.

Mr Barnard said he would furnish the Board of Nursing
with a report on the behaviour of the sisters, which he did
not consider to have been in the interests of the profession.

They could have registered complaints through the nor-
mal channels and contacted him before expressing their
views to Sunday newspapers.
Dispute called off as talks fail

Labour Correspondent

The Metal and Allied Workers' Union has declared a dispute with three major metal employers, after wage negotiations between it and the companies ended in deadlock.

In doing so, MAWU has used for the first time a disputes procedure recently adopted by the Metal Industries' Industrial Council. If the council cannot settle the dispute, they will be referred to the Minister of Manpower.

If the Minister fails to settle it, an industrial court action or legal strike becomes possible.

MAWU's general secretary, Mr David Sibahi, said yesterday that the three employers were Anglo American's Highveld Steel, Iscor's Dunswart Steel and Union Steel Corporation (USCOR), where the dispute concerned two of its Vereeniging plants.

This follows an earlier MAWU decision to declare a dispute with the Cable Manufacturers' Association, over wages.

The three disputes arose out of negotiations aimed at "house agreements" at the three companies.

Although all fall under the Metal Council, they negotiate separate agreements with the trade unions under its umbrella. These then become legally binding.

A spokesman for Highveld yesterday refused to comment on the dispute, saying "We do not comment on negotiations with trade unions."

According to Mr Sibahi, MAWU met Highveld on Monday in an attempt to settle the dispute, but no progress was made.

A meeting with Dunswart was also held, but this also ended in deadlock. Another meeting is planned and, if no settlement is reached, the dispute will be referred to the Minister.

He added that he had formally notified USCOR that a dispute had been declared. No meetings had yet been held.

Recently, MAWU took part for the first time in metal council negotiations, at which established unions accepted a Steel and Engineering Industries Federation (Sefik) offer ranging from 10c an hour, or 7%, to the lowest-paid workers.

MAWU, which had demanded a minimum wage of R2 an hour — an increase of about 40% — reacted thus...
Labour Correspondent

An "in-house" black union at Escom has declared a dispute over wages — which means that this year's black wage increase at Escom is likely to be decided by the Industrial Court.

The union, the Electricity Workers' Association (EWA), declared the dispute after rejecting an Escom wage offer of 7% This followed a decision by unions representing white and coloured workers to accept a 6% offer.

Escom originally offered a 9% wage increase at all, arguing that the state of the economy meant that wage rises should be deferred.

The Personnel Manager, Dr. G. P. Lindeque, yesterday confirmed that EWA had declared a dispute. He said Escom negotiated with both EWA and a union committee for black workers.

Normally, the dispute would mean that the Minister of Manpower would be asked to appoint a conciliation board to settle the dispute. If this failed, the union would be entitled to conduct a legal strike ballot.

However, because Escom is an "essential service", its workers may not strike legally and labour law stipulates that wage disputes in "essential" industries must be referred to the Industrial Court, which must then make a wage award.

Dr. Lindeque said yesterday that both sides had referred the dispute to the Minister, with a request that he refer it immediately to the court for arbitration.
Plea sent to lawyers

LIBERTY Life Insurance company has sent a request they received from the Insurance Assurance Workers' Union of South Africa (IAWUSA) to their legal advisors for consideration and they will in turn respond following the advice they are given.

An executive official of the company, Mr M Winterton revealed that the union had not responded satisfactorily to information the company had requested. He said they were not clear on the issue of representation at the company.

"We feel strongly on the issue of a multi-racial union and we are unlikely to change our standpoint," he said.
warnings he had received in the past, and whether these had been preceded by thorough investigations.

The court expressed doubts about whether Van Zyl was guilty of misconduct, and focused attention on an International Labour Organisation recommendation on dismissal. It states: "Before a decision to dismiss a worker for serious misconduct becomes finally effective, the worker should be given an opportunity to state his case promptly, with the assistance, where appropriate, of a person representing him." The court found that while Van Zyl was present at an initial disciplinary hearing, he was neither present nor represented at a second hearing. The court granted him interim reinstatement.

In the Matsheba case the court found that the company's disciplinary procedure was unclear in that it seemed to indicate that group disciplinary hearings — something wanted by the workers, but rejected by management — were possible. In addition, the company had recently changed hands and the appeal procedure stipulated an appeal to a person who no longer existed.

Overtime work

"In finding for the applicants, it is arguable that the court was indicating that the company was charged with the duty of ensuring that the disciplinary procedure was fair and comprehensible," says the lawyer.

The whole question of employees' obligation to work overtime was raised in this case. The court noted that it was a condition of employment that employees should work overtime when instructed to do so. In addition, as required by the relevant legislation, the company had obtained permission from a Department of Manpower inspector to allow employees to work more than the statutory maximum of 10 hours overtime a week.

However, it appears the court implicitly recognised the voluntary character of overtime and the fact that both the ordinary courts and the legislature have sought to protect employees from overly burdensome terms in employment contracts. The court placed great emphasis on the fact that a practice seemed to have developed whereby an employee in the company was entitled to give reasons why he was unable to work overtime.

The employees — whose dismissal arose from their refusal to work overtime — claimed they had told the company that they could not do overtime at short notice because they had other important commitments.

The court appears to have indirectly criticised the company for not informing them of the reason for the need to work overtime. It found that because of the short notice of such overtime, it appeared that the employees' failure to comply with the instruction could not be said to be unreasonable.

55
Ferreira, director of industrial relations of the Ford Motor Company of SA

In a recent speech to the Institute of Pension Consultants and Administrators, Ferreira dealt at length with the problems that many companies — including Ford — have faced due to black employees' opposition to government's pensions preservation legislation.

While Ford's experience with the pension issue could generally be described as "tragic," he said, the opposite applied to union involvement in the provision of medical aid benefits.

Ferreira said that during 1980 the company was approached by unions representing mainly coloured and white employees. They proposed that hourly-paid employees be allowed to resign from the Ford medical aid plan and join another which called for significantly lower contribution rates.

"The end result of these negotiations was the disbandment of our own plan, which provided identical benefits to all employees regardless of position or race within the company, and the linking up with two separate plans — a white plan and a non-white plan, administered by the same organisation.

"While the vast majority of black and coloured employees are now members of the non-white plan, they are provided with the option to join the white plan and thereby qualify for superior benefits at higher contribution rates.

"I believe that in our anxiety to establish non-discriminatory medical aid programmes, we have in fact created material discrimination," he went on.

"The employee reaction was, therefore, possibly motivated by the view that non-white members were subsidising white membership. Despite the lack of medical services in the non-white residential areas, compared with white services, this claim is often disputed — although it still has to be disproved."

Ferreira said that this new arrangement had had a number of interesting consequences.

"Firstly, as a result of union involvement, there was a decrease in both employee and company contributions. At the same time, the demand for refunds where no claims were made was dropped.

"Secondly, the concept of different benefit structures for different employee levels was found acceptable. It is doubtful whether this action would have been possible if it had been implemented at management insistence.

"Thirdly, for the first time, union officials, rather than company employees, gained access to the management committees which run the two plans. Therefore, these officials now share in the responsibility for the development of benefit levels, contribution rates and general administrative matters. This arrangement reduces the heat on management to provide better benefits and to maintain contribution rates at current levels in the face of escalating costs. This is especially true in view of the fact that we no longer run an in-house plan."

Ferreira said that while Ford does not negotiate, in the true sense of the word, on a number of employee benefits, the company is prepared to discuss any aspect of its various plans with trade union officials.

"Their comments and suggestions for improvement have proved to be of value in the past and in certain circumstances have led to change," he said.
'Closed shop takes knock'

Labour Correspondent

THE "closed shop" in the printing industry — which forces workers to belong to the SATTU, a statement by the Paper, Wood, and Allied Workers' Union (PWAWU) yesterday.

Workers at Nampak's Maritzburg factory voted to quit SATU, a statement by the PWAWU yesterday.

The union said, however, workers were still compelled to pay union dues to SATU and warned it might take action on this issue.

PWAWU said the ballot was held because Nampak applied to the industrial council on June 1 for an exemption allowing workers to join the union of their choice.

But it charged that SATU, which is a member of the council, had delayed this application and the ballot, conducted by the company, had been held to "demonstrate to SATU the wishes of the workers at Nampak."

The ballot follows two similar polls at Transvaal factories in which workers voted to quit SATU and join PWAWU.

According to PWAWU, 67% of the workers at the Nampak plant voted to quit SATU. It as understood almost all of these were black workers and that other races had not decided to leave the union.

It said the ballot paper had asked workers: whether they wished to resign from SATU in order to be free to join any other trade union.

PWAWU also charged that SATU officials had been invited to attend the ballot and address their members, but had refused.

PWAWU said workers were "furious" because the company was still deducting SATU dues from their pay.
The Chamber of Mines has offered members of the black National Union of Mineworkers at its Rand Refinery in Germiston pay rises of R20 to R33 a month, a chamber statement announced yesterday.

The offer falls well short of the NUM's demands. However, the statement says the union has agreed to take it back to its 230 members at the refinery and to reply to the offer today or on Monday.

The negotiations follow the signing of a recognition agreement between the chamber and NUM this week, which gave the union bargaining rights at Rand Refinery and at the Employment Bureau of Africa (Teba), the chamber's recruiting arm.

Though only about 750 black workers work at Rand Refinery and Teba, they are seen as key areas of the mining industry's operation and the agreement was seen as a breakthrough for the NUM.

The union began negotiating pay at Rand Refinery on Tuesday, the day after the agreement was signed, but is not negotiating at Teba this year because the annual wage increase there has already been awarded.
Company says it knows nothing of a dispute

By STEVEN FRIEDMAN
Labour Correspondent

THE Metal and Allied Workers Union says it has declared a dispute with a Maritzburg company which could lead to another key industrial court ruling on the obligation of employers to bargain with a majority union.

The union says it has declared the dispute with McKinnon Chain (SA), a subsidiary of the American firm, Columbus McKinnon, because the company refuses to recognize it.

McKinnon's managing director, Mr D S Samuel, yesterday denied that the company was unwilling to recognize MAWU and added that it was not aware that the union had declared a dispute with it.

The threatened action follows two rulings by the court this year which have been seen as backing the view that an employer must negotiate with a majority union.

In a statement, MAWU said it had been forced to declare a dispute with McKinnon Chain because of the company's "continued refusal to enter into negotiations on recognition with MAWU, which has been organized at the plant for some three years and represents a majority of the hourly paid employees."

It claimed the company had made many undertakings to the union that it would give it recognition, but always ended up reneging on these agreements.

The union was now keen to take the case to the court because it had now been established that employers were bound to negotiate in good faith with representative unions.

Mr Samuel said, however, that McKinnon was in the process of preparing a procedural recognition agreement to be signed by MAWU.

He said the Steel and Engineering Industries Federation (Sefisa) had prepared guidelines urging firms to sign these agreements with unions willing to join the Metal Industrial Council McKinnon would abide by these.

"We received them this week and, once we have studied them, will present the union with a document," Mr Samuel said.

Meanwhile, MAWU has reached an agreement with a Pinetown firm Ocean Manufacturing on grievances raised during a recent strike by MAWU members, according to a joint statement by MAWU and the company.

Labour Correspondent

POLICE have denied allegations that they are "intimidating" members of the Commercial, Catering and Allied Workers Union (CCAWUSA) — but have not denied any of the specific claims made by the union on Thursday.

In a statement CCAWUSA claimed that three of its members at an OK Bazaars warehouse in Johannesburg were RAIDed by police and held briefly. It also alleged that their homes and work places were searched.

It said this followed the internment of three union shop stewards in Newcastle and Potchefstroom.

The union alleged that all the workers whom police action against were questioned about union activities and that one member was allegedly given electric shocks.

Accused police of "intimidating" its members and urged the Ministers of Police and Manpower, as well as employers, to act to prevent this.

Yesterday police replied to these allegations after the
New Mawu agreement may pave the way for closing the urban-border wage

Breach of Agreement for Unior

ON

WIFE OF KILLED
AND RAPED LABOURER

BY BARRY WHITCOMBE

The SCA took the ager of the shop, the man's wife, and made her as a gun. She is now at the police station. The coroner gave it a coroner's inquest. The report is pending. The workers are trying to get it any day now. It seems like the union has won.

TWO days of Moway

on

17/8/85
wage agreement may pave the way for closing the urban-border wage gap
The law provides for disputes in “essential services” to be referred to the industrial court, which must then arbitrate — decide on an increase.

Both EWA and Escom want the Minister of Manpower to refer the dispute to the court for arbitration, and electricity consumers are certain to follow the dispute with mounting interest.

So too will labour-watchers, for it will give an insight into how the court decides a pay claim — something it has done before, but not so sensitive an industry.

Arbitrators generally leave one side unhappy — whoever conducts them — and the unhappy may again raise the question of whether wage disputes are not best left to employers and unions — no matter how “essential” the industry.

RIVAL food unions affiliated to Fosatu and Cosatu are at loggerheads at Irma and John Son’s Springs plant.

Last week, I&J tried to settle the issue of holding a “verification” test on which union produced “stop orders” from asking that union dues be deducted on behalf.

Casa’s Food, Beverage Workers! Industry reduced stop orders for 3.7%.

The best settled outcome?

The test settled nothing. I&J claims some workers were “protesting” Food, Beverage form signing Food, Beverage form and says it wants another which I&J opposes.

So events at I&J provide?

Secret ballots are the most of deciding which of two

Sweet, Food has said plant, but I&J says it chose the “verification”.

What happened the strike been increased by a ballot would?

A WAGE dispute between Escom and its black workers may thrust the industrial court into the unusual role of settling wages.

The dispute has been declared by the Electricity Workers Association, an “un-ion” house.

As a black union at Escom, EWA rejected a 7% offer after white and coloured unions had accepted 6%.

Normally, this could have led to a legal strike, but Escom is an “essential service” where workers may not strike legally.
Factory workers back on job after dispute

EAST LONDON — A number of employees at a local factory had returned to work following a mass resignation after a wage dispute a spokesman at the factory, Transerve, said yesterday.

The manager, Mr J Beukes, said a report last week which quoted workers as saying 150 had resigned, contained certain discrepancies.

Mr Beukes said the full staff complement at the end of the week preceding the resignations was 55, and not 150 as reported.

"No increases of any description have been promised or suggested," he said.

"On Friday (August 5), employees demanded a 40 per cent increase backdated to June. When this was refused, the employees resigned en bloc.

"The company felt that the majority of workers were not in agreement with the mass resignation. Consequently, all workers were asked to reapply for their jobs on Tuesday if they so wished. As a result of this, by Thursday production had been resumed with 38 of the original 55 workers back at their jobs," Mr Beukes said.

"It should also be noted that all employees fall under the National Industrial Council for the Motor Industry, and as such have specified wage levels. These wages are periodically reviewed by the Industrial Council. All workers are therefore paid at, or in excess of, the laid down wages for the motor industry," he said.

— DDr
TWENTY-EIGHT workers from two different companies have been sacked after they approached their management for pay increases.

The two incidents took place at Watergate and Datco in Alrode and Vaal Reefs Electrostatic Powder Coating in Alberton.

Seven workers were fired at Datco on Friday and the rest came from Vaal Reefs who were sacked yesterday.

A Mr Brandt, who said he was the owner of Watergate and Datco, said as far as he was concerned the seven workers went on strike. He said by virtue of them stopping the machines and affecting production, they had gone on strike and thus he was not going to re-hire them.

At Vaal Reefs, a person who identified himself as Mr Ginsburg, refused to talk to reporters.
More than 800 members of the South African Allied Workers' Union (Sawu) at the weekend deplored the action by Omega Plastics management in dismissing workers at the plant.

In a statement to The SOWETAN after a meeting in Tembisa, the union said it demanded the immediate reinstatement of the workers, otherwise "a programme of action" shall be taken against the company by the entire Sawu membership.

About 250 workers at the factory went on strike last week after two of their colleagues were dismissed. The workers were sacked after a client had returned a poor quality product.

In the statement the union said that the management did not follow the correct procedure and no verbal warning was given to the workers before dismissal.
Num in dispute over pay hikes

By PHIL MTIMKULU

THE NATIONAL Union of Mineworkers (Num) is going to declare a dispute with the Chamber of Mines following the Union's rejection of pay rises offered by the chamber in wage talks last week.

The Chamber of Mines had offered members of Num at its Rand Refinery in Germiston pay rises of R20 to R33 a month. This offer however fell far short of what Num had demanded. The union had then informed the chamber that it would take the offer back to its members for a decision.

Yesterday the general secretary of Num, Mr Cyril Ramaphosa, said the workers had rejected the offer on Friday.

The negotiations followed the signing of a recognition agreement between the chamber and Num last week. It gave the mineworkers' union bargaining rights at Rand Refinery and Tema.
NEGOTIATIONS over
new wage agreement for
the Eastern Cape's motor
industry continued in Port
Elizabeth today.

The latest round of talks
was concluded shortly be-
fore midday when chair-
mans of the Industrial Coun-
cil concerned, Mr. Henry
Ferreira, left for East Lon-
don without commenting
on the state of the negotia-
tions.
**NUM declares dispute**

By STEVEN FRIDMAN
Labour Correspondent

THE black National Union of Mineworkers has declared a dispute with the Chamber of Mines at a key division of the Chamber, the Germiston-based Rand Refinery.

The general secretary of NUM (an affiliate of the Council of Unions of SA) Mr Cyril Ramaphosa, announced yesterday the step was taken after members at the refinery rejected a Chamber wage offer at the weekend.

The Minister of Manpower will now be asked to appoint a conciliation board to try to settle the dispute. If it fails to do this, the union may hold a legal strike ballot or take the matter to the industrial court.

The dispute is the first called by NUM since it was recognised by the Chamber recently.

Although the refinery only employs about 250 black workers, it is a key area of the Chamber's operation and the dispute will provide an important test of the new bargaining relationship between NUM and the Chamber.

It may also lead to an industrial court test of NUM's view that it is an "unfair labour practice" to introduce a new job grading system without negotiation with a representative union.

The dispute follows an announcement by the Chamber last week that it was offering NUM members at the refinery an increase of R22 to R30 a month.

Mr Ramaphosa says this is an 8% rise — well below the 48% demanded by NUM.

He added that two other issues would form part of the dispute.

The first was that the Chamber planned a new job grading system at the refinery which would mean workers would be downgraded to lower-paying jobs.

The second point of dispute, he said, was that the Chamber had rejected a union demand that workers receive a 0.5% increment for each year's service. At present, he said, they receive only 65c extra for each year worked.

Mr Ramaphosa said the Chamber would only introduce such an increment if workers' periods of service were calculated from the time the agreement was reached, not a welcome proposition for workers with 25 years' service behind them.
Motor unions, employers meet on wages

Labour Correspondent

A KEY meeting today between motor assembly union and employers in the Eastern Cape may decide whether the industry will face another major wage dispute this year.

At the meeting of the Eastern Cape motor industry's industrial council, Fosatu's National Automobile and Allied Workers Union will tell employers its members at Ford, Volkswagen and General Motors have rejected a wage offer which, NAAWU says, would raise minimum pay by an initial 5c an hour.

Wage negotiations in the Eastern Cape motor industry have been turbulent — with two major strikes staged.

Last year, NAAWU withdrew from the industrial council as a result of one such dispute and only rejoined it earlier this year.

NAAWU's general secretary, Mr Fred Sauls, said yesterday employers had begun negotiations by opposing any increase at all.

Workers rejected this, he said, and employers had then offered a 5c an hour increase for workers at the bottom of the scale, to be followed by a further 15c increase in September.

Workers at the top of the scale were offered an 30c an hour increment.

This offer was also rejected and employers then offered an initial 5c an hour to be followed by further increase of 15c an hour for the lowest-paid, Mr Sauls said.

He added, however, that mass meetings of workers at the three motor companies had rejected this offer too.

He said the minimum wage laid down in the industry's wage agreement was R2.15 an hour, but that the "real" minimum was R2.30 an hour. The employer offer was, therefore, "negligible" when looked at as a percentage.

Employer comment could not be obtained yesterday.
Workers, employers sign deal

Labour Reports

Three recognition agreements in the glass industry have been signed between the Chemical Workers' Industrial Union and companies in the Plate Glass group.

The Potash-affiliated union recently completed the agreements with the companies in Germiston, Pretoria and Port Elizabeth.

A statement by the CWIU said the agreements covered the recognition of shop stewards, access for organizers in the factories, stop-order facilities, procedures for handling grievances, disputes, discipline and retrenchments.

They allowed for full collective bargaining rights on wages and working conditions.

The union scored a triumph in the Port Elizabeth plant of Shatterproof when the majority of the workers left the Tucsi-affiliated Glass Workers' Union to join CWIU after being informed of the union's successes in the Transvaal.
Motor men set for wage pact

Labour Correspondent

THE Eastern Cape motor assembly industry yesterday appeared on the verge of a wage settlement which will prevent an employer-union clash over wages for at least a year.

It is understood that, at a meeting of the industry's industrial council yesterday, employers made a wage offer which the National Automobile and Allied Workers' Union has agreed to take back to its members.

And NAAWU's leadership is to recommend that workers vote to accept the offer, informed sources said yesterday.

The industry's industrial council met yesterday amid fears that a new wage dispute could be in the offing in the industry, which has seen two big wage strikes over the past three years.

The fears arose because meetings of NAAWU members at Ford, Volkswagen and General Motors had voted to reject an employer offer of 8c/hour in August and 10c/hour in February for the lowest-paid workers.

Neither employer nor union spokesmen were prepared to comment formally on yesterday's meeting. Both said they had agreed not to issue Press statements.

Informed sources said, however, employers had made a new wage offer which provided for three increases -- one now, one in February, and one next August.

It is understood they would raise minimum pay by 40c/hour. The current minimum is R2.15, although most workers at the bottom of the scale earn R2.30/hour.

The sources said the increases would ensure that minimum wages would rise by a higher percentage than the expected rise in the inflation rate over the next year.

This would meet NAAWU's demand that this year's increase compensate for the rise in the cost of living and that the industry begin to raise real wages again as soon as possible.

The offer will now be put to workers and their answer will be known by Friday.

It is expected, however, they will endorse the union leadership's suggestion.

Procedures for strikes slow and lengthy

By PHILLIP VAN NIEKERK, Labour Affairs Reporter

LEGAL strikes are exceptionally rare in South Africa — before June there had only ever been one or two among black workers. And of the hundreds of strikes which accompanied the rise of black worker militancy between the late 1970s and last year, all were technically illegal.

This is because the Labour Relations Act lays down lengthy and slow legal procedures which unions must go through before they are permitted to strike legally.

Far from reducing the number of strikes, the system has led to a de facto situation in which so-called “illegal” strikes are part and parcel of the industrial scene. The Department of Labour is aware of this curious flaw in the country’s labour machinery. It has amended the law to speed up the settlement of disputes, but illegal strikes are still the norm.

Prosecution of workers for going on strike is rare, in keeping with the Department of Manpower’s philosophy of self-governance in industrial relations between employers and workers.

But in direct contrast to this enlightened attitude by one arm of the state, detentions and prosecutions of strikers do still take place by another — in terms of security legislation such as the Internal Security Act.

Unionists claim that going through all the legal channels before striking undermines workers’ morale and resolve and removes the issues from the shopfloor. And the advantages of reaching the end of the tunnel are dubious. Legal strikers can still be fined and selectively re-employed.

The balance of power does not shift in favour of workers. The strike took the form of an overtime ban, bringing the factory — a continuous operation — to a halt daily and severely disrupting production. At the end, the company agreed to pay a lieu an hour increase to the workers and agreed that in a legal strike they would either dismiss all the workers or none of them.

As it is difficult for a company to fire its entire workforce without selectively re-employing some of them the agreement is seen as effectively establishing the right to strike. It could also point the way for future strike agreements at other plants.

New pay offer

Memories of last year’s raging battle between employers and workers at the three Port Elizabeth-Uitenhage motor manufacturing giants were rekindled this week at an industrial council meeting to discuss wages.

But fears of a new clash over wages appear to have been averted and Fosatu’s National Automobile and Allied Workers’ Union (Naawu) has agreed to take back a new pay offer from the companies — General Motors, Ford and Volkswagen — to their members.

While neither Naawu nor the employers issued an official statement after the meeting, it is believed that workers have been offered three increases between now and next August, raising minimum pay by 40c an hour. This could raise their pay in line with the rising cost of living, while the union is demanding an increase in real wages once the economy improves.

Mr. Gavin Reilly

Challengers

Mr Robyn McGregor, researcher and compiler of “Who Owns Whom”, has issued a novel challenge to Anglo American, which he calculates controls 56 percent of the Johannesburg Stock Exchange. He has suggested they train basic skills to 250,000 blacks a year.

He has called on Anglo’s chairman, Mr. Gavan Reilly, to “force the state to put its money where its mouth is instead of pussy-footing with tax incentives for companies.”

He believes the funds for the training could come from a short term loan to Anglo or a tax moratorium for Anglo.

The total cost, he estimates, would be in the region of one billion rand a year.

So far there have been no takers.

Philip van Niekerk

Mr. Gavin Reilly

Taking back the plant

About 250 workers from the B and S Steel Furniture Company in Brits have been meeting every day for nearly a year following an alleged mass lock-out at the firm on September 8 last year.
We were fired for unionising fellow-workers'

By JOSHUA RABOROKO

TWO senior shop stewards of the Hotel Liquor Catering and Allied Workers' Union of South Africa (Hotelica) yesterday claimed that they were dismissed by Air Terminal Service management because they tried to unionise other workers.

The workers — Mr Lucas Nkosi and Mr Thomas Mokhatli — told The SOWETAN that most of the workers were prepared to join the union but they feared victimisation from the bosses.

The union's general secretary, Mr Hamilton Makadem, said that although they had tried to talk to the company bosses they were not prepared to listen.

"They advised us to go to the Industrial Council where we could talk for the workers. We found their demands impossible because we could not go to the council before they recognised us," he said.

"We deplore this kind of attitude by the management and demand the reinstatement of our members. If they are not reinstated we shall be forced to take legal action against the management," he said.

Mr Makadem said that workers should not feel intimidated by the dismissal of the two. Those interested should approach the union to explain their cases.

A spokesman for the company confirmed the dismissals but declined to comment further.
An extra R1.3m a month by next August

By LOUIS BECKERLING
Business Editor

A WAGE agreement that will put an additional R1.3 million a month into motor workers' pay packets by August next year has been approved by employers and unions in the Eastern Cape's motor manufacturing industry.

Union consent to the new agreement, negotiated by the Industrial Council of the Automobile Manufacturers' Industry, Eastern Cape, was transmitted to employers today, according to a spokesman.

In terms of the agreement the increases will raise pay levels by 12% to 14% over a 12-month period for most workers - and up to 17.4% in the case of the lowest-paid workers currently in employment.

They will be phased in over three instalments.

Hourly rates of pay at the lower levels will be raised by 10c with immediate effect (backdated to August), by a further 15c in February next year and a further 15c in August next year, for a total increase over three instalments of 40c an hour.

Increases for the remaining seven grades vary from 10c an hour up to 16c for the top grade (backdated to August), a further 21c in February and a further 21c in August - for a total of 56c an hour over the three instalments for the highest-paid workers.

This means that over a 12-month period the absolute minimum wage paid in the industry in the Eastern Cape will rise from R2.30 an hour to R2.70 - or 17.4%. Assuming a 200-hour month, this increase translates into additional gross take-home pay of R80 a month.

At the higher levels, an aggregate increase of 55c an hour over the same period has been agreed, which, a spokesman said, would add about R120 a month to the take-home pay of these workers.

Assuming an average of R100 a month extra for workers in the industry and a total workforce of about 13,000, the effect of the agreement will be to inject an extra R15.6 million a year into the economy of the Port Elizabeth-Georgetown metropolitan area within the next year - an infusion which will considerably enhance the prospects of an economic upturn.

"We can only hope that retailers in the area respond by buying our products," commented a motor manufacturing executive.

The agreement was negotiated within a surprisingly short period, requiring only five meetings between Epama (the Eastern Province Automobile Manufacturers' Association), SAISAW (the SA Iron and Steel and Allied Workers' Union) and Naawu (the National Automobile and Allied Workers' Union).

Negotiations began in July against a background of deadlock and strike action at that same time last year when unions insisted on shifting minimum wages from about R2 to R3.50 over an 18-month period.

Employers balked at the prospect and, in the ensuing deadlock, plants were temporarily shut down as a result of strikes. A unilateral 30c increase was announced and workers eventually returned to work.

Under the circumstances, the latest agreement would appear to meet both parties more or less halfway, and the Evening Post understands that all parties to the agreement regard it as "reasonable under the circumstances."

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PO vanh found gu two brot
250 shunt overtime in wage dispute

Labour Correspondent

About 250 workers at an Anglo American subsidiary, G and W Base and Industrial Minerals, have been refusing to work overtime since the beginning of this week in support of wage demands, the Chemical Workers Industrial Union (CWIU) said yesterday.

A CWIU spokesman, Mr Ephraim Tshabalala, said the company and union were due to meet again today in an attempt to break the deadlock.

He said workers were demanding a R2 an hour minimum wage, but that the company would only offer a 10c an hour rise, which would bring the minimum to R1.20 an hour.

When asked for comment, a company representative said information about the dispute was "confidential" and only two management men could comment on it. Both were unavailable.

Mr Tshabalala said that, after an initial deadlock over wages, CWIU had asked the company to allow the union to examine its books to test company statements that it could not afford the increase.

He said G and W had agreed and that an examination of the books had revealed reserves of R4-million-R5 million.

"We take this to mean the company had enough money to meet workers' demands, but G and W still refused to increase its offer," Mr Tshabalala said.

As a result, workers had decided at a general meeting last weekend to ban overtime at the plant.

This had come into effect on Monday, when all the company's machines were switched off at 3pm.
Metal workers score three successes.

Labour Correspondent

The Metal and Allied Workers' Union yesterday won recognition at an Elandsfontein plant and has also signed a dispute procedure with two Barlow Rand plants, one of which was recently the scene of a strike, a MAWU spokesman said yesterday.

The spokesman, Mr. Moses Mayekiso, said the union had signed a full recognition agreement with Mather and Platt at its Elandsfontein plant, which he said, employed more than 200 workers.

He said the agreement allowed the union to negotiate on all matters affecting workers at the plant and also introduced a meeting procedure which would allow for union mass meetings.

Mr. Mayekiso said the two plants employed about 1,000 workers. Barlow Manufacturing's Kew plant was recently the scene of a bitter strike which was finally resolved after talks between the two sides.
Motor workers accept wage offer

by STEVEN FRIEDMAN
Labour Correspondent

WORKERS in the turbulent Eastern Cape motor assembly industry have voted to accept an employer wage offer which, their union says, will raise minimum pay by 34.5% over the next year.

This means that there is unlikely to be any repetition of the wage unrest which has plagued the industry in recent years — at least until the next wage negotiations in August next year.

Earlier this week, employers offered workers three wage increases — to come into effect this month, in February and next August — which Fosat's National Automobile and Allied Workers' Union agreed to take back to members.

The union said it would recommend to workers that they accept the offer.

Yesterday, a NAAWU spokesman, Mr. Les Kettledas, said mass meetings of workers at Ford, General Motors and Volkswagen had voted to accept the offer. He added that the union would notify employers of this in writing.

NAAWU believes the employer offer meets its demand that this year's increase should compensate workers for the rise in the cost of living. It says it will seek new increases aimed at raising workers' real wages when the economy improves.

The present minimum in the industry is R2.15 an hour, although unions say that almost all workers are paid a minimum of R2.30.

Mr. Kettledas said yesterday that the wage increase workers accepted would be backdated to August 1 and that workers would therefore receive three weeks' backpay as well as the increase.

He added that the worker decision meant that the next wage negotiations in the industry would take place in August next year.

A report in yesterday's Rand Daily Mail on a recognition agreement between the Metal and Allied Workers Union and Mather and Platt quoted a union spokesman as saying that the agreement made provision for union mass meetings.

However, a company spokesman said yesterday that there was no such provision in the agreement.

He added that the company believed a noteworthy feature of the agreement was that MAAWU had agreed to use the Metal Industrial Council's dispute procedures should there be a deadlock in negotiations at Mather and Platt.
DISPUTES at plants employing about 250 workers are not usually landmark events.

The dispute declared by Cusa's National Union of Mineworkers at the Chamber of Mines' Rand Refinery might well be the exception.

This is the first dispute to be declared by NUM and it centres round wages.

The two sides could hardly be further apart — the Chamber is offering 6%, NUM wants 10% — and a dispute is the first step towards a legal strike.

The refinery refines all the gold produced by the Chamber of Mines, so its strategic importance to the mines — and the economy — is immense.

So immense that there is already speculation that, should a strike loom, the Government might step in to ensure that the refinery's work is not halted.

So the dispute is the biggest test thus far of the Chamber's new bargaining relationship with NUM.

One other aspect is worth noting — NUM's threat to take the industrial court a new chamber job grading system at the refinery.

which, it says, will reduce workers' job status.

If NUM's charges are accurate, the court and was introduced without negotiation could be asked to decide whether an employer can induce key job changes without negotiation.

□ □ □
THE 300 Brits workers who have been unemployed since being fired by their company, B and S Steel, 10 months ago, will today put their case before the Industrial Court.

The Metal and Allied Workers' Union (Mawu) which represents the workers will tell the court that they were fired because they had shown interest in the union. This happened after some workers had approached Mawu for help last year in April.

When management heard of efforts to unionise the workers it made efforts to stop them.

DISMISSED
When a shop steward's committee of 12 was elected all the members were summarily dismissed. This led to work stoppage to get the workers reinstated. They were reinstated on condition they did not serve on the committee. But when the shop stewards asked for the union to be recognised, problems arose. Eventually on September 7, all the workers were fired and only those who did not belong to the union were rehired.

The workers are going to ask the court to declare their dismissal unfair and unlawful and to be reinstated in their jobs. They are asking for a huge amount in back pay and costs for legal action.

The Industrial Court has never awarded costs in all the cases it had decided. Already one union which had a decision granted in its favour by the Industrial Court but was not granted costs, is appealing against the latter part of the judgment.

Since their dismissal the workers have been meeting daily at the Roman Catholic Church Hall to give each other moral support. Life for them has been a perpetual struggle. They are depending on friends and relatives for contributions in order to keep them going.
A DISPUTE on the East Rand has highlighted a labour issue which is attracting growing attention — union demands that employers disclose financial details about their companies.

In many negotiations, employers argue that they must retrench workers or restrain pay rises because of the financial state of the business.

Unions are arguing that, if employers say this, they must be prepared to produce their books to justify claims — a view which is consistent with American labour law.

Many employers oppose this, but some are agreeing to disclose information. An industrial court test of the issue may be inevitable at some point.

Last week came news that an Anglo American subsidiary, G and W Base and Industrial Minerals, had agreed to disclose its books to Fosatu's Chemical Workers' Industrial Union.

The exercise revealed another gulf in perceptions between workers and their employers.

GWIU claims the books showed the company had substantial reserves, but that it nevertheless refused to raise its wage offer.

Employers reply that a company's reserves have nothing to do with the ready cash it has and thus its ability to pay workers. Unions believe these reserves can be used to pay workers.

More may well be heard of this issue too in the future.
Arbitrator is called into Putco wage dispute

By STEVEN FRIEDMAN
Labour Correspondent

WAGE talks between the Putco bus company and two unions representing the company's black workers are deadlocked and the dispute will now be settled by an arbiter.

A Putco spokesman, Mr. Pat Rogers, said yesterday the company was waiting for the unions, the Transport and General Workers' Union and the Transport and Allied Workers' Union, to name an arbiter who will decide what increase black workers at the company should receive.

Putco is offering workers an increase of R4 a week, which is doubled to R8 for the first six months of next year. It says it will negotiate further in November on an end-of-year increase.

The unions, who initially demanded an increase of R6 a week, are now demanding R10. According to the TGWU, the minimum wage is R8 a week.

The decision to refer the dispute to an arbiter was taken because Putco is an "essential service" and it is illegal for its workers to strike.

It allows an attempt to settle the dispute by mediation. Two mediators were chosen to bring the two sides together, but were unable to do so.

The negotiations began in May.

The unions originally made 16 demands on wages ranging from wages to health and safety and maternity leave, but Putco said it was not prepared to offer any increase and that its managing director favoured a wage cut.

After negotiations, the unions and the union committee decided to reduce their demands to four and their wage demand to R30 a week.

Putco replied with its R4 offer and the two sides deadlocked.

The TGWU has claimed that Putco, despite宣布ing a loss of R1 300 000 in the second half of 1983, is in a "very sound" financial position.

It says the tax Putco paid in the second half of 1982 reflects that it made a profit of more than R8 million, that it has paid this amount in dividends to shareholders and that the net value of its assets has continued to rise.

It says Putco usually argues that commuters want higher wages because the company has increased the cost of living by offering them higher wages without raising fares.

But Mr. Rogers reiterated that the company had sustained a loss of more than R1 million and said the state of the economy made it impossible for it to increase its offer.

He said Putco had offered to negotiate further on the increase for the first six months of this year, which could be improved if the economy had improved by that stage.

"In the current economic downturn, the company's main priority is the labour front so to avoid any resentment." Mr. Rogers said.
Important victory for union

By PHIL MTIMKULU

THE UNITED African Motor and Allied General Workers' Union has won an important out of court settlement with the Datsun-Nissan company for unfairly dismissing workers at its Rosslyn plant early in January.

The union, which is affiliated to the Council of Unions of South Africa (Cusa), met the company's management on August 14, and reached an agreement that the company give back-pay to 76 workers who were dismissed on January 7.

The company agreed to pay 7% per cent of the workers' back-pay. This amounts to a total of more than R100,000.

The company also agreed to reinstate the workers without a change in their conditions of employment.

The union had intended taking legal action against Datsun-Nissan for retrenching the workers without any valid reason.

The company said the workers were retrenched purely on economic grounds.
76 labourers are reinstated

By Carolyn Dempster, Labour Reporter

An out-of-court settlement between Datsun Nissan and the United African Motor and Allied Workers' Union (UAMAWU) has resulted in the reinstatement of 76 of the 102 workers dismissed from the company's Rosslyn plant in January this year.

After a meeting with union officials on August 14, the Datsun Nissan management agreed on back pay of 47 percent of the workers' salaries over the seven-month period, and to re-employ 76 of the retrenched union members without changing their conditions of employment.

A union statement released yesterday said the back pay would amount to more than R100,000 and constituted a major triumph for UAMAWU, which is affiliated to the Council of Unions of South Africa.

However, an industrial relations spokesman for Datsun Nissan said yesterday that this was an 'optimistic' estimate. The exact figure could not be calculated until the company had decided whether to employ more workers. In addition, the reinstated workers would forfeit their leave and pension benefits.

Although the spokesman emphasized that the settlement was reached in a spirit of goodwill between the two parties, the union has initiated legal action against Datsun Nissan for retrenching the workers without a valid reason.

It is the second time in six weeks that the 5,000-member union has scored a significant victory.

On July 12, several company practices at Pudens were ruled unfair.
Retrenched workers get compensation

By STEVEN FRIEDMAN
Labour Correspondent

THE Datsun-Nissan motor company has agreed to pay compensation to retrenched workers in an out-of-court settlement with the United African Motor and Allied Workers Union — and the settlement is likely to be the biggest yet paid out to retrenched black workers.

The settlement flows from the retrenchment in January of 162 workers, which the union planned to challenge in the industrial court.

Datsun has agreed to re-employ the workers and to pay each one 47% of the earnings he or she has lost as a result of being retrenched.

In a statement yesterday, the union said this would lead to a total pay-out of more than R130,000, but a company spokesman said it was not possible to calculate the exact amount, which could be smaller.

Datsun says it settled because it plans to recognize the union soon and did not want "to start our formal relationship under a cloud".

Thus far 76 workers have been re-employed and are therefore entitled to compensation for lost earnings.

In its statement, the union's general secretary, Mrs Dora Nowatho, hailed the settlement as an "important breakthrough".

The union said it had planned to take Datsun-Nissan to the court "for retrenching workers without a valid reason" but the two sides had reached an agreement on August 14 which removed the need for court action.

Besides the money to be paid to the workers, the company also agreed to "re-establish the workers without a change in their conditions of employment", the statement said.

It said this was the second "major victory" for the union in the past six weeks, the first being its success in an industrial court action against the motor company Foden's.

A company spokesman said Datsun agreed to pay workers who were reinstated 47% of the difference between the wage they would have earned at Datsun and what they had earned since being retrenched.

This meant, he said, that a worker who had worked for the entire eight months for 50c an hour less than at Datsun, would receive 23,5c an hour for that period.

He stressed the company had not settled "because we are conceding we were wrong, that would obviously have been for the court to decide".

The settlement had been a "goodwill gesture" aimed at building a "sound relationship" with the union.
Crucial test case for unions in the offing

By STEVEN FRIEDMAN
Labour Correspondent

IN WHAT could become a key industrial court test case, the Metal and Allied Workers' Union has declared a dispute with one of Maritzburg's biggest employers, Scottish Cables.

The dispute arose over the company's alleged refusal to negotiate wages with MAWU outside the official industrial council system — an action which has never been contested at court before.

MAWU announced yesterday it had declared disputes with five companies in the Durban and Maritzburg areas. A dispute can lead to an industrial court action or legal strike.

MAWU said it had also declared a dispute with CYC Steel and Engineering of Maritzburg over its "refusal to supply free boots and overalls for the protection of its employees".

A company spokesman, Mr. Lawrence Nathan, confirmed the dispute but declined to comment further.

A third dispute, it said, had been declared with a Pinetown firm. The company said it was "clearly established as an unfair labour practice" where a union is a representative.

A company spokesman declared to comment, but said the situation was not a dispute.

The Scottish Cables dispute is taking place against the background of a dispute between MAWU and the Association of Electrical Cable Manufacturers.

In the wake of the present industrial council wage negotiations, the association awarded increases similar to those negotiated at the council. MAWU rejected these and declared a dispute with both the association and some of its members.

MAWU said Scottish Cables had agreed to bargain directly with it on wages but had then "reneged".

It charged that "much pressure" had been brought to bear on the company, "probably" from cable firms.

But MAWU's Natal secretary, Mr. Geoff Schreiner, said he had expected Scottish Cables to "have resisted such interference in their own affairs and to have honoured their undertaking."

The company's managing director, Mr. Harold Duxon, said Scottish Cables was unable to pay more than the increase conceded by the employer association — from 12c to 21c an hour.

He defended the association's stance, saying MAWU had demanded 46c an hour.

Mr. Duxon said wage levels at cable plants were "significantly above" those in the mass metal wage agreement and the industry faced "a major reduction in demand for their products" and "an escalation in imports."

The increases granted were, therefore, the most the industry could afford.

He said Scottish Cables' wages were above "the cable industry norm" and the company had also taken steps to cushion the effect of the recession on workers.
SATS staff demand pay rises

Pretoria Bureau

THE federal council of the SA Transport Services Staff Associations will demand immediate financial relief for the 230,000 SATS employees at a meeting with the Minister of Transport Affairs, Mr Hendrik Schoeman, next week.

A senior council member said yesterday the council would argue that politicians had voted themselves increases of more than 20% and that the Minister had no moral grounds to reject its claim for interim increases from October.

Public sector employees in the Post Office, railways, schools and universities have already demanded pay increases.

The Minister of National Education Dr Gerrit Viljoen, the Minister of Posts and Telegraphs Dr L A F A Munnik, and the Minister of Internal Affairs Mr F W de Klerk, have so far not given a direct response to demands for pay increases.

However, according to Government sources in Pretoria, the Cabinet is concerned about the growing agitation and dissatisfaction among public sector workers and an announcement on increases is certain within the next two weeks.

They say the coming referendum on the constitutional proposals could influence the Cabinet's decision.

Staff associations have been angered by "blatant indifference" to the plight of Government workers.

If politicians had refused to accept increases themselves, a refusal to grant them interim relief would have been more acceptable, they say.
250 refuse overtime

About 250 workers employed by G and W Base Industrial Minerals in Wadewillie have resolved to stop working overtime following a deadlock in wage negotiations at the plant.

This decision was taken at a meeting yesterday of the Fosatu-affiliated Chemical Industries Workers’ Union which has also declared a dispute with the company following the deadlock.

“We engaged auditors to examine the company’s financial position and it was found that they have about R5-million in excess. The company later explained that the money was used to build another plant elsewhere,” the union’s secretary, Mr Ephraim Tshabalala, told The SOWETAN yesterday that since the negotiations started during April management had shown “no concern for our demands”.

At first they asserted that they did not have money to increase the workers’ wages. After some pressure was brought to bear on them they offered an increase of 10c per hour.

The workers were not satisfied with the offer and demanded a minimum increase of R2 per hour. The management disputed this and claimed that they had not made any profit.

The company’s industrial relations manager, Mr B Richards said although management had no recognition agreement with the union they were prepared to discuss with them.

He confirmed that most workers have not been working overtime. The company was doing its best to resolve the matter and will talk with shop stewards today.

“It is unfortunate that the workers have taken this kind of decision when the country’s economy is gloomy. We cannot dictate to workers but we will do our best to solve the matter,” Mr Richards said.
Barlow firm to recognise union

By STEVEN FRIEDMAN
Labour Correspondent

A PINETOWN subsidiary of the giant Barlow Rand group has signed a preliminary recognition agreement with the Metal and Allied Workers' Union and agreed that it will negotiate with the union on wages and work conditions outside the official industrial council system once a full agreement is signed.

This means the company, Thos Barlow and Sons (Natal), is ignoring the policy of the Steel and Engineering Industries Federation — which is against any wage bargaining outside the council system — as several other Barlow Rand companies have done.

The agreement also means that MAWU now claims to have signed formal recognition agreements with 16 companies in the southern Natal area.

Earlier this week, the union announced it had won recognition from Maritzburg metal firm, Prestige.

In a statement yesterday, the company, which deals in caterpillar tractors, announced that the agreement had been signed.

It said it was the result of "several months of negotiations between the company and the union" and that it granted the union access to the plant as well as representation rights for its shop stewards.

The company said it saw the agreement "as an important event in the development of sound industrial relations between it and the union".
PROTECTION RACKET AT COAL MINE

WORKERS at Kilberchal Coal Mine in Newcastle have claimed that a white mine official demanded R5 a week from each worker after boasting he was going to "eat the kaftirs' money."

This was told to The SOWETAN by Mr Sam Kikane, secretary of the South African Allied Workers' Union (Sawwu) which represents the workers.

According to Mr Kikane some of the 1000 workers paid the money over a period of four weeks because they feared being dismissed.

WORKERS

The workers, who are members of the Mine and General Workers' Union, an affiliate of Sawwu, also complained that since the official took over their wage increments had followed no pattern and there were wide differences between what the supervisors and the ordinary workers received.

They said he blamed it on the drought which is gripping Natal.

The workers also claim that when they requested a meeting with the directors of the company, the official brought them his friends who work in the neighbouring mines. When it was pointed out that those were bogus officials, he then promised to organise a meeting with the "real" directors.

But when they reported for work last Friday they found the official waiting at the gates. They allege that he allowed 450 to enter the premises and locked out the rest, and threatened to repatriate them to their homelands.

Mr Kikane said on hearing about the alleged malpractices at Kilberchal Coal Mine he telephoned the company and warned it to stop the official taking money from the workers, and that the rest of the workers should be reinstated.

Mr Kikane said Sawwu had given the company until yesterday to reinstate all the workers.

MONEY

Mr G G Horn, Manpower Manager of the mine told The SOWETAN that there was no truth in the allegations and denied that the official had taken any money.

He admitted however that the mine had had a dispute with the workers over salaries.

"We explained to them how our salary structure is implemented, but they did not accept our explanation and demanded more money. They then asked to meet the head office," he said.

Mr Horn said they had got together the senior manager of operations, the area manager and the manpower manager of the coal division to talk to the workers.

The workers had then decided to go on strike.

Mr Horn said the workers were then told that by striking they had dismissed themselves.

He said that after further discussions the workers had agreed to return and were now being rehired.
NGWU in second big victory in a week

By ALINAH DUBE

THE NATIONAL General Workers Union (NGWU) won their second victory in a week when the Vaness Products Company in Pretoria agreed to increase wages of all union members yesterday.

The union had 25 of its members earlier this week reinstated at the same company after they were dismissed for going on strike. The workers' demands included better pay and improved working conditions.

The organizing secretary of the union, Mr Donnie Khumalo, said management agreed that disparities in wages of the employees be done away with. A medical aid scheme would also be introduced to cover all the workers and their families, he said.

Before going on strike workers had requested a 30 cents per hour increase on their present R1.30 hourly rate. They also complained that some workers received weekly wages of R$8 when some got R50. Mr Khumalo pointed out that this had also been looked into and said everything had "been balanced."
Union in talks

THE CUSA-affiliate, the United African Motor and Allied Workers' Union, is currently negotiating recognition agreements with five major motor companies in an attempt to normalise labour relations on the plants.

The union's general secretary, Mrs Dora Nkwatho, told The SOWETAN yesterday that talks were at an advanced stage and the first recognition agreement was likely to be signed next month.

The union had tabulated a series of complaints which it had termed "unfair labour practice", including that no employer has the right to refer to an employee as "boy" or "kafir".

Its second victory came this week when Datsun-Nissan agreed to pay more than R100 000 compensation to over 70 retrenched workers outside the industrial court in a settlement that has been seen as "a vital move in industrial relations".
Black workers to ask council for wage hike

A DEPUTATION of black municipal workers at Queensburgh is to hold talks with the municipality next week to ask for a wage increase, a spokesman for the workers said yesterday.

The talks follow a brief work stoppage this week. The striking black labourers marched through the town centre before assembling outside the Civic Centre, demanding a meeting with the entire council.

But they returned to work after the Mayor, Mr Tim Dyer, and Town Clerk, Mr Peter Kinnard, assured them that their pay demand would be discussed by the council next week.

Mr Bobby Pillay, chairman of the municipality's committee representing Indian workers, said that none of the 38 Indian workers had taken part in the strike.

Mr Kinnard told the Mercury that the black labourers had been assured that they would not lose their jobs or be victimised for staging the protest.
HUGE FARE PROTEST

AS BUS TICKETS JUMP BY 12.5 PERCENT...
LABOUR DISPUTES

Melting pot

August 1983

Another important trial of strength is looming between the Chamber of Mines and the black National Union of Mineworkers (NUM). This time the union and the chamber are deadlocked in negotiations over the wages of black employees at the Rand Refinery.

The refinery is an extremely important area of the chamber's operations, and is one of SA's most strategic plants — all of the country's gold is refined there. The NUM claims to represent virtually all the some 250 blacks employed there.

The union has declared a dispute with the chamber and has asked the Minister of Manpower to appoint a conciliation board. If the dispute is not settled by the board, the union has the option of either going to the Industrial Court, or going through all the necessary procedures to hold a legal strike.

The chamber is declining to comment on the impasse at present. The NUM says it

has rejected a chamber offer of an 8% wage increase. The union is seeking a 40% pay rise for workers at the refinery, but appears to be willing to regard this figure as negotiable if certain other demands are met. The NUM is, for example, demanding that workers receive an increment of 0.5% of annual pay for each year of service. It says the chamber is willing to introduce this — though not on a retrospective basis.

The union also believes that the chamber has committed an unfair labour practice by introducing a new job grading system at the refinery without having negotiated it with a representative union. The NUM claims this system will result in most jobs held by its members being downgraded.

The dispute is likely to attract widespread interest, given the fact that a strike at the refinery could hamper gold production. Government does have emergency powers to intervene in a dispute in such a strategic industry, and order compulsory arbitration. But some employer sources tell the FM they hope this will not happen, and emphasise their belief that the dispute can be resolved through the normal collective bargaining process.

This is not the first time that the chamber and the NUM have clashed in recent months. The ink had hardly dried on the wage agreement they reached in June when NUM General Secretary Cyril Ramaphosa called for a re-opening of the talks, angrily claiming that the union had been misled by employers during the negotiations. The chamber denied having done this, and a showdown was averted after further discussions between it and the union.

Another clash loomed last month when the NUM and the black, coloured and Asian Federated Miners Union (FUM) opposed what they perceived to be a chamber attempt to modify its commitment to eliminating race discrimination in the mining industry. A confrontation on this issue was avoided — for the time being — when it was removed from the agenda of talks over various conditions of employment in the industry.

continued on page 52
R800m stake for public service vote

By GERALD REILLY
Pretoria Bureau

WILL the Government gamble with R800-million of taxpayers' money in an effort to swing the support of public sector workers behind it in the November 2 referendum?

That is the question being asked by political observers, including political scientist Professor Willem Kieynhans.

The R800-million is what would be needed to give the nearly one-million public sector workers in the railways, Post Office, and State and provincial departments an interim rise of 10%.

So far the Government has been non-committal, except for a statement by the Minister of Internal Affairs, Mr F W de Klerk, during the latest parliamentary session, that there could be "good news" for Government workers later in the year.

It is estimated that more than 400 000 of the million public sector workers are voters. If members of their families are added, the total, it is claimed, could be close to a million.

Prof Kieynhans said the Government was "desperate". It clearly feared a defeat on November 2.

It would be looking at all possible strategies, therefore, to strengthen support for the constitutional plan.

And there could be an answer to the R800-million question on Monday.

Then the presidents and secretaries of the 10 railway staff associations will meet the Minister of Transport Affairs, Mr Hendrik Schoeman, to demand immediate increases.

If they get them, other civil servants are likely to get increases too.
Union clinches major deals with firms

THREE Trade Unions Council of South Africa (Tuesa) affiliates recently negotiated substantial wage increases for their members and concluded satisfactory new agreements with management.

The three unions whose members are said to be enjoying record wage increases are the Garment Workers of South Africa, the National Union of Wine, Spent and Allied Workers and the South African Leather Trade Unions, according to Tuesa's official journal the Labour Mirror.

The Garment Workers' achievements in the talks were:
- Substantial wage hikes across the board,
- The abolition of sex discrimination in wages,
- Employers agreeing to match workers' contribution to the provident fund,
- A higher attendance bonus,
- An increase in the number of paid public holidays, and
- A meal allowance for those working later than 6pm.

Wage increases totaling as much as 87.9 percent are being paid over the next 14 months.

The overall rise given to wine workers is 25 percent more for their pays, they received 15 percent in April and 10 percent will be payable from October 8. Both increases are based on actual wages paid and not on minimum wages.

All public holidays have been written into the agreement.
The leather trade unions added their achievement of pay rises to the 15 percent increase across the board they received last year.

On average:
- Hours-of-work have been reduced from 46 to 45 per week;
- The annual bonus has been increased from three weeks' wages to four weeks' wages;
- Workers who work overtime later than 6 pm will be provided with a meal or a meal allowance of one rand per;
- Sick leave has been increased to 12 working days over a three year cycle,

Ms Veronica Ndlovu, at the Orlando West Industrial Park
Sigma retrenches
341 more workers

Pretoria Bureau and
Labour Reporter

The Sigma Motor Corporation in Pretoria will
retrench a further 341
black workers this week,
says a company spokes-
man.

This brings the total
number of workers re-
trenched by Sigma since
the beginning of 1982 to
1920, which is more than
the figure for any other
national motor company.

"The latest reten-
chments come into effect
on Friday," said Mr Leon
Shirley, the company
public relations officer.

Sigma was retrenching
staff in response to the
economic downturn. The
company did not expect
a speedy recovery from
the recession.

All workers being re-
trenched would be given
a pro rata bonus and at
least one month's salary.

The retrenchments had
been made on a "last in,
first out" basis but Sigma
had retained those work-
ers who possessed certain
skills.

Sigma negotiated with
the National Automobile
And Allied Workers' Uni-
on (NAAWU) last
April to work an effec-
tive five-day week.

The union is in favour
of working short time
rather than accepting re-
trenchments.

By mutual agreement
there have been sparse
retrenchments in recent
months but these were
made to the satisfaction
of Sigma and the work-
ers. "Losing 341 men at
one time is something en-
tirely different," said a
union spokesman.

The workers met at the
weekend and resolved to
place before manage-
ment alternatives to the
retrenchments. Manage-
ment and workers are to
meet this afternoon.

OTHER FIRMS

Spokesmen for the vari-
ous motor companies in
the country revealed that:

• General Motors had re-
trenched a total of 650
workers, including 540 in
September 1982 and 110
last January.

• Volkswagen had re-
trenched 499 workers, in-
cluding 316 in 1982 and
183 this year. The compa-
y has been working vari-
ous forms of short time
since November 1982.

• Datsun, which re-
trenched 50 workers be-
tween August and Sep-
tember 1982 and a fur-
ther 102 in January, had
recently agreed to re-em-
ploy 150.

• Toyota had retrenched
102 people in December
1982 and had not worked
short time since 1979. The
company did not foresee
further retrenchments
this year.

• Ford had retrenched
503 workers in August
1982 and there had been
no further lay-offs to
date. The company had
worked a four-day week
last April.
Talk to union, or we strike

By STEVEN FRIEDMAN
Labour Correspondent

WORKERS at a Pretoria motor components plant, Poole Industries, have voted to strike on Thursday if the company does not agree to talk to their union, the National General Workers Union, by Wednesday.

The union's general secretary, Mr Donsie Kumalo, alleged yesterday that the company was helping a rival union to recruit workers at its plant.

A company spokesman yesterday refused to comment on Mr Kumalo's statement. He said Poole's directors had decided that no company official should talk to the Press about the dispute between Poole and the NGWU.

However, the company previously told the Rand Daily Mail that it would not talk to the union because it was not registered and was not a member of the motor industry's industrial council.

It has also told NGWU it will take action if its officials set foot on company property.

The company says it belongs to the Motor Industries Federation and will only deal with unions who negotiate with the MIF at the industrial council.

Mr Kumalo recently threatened to take legal action against the company for refusing to deal with the union at its plant, which employs about 300 workers.

He said yesterday that workers at Poole had met over the weekend and decided to give the company until Wednesday to talk to the NGWU.

He said workers had grievances relating to pensions and allocations from their pay and were also dissatisfied because they allege management was helping a rival union, the Motor Industries Combined Workers Union, to establish itself in the plant.

"If the company does not open talks with us by Wednesday, the workers have decided they will go down tools," Mr Kumalo said.
A new record for an out-of-court settlement of a retrenchment dispute was probably set last week. "Probably" because the exact cost of the settlement between Datsun-Nissan and Cusa's United African Motor and Allied Workers Union will not be known for a while.

The company has agreed to reinstate 102 workers who were retrenched in January and to pay those who return 47% of the difference between their pay at Datsun and what they have earned since they were retrenched.

This comes as the two sides are discussing recognition and heads off an industrial court action by the union on the retrenchments.

The union says the settlement will cost Datsun more than R100 000.

Datsun, which says it settled to build a good relationship with the union rather than because it admitted it was wrong, says this is an "optimal" estimate based on all workers returning and on their having earned little while they were retrenched. So far, 70 have returned.

But, bearing in mind that workers have been retrenched for eight months, the settlement is likely to top the record, which is less than R50 000.
Metal unions drive hard on dispute routes

SOME metal employers might be hankering for the good old days when emerging unions boycotted the official disputes machinery. Foratu's Metal and Allied Workers Union has clearly embarked on a strategy of using this machinery - with gusto. It has declared disputes with five Natal companies over a range of issues. Add to this its dispute with the Association of Electrical Cable Manufacturers, cable firms Siemens and Azuc, and with Dunsward, Highveld and Union Steel, and the impression that MAWU has decided the procedures provide a useful weapon is inescapable. Most of the disputes, which could lead to mediation, industrial court action or legal strikes, centre around wages. Three have wider significance.

At Barlow Rand's W B Cameron, MAWU is threatening the second legal strike by black workers in seven years. (Whether it will go ahead is unclear; the company says the dispute has been referred to arbitration.) MAWU may also turn the dispute into the long-expected industrial court hearing on whether employers can refuse to disclose financial information to unions.

In its dispute with Scottish Cables, the union is threatening court action on the company's unwillingness to bargain on wages after the employer association to which it belongs granted workers an increase.

Thus, too, could have important implications for labour relations law.

And MAWU has also declared a dispute with a Natal company over its alleged refusal to supply protective clothing to workers - another sign of growing union interest in safety.

A feature is that several of the disputes have been declared in terms of a new disputes procedure set up by the Metal Industrial Council. This is a further sign of MAWU's willingness to use council machinery, which is confirmed by a recent recognition agreement at Mather and Platt which provides for disputes to ultimately be referred to council machinery.

Equally notable is that the unregistered General Workers Union has declared an official dispute - with a Cape Town company. Whether this is a temporary tactic dictated by the recession may depend on the extent to which unions believe they have gained from using the machinery, so the progress of the disputes will be watched with interest.
Experts warn on conflict in workplace

Labour Reporter

UNLESS there is a just political system political and social conflict in South Africa will spill over into the workplace and management will have to pay the price, according to university lecturer Mr Johann Maree.

Mr Maree, a lecturer in industrial sociology at the University of Cape Town, was speaking in a panel discussion on industrial conflict and dispute yesterday at the Centre for Intergroup Studies workshop on "Conflict Accommodation".

Other members of the panel were Mr Theo Heffer, group manpower consultant of Grinaker Holdings, Mr Steve Woods, personnel executive of Consani's Engineering, and Mr Norman Daniels, general secretary of the Textile Workers Industrial Union.

LIVELY

In a lively debate Mr Heffer, one of the country's top industrial relations consultants, said that in South Africa labour was politics.

"The workplace is the only place where black South Africans have the vote. What successes there are in the workplace will flow into society," he said.

Earlier, Mr Heffer and Mr Woods criticised some of the established unions on industrial councils as being unrepresentative.

Both have been closely involved in negotiating recognition agreements with independent unregistered unions in their factories.

The problem is the manipulation of South Africa's voting system, Mr Maree said.
Saawu in talks

IN AN unprecedented move the South African Allied Workers' Union (Saawu) has invited all the workers who had R5 extracted from their wages by a mine official to a meeting with the management of Killcheri Coal Mine on Saturday in Newcastle.

Mr Sam Kikna, general secretary of Saawu, said it was necessary for them to take this unusual step because "if they (management) get it from the horse's mouth it may be more effective." He said many employers think unions are instigating the workers and unfairly accusing management.

Mr Kikna said they would have loved to have at the meeting all the workers who had R5 extracted from them by the official, but this was going to prove difficult as about 550 of them had been repatriated to the homelands.

"Senior executive members of the coal mine were very concerned when they saw the stories about the maladministration," he said.
possible to grant them a salary increase. That is what we are busy with at the moment. For the information of the hon member for Sunnyside, I also just want to point out that 6 February was still months before the Government decided that a referendum would be held. Please let us not play politics as regards these matters concerning the remuneration of public servants. While the private sector has granted salary increases to its workers, public servants have until now handled the fact that the Treasury has been unable to fulfill their expectations, with great responsibility. We therefore should not make politics out of this.

Mr J J B VAN ZYL Mr Speaker, I want to give the hon the Minister the assurance that we do not want to make politics out of this. Is it so that, if the public servants get an increase, the people of the Post Office and the SA Transport Services will get increases simultaneously? Will the increases be granted simultaneously or separately?

The MINISTER The hon member should wait until greater clarity is given and an announcement is made in this regard. Then he will get all the replies to his questions.
Workers 'refused choice of union'

By PHIL MTIMKULU

A SPRINGS security company, the South African Security Services, has been accused of violating worker rights by refusing to allow workers to join a union of their choice.

The workers complained to officials of the Vukani Black Guards and Allied Workers' Union, which has been started by Cusa, that they were threatened with dismissal if they did not resign from Vukani. One worker, Mr Ruthwell Ngxandeshe, a contract worker, has already been dismissed for refusing to resign from Vukani.

Vukani claims that management went into the company's hostel in the absence of the workers and searched their rooms and removed all union leaflets, application forms and some membership cards.

It is alleged that management told the workers that Vukani is a communist union and therefore workers should not join.

Mr Ngxandeshe told union officials that more workers are daily called to report to the head office to cancel their membership of the union. They claim that management wants them to join a union of their choice.

The organiser of the union, Mr Mahlomola Skhosana, said: "I have tried to talk to the personnel manager of the company, but he refuses to talk to me on the flimsy grounds that our union is not representative and that they have a liaison committee which handles worker complaints."
A breakthrough for union

After months of pressure from workers at its six Witwatersrand hotels, Southern Sun last month agreed to recognition talks with the Commercial Catering and Allied Workers' Union. The first meeting between union officials and management took place on August 12, says a union spokesman.

In another breakthrough for the union, 3M South Africa agreed to recognize talks after 18 months of persistent requests by the union. In a ballot held by the company in July, 62 percent of the workers who voted said they wished to be represented by CCAWUSA.

The union is involved in recognition negotiations with five companies: Checkers, Makro, the Foschini Group, Pick n Pay and Game (Johannesburg).

In wage negotiations with Woolworths, the union secured monthly increases of R55 for a worker, which will take effect from the end of August. At Edgars, CCAWUSA reached agreement on increases of between R50 and R54 a month. New minimum wages negotiated are between R220 and R250.
Naawu, Sigma try to crack deadlock

By TOM GWEBU

THE National Automobile Allied Workers Union (Naawu) and Sigma Motor Corporation management will meet again today in an effort to resolve the issue of 431 workers due to be retrenched tomorrow.

Two meetings held this week between both parties ended in deadlock. Mr Leon Shurkey, director of public relations for the company, yesterday said there were problems and he would only issue a statement tomorrow — the day retrenching would be effected.

Organising secretary of Naawu, Mr Roy Msza, said Sigma had made certain proposals to his union but these had not been accepted. Management had said that the retrenchments were inevitable due to the economic climate prevailing in the country.

"Naawu in turn made proposals to management among which were a four-day working week or shorter working hours. My union is against the laying off of workers under any circumstances," said Mr Msza.

Terror charge

MR SIPHIWE Wilfred Makhathini (26), and Mr Nhokozisi Noblemen Shezi (18), appeared in the Pietermaritzburg Supreme Court yesterday on charges of terrorism and unlawful possession of machineguns, grenades, ammunition and explosives.

Proceeding.
LABOUR DISPUTES 1
A new strategy

The Metal and Allied Workers' Union (Mawu) continues to live up to its reputation as one of the most tough-minded unions in SA. Between 1979 and 1982, it was involved in more strikes than any other union, according to a recent report on industrial action.

In fact, the report — compiled by industrial relations consultants Andrew Levy and Associates — revealed that Mawu was involved in twice as many strikes as the union which was runner-up in the strike stakes.

Given the sorry state of the metal industries, and employers' difficulties in meeting black workers' pay demands, it is not surprising that Mawu's members still display a willingness to resort to industrial action. But in recent months the union has begun to make increasing use of new dispute-settling machinery provided by the metal industries' industrial council.

One implication of this appears to be that Mawu regards the council's dispute-settling machinery as extremely useful. But it does complain that some employers are either reluctant to accept mediation, or are ignoring the dispute settling procedures and not arriving at meetings.

It has declared disputes with five Natal companies, as well as with the Association of Electric Cable Manufacturers, two cable firms plus Dunswart, Highveld Steel, and Union Steel.

Declaration of a dispute can lead to mediation, arbitration, legal action through the Industrial Court, or the holding of a legal strike.

A variety of issues are involved in these disputes. Most involve wages, but one may culminate in an Industrial Court hearing about whether an employer has an obligation to disclose financial information to unions. In another, there may be a challenge through the court over a company's unwillingness to negotiate wages after the employer association to which it belongs had granted workers an increase. A feature of another dispute is the alleged refusal of an employer to provide protective clothing to workers. The union also complains that cable industry negotiations were concluded prematurely, with the union not being given time to report back to its members.

Some employers may have been startled by the union's new strategy. However, a spokesman for the Steel and Engineering Industries Federation of SA (Seifsa) says employers in the industries would obviously prefer employees to resolve disputes through official procedures. Therefore, he says, Mawu's increasing use of the procedures is being viewed as a positive development.

Financial Mail September 2 1983
Sigma cuts retrenchments from 341 to 237

By ANTON HARBER

SIGMA Motor Corporation has reduced by nearly a third the number of workers it is to lay off at its Silverton plant at Pretoria after discussions with the National Automobile and Allied Workers Union (Naawu) and "mindful of the Prime Minister's appeal to industrialists not to retrench workers".

But Naawu has issued a statement saying it does not agree with the retrenchments which will place a major strain on workers and their families and which "should have been avoided".

Sigma announced last month that because of the weakening motor market, it would retrench 341 workers but yesterday, Sigma's director of human resources, Mr S S Lemmer, said only 237 workers would be paid off.

The earlier decision had been reviewed after discussions with Naawu and "mindful of the Prime Minister's appeal to industrialists not to retrench workers", Mr Lemmer said in a statement.

The motor industry as a whole was experiencing a weakening demand, which did not warrant the higher production volumes originally anticipated for the second half of the year, and Sigma had had to revise production schedules.

"Sigma has no option but to implement its retrenchment programmes as amended with effect from September 2," he said.

The lower number of retrenchments was still not acceptable to Naawu, "but it is not practical for us to reduce that number any further," he added.

Mr Lemmer pointed out that the retrenched workers had been identified by applying the "last-in-first-out" principle, as agreed with Naawu, though shop stewards and workers with scarce skills might be retained.

He stressed that each worker would receive redundancy pay of not less than one month's wages, leave pay, and a pro-rata share of the year-end bonus.

In addition, Sigma would ensure that those who qualified by service would receive payment from the corporation's supplementary unemployment benefit fund.

The Naawu statement said they did not agree with the move.

"While the union appreciates that Sigma management has, as a result of union representation, cut the number of people to be retrenched from 341 to 237, we believe that these retrenchments should have been avoided by working more short time than has thus far been the case.

"The retrenchments, coming as they do near the end of the year, will place a major strain on those workers and their families who will definitely not experience any Christmas cheer," the statement said.
'Action' threat over salaries backlog

BY GERALD REILLY
Pretoria Bureau

If the Government fails to make a quick decision on adjusting the backlog in teachers' salaries, "public action" like that taken during the so-called salary crisis two years ago could not be ruled out.

This warning was given in Pretoria this week by the chairman of the Federal Council of Teachers' Associations, Mr. John Stoner, in reaction to a decision by a "small group" of teachers to establish a teachers' trade union.

The group, he said, was laid by the Transvaal Educators' Society.

Mr. Stoner said the society's attitude was symptomatic of the frustration among teachers.

A few weeks ago, the Minister of National Education, Mr. Gerrit Viljoen, was told of the extent of teacher dissatisfaction.

Mr. Stoner said it was clear that if the Government did not make a quick decision on the pay backlog, "public action" was possible.

The "small group" of teachers had called on teachers in the service of the provincial education department and the Department of National Education to join them in the trade union.

Mr. Stoner said this development, which was not supported by the majority of teachers throughout the country, gave the impression of internal dissent in the organized teaching profession.

This could undermine the solidarity of the profession — a necessary prerequisite for efficient negotiation.

Mr. Stoner pointed out that in the past few years, the authorities had been warned that the establishment of a trade union in education could not be ruled out unless there was a drastic adjustment in the negotiating and consulting mechanism.

The council made no secret of the fact that its submission on a new mechanism incorporated a number of aspects which were included as rights in the teachers' union movement.

These were the right to negotiate, a conciliation mechanism and the right to arbitration.

As soon as the Government's reaction to the relevant recommendation in the Human Sciences Research Council's report on education was known, a start could be made to the structuring of a negotiating mechanism.

The council, Mr. Stoner said, would discuss the issue with the Commission of Administration on September 13.

Although the one-sided action of the small group of individuals involved in the establishment of the teachers' trade union was regrettable, there was appreciation of the dissatisfaction building up among teachers.

Negative references to the Federal Council and to the recognized teachers' associations' role in the improvement of teachers' salaries and service conditions were not only unfounded but malicious.

The leaders of the so-called teachers' trade union must take notice of this and cease their activities. It served no positive purpose and weakened the image of the teaching profession, he said.
NGWU in agreement

By Alnah Dube

A recognition agreement between the National General Workers Union (NGWU) and the Pool Industry company in Roslyn is to be submitted for consideration this week.

The organizing secretary of the union, Mr. Donse Khumalo, said the agreement was reached at a meeting with management.

Problems which affected workers were discussed and shop stewards were assigned to follow them up.

Among the employees' grievances were the deduction of R1 from their wages to pay for laundering their uniforms. The act had caused dissatisfaction among the workers because they said they had not been consulted.
THE dispute between the National Union of Textile Workers and the Consolidated Frame Cotton Corporation over the recognition of a rival trade union, which was taken to the Supreme Court in Pietermaritzburg this week, was settled yesterday by mutual agreement.

The Fosatu-affiliated NUTW agreed to withdraw its application restraining Frame from recognising the rival Textile Workers' Industrial Union and agreed to pay R5 000 towards Frame's legal costs.

'In return, the company agreed not in any way to recognise or grant shop order rights to the TWIU until the dispute between the NUTW and the company has been determined by the Minister of Manpower or the Industrial Court,' a joint statement by the NUTW and Frame said last night.

In terms of the agreement of settlement, NUTW will not contend in any proceedings that on October 1, 1962, or at any other time a contractually binding agreement was concluded between it and the Frame Group.

NUTW agreed that if called upon by Frame it will join in reporting to the Minister of Manpower in terms of Section 46(9)(d) of the Labour Relations Act of 1956 that they were satisfied they would not be able to settle the dispute, which arose from an agreement which the NUTW claimed existed between it and Frame to recognise majority unions.
FBWU and Maizecor conclude agreement

After months of turbulent negotiations, the Food, Beverage Workers' Union has concluded a recognition agreement with Maizecor Industries in Silverton.

The agreement, signed at the weekend, was heralded by union members as a singular achievement.

Conflicts between the union and management in the months preceding the signing of the agreement led to a number of work stoppages and the dismissal of several workers.

The agreement provides for a retrenchment procedure and includes a clause on alternative measures management should consider in the face of retrenchments.

FBWU spokesman, Mr Glen Mokwena, said among issues to be discussed further with management were a substantive health and safety agreement and an agreement on maternity leave.
Dispute over board sackings

Mercury Reporter

THREE employees of the Tongaat Town Board — South Africa’s only racially-mixed local authority — who were summarily dismissed have claimed that they were not given any reasons for the action.

The board’s refuse collectors — Mr M M Mpungose and Mr W T Mkhize — and a truck driver, Mr Coomarasamy Govender, have sought the help of the Legal Resources Centre in a bid to get back their jobs.

Mr Satche Govender, a spokesman for the LRC, confirmed yesterday that an application was being made to the Industrial Court for an order for an interim reinstatement of the workers.

He said in terms of natural justice the workers should have been given reasons for their dismissal, informed of the charge against them and given an opportunity to answer or rebut the allegation.

‘But none of these steps appears to have been taken by the board before terminating their service,’ he said, adding that it was unfair labour practice to dismiss a worker without giving any reason.

In terms of a regulation relating to staff matters, the board is empowered to dismiss summarily a worker in the case of ‘grave misconduct’.

But there was no justification for the immediate dismissal of the three workers because the actions of none of them could be construed as ‘grave misconduct’.

He said the workers simply refused to work after their crew had been reduced, resulting in an increase in workload. The township was developing rapidly and the area they covered also had increased.

They had requested merely to meet the Town Clerk to put forward their grievances, instead of channelling them through the supervisor, Mr Ganas Naidoo.

Mr V V Parkhouse, the Town Clerk, yesterday confirmed the dismissals but denied the board had been unfair or harsh.

‘We have a staff of 400. If we were about dismissing staff unfairly we would have had a poor employment record,’ he said.
SADF answers complaints

Defence Reporter
AN in-depth investigation has been carried out by the South African Defence Force into working and service conditions of civilian labourers at 6 Base Ordnance Depot, Wingfield, after inquiries were made by the Cape Times.

The result: Some misunderstandings on the part of the labourers have been cleared up and liaison machinery has been established — and thanks to another discovery which came up during the investigations, workers are to get improved hygiene facilities.

The investigation took place after the Cape Times notified the SADF of complaints it had received from one of the labourers, Mr. S. Waken. Mr. Waken raised the following points:

- Non-payment of sick pay
- Mr. Waken said "there are labourers who have been waiting since January for their sick pay. Every time we ask about it we are told that they (the 6BOD paymasters) are waiting on Pretoria."

There are people who come to work from Darling. It costs them R65 per month if they go off sick for three weeks (as some of them have had to do when they broke limbs). They get only one week's salary and no sick pay.

"That means they don't have enough money to actually get to work for the following month. They also have to pay the rent, the children's school fees, electricity and food out of that money."

"The council demands the rent by the 7th of each month."

"One man, Patrick Mondo, broke his leg two months ago. He was off sick for seven weeks and he has received no money. They (the council) have cut off his electricity already."

"Another, Lionel Bester, was off sick in February and still has not been paid out for it."

"I was off in March and still I've received no money," he said.

"Sick people come to work because they are afraid that if they don't come they won't get any money. They can't afford it."

- The SADF spokesman stated that "during the investigation it was found that there was a tendency by labourers of 6 BOD to go on sick leave or to stay away from work, demanding payment for the period of absence without submitting the required medical certificates on their return."

"In terms of Public Service Regulation R428C3, 2 payment of sick leave can only be effected whenever such sick leave has been approved."

"On taking over command of 6 BOD, the new Officer Commanding advised all labourers that in future all payments in respect of sick leave will only be paid after approval in accordance with the Public Service Regulation."

"The previous Officer Commanding allowed sick leave to be paid out prior to approval. This action led to some labourers having to pay back some of the money received which led to dissatisfaction amongst the labourers."

"The necessary steps have been taken and new procedures were adopted to prevent a re-occurrence."

- Tax deductions. Mr. Waken said tax was deducted from his wages even though he was not liable because he earned less than R7,000 a year.

- The spokesman said Mr. Waken had "received a document from the Receiver of Revenue stating that a taxpayer can be exempted from the obligation to submit an income tax return. This form also advises the receiver what must be done in such cases."

"(Mr. Waken) took it for granted that he was exempted. It is obvious that he did not understand the contents of this form as he neglected to comply with the instructions therein."

"In order to prevent cases of this nature, every labourer was instructed to complete an IRP2 after which their income tax deductions were checked against the new deduction scale. Members will be advised how to complete the prescribed IRP11, in cases where over-deductions took place."

No redress: According to Mr. Waken, "I'm sure the commandant doesn't know what is going on. He told us when he arrived that he would always be open to anyone who wants to speak to him. But every time I try to see him, try to make an appointment, I am told he is busy, not available."

- The SADF spokesman said that "to ensure that an effective liaison is being obtained, the following system has been initiated as from August 8, 1983:"

"A team-leader has been chosen out of every team of approximately 12 labourers (and) complaints will be submitted to the Regimental Sergeant-Major, who will follow up complaints with the Unit Commander."

- Inadequate toilets and recreational areas. The spokesman said the existing approved building plans for 6 BOD had been referred back to the Quartermaster-General by the commanding officer because no provision had been made for wash and shower facilities and the existing plans were too small to accommodate the 140 labourers.

Now "steps are being taken to rectify these shortcomings."
Dispute over board sackings

Mercury Reporter

THREE employees of the Tongaat Town Board — South Africa’s only racially-mixed local authority — who were summarily dismissed have claimed that they were not given any reasons for the action.

The board’s refuse collectors — Mr M M Mpungose and Mr W T Mkhize — and a truck driver, Mr Coomarsamy Govender, have sought the help of the Legal Resources Centre in a bid to get back their jobs.

Mr Satchie Govender, a spokesman for the LRC, confirmed yesterday that an application was being made to the Industrial Court for an order for an interim remittal of the workers.

He said in terms of natural justice the workers should have been given reasons for their dismissal, informed of the charge against them and given an opportunity to answer or rebut the allegation.

"But none of these steps appears to have been taken by the board before terminating their service," he said, adding that it was unfair labour practice to dismiss a worker without giving any reason.

In terms of a regulation relating to staff matters, the board is empowered to dismiss summarily a worker in the case of ‘grave misconduct’.

But there was no justification for the immediate dismissal of the three workers because the actions of none of them could be construed as ‘grave misconduct’.

He said the workers simply refused to work after their crew had been reduced, resulting in an increase in workload.

The township was developing rapidly and the area they covered also had increased.

They had requested merely to meet the Town Clerk to put forward their grievances, instead of channelling them through the supervisor, Mr Ganas Naidoo.

Mr V V Parkhouse the Town Clerk, yesterday confirmed the dismissals but denied the board had been unfair or harsh.

"We have a staff of 400. If we went about dismissing staff unfairly we would have had a poor employment record," he said.
employees at the Frametex Mill, that union which showed it had the support of the majority.

However, in March and April this year management told the union that recognition was being granted to the TWIU, an affiliate of the Trade Union Council of SA (TUCSA). The NUTW disputed management's claim that the TWIU had obtained majority support at the mill and brought a successful Industrial Court action temporarily restraining management from recognising the TWIU. A feature of that case was the evidence produced by the NUTW alleging that Frametex employees were persuaded, intimidated and coerced by certain members of management and an appointed liaison committee, to join the TWIU.

Conciliation

The group has strongly denied these allegations and has opposed the union's application to the Minister of Manpower for the establishment of a conciliation board. The Minister has still to announce a decision on this application, but meanwhile the Industrial Court order restraining management from recognising the TWIU has expired.

About two weeks ago, following an unsuccessful late application to the court by the NUTW for extension of the order, management appeared intent on formally recognising the TWIU. The NUTW alleges that within hours of the court's decision not to extend the order, Frametex management informed employees that the TWIU would be recognised. However, it now appears that pressure from NUTW has resulted in management delaying a decision on recognition, pending the outcome of the Supreme Court hearing.

Two important issues will be raised before the court. Firstly, the NUTW wants to hold the group to the promise it says it received from a member of management about recognition last year. Oral evidence on this issue will be heard. Secondly, the NUTW is seeking a Supreme Court review of the Industrial Court's decision not to extend its order restraining the group from recognising the TWIU.
Dispute between Mawu workers and B & S ends

Labour Correspondent

A YEAR-OLD labour dispute between members of the Metal and Allied Workers Union and engineering firm B & S Engineering—which attracted widespread interest in labour circles—was settled yesterday.

A joint statement by Mawu and the company announced that 349 workers, who were among 1,000 workers fired by the company at its Brits plant after a dispute on September 7 last year, would be re-employed.

The settlement followed a decision by Mawu to institute industrial court action against the company in an attempt to win reinstatement of the workers.

In papers before the court, B & S alleged workers had struck before being dismissed last September, but Mawu denied a strike took place.

The dispute attracted considerable interest because the 349 workers who brought the action against B & S have refused to re-apply for their jobs for the past year and have met daily for the entire period since the dispute to maintain a common stance.

Unionists argue this constituted an "unprecedented show of solidarity" among the workers and that it was "particularly remarkable" because Brits is a rural area with high unemployment.

The dispute also attracted attention because several worker leaders at B & S were arrested by police and charged under the Intimidation Act. They have not been convicted.

The joint statement released yesterday said "Both parties expressed satisfaction with the settlement and believe a satisfactory relationship will now be established between management and the union."

"It is also one of the terms of the agreement that this joint statement should be the only comment to the media by the parties."

20.4.16/83
Nampak firm on retrenchment plan

Labour Correspondent

THE Nampak group is to go ahead with retrenchments at the Indurstria plant of Nampak Conical Containers later this month, despite sharp criticism from the union which represents black workers at the plant.

But it appears that the number of workers to be retrenched is slightly lower than the union originally feared, and a few of the workers have been replaced elsewhere in the Nampak group.

This emerged from a company statement released yesterday.

Recently, Festac's paper, Wood and Allied Workers Union sharply attacked the retrenchments, which comes as a result of rationalisation within Nampak.

It said workers were losing their jobs at the same time as other Nampak factories were working overtime.

In the statement, Nampak said 80 workers would be retrenched on September 23. The union expected more than 20 of the plant's 130 workers to lose their jobs.

Nampak added that, in accordance with company policy, five of the workers had been placed with Prinipak and another three with Nampak Blow Moulder.

The company said the terms of retrenchment included early retirement and pension for workers over 55 years old and cash withdrawal of pension money for those under 55.
LABOUR MATTERS

NUTW and Frame

A court action launched by the National Union of Textile Workers (NUTW) against the Frame group has had an interesting outcome.

An urgent application by the NUTW was heard in the Natal Supreme Court last week. It arose from a recognition dispute between the union and Frame (Current Affairs September 2). The union sought to hold the group to a promise it says it received from a member of management last year. The promise was that the group would recognise as the sole collective bargaining representative of its weekly-paid employees at the Frametex Mill, that union which showed it had the support of the majority.

In addition, the NUTW sought a Supreme Court review of the Industrial Court’s decision not to extend its order restraining the group from recognising the NUTW’s rival, the Textile Workers’ Industrial Union (TWIU).

The NUTW had made an unsuccessful late application last month to the Industrial Court for an extension of the order it made earlier this year.

Evidence on these matters was heard in the Supreme Court last week. But before the court made a ruling, a settlement was reached between the parties. The NUTW agreed to withdraw its application and pay certain of the company’s costs. It also agreed that in any future proceedings it would not claim that any contractually binding agreement on recognition had been concluded between it and Frame.

In return, Frame agreed not to recognise, or grant stop-order rights to the TWIU until the Minister of Manpower reaches a decision on the NUTW’s application for a conciliation board. Should the Minister appoint a board, Frame will continue to refrain from recognising the TWIU until the dispute has been resolved either through the board or the Industrial Court.
LABOUR DISPUTES

High noon at the Refinery

A decision by Manpower Minister Fanie Botha will determine whether the black National Union of Mineworkers (NUM) and Rand Refinery will head into a showdown next week.

When the FM went to press this week, the union was voting that unless the minister appointed a conciliation board by September 16, it would hold a strike ballot on September 19. If most of its members at the refinery vote in favour of industrial action, the union is free to hold a legal strike — and it says it will do this by the middle of next week.

The NUM applied for a conciliation board on October 17, and unless the minister appoints a board within 30 days of that application, the union can move towards the holding of a legal strike.

The dispute is a significant one. Not only does it represent an important trial of strength between the NUM and the chamber, but it may affect production at the refinery which processes all of SA’s gold. Should the minister appoint a conciliation board by the end of this week — and some informed sources believe he may — the board will have 30 days in which to resolve the dispute. If it is not resolved through the board, the NUM will again be free to hold a strike ballot and call a legal strike.

The Chamber of Mines is declining to comment on the dispute. NUM general secretary Cyril Ramaphosa told the FM it appeared that management was not prepared to make concessions. “We indicated that we were willing to negotiate further on our demand for a 40% wage increase, but have had no response.”

He said if a conciliation board is not appointed, strike ballot papers will be distributed at a meeting of NUM members at Rand Refinery on Monday. If they vote for a strike, the union will issue a statement formally launching the strike by the middle of the week.

Ramaphosa told the FM that the union has heard allegations that management plans to bring in new workers to do the jobs of those on strike. “We view this very seriously, as we have followed each legal step in this dispute. We’d see it as an unfair labour practice if our striking workers were dismissed, and would go straight to the Industrial Court,” he said.

In addition to testing its muscle in this dispute, the NUM is seeking to participate in the investigation by the Government Mining Engineer into the methane explosion at Hobane coal mine. “We want to go down the pit with the investigators,” Ramaphosa said. The union issued a statement charging that safety measures had been wanting at the mine. The NUM applied to join the official safety committee for the mining industry earlier this year, but was turned down by the Government Mining Engineer as “unrepresentative.” The union charges that the workers in the mining industry have no forum in which to take up safety issues — something it seems determined to remedy.
Ex-detainee asks for right to sue SA Police

MR DANIEL Sechaba Montsisi, of Diepkloof, Soweto, yesterday appealed to the Appeal Court in Bloemfontein against a judgment that upheld a special plea by the Minister of Police.

The special plea was that Mr Montsisi's action, for damages for two assaults allegedly committed on him on June 13, 1977, and October 27, 1977, by members of the South African Police, was barred by provisions of Section 32 of the Police Act. Mr Montsisi was in detention under Section 6 of the Terrorism Act when the assaults were alleged to have occurred.

In the Transvaal Supreme Court on December 17, 1981, after consideration of a stated case, Mr Acting Justice J C Kriegler held that through no fault of Mr Montsisi, who had been unable to institute his action while in detention, and indeed through the conduct of officials of the State, Mr Montsisi had been deprived of his ordinary right as a citizen to seek to enforce a damages claim in a court of law.

The judge said that the result was deplorable but appeared an unavoidable consequence of the law as it stood.

Yesterday's appeal was heard by the Chief Justice, Mr Justice Rabie, Mr Justice Wessels, Mr Justice Kotze, Mr Justice Trengove and Mr Justice Viljoen.

Argument for Mr Montsisi was submitted by Mr I Mahomed SC, with Mr M S M Brassey, while that for the Minister was lodged by Mr F C L Rops.

For Mr Montsisi, it was submitted that to deprive him of relief in the circumstances alleged in the pleadings led to such manifest injustice that such a conclusion would be avoided by the court unless the court was driven to it without any alternative.

In view of the apparent conflict between provisions of the Police Act and the Terrorism Act, the court requested counsel to submit further heads of argument in that regard.

The appeal has been postponed to allow for the additional argument to be prepared and submitted to the court. — Sapa
The prospect of the first ever legal strike by black workers in the mining industry was delayed yesterday when the Minister of Manpower, Mr Fanie Botha, appointed a conciliation board which will try to settle a dispute between the National Union of Mineworkers and the Chamber of Mines at the Rand Refinery.

Yesterday was the last day on which Mr Botha could have appointed the board to prevent a strike ballot which could have led to a legal strike.

The NUM declared a dispute with the refinery, which employs about 2800 workers, on August 16 after the two sides deadlocked over wages. The union wanted a 10% increase and the Chamber offered 6%.

After the appointment of the board yesterday, NUM general secretary, Mr Cyril Ramaphosa, said he was not particularly pleased because he had reason to believe the Chamber had no intention of changing its offer and the board would merely delay moves towards a strike.

However the NUM was patient and would do all it could to abide by the law, he said.
CALL FOR MINERS' BILL OF RIGHTS

The National Union of Mineworkers (NUM) has demanded that a miners' Bill of Rights be provided for in law.

1) Their own safety representatives,
2) Refuse to work under conditions or practices believed to be unsafe, unhealthy or illegal,
3) Demand a Government inspection of suspected violations of safety regulations,
4) Review Government inspectors' failure to conduct inspections into safety,
5) Exercise rights on behalf of others' safety and health,
6) Institute and testify in proceedings without interference of victimisation;
7) Accompany Government inspectors during inspections without loss of pay,
8) Participate in the development of mining procedure plans,
9) Adequate health and safety training,
10) Protection from discrimination for exercising statutory rights.

Meanwhile, scores of people are expected to attend today's (Friday) lunchtime memorial service for the Hlobane miners.

The service, organised by the SA Council of Churches and the National Union of Mineworkers, starts at 1:15pm at Khotso House.

And in Witbank tomorrow, another commemoration service will also be held.
Mawu clinches pay deal

By STEVEN FRIEDMAN
Labour Correspondent

TWO Natal companies have agreed in negotiations with Fosatu's Metal and Allied Workers Union to pay workers a minimum wage of R90 a week — a key breakthrough for the union in its current attempt to win pay rises from metal companies outside the official industrial council system.

At one company, Barlow Rand subsidiary WB Camerons in Durban, the wage agreement follows a strike ballot in which 83% of the union's members voted to strike if the wage dispute was not settled.

The union has been campaigning for a R90 a week minimum but this figure is some 45% above the minimum in the council agreement and most employers have resisted it.

By concluding the agreements, the two companies, WB Camerons and Prestige, have also ignored requests by employer federation South Africa not to bargain wages outside the industrial council system.

In a statement yesterday, Mawu said the WB Camerons deal would increase minimum pay by 24% and that at Prestige the industrial council minimum had been exceeded by 80% for most workers.

A WB Camerons spokesman confirmed that the minimum would rise to R90 a week, but said this would take effect from January 1 only.

At Prestige, Mawu said the increases would be backdated to July and talks on further increases would be held in November.
The dispute centres around the issue of whether the union, the National Union of Teachers (NUTW), can represent workers in the dispute. The NUTW, although it has been recognized by the employers, is not recognized by the factory. The National Industrial Union, on the other hand, has been recognized by the employers. The case will be heard in court and the issue of whether the NUTW can represent workers in the dispute will be decided.

The unions are divided on the issue. The NUTW claims that it has the right to represent workers, while the National Industrial Union argues that it is not recognized by the employers.

The case has been referred to the court and a decision is expected soon.
Lowest 'living wage' figure is fixed

Mercury Correspondent

Johannesburg—A Richards Bay civil engineering company has struck an unusual wage deal with the Metal and Allied Workers' Union.

In terms of the agreement, the union and Stone Bay Sales have agreed on a minimum figure which both sides see as an 'acceptable living wage'.

The gap between this figure and the minimum presently being paid by the company will not, however, be bridged immediately. Instead, a series of negotiations will determine how quickly the minimum will be increased to enable the 'living wage' target to be met.

This must be done within a fixed period.

First step

The first step in this process is a 30c-an-hour increase which will come into effect on October 1.

Six-monthly negotiations will then be held to achieve the 'living wage' figure.

The company is a member of the Grinaker group, in which Murray and Roberts and Duker Investments also have a shareholding.

The deal follows demands by Federation of South-African Trade Union members that employers pay a 'minimum living wage'. It is believed to be an attempt to balance this demand with companies' ability to afford increases.

In a statement yesterday, Mawu's secretary in Richards Bay, Mr Willis Khumalo, said the agreement followed negotiations in Empangeni on September 22.

Desirable

The union and the company agreed to set what they considered to be an acceptable minimum wage and also agreed that it would be desirable to close the gap between the present minimum wage and the accepted minimum. This, however, difficult to implement, the statement added.

It had therefore been agreed to follow certain steps to reach the target within the period fixed.

The 30c increase would apply until March next year and the balance would be negotiated in six-monthly stages.

Benefits presently enjoyed by workers would not be affected by the increase.

'At the conclusion of negotiations, both parties expressed satisfaction at the positive attitude displayed,' the statement said.
Row as miners refuse to go underground

By Carolyn Dempster
Labour Reporter

Sixty black mineworkers at West Driefontein gold mine were threatened with dismissal today after refusing to go underground because of fears of a rockburst.

The stoppage began yesterday after workers said they heard rumbles at the 14th level and refused to continue working in what they called an unsafe area.

The National Union of Mineworkers, which claims to represent the striking workers, was refused a meeting with the Goldfields mine manager this morning because it is not recognised on the mine.

"If management proceeds with its threat of dismissal, we will regard this as unlawful and take the mine management to the Supreme Court to secure the reinstatement of the men," said NUM general secretary Mr Cyril Ramaela.

"We have called for an urgent meeting with the company so that our representatives, together with the Government mining engineer, can inspect the area immediately," he added.

Mr P.R. Jansch, executive manager of Goldfields, confirmed that there had been a work stoppage on the mine this morning but said this was not an infrequent occurrence.

Mr Jansch added that as NUM had not been recognised on the mine, the management would not receive any representations.
LABOUR DISPUTES

The Minister acts

Manpower Minister Fanie Botha has appointed conciliation boards in an effort to resolve two significant labour clashes.

Last Friday the Department of Manpower announced the appointment of boards for the wage dispute between the black National Union of Mineworkers (NUM) and the Chamber of Mines, and the recognition dispute between the National Union of Textile Workers (NUTW) and the Frame group.

The NUM is engaged in an important trial of strength with the chamber over pay increases for black workers at the Rand Refinery (Current Affairs September 16). If a board had not been appointed by the end of last week, the union would have been free to launch a legal strike if most of its members at the refinery voted in favour of such action. By Wednesday last week it was threatening to hold a strike ballot if a board was not appointed. Should the board not resolve the dispute within a month, the union can again exercise its right to strike legally.

It seems likely that the board appointed for the dispute between Frame and NUTW could result in an important test case going before the Industrial Court. The issue of union recognition lies at the heart of this dispute (Leaders August 5). Because the terms of reference of the board include allegations of an unfair labour practice the
CLIVE THOMPSON

Why the court matters

In a recent article in the FM (Current Affairs, September 9), Bobby Godsell of the Anglo American Corporation raised certain critical points about the functioning of the Industrial Court. He noted that serious reservations about the court existed in employer ranks and elaborated on some of these.

There can be little quibbling about what was probably the central tenet of Godsell’s piece, namely that “the history of industrialisation indicates that collective bargaining is the best way to resolve conflict in industry. It involves the primary parties and its outcome is the direct responsibility of these parties.” However, he did not expand on some of the corollaries of this statement.

If issues between employers and unions are best thrashed out between themselves, then the disputants should be allowed to have recourse to industrial action to close the deadlock gap, and the run held by the State must be a fair one. Neither is true of the present dispensation. A clear dualism is evident in the Labour Relations Act. It seeks to encourage collective bargaining but simultaneously, through its convoluted disputes procedure, effectively criminalises most forms of industrial action. Picketing, a normal incident of collective action elsewhere, is proscribed under the Internal Security Act, while the wide terms of the Immigration Act have already been directed at unions.

Most important of all, the effect of the range of statutes controlling every aspect of the supply of black labour is that migrant workers resort to industrial action at their peril. Even a legal striker is open to instant dismissal, and a migrant who has lost his job forfeits his always precarious right to remain in an urban area. Many a dispute has been “resolved” by the mass deportation of the workforce and employers have not been conspicuously in their condemnation of such occurrences.

Against such a backdrop, it is relatively pointless to advocate collective bargaining as the first and last word on proper relations between the parties. Godsell believes that the courts should declare the law rather than make (any of it). Should the courts indeed back those engaged in “so intimate an act as negotiation” to fit the procedural bed of rigid law, employers would be the first to raise a storm in the labour field.

More than any other, it is essential that an adjudicative body be afforded scope to work imaginatively when seized of disputes. It is impossible for statutory definitions to cope with the nuances of labour developments. The example which Godsell cite — representation — is a case in point.

Legal duty

His contention that the question of the legal duty to bargain with a representative union should be left to the bargaining process is neither surprising. In most countries collective bargaining got under way only once the legal duty to bargain had been secured by the labour movement. The fundamental dispute over the very framework for bargaining is one of right, not interest. The social cost of leaving it to be resolved by the parties is high.

Recognition has primarily two aspects: the acceptance of bargaining agents and the definition of appropriate bargaining units. Except in the UK and Utopia, both aspects require statutory and judicial regulation. Most overseas jurisdictions have settled the bargaining agent question through legislative intervention. There is a statutory duty to bargain with a representative union and recognition disputes are outlawed. The right to be recognised flows from a relatively simple certification procedure, usually involving a ballot.

The definition of the appropriate bargaining unit, on the other hand, is precisely the type of issue which, failing agreement, sees parties go to the courts — to be sure, an adversary body which can fashion a binding decision consonant with the contours of a particular industrial setting. Once again, if collective bargaining is the objective, devious and dilatory arguments over its underpinnings cannot be allowed to frustrate the process. Moreover, although collective action may break a deadlock over the bargaining unit, interests of parties other than the immediate disputants are at stake and hence these boundaries should be established by a body which can take a wider — albeit industry-wide — view of things. Of course, an ill-fitting judicial imposition will not preserve industrial peace or advance collective bargaining. But to deny a labour court any role is no solution.

It is significant to note that in the two cases where the Industrial Court’s finding amounted to orders to bargain with a union — Bloozard v Argus and United African Motor and Allied Workers Union v Podens — the acceptance of the bargaining agent and not the appropriate bargaining unit was in issue. In the absence of statutory regulation, I submit that the court’s determinations were salutory. They certainly led to a speedy resolution of other recognitions disputes.

The observation that “through the status quo provision, unions at times appear to be seeking to achieve that which they have not even attempted to accomplish through bargaining” is surely misconceived. The status quo order by definition may only preserve on an interim basis what has already been won, by negotiation or otherwise. Where orders have been granted, they have followed unilateral conduct and a failure to negotiate.

To secure greater legitimacy, an improved role for the Industrial Court as part of wider legislative reform in the labour field is certainly required. The call is to tap the systems developed in other countries. Given the practices prevailing in some quarters, it is not inevitable that such a move would endanger the court to more employers.
DISPUTE SETTLED

An amicable settlement appears to have been achieved in the protracted dispute between the Metal and Allied Workers' Union (Mawu) and a Brits metal industries company and its associates.

Earlier this year Mawu launched an Industrial Court action against B & S Furniture Company (Current affairs July 17). The union alleged that B & S unfairly dismissed 249 workers in September last year and argued that they were entitled to reinstatement and back-pay amounting to about R50,000.

The union and the company have issued a joint statement expressing satisfaction with the settlement. They believe a good relationship will be established between themselves.

The settlement appears to be a significant one for a number of reasons:

- Although neither of the parties is revealing the terms of the settlement, it seems logical that the union would have pressed hard for substantial compensation for the dismissed workers.

- It is significant that the union has achieved a satisfactory settlement with an employer in a region such as Brits. Emerging unions have complained bitterly during the past year of the hardline attitude towards unions held by many employers outside the major urban areas, and

- The settlement has been achieved in the wake of the extraordinary tenacity and determination shown by the dismissed workers to continue their struggle against the company. During the lengthy dispute they suffered considerable financial hardship and met almost daily to maintain a common stand.
17 nervous miners fired for refusing to go underground

JOHANNESBURG — The West-Driefontein gold mine near Carletonville yesterday fired 17 of the 40 workers who refused to go underground on Wednesday because they were afraid of a rockburst.

The management of the Gold Fields mine met representatives of the National Union of Mineworkers, but the talks proved fruitless, Mr Cyril Ramaphosa, said the union's general secretary.

A spokesman for the mine confirmed that the Chief Inspector of Mines had inspected level 14 and could find nothing unsafe.

"This was communicated to the 40 men in the morning, but 17 still refused to go underground. They are regarded as having terminated their contract," he said.

Mr Ramaphosa said that the union was consulting its attorneys about the dismissal of the 17 workers in an effort to seek their reinstatement.

The 40 mineworkers refused to go underground after claiming they had heard rumblings in the rock. The mine management said it was impossible to technically determine in advance whether a rockburst would occur.

The Minister of Mines, Mr Pietie du Plessis, said in Pretoria yesterday allegations that tests for gas were not made at the Hlobo mine prior to the methane gas explosion that killed 63 miners last Monday would be thoroughly investigated during the pending joint inquest and inquiry.

He said in a statement the inquest and inquiry would be held by a magistrate, with a member of the Government Mining Engineer's staff as assessor, and that the case should not be discussed as it was sub judice until the legal proceedings were finalised.

Mr Du Plessis also acted to recent Press reports that safety conditions and the safety norms in South African mines were unsatisfactory.

He said South African mining regulations were generally accepted as being among the best in the world and were much wider in scope and more detailed than those recommended by the International Labour Organisation.

This did not mean they were perfect and the regulations were constantly being reviewed.

"In this context, the Government Mining Engineer would welcome any positive and motivated suggestions for the improvement of the regulations."

The Chamber of Mines has refused to display a National Union of Mineworkers notice calling for a moment of silence to be observed between 9am and 9:30am on Monday for the miners who died.

In a letter to Mr Ramaphosa, Mr Peter Bosman, general manager of the Chamber of Mines, said the English part of the notice calls on employees to observe a moment's silence between 9am and 9:30am, but the Sotho and Zulu/Xhosa versions urge employees to participate in a half-hour work stoppage.

— Sapa
Labour Correspondent

THE future role of the industrial court — and in particular its right to reinstate fired workers — is at stake in a crucial case which was argued before the court in Johannesburg yesterday.

The case has been brought by the Metal and Allied Workers' Union and 12 of its members against Barlow's Manufacturing Company in Kew, a company in the giant Barlow Rand group.

The company argued before the court yesterday that, where an employer fired workers after giving the required notice or by paying the required notice pay, the court had no power to decide whether the sacking was "unfair".

It asked the court to agree to refer this point of law to the Appellate Division, a request which was opposed by Mawu and the other applicants. After hearing argument on this point, the court's deputy president, Dr D B Ehlers, reserved judgment.

If the company's argument is upheld, the court's role in ordering temporary or permanent reinstatement of dismissed workers where it decides the firings were unfair would be almost entirely removed.

Many of the court's key cases over the past year have involved the granting of such reinstatement orders.

The company argues that the point of law involved — whether the court can pronounce on firings where the legal notice requirements were observed — has still not been clarified and that the Appeal Court should do so.
Delegates want ministerial inquiry

Post Reporter

Delegates at the annual conference of Tucsa today urged the intervention of the Minister of Manpower, Mr Fanie Botha, to ensure a thorough investigation into the recent death of one worker and the injuries of two others at United Transport Holdings, Johannesburg.

Mr Antony Dlamini, who was killed, Mr Klipfont Lugwa and Mr Zephania Maseko were all members of the African Transport Workers Union (ATWU), a Tucsa affiliate.

The general secretary of the ATWU, Mr Gert van der Walt, told delegates the incident had occurred last week outside the premises of the cartage contracting firm when members held a peaceful meeting concerning grievances about working conditions.

A security guard from the company approached the group and attempted to interfere with the proceedings. He refused to leave and a scuffle ensued, resulting in one death and two injured members.
"Faithful until the scrapheap"

By STEVEN FRIEDMAN
Labour Correspondent

The union says that, when questioned on this, the company’s manager, Mr Engelbrecht said: “If they had been told earlier, we would have got no work out of them.”

It said the company had not followed the “last in first out” principle, but had selected all workers over 50 for retrenchment, removed a third of these from the list and replaced them with younger workers.

PWAWU alleged that workers would receive at most 13 weeks’ severance pay and that the company’s pension contribution was being withheld from them.

At Nampak Conical Containers, workers said the retrenchments were related to reorganisation in Nampak. They also said that PWAWU members had to bear the brunt of them.

“The company was offered jobs with Prinpack, another Nampak company, a manager said they could only hire workers who belong to the Tusca union,” a worker spokesperson said.

He also charged that three Nampak plants had vacancies, but had not offered these to retrenched workers.

A Nampak spokesperson said Prinpack was bound by the "closed shop" clause in the printing industry’s industrial agreement and had to hire SATU members only.”
Workers in row over conditions

By Jo-Anne Collin

About 60 workers from a pathologist's laboratory in Johannesburg are demanding the reinstatement of three dismissed colleagues as a condition for ending their strike.

Saying they were dissatisfied with conditions of work at the laboratory of Dr P van Drummelen in Bosman Buildings, the workers went on strike yesterday morning.

This resulted in the dismissal of three men and the strikers resolved not to resume work until they were reinstated.

Dr van Drummelen refused to speak to The Star yesterday.

Among the allegations listed by the workers were:

- Pay was poor, as low as R38 a month in some cases.
- They had no job security and felt they could be fired at any time.
- Overtime work was not voluntary. Insufficient notice of it was given and workers were often not paid for extra hours.
- There were no structures for consultation between employer and staff.
Wages dispute goes to Labour Minister

A DEADLOCKED wage dispute between the Metal and Allied Workers Union and giant steel corporation Highveld Steel has been referred to the Minister of Manpower.

And yesterday, Mawu charged that Highveld could afford to offer workers a substantial wage increase, but was refusing to do so because it did not want to break ranks with other ferro-alloy producers.

It said the deadlock had followed a refusal by Highveld to refer the dispute to mediation.

A Highveld spokesman yesterday declined to comment on the union's charges.

The deadlock centres around negotiations for a "house agreement" at Highveld.

Several companies, including Highveld, negotiate separate agreements with unions under the umbrella of the Metal Industrial Council Mawu, which is pressing for a minimum wage of R90 a week — nearly 40% above the present minimum — rejected Highveld's offer of a 4% an hour increase for lowest paid workers and declared a dispute with the company.
Sacked miners claim area was unsafe

Key mine test case on refusal to work

By STEVEN FRIEDMAN
Labour Correspondent

THE National Union of Mineworkers yesterday served papers on the Gold Fields (SA) West Driefontein mine, thus instituting a key industrial court test case on whether workers can refuse to work in an area they consider unsafe.

The papers contain shock allegations about an incident this month in which 17 NUM members at the mine were fired for refusing to work in an area because they believed it to be unsafe.

The mine said the area was safe but the NUM says a rockfall injured a worker in the area in question two days after six members were fired for refusing to work in it. It says a miner was injured when the roof caved in on him.

It also alleges workers who refused to work in the area were subjected to racial abuse by mine officials and that, at one point, an official threatened to shoot two of the workers.

A Gold Fields spokesman said yesterday the company planned to contest the action but it could not respond in detail to the union’s allegations yet as it had referred those to its legal advisers.

The NUM has asked the court to order the temporary reinstatement of the 17 men who were fired for refusing to work in the area while its dispute with the mine over the sackings is resolved.

The union also announced in a statement yesterday it had applied to the Government Mining Engineer for an urgent inquiry and inspection of the area where the men refused to work.

This is the first time the court will have to decide whether workers are entitled to refuse to work in an area they consider unsafe.

The action has been brought by the NUM and the 17 dismissed workers.

Papers before the court, they allege the workers refused to work in the area for several reasons:

- The roof of the area was hanging dangerously;
- They had heard rumblings there — "an indication of a possible rock burst";
- The roof had "abnormally wide" cracks;
- The roof supports were tilted at an angle and,
- "Rocks kept falling when touched slightly by workmen’s helmets."

It claims that another gang had been working in the area concerned, but had been moved after a white and three black miners had been "seriously injured". Two of the three black workers are still in hospital, it charges.

The papers allege that, when the men reached the area — 14 level — they heard a team leader say it was unsafe. The signs were such that "even a novice would recognise the danger of a rockfall" and they refused to work there.

When team leaders went to see the shift boss that evening, he allegedly asked the workers "dogs" and insulted them racially.

On another occasion a shift boss is alleged to have said he did not care if black miners died in the area as the mine "could easily buy another 16's and dogs to work in their place."

The mine and its production manager had inspected the area and found it safe and that a Government inspector had done the same.
deal will threaten jobs

Civil servants fear new Ombudsman jobs

By Gerald Belén
Anglo boss in talks over 'unsmiling' employee

By SUE FAULKNER

THE chairman of Anglo American Corporation, Mr Gavin Reilly, yesterday met a delegation of workers who were protesting about the suspension of one of their fellows.

Workers protested on the steps of 44 Main Street, Anglo's head office, and sang freedom songs around a huge yellow banner painted with the slogan "An injury to one is an injury to all."

According to one woman, who did not want to be identified, the workers began their protest after Mr Walter Mnguni, a photocopy operator with 29 years' service, was asked to leave on Monday because "he didn't smile enough".

Anglo's chief public relations officer, Mr Ivor Sander, said Mr Mnguni was 51 and had no idea of personal circumstances such as where Mr Mnguni lived, he said.

A woman who took part in the protest said the corporation's Employees' Representative Council went to management on Tuesday but failed in their efforts to have the man reinstated.

As workers protested noisily yesterday, the delegation was called to meet Anglo's chairman, Mr Gavin Reilly.

Just before 8pm the three-man delegation returned to the workers on the steps.

Mr Mnguni's employment had been terminated because of poor inter-relations with other members of staff, Mr Sipho Moudhi, head of the delegation, told workers. This statement was greeted with cries of "nonsense!"

He added that Mr Mnguni would receive full pay until an investigation was completed. In the meantime, he had been suspended.

The workers then returned to work.

In a statement Anglo said Mr Mnguni had been placed on early retirement after a formal disciplinary hearing by his department.

This followed "a history of unsatisfactory interpersonal problems."

According to the statement, Mr Mnguni was given formal notice in July and warned about his behaviour.

"A recent incident resulted in the decision to remove him from his post and place him on early retirement," the statement added.

Anglo's statement concluded, "While further consideration is given to his future, he is suspended on full pay."
**Unionists Shot Dead**

Workers at TRUCK drivers have been killed in a shooting at a UCT. The company's security guards have shot dead at least 8 workers, including a security officer. The shooting occurred after a dispute between the company and the union over wages and conditions.

**Security Minister**

The security minister has condemned the shooting and called for a full investigation by the authorities. The company has been criticized for its handling of the incident, and the union has called for the suspension of the company's operations.

**TRUCK Drivers**

The TRUCK drivers have been involved in a long-running dispute with the company over wages and working conditions. The drivers have been regular targets of the company's security guards, who have been known to use excessive force.

**Unionists**

The union has called for an end to the violence and for better relations between the company and its employees. The union has threatened to take further action if the company does not address the issues.

**Company**

The company has denied any involvement in the shooting and has called for the authorities to investigate. The company has also suspended its operations and is considering legal action against the workers involved.

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*By Kenno*
Labour conflict ‘rising’

By Colleen Ryan

Industrial conflict was rising and employers must realize they had to share power with workers, Mr Fred Holtshausen, a labour expert, told an industrial relations conference in Johannesburg.

Conflict was inevitable as workers sought safeguards against possible retrenchment while managers were examining ways to cut costs. “Employers have to identify and minimize conflict situations.”

It was essential workers had a channel to express their grievances. “The supervisor is the key man in labour relations. He must be trained in this field because he is the link between management and workers,” he said.

Many companies also made the mistake of introducing grievance and disciplinary procedures without a thorough analysis of their needs, he said.

Conflicts could be solved only by collective bargaining and compromise.

The days when managers could dictate conditions was over — they had to negotiate. Employers were often ill-prepared for negotiations while trade unions were usually well prepared, he said.
Union threat to take Water Board to court

By STEVEN FRIEDMAN
Labour Correspondent

THE Rand Water Board has been threatened with possible Industrial Court action by a black union which alleges the Board is "harrassing" its members.

The union, the SA Black Municipal and Allied Workers Union (SARMAWU), which belongs to the Council of Unions of SA, also charges that the Board is now refusing to discuss worker grievances with it or allow it access to workers.

A spokesman for the Board yesterday denied these charges. He said the Board believed all right of workers to belong to the union of their choice and was willing to recognise any union which represented most of its workers.

According to SARMAWU's general secretary, Mr Steve Mohame, the union represents about 700 of the Board's 2,000 black workers. It also, he says, represents a majority at one of the Board's plants - at Swartzkoppes.

Mr Mohame alleges the Board has refused to recognise SARMAWU or grant it access to workers until it recruits a majority of workers in all the Board's plants.

"We believe we should at least be given access in the plant in which we have a majority," he added.

He said members of SARMAWU who worked for the Board were being dismissed regularly "and there seems to be no valid reason for these sackings".

Mr Mohame said the Board had initially been willing to discuss worker grievances with SARMAWU, but had since changed its stance it had written to the union telling it not to take any part in the Board's "industrial relations function", he said.

"We are considering taking them to the Industrial Court, but we would prefer it if the dispute could be settled amicably," he added.

The Board's spokesman charged yesterday that SARMAWU's allegations were "devoid of any truth".

He said the Board's black labour turnover was low - "around 10%" - and no worker had been fired for belonging to a union.

If believed unions should be recognised once they represented a majority of workers.

"We cannot recognise a union which has a majority in only one place," he said.

The Board had been willing to work with SARMAWU but "the union's attitude has changed - they are extremely negative and don't understand that it is management's job to manage".

It was willing to continue dealing with the union "but only if they understand that it is our job to run this concern, not theirs!"

SARMAWU was "welcomed" to take the dispute to the Industrial Court "because they have no case", he said.

More Labour Reports See Business Day Pages 6 and 14
CAPE TOWN — South Africa's first heart transplant patient with two donor hearts, Gerrie Cronje, will try to get his motorcycle driving license.

Gerrie (16), who lives with his family at KwaGama, has a 50cc motorcycle.

Besides riding his bike and visiting Groote Schuur Hospital regularly for check-ups, Gerrie is studying for his Junior Certificate examinations.

Pavilion for Home

A new pavilion at St George's Home for Boys in Bedfordview was officially opened on Sunday.

The pavilion has been built and paid for by the school's Old Boys' association and will provide facilities for meetings as well as change rooms for sportsmen.

St George's is a home for underprivileged boys.

The pavilion was opened by the chairman of the school's executive committee, Mr Lance Saphet.

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temporary status quo orders restraining sacked workers if an employer had given them adequate notice. The court would still be able to pronounce on dismissals, but not as a matter of urgency.

This would largely remove the court’s right to grant urgent status quo orders no matter how unfair the sacking might seem to it.

One of the court’s chief roles has been to grant such orders. This has given workers speedy recourse by removing the need for a long wait before the court pronounces on firings. In many cases, the granting of these orders has led to speedy settlement of a dispute.

The company wants this referred to the Appeal Court.

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THE Metal and Allied Workers Union’s new strategy of using official machinery to declare disputes with employers seems to be paying off in Natal.

According to the MAWU’s newsletter, disputes at McKinnon Chain and Scottech Cables have been settled, and one with Gedore Tools is close to settlement. The MAWU also settled its wage dispute with WB Cameron after a strike ballot.

But in the Transvaal, the wage dispute with Highveld Steel entered deadlock last week and others with major firms are not settled.

The MAWU also claims significant growth in Roslyn, Pinetown, Witbank and Springs and lists 12 recognition agreements. It says another 23 are being negotiated.

The union cites as a reason for its growth during a recession its decision to concentrate on important sectors of the metal industries.
Workers' right to organise

A few days ago a major financial institution fired about a hundred black workers for striking in support of recognition of their trade union.

What makes this industrial dispute so interesting is that the grounds for its refusal to recognise the union are that it is a “non-racial company,” whereas IAWUSA (Insurance & Assurance Workers Union of SA) is only open to black workers.

The whole idea that trade unions are a “good thing” was sold to the country, you will remember, on the basis that it is more efficient for employers to deal with organised labour than with unorganised workers.

The politically progressive, big-business establishment enthusiastically embraced the concept of black unionism because it helped them to don a shining mantle of social responsibility, of caring about the underprivileged, of doing something constructive about advancing South Africa towards the ideal of non-racialism.

The last thing they expected was that some black workers would choose to organise in the way that is traditional in the South African labour movement for many whites and coloureds — on ethnic lines.

The financial institution concerned defended its brutal action in firing its black workers on the grounds that “there is no race discrimination in this company” and “to recognise a blacks-only union would split the company from top to bottom and disturb the relationships we have built up here.”

IAWUSA’s spokesman retorted that the issue was not the company’s multiracialism, but “the right of workers to be represented by the union of their choice without management interference.”

It seems clear that the company concerned has embraced a particular political view and is trying to impose it on all its employees.

The irony is that the revolt against its “non-racialism” has not come from its white workers but from its black ones, whom the policy was presumably primarily intended to help.

This is yet another example of white liberals arrogantly assuming that they know what is best for blacks, and seeking to impose their ideals.

The interests of black workers are clearly often quite different from those of white workers, and it takes a particularly obtuse or ideologically obsessed management not to see that.

But whether they see it or not, the important issue here is the right of black workers to organise as they see fit, providing they do so in a legal way, concern themselves with relevant matters of dispute between labour and management, and are truly representative.

It is a fond illusion of white liberals that the world over that “reactionary” ethnicity can make way for homogeneous societies (which, just coincidentally, as white liberals tend to be a talented group of people, they will tend to rise to the top of). The experience has been quite to the contrary.

In the US, where lawmaking and social pressures have been most blatant in this regard, all that has happened is that ethnicity has been enhanced.

Blacks are now fighting to maintain their own churches, social and professional organisations, and political identity.

In South Africa, more than in any other country, you would expect employers to be sensible enough to recognise the reality of ethnicity, and its implications.
BAWU to fight move to bar it from pension board

By STEVEN FRIEDMAN
Labour Correspondent

THE Black Allied Workers' Union (BAWU) is to resist attempts to deny it a seat on the board of the biggest pension fund for black workers of its kind in the country.

Although the union has apparently been dropped from the board, it intends to attend a meeting of it tomorrow.

The fund is the Metal Industries Group Pension Fund, which is open to all workers in the giant metal industries below a particular skill level. It has assets of over R500-million.

Four emerging unions recently won seats on the fund's board.

This is the first time mainly black unions have won a direct say in how a fund this size is to be run and also the first time unions have been allowed a say in a key official body in the metal industries whether or not they are members of the metal industrial council.

Which unions would sit on the board was determined by a test in which all were asked to submit audited certificates of their membership in the job grades covered by the fund. The 10 unions with the biggest number of members covered than qualified for a seat.

According to sources on the fund's board, BAWU initially won a seat because it had the 10th biggest membership of unions who submitted certificates.

But two other unions, the Steel, Engineering and Allied Workers' Union and the Engineering and Allied Workers' Union, submitted late certificates.

Because both had more members in the fund than BAWU, they were awarded seats and BAWU dropped out.

Yesterday, however, a BAWU spokesman, Mr B P Kumalo, said the union had no knowledge of having been removed from the board.

"Nobody has told us about this and we regard ourselves as members. Any attempt to remove us would be unconstitutional," he said.

BAWU intended to attend tomorrow's meeting of the fund's board.

"We will take our seats and anybody who does not want us there will have to remove us," he said.
200 nurses stage protest

By J MANUEL CORREIA

About 200 black nurses staged a protest at the Hillbrow Hospital yesterday over what they described as insensitivity by their superiors over their working conditions and uniforms.

The nurses said dissatisfaction had been rampant for some time, particularly over the issue of different-colour uniforms.

"We were told we would have to go to Pretoria on this", and 36 nurses sent a petition to the Director of Hospital Services.

But at a staff meeting yesterday the 36 nurses had been "forced to apologise", a nurse said.

A third nurse said, "We want Pretoria to know about this."

The superintendent of the Hillbrow Hospital, Dr J Nach, said yesterday, "I met a representative of the nurses and the matter has been amicably resolved. The 36 nurses were asked to apologise because they short-circuited the normal channels and wrote directly to Pretoria."

"The 38 wanted a maroon uniform, which is the uniform of senior staff."

"We have an open-door system here at the hospital for complaints and we will look into any other problems the nurses may have."

"Another nurse said, "We did not have a strike because we are responsible professional people and we will not go on strike. But we are very unhappy about the whole situation."

"We feel we are oppressed by our superiors. They do nothing about our complaints. We are overworked."

"If they don't want to give us another colour uniform, which we feel is not too much to ask for."

Nurses complained about the attitude adopted by two matrons, one white and one black.
3 major labour disputes settled

By Carolyn Dempster, Labour Reporter

A display of muscle-flexing by the Metal and Allied Workers' Union in Natal recently and a preparedness to take employers to the Industrial Court has resulted in the settlement of three major disputes.

At Scottish Cables, the company has bowed to pressure to reopen negotiations with Mawu after a dispute was declared over wages. Management has also undertaken to sign a recognition agreement which gives Mawu the right to negotiate wages at plant level.

McKinnon Chain, after a struggle for recognition by Mawu, recently capitulated and has agreed to begin negotiating in good faith. Mawu had threatened to take the employers to court.

And, at Pelco, five workers who were retrenched have been reinstated. The union also secured back pay for the five and won overalls and safety boots for workers in the factory.

In another dispute at Gedore Tools, Pinetown, the company has offered to settle with the union over the 10 Mawu members who were retrenched without the union being consulted.
Union rejig after puny pay hike?

THE 11,000-strong Cape Town Municipal Workers Association is conducting a comprehensive review of its wage negotiation machinery following an average 12 percent pay hike last month which members found inadequate.

A general meeting of the union, held recently in the Athlone Civic Centre and which attracted more than 1,000 members, resolved to "note" the increase and to establish a sub-committee to look into the issue.

The sub-committee has been instructed to present a comprehensive report to the members on all aspects affecting remuneration.

This is a massive task, bearing in mind the hundreds of job categories, and the report is expected only early next year, according to Mr John Breitzen, general secretary of the union.

DEMANDS

The two-notch increase, which averages 12 percent, was regarded by members as not keeping pace with the rising cost of living and they said it fell short of the demands of the union.

Although the inflation rate is roughly 12 percent at present and the municipal pay hike equals that, workers point out that many increases that they were saddled with, were not taken into account when the inflation rate was calculated.

In any event, wages need to be increased by much more than the inflation rate, to enable workers to keep their heads above water.

In terms of the increase given by the council, the starting wage for a labourer now goes up from R50.74 a week to R65.77. The maximum wage for a labourer increases from R77.80 a week to R74.58.

The new wages were effective from September 1.

In August last year municipal workers were given a 15 percent rise.
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In any event, wages need to be increased by much more than the inflation rate, to enable workers to keep their heads above water.

In terms of the increase given by the council, the starting wage for a labourer now goes up from R50.74 a week to R59.77. The maximum wage for a labourer increases from R67.60 a week to R74.38.

The new wages were effective from September 1.

In August last year, municipal workers were given a 15 percent rise.
October 8, 1983

SAAWU wins battle

Labour Correspondent

The unregistered SA-Allied Workers Union yesterday won its first recognition agreement in Newcastle when it signed an agreement with Defy Corporation's foundry and pressing division in the town. The agreement is significant, because the Black Allied Workers Union has been seen for some years as the dominant union recruiting black workers in Newcastle. It is known that BAWU attempted to organise at the Defy plant, and the agreement is believed to indicate that SAAWU is establishing itself in the Newcastle area. SAAWU, most of whose leadership have been detained by the government of Kafr President Chet, Lennox Sebe, was formed as a result of a split in BAWU some years ago. It says it is committed to nonracial unionism, whereas BAWU is open to black workers only. Because SAAWU was formed by ex-BAWU officials, there is considerable tension between the two unions.

The signing was announced yesterday in a separate statement by Defy's divisional personnel director, Mr. Atlie Kolver, and SAAWU's general secretary, Mr. Sam Kikane.
Hotel staff claim they have not been paid

Post Reporter

WHITE staff members at the Cape St Francis Hotel claim they have not been paid their salaries for September and say that they are being "fobbed off" when they press for payment.

The Cape St Francis Hotel has been the subject of repeated litigation over the past few years.

A dispute between the managing director of the Cape St Francis Hotel, Mr H L de Haan, and Cape St Francis Hotel Share Block (Pty) Ltd was settled out of court in July this year.

When the Evening Post approached Mr de Haan for comment at the hotel on Friday he said he was not involved and claimed that Mr Nicholas Malachas, of Johannesburg, was responsible for the staff and their payment.

When Mr Malachas was approached for comment in Johannesburg he said he was unaware that the white staff members at the hotel had not been paid.

He said he would investigate.

Mr Malachas then called back and said that it was nonsense that the staff members had not been paid their September salaries.

A staff member at the hotel later issued a statement on behalf of the staff confirming that they had not been paid and saying they would continue to work as normal until the matter was resolved.

Mr Malachas asked the Evening Post to hold the story until today because he was busy with negotiations to sell the hotel. These were at a delicate stage.

When the Evening Post tried to contact him today there was no reply at the Johannesburg number at which he was reached last week.

Today a staff member at the Cape St Francis Hotel, who did not wish to be named, said the manager, Mr Rex Phillips, had left the hotel on Sunday. He had told her that he had not been paid his September salary either.

All the other staff members, apart from a couple who were on leave, were working as normal although they had not yet been paid their September salaries.
Racial slurs storm at furniture store

Workers employed by a furniture shop in Meyerton have complained of being ill-treated by their bosses and that a salesman was dismissed following "racial discrimination" at the plant.

Dissatisfied workers say a white credit controller often referred to them as "Bantu" and that their manager favours her if they voice their grievances.

Matters came to a head last week when an employee, Mr. Arthur Mame, a salesman, objected when the credit controller referred to a client as a "Bantu."

According to Mr. Mame, after he raised the objection, the credit controller insisted on the usage of the word and actually shouted "Ag julie is maar Bantu."

This soon developed into a bitter clash between Mr. Mame and the credit controller who refused to apologise; whereupon Mr. Mame went to the manager to lodge a complaint.

The manager apparently took sides with the controller and asked Mr. Mame to resign.

When Mr. Mame refused to resign he was summarily dismissed.
Miners’ union seeks talks on fire

Labour Correspondent

THE National Union of Mineworkers (NUM), the biggest black union on the mines, is seeking a meeting with Anglo American’s Vaal Reefs mine to discuss a recent fire at the mine which claimed the lives of 10 miners.

According to a union spokesman, NUM officials at the mine have claimed that the fire was not brought under control early because the mine employee responsible for controlling it “panicked and ran away.”

However, this claim conflicts sharply with the account of the accident released by Anglo at the time it occurred.

According to the union spokesman, NUM’s organiser at the mine, who is a union shop steward, an employee, who workers identified as either a boilermaker’s artisan, a shift overseer, or a shift overseer, had been responsible for attempting to fight the fire, but had fled instead.

He said he had been trying to arrange a meeting with mine management to discuss this claim, but had been unsuccessful. He was due to travel to the mine today to continue attempts to arrange a meeting.

Official Anglo comments were not available yesterday.

But a statement issued after the fire said a mine employee in charge of a construction team attempted to fight the fire by using a fire extinguisher.

He had been able to do this, it said, because he was unwound from the fire and therefore narrowly escaped falling victim to it.

It said that, when the fight was extinguished, the fire, he immediately called a mine pro team to the area to fight it.

To call the pro team, he would have been forced to leave the area of the fire.

Anglo’s statement released after the fire said five miners had died and that five were “missing, presumed dead.” According to NUM, miners claim to have seen the bodies of the missing five but say the heat in the area where the fire occurred is still too great to allow the bodies to be retrieved.
SIX women employees of Pep Stores in Vereeniging, who were sacked after refusing to strip naked so that their manageress could search them, have been reinstated.

The workers all of whom are members of the Commercial Catering and Allied Workers Union (CCAWUSA), have been paid for the time they were unemployed after an agreement between management and the union.

They claimed that a white manageress at the company forced them to strip almost naked in an attempt to recover goods stolen from the shop floor.

They also contended that they could no longer tolerate this "debas- ing process" as it humiliated and caused them embarrassment whenever they were to go off duty.

"Thinking about the whole exercise we felt inhuman and raised the matter with the top management officials who did not give us a hearing. We were then sacked from our jobs for refusing to strip," the workers said.

A CCAWUSA spokesman said that after hearing the grievances of the workers the union asked for an audience with the company's head office in Cape Town.

The union stressed to management that workers would not tolerate being stripped and searched as they found this degrading.

After discussion, management eventually agreed that the workers had been unfairly treated and that they should all be reinstated and be paid for the time they were out of work.

The union welcomed the management's stance that they would in future stop the searching of workers until a more suitable policy was found in securing that property was not stolen from the premises.

A company spokesman confirmed the reinstatement and said the practice was no longer being pursued.
Black bosses abuse us, say Pretoria workers

BLACK EXPLOITATION

SCORES of workers in business centres around the Pretoria townships have claimed they are subjected to exploitation by their black bosses who make them work up to 12 hours daily while paying them low wages.

Investigations by the SOWETAN revealed that the workers were also refused leave and if they did go on leave they were not given leave pay.

Further investigations also revealed that about 98 percent of the workers were not registered at the labour bureau.

Employees at shops and filling stations in Mamelodi and Atteridgeville/Saulsville told the SOWETAN they were afraid to go to town because their reference books were not in order, despite having worked for the same employer for periods of between two and five years.

A young man employed at a filling station in Atteridgeville for almost two years claimed he was not registered and earned R25 per week and had to work from 7 am to 8 pm daily, including Sundays. “We get no days off or leave. We do not even have time to have lunch. We just work until you feel like a non-person,” said the worker who refused to have his name published for fear of reprisals.

The president of the Atteridgeville/Saulsville Chamber of Commerce and Industries, Mr. Z. Z. Mashao, yesterday condemned the exploitation “in the strongest possible terms” and demanded “the redress of this inhuman practice.”

Mr. Mashao, who is also deputy-chairman of the local community council, appealed to all black businessmen to stop frustrating their own people and instead improve their working conditions.

Mr. X, a labourer, told the SOWETAN he was fired when he refused to go into hiding when inspectors from the Department of Manpower came to the business complex early this year. He had worked for about 10 months without being registered and earned R20 per week.

He added, “I was fired immediately after the inspector left. Because I was not registered I cannot claim anything from the Unemployment Insurance Fund. It is terrible to be subjected to such inhuman conditions by your brother.”

Mr. L. J. Grobler, the divisional inspector of the Department of Manpower, yesterday promised to launch an intensive investigation into labour malpractices in the township. “We also appeal to workers to come forward and report to us so that we can help them,” he said.

A labourer, at a dry cleaning factory, told the SOWETAN he was assaulted for almost two days after he was accused of having stolen two pairs of trousers.
Union declares deadlock in Dunlop pay talks

Mercury Reporter

The Metal and Allied Worker's Union yesterday rejected a pay rise of 40c an hour offered to about 1,100 workers at the Dunlop tyre factory in Durban, and declared a deadlock in wage negotiations with the company.

Masuwa branch secretary Geoff Schreiner said the union had asked for a rise of 31c an hour — part to be be paid immediately and the balance by January. In terms of the company's offer only some of the employees would have had their wages increased by October next year, he said.

He said that a meeting of more than 300 Masuwa members at the factory at the weekend decided to stand firm on their demand for a wage hike of between 7 and 18 percent.

The meeting also called for the abolition of the production bonus scheme.

A motion calling for a strike ballot to be held at the factory was passed unanimously and those present strongly endorsed 'legal strike action' after 30 days 'to show the company that we are human beings with serious and legitimate grievances'.

The meeting also unanimously supported an immediate boycott of the company's canteen and called for the managing director and works manager to become directly involved in resolving the workers' grievances.

But a spokesman for Dunlop told the Mercury yesterday that the company had offered 1,100 operatives at its Durban tyre factory 40c an hour increases over a 15-month period compared with the union demand of 31c an hour over 12 months.

The company is at all times willing to negotiate but understands that the union has limited resources to meet extended negotiations and has therefore applied for a conciliation board hearing.

Bonuses

The company believes this is unnecessary and negotiations should continue. The company cannot agree to the union demand to convert its production incentive bonus scheme into an annual bonus regardless of output.

The production incentive bonus scheme had operated successfully for more than 25 years and rewarded more productive operatives in line with similar schemes overseas, even in socialist countries.

He said 75 percent of the operatives were eligible and received average bonuses of 22 percent of earnings.

The spokesman said that during the past three weeks of negotiations three instances of malicious damage to equipment had occurred which were subject to insurance claims and police investigations. The Durban tyre factory was currently operating normally.
Miners likely to turn down wage offer

By STEVEN FRIEDMAN
Labour Correspondent

MEMBERS of the National Union of Mineworkers at the Chamber of Mines' Rand Refinery were due to meet late yesterday to discuss a "final" wage offer from the chamber — and it was almost certain they would reject it.

Rejection of the offer would pave the way for a legal strike at the refinery, which could have serious implications for the gold mines.

Although the refinery, which is in Germiston, only employs about 250 workers, it refinines all gold produced by chamber mines.

However, even if union members reject the offer, labour law stipulates they may not strike legally for another 30 days.

Wage talks between the chamber and NUM at the refinery deadlocked in August when NUM, which demanded a 40% rise, rejected the chamber's 9% offer.

NUM declared a formal dispute with the chamber and an official conciliation board has been meeting in an attempt to resolve the dispute.

At a meeting of the board late last week, the chamber made a new offer to the union, which it described in a statement as "final." It added that the union had agreed to take this back to its members.

NUM's general secretary, Mr Cyril Ramaphosa, said yesterday union officials and shop stewards would address workers on the chamber's offer. The meeting was scheduled for late yesterday.

He said union negotiators would not recommend acceptance or rejection of the offer, but added it was "highly unlikely" that workers would accept.

The chamber had amended its wage offer slightly — from 8% to 9%.

But, Mr Ramaphosa said, a "more serious" problem had been created by a revised chamber offer on service increments for workers.

NUM had demanded that workers receive an extra 0.5% of their pay for every year they had worked at the refinery.

The chamber accepted this, but only on condition this system only came into effect from now. This would mean that long-service workers would not receive any increment for the time they have worked up until now.

NUM rejected this, demanding that the increment be calculated from the day workers were hired.

Mr Ramaphosa said the chamber had now changed its offer and was offering a R1.20 a month rise for each year of service — but with the proviso that no worker would receive more than R30.

"This means men with 25 years' service would get virtually nothing, and I cannot see our members accepting this," Mr Ramaphosa said.

If the meeting rejected the offer, NUM would then inform the Department of Manpower that the conciliation board had failed to settle the dispute, he said.

However, Mr Ramaphosa pointed out, the union could not call a legal strike at the refinery until another 30 days had elapsed.
Tyre workers threaten legal strike action

Labour Correspondent

POSATUS Metal and Allied Workers Union yesterday threatened legal strike action against tyre company Dunlop at its Durban plant, declaring that wage talks between the two sides were "deadlocked".

It said a meeting of 300 of its members had "unanimously" endorsed a decision to hold a strike ballot at the plant and had also "strongly endorsed" strike action after the 30-day period required by law.

But, in a statement yesterday, Dunlop said the union's decision to declare a dispute with it was "unnecessary" and talks should continue.

It charged that there had been three instances of malicious damage to property during the past three weeks' negotiations and that police were investigating.

Legal strikes have been comparatively rare in recent years, but the legal strike machinery is being used increasingly by POSATUS unions.

In its statement, MAWU said workers had decided to "stand firm" in their demand for increases ranging from 7% to 18%.

They also called for the abolition of the company's production bonus system which they claimed was "disguised and designed to ensure super exploitation for the giant multi-national firm".

It said workers had endorsed strike action "to show the company we are not animals but human beings with legitimate grievances".

MAWU said the meeting also called for a canteen boycott and for a joint meeting with shop stewards at other Dunlop plants to plan common strategy.

In its statement, Dunlop said it had offered the 1100 operatives at the plant a 60c per hour rise over a 16-month period, whereas the union wanted 3c per hour over 12 months.

It said it was willing to negotiate "at all times" on this. It said it understood that the union had "limited resource to meet an extended negotiating period" and implied this was why it had declared a dispute.

Dunlop said it could not agree to MAWU's demand that its production incentive bonus be changed to an annual bonus regardless of worker output.

The incentive scheme had "operated successfully for over 25 years" and was in line with similar schemes overseas "even in socialistic countries".
Gold mining industry could be hit hard

Strike threat at top Reef gold refinery

By STEVEN FRIEDMAN
Labour Correspondent

THE Chamber of Mines' Rand Refinery in Germiston, which refines all gold produced by Chamber mines, seems set to face a legal strike by its black workers within the next week.

Thus follows the rejection by a meeting of Rand Refinery workers of a final wage offer made by the chamber to the National Union of Mineworkers, which represents the workers.

The NUM's general secretary, Mr Cyril Ramaphosa, said yesterday that the union was likely to hold a legal strike ballot at the refinery later this week.

He said if they voted for a strike, the strike could begin early next week. The union believes that the rejection by workers of the offer makes a vote to strike almost certain.

Originally, the union had believed that labour law did not allow it to launch a legal strike at the refinery for the next 30 days. However, Mr Ramaphosa said the NUM had taken legal advice yesterday and had been assured that it could strike legally.

Although the refinery only employs about 250 black workers, a strike would have serious repercussions for the gold mines because of its strategic role in the gold mining process.

A strike would also prompt the first major confrontation between the chamber and the NUM.

A spokesman for the chamber said yesterday that the chamber would not react immediately to the NUM's announcement.

He said the union had not officially informed the chamber of its reaction to the wage offer and that, until it did, the chamber would not react.

The threat of strike action follows wage talks between the two sides in which the NUM originally demanded a 40% wage rise for its members and rejected a chamber offer of 8%.

The union declared a formal dispute with the chamber — the first step on the road to a legal strike — and a Government-appointed conciliation board has been attempting to settle the dispute.

At a meeting of the board late last week, the chamber increased its offer and said the offer was "final." The NUM has demanded that workers receive an extra 6.5% of their pay for every year they have worked at the refinery.
Gold workers to strike

JOHANNESBURG. — Members of the National Union of Mineworkers (Num) at the Chamber of Mines Rand refinery have decided to stage a strike after rejecting a "final" wage offer of nine percent from the Chamber.

At a meeting late on Monday afternoon, the members decided to notify the Department of Manpower that the NUM's dispute with the Chamber had not been settled and that they would strike after the 30-day period required by law.

The strike could have serious implications for the gold mines.

Although the refinery, which is in Germiston, employs only about 250 workers, it refines all gold produced by the Chamber's mines.

The Chamber raised its wage offer from eight percent after talks with the Union were deadlock in August.

Num, which demanded a 40 percent rise, declared a formal dispute with the Chamber and an official conciliation board has been meeting in an attempt to resolve the dispute.

Late last week, the Chamber made an offer of nine percent, which it described as "final". — Sapa
Mercury Correspondent
PRETORIA—The Government's occupational differentiation programme for virtually every group in the public service will be completed before the end of the year, the Minister of Internal Affairs, Mr P W de Klerk, said in a statement in Pretoria last night.

This, he said, would be a milestone in that a dispensation, tailored to the specific requirements of every group in the service, would have been created.

Then we will have laid the foundation for a system of personnel administration which will compare favourably with the best in the world.

It would contribute greatly to the efficient functioning of the public service.

The president of the Public Service Association, Dr Colin Cameron, said last night the Minister's statement meant that salary levels and relationships in the many different areas of the service would be realistically adjusted.

'Many adjustments in terms of occupational differentiation have already been made. The completed programme will create far greater staff stability in the service. It should give the service a whole new character.'

Other public service sources said occupational differentiation meant basically that salaries in the service, particularly in key areas, would be made more competitive with those paid in the private sector.

This is aimed at blocking the drift of personnel in the service to the private sector.

The Government, it was stated, was alarmed at the prospect of heavy staff losses to the private sector once the economic upswing started.

With the heavy demands which would be made on the service if the new constitution were implemented, this could have led to administrative chaos.

The new dispensation, the sources said, would help counter this threat.

The Minister said in his statement, new service dispensations had already been implemented for a large number of occupational groups.

The purpose, he said, was to carry out the Government's aim of restructuring the public service personnel call and in more efficient personnel administration to improve services to the public.

The service, just as any other institution, must compete for personnel on the open labour market.

For this reason, the Minister said, and because individual salary and service benefits were personal and confidential matters, it was policy not to make known details of the dispensations of occupational groups.
Union opposes 1-day notice contract

Labour Correspondent

The giant Steel and Engineering Industries Federation, Seifa, has been given the green light by the Government to introduce a contract for migrant workers which will allow employers to retrench them at a day's notice.

This move has been slammed by Fosita's Metal and Allied Workers Union, which has successfully threatened legal action against employers for retrenching migrants without due notice.

Seifa's members employ about 600 000 workers, most of them black.

At present, migrant contracts run for 12 months, but new contracts will allow employers to dismiss workers with only one day's notice.

Seifa's amended to consider changing contracts to avoid "any possible problems with retrenchment during the contract period".

The union quotes MAU as charging that it has called for the scrapping of the contract system but that "this had been ignored by Seifa".

Seifa had met the department to establish the legalities of retrenching migrants.

Seifa's director, Mr Sam van Coller, said one set of conditions applied to retrenching migrants and another to other workers.
Labour Correspondent

IN A KEY ruling the Industrial Court has rejected a request by lawyers for Barlowe Manufacturing Company that it allow an Appeal Court challenge on its power to reinstate workers if they have been fired with proper notice.

The Industrial Court's deputy president, Dr D B Ehlers, has found that the company's contention that the court cannot reinstate these workers has "no reasonable prospect" of being upheld by the Appeal Court.

One of the Industrial Court's key roles has been to grant interim reinstatement orders to fired workers and, had it agreed to the company's request, it would have opened the way for this role to be severely limited.

A spokesman for Barlowe Rand, which owns the company, said it was still studying the judgment and would decide on its response within the next few days.

The court was asked to make the ruling in a case brought against the company by the Metal and Allied Workers' Union for the temporary reinstatement of workers who, MAWU believes, were unfairly dismissed.

Lawyers for the company argued that, because the workers had been given proper notice, the court had no right to grant them temporary reinstatement.

They asked the court to refer this point to the Appeal Court for a ruling — which the Labour Relations Act allows it to do.
Employer plan slammed

By STEVEN FRIEDMAN
Labour Correspondent

THE Council of Unions of SA, which represents more than 100,000 workers, has criticised moves by the Steel and Engineering Industries Federation (Seifsa) to introduce new contracts for migrant workers which would allow employers to re-employ these migrants with a week's notice.

In a statement yesterday, CUSA warned that if Seifsa maintained that the new contracts were to become a trend throughout the country, "they will encounter resistance from CUSA unions in all major industries.

The statement also implies the new contracts give migrants less job security than other workers, who must be given notice in terms of common law

Seifsa argues that it was forced to ask the Government for the change because the law did not allow employers to re-employ migrants in the middle of their contracts.

It says this put employers in an "impossible position," because they were forced to "discriminate" against other workers by re-employing them first.

CUSA was asked to investigate Seifsa's decision by its affiliate, the Steel, Engineering and Allied Workers Union.

It said its understanding of the common law was that, if workers were paid weekly, they must be given a week's notice, and if monthly, a month's notice.

This would apply unless their contracts specified differently.

It said it also believed that "a case could be made" that a worker's contract could only be cancelled immediately if the worker or employer had "substantially" breached the contract.

This would be changed by the new contract system.

Seifsa had taken its step after consulting attorneys and "even a Cabinet Minister," but had not consulted metal workers.

"Seifsa has attempted to jeopardise normal employment conditions and destabilise the industry by this action. This is a responsibility they will need to face in the future."
Rights drive for pregnant workers

Labour Correspondent

WOMEN shop stewards and officials in Transvaal FO-
SATU unions are to begin a drive to win greater ma-
ternity rights for women workers at factories where
FO SATU unions have majority support.

They have also accused em-
ployers of firing pregnant
women and say that some
women workers hide their
pregnancy until an ad-
vanced stage to avoid los-
ing their jobs.

According to FO SATU's jour-
nal, FO SATU Worker News, the women have
compiled a list of demands
which they are to fight for
in the factories.

These include the right to
paid maternity leave and
to be protected from being
dismissed when they are
pregnant.

FO SATU Worker News says
these demands have
emerged from a Transvaal
women's group formed
shortly after FO SATU
raised the issue of working
women's rights at a recent
Winter School.

It says the group has decided
to focus on maternity is-
ues for the time being.

At a recent meeting, it
charged, a shop steward in
the chemical industry
charged that women were
made to sign a document
by their employers.

This, she charged, stated: "If
I hereby declare that I am
currently not pregnant I
furthermore agree that
should I fall pregnant in
the next twelve months,
my services could be ter-
ninated immediately."--

Another women worker
charged she had hidden her
pregnancy from her
employer by wearing over-
sized dustcoats "because
she could not afford to stay
at home with no pay".

The demands which will be
put to employers are:--

- That pregnant workers
  not be fired and that they
  have the right to return to
  their job at the same-pay
  rate.
- The right to paid mate-
  rinity leave.
- The right to "safe condi-
  tions at work while preg-
  nant".
Chamber in bid to avert strike

Labour Correspondent

The Chamber of Mines has made members of the National Union of Mineworkers at Germiston's Rand refinery a new offer in a last attempt to avert a legal strike early next week. Union members at the refinery, all of whom have voted for a legal strike on Tuesday, are to consider the offer on Monday afternoon.

The NUM's general secretary, Mr Cyril Ramaphosa, said yesterday that union leaders would not recommend acceptance or rejection of the offer.

He said union leaders could not predict how workers would react to the new offer.

A statement released by the chamber yesterday said the two sides had held further talks yesterday in an attempt to resolve the dispute at the refinery.

It said the chamber had "restructured" its offer to the union and added that the new offer would be considered on Monday.

The NUM has demanded a 40% wage increase and the chamber's last offer was 9%

However, the union says that workers would be prepared to sharply modify their wage demands if the chamber was willing to meet worker demands on service increments, the other issue on which the two sides have deadlock.

The union wants workers to receive 0.5% of their pay for every year they have worked, while the chamber's last offer was R1.20 a year with the proviso that no worker receive more than a R30 increment.

It is understood that yesterday's restructured chamber offer dealt principally with the service increment issue, although no further details were available.

About 250 black workers work at the refinery, which refines all gold mined by chamber mines.
Labour Relations

A Natal firm's refusal to honour the terms of a settlement agreement relating to severance pay for workers being declared redundant resulted in a NIC union meeting at BIR. Despite support from the NIC, the Steelworkers Union, delegates of the Metal and Allied Workers Union (soon to be NIC), and the Metal and Allied Workers Union, the NIC is heading for a strike ballot. The dispute is being handled by the NIC, and the union has been advised by lawyers to proceed with a strike ballot. However, an industrial action involving the NIC and the Steelworkers Union is being prepared for the same day. The settlement agreement is also under consideration by the NIC, which has advised its members to prepare for a strike ballot. However, an industrial action involving the NIC and the Steelworkers Union is being prepared for the same day.
Workers allege ordeal

By LEN MASEKO

THREE ex-employees of an industrial company have told the SOWETAN of their ordeal when their manager allegedly drew a gun and drove them to a police station for questioning as "suspects in a burglary into the firm's premises".

The workers, Messrs Leonard Buthelezi, Eric Mdlunge and Louis Sithole, all of Soweto, spent a weekend at a cell at the John Vorster Square, they say no charges were laid against them, but they have laid charges against their manager and the police for wrongful arrest.

The three men have lost their jobs. They were employed in the delivery section at Midmacor (Industrial)

The PRO for the Witwatersrand Police, Colonel Fred Bull, told the SOWETAN that he would investigate this matter as soon as "I can see them so that I can get the whole story.

Midmacor (Industrial) managing director, Mr Marvin Guy, said it was not true that the workers were taken at gunpoint to the police station for questioning.

"As it has been happening all workers were questioned by police about the burglary, which took place six weeks ago," he said.

Relating their "worst experience of our lives", the men said their ordeal began shortly after they got their pay last Friday, when their manager told them to remain behind.

Said Mr Buthelezi, "The manager, wearing a gun at us, accused us of having been involved in a burglary. He drove us to the police station, where we were held for three days. On Sunday, the police, accompanied by the manager, went to search our homes, but they did not find any stolen goods.

"We were then released on Monday morning, without any charges laid against us. We have already laid a charge against the manager for assault."

Mr Buthelezi asked for reasons why the men had lost their jobs despite the fact that no charges of theft were laid against them. Mr Guy said "I don't know anything about the incident but I presume they may have lost their jobs because of incompetence. In any case, I don't know why your newspaper should involve itself in this matter because it is not an employment agency. If you are looking for sensational news, I must tell you that you are barking up a wrong tree because this matter does not concern your newspaper."
Num accepts wage offer

JOHANNESBURG — The National Union of Mineworkers last night accepted an offer on wages and conditions of employment made by the Chamber of Mines on Friday.

The acceptance, at a meeting at Rand Refinery, terminates the dispute declared by Num in August, when the union and the Chamber failed to reach agreement on the 1983 review of wages and other conditions of employment at the refinery.

The improvements, backdated to September 1, include wage increases of about nine percent, one extra week’s leave for employees with more than 10 years’ service, an improved long-service increments scheme and other improvements in conditions of service. — Sapa
Federation says contract isn't discriminatory

By STEVEN FRIEDMAN

THE Steel and Engineering Industries Federation (SEIFSA) has rejected claims that a new form of migrant worker contract it has suggested metal firms should sign, gives migrants less job security than other metal workers.

The new contracts, which allow employers to fire migrants at one day's notice, have been recommended to metal employers by SEIFSA after talks with the Department of Co-operation and Development.

The move comes after SEIFSA's lawyers told it that employers who retrenched migrants in mid-contract could be sued and is in an attempt to prevent legal action against employers who wish to retrench migrants.

Last week the Council of Unions of SA charged that this gave migrants less job security than other workers who are covered by the common law, which stipulates that weekly-paid workers must receive a week's notice.

Yesterday, SEIFSA’s director, Mr Sam van Coller, said in a statement that the new move would place migrants in the metal industries “on exactly the same basis as white, coloured and Asian workers, and black workers with Section 10 (1) (a) and (b) rights.”

The reason for this, he said, was that these workers were subject to the main agreement negotiated by the industry's national industrial council. Thus agreement takes precedence over common law.

He said the industrial council agreement provided for “notice of termination of one day on either side.”

It also, he added, “supersedes any common law provision relating to notice being linked to the frequency of payment.”

Meanwhile, it is understood that the Metal and Allied Workers' Union (MAWU) is contemplating legal action against a major SEIFSA company, Anglo American's Highveld Steel, for retrenching workers in mid-contract.

A union spokesman refused to comment yesterday, but it is understood that the Highveld workers were retrenched some time ago and therefore would have been subject to traditional migrant worker contracts, rather than the contracts SEIFSA has now recommended.

MAWU has successfully threatened legal action against Dunswart Iron and Steel over the retrenchment of migrants.
Strike threat at Natal firm

Labour Correspondent

THE Metal and Allied Workers' Union (MAWU) says it is to hold a legal strike ballot at BTR Sarmcol in Howick, Natal, and is also considering industrial court action against the company as a result of its alleged refusal to negotiate severance pay for retrenched workers.

However, a company spokesman said yesterday that MAWU's statement was "surprising" because "we are still negotiating with them on this issue".

He said the company was not against severance pay, but did not believe this should be written into a union recognition agreement.

MAWU’s move is seen as further confirmation of a recent trend among some emerging unions to make use of the legal strike machinery.

Meanwhile, MAWU also announced yesterday that it has reached an out-of-court settlement with a Pinetown company, Gideon Tools, after launching an industrial court action against it over the retrenchment of 10 workers.

MAWU, which claims the workers were retrenched "without due consultation", said in a statement yesterday that the settlement provided for reinstatement of some workers, severance pay for those retrenched and a guaranty of re-employment for some of them when vacancies become available.

The union said it would hold a secret strike ballot at BTR Sarmcol "to gauge employee support for legal industrial action".

It said it was also considering legal action, alleging that it was an unfair labour practice "for the company to refuse to negotiate any matter with a majority union".

"After blocking our recognition for 10 years they now expect us to accept that workers have not got the right to negotiate for improvements in their conditions of service," said MAWU’s local organiser, Mr Dumisa Mbhanga.

A spokesman for BTR Sarmcol said the company had been paying retrenched workers severance pay for some time.

"But the union wants severance pay provisions included in their recognition agreement with us. We are opposed to this because we believe these agreements should deal with procedures to be followed, not issues like severance pay, which is an ex gratia payment by an employer," he said.
Company-level pay talks ‘tempt chaos’

BY LOUIS BECKERLING
Business Editor

LABOUR relations expert Mr David van Coller today warned of “chaos” which might follow a swing to regulating industrial affairs by way of company-based recognition agreements.

Addressing the 78th annual conference of the Building Industries Federation at the Hotel Elizabeth, Mr Van Coller added that the resultant variations in employment conditions throughout industry would be considerable.

“As would be the chances of escalating inter-group conflict.”

In his address Mr Van Coller, graduate of Oxford University, director of the Institute of Industrial Relations, and personnel consultant (industrial relations) to Anglo American, evaluated the respective merits of industry-wide bargaining and company level bargaining against a South African background which “combined to create an industrial relations arena with probably the greatest potential for instability anywhere in the Western world”.

Assessing the relative merits of the two, Mr Van Coller said industrial councils arose out of joint voluntary action by employers and employees “and at the outset there is an acceptance of equality and a sense of permanence in the relationship”.

Recognition agreements negotiated at company level, by contrast, frequently come into existence following major pressure and thus from the outset the question of power is a factor.”

Whereas the statutory sanction granted industrial council agreements allowed for great moral pressure and ultimately criminal action in the event of a breach of agreement, in recognition agreements sanctions lay directly with employees and their union “which must either use the strike weapon or take legal action by resorting to the industrial court”.

“As before, this is a direct conflict between employer and the employees in a company in which high levels of power are likely to be brought into play at an early stage.”

Mr Van Coller underlined the potential for variations in working conditions by referring to the metal industry where, within the industrial council were represented.

- One union representing Asians and coloureds
- Three unions representing blacks
- Five unions representing whites
- Four unions representing Asians, blacks and coloureds

“One union representing Asians, coloureds and whites

- A further six unions outside the council
- 3500 companies organised into 45 associations

“In such circumstances the potential for chaos is considerable if the system is to function on recognition agreements,” said Mr Van Coller.

Dealing with criticisms directed at the council system, Mr Van Coller conceded that it was predictable that black workers should have reservations. This problem was, however, diminishing as a result of first-hand experience.

Allegations that in some councils the parties have used the closed-shop principle and refused to grant stop-order facilities to non-party unions in order to prevent them from spreading were more serious.

“If this is, in fact the case, it would appear extremely unwise. A sound collective bargaining system can only be established on the principles of freedom of association and voluntarism in collective bargaining.”
Severance pay dispute at Howick

Mercury Reporter

THE Metal and Allied Workers' Union yesterday declared a dispute with a Howick rubber company, BTR Sarmcol, over the company's alleged refusal to negotiate severance pay for retrenched workers.

Mawu local organiser Dumisani Mbanjwa said the union would hold a secret 'strike ballot' at the factory to determine employee support for legal industrial action against the company.

The union was also considering taking legal action alleging that it is an unfair labour practice for the company to refuse to negotiate any matter with a majority union.

He added: 'We are very tired of this company. After blocking our recognition for 10 years they now expect us to accept that workers do not have the right to negotiate for improvements in their conditions of service. It is outrageous.'

The company's administration director, Mr John Sampson, said yesterday that the union had not been in negotiation with the company for 10 years. Negotiations began only this year when it achieved a 50 percent support among the workforce.

There had been no refusal by the company to negotiate severance pay.

'We have a severance pay policy in terms of which it should not form part of a recognition agreement — which is a procedural agreement.'
Queensburgh raises pay for 240

Mercury Reporter

MORE than 240 Queensburgh municipal workers of all race groups had been granted a 12 percent across-the-board increase in salary, it was announced yesterday.

The Town Clerk, Mr Peter Kinnaird, said the council had decided earlier in the year to grant no increases in salary at all this year, in keeping with a Government plea to combat inflation and because of the recession.

But more than 200 black workers went on strike briefly in August, demanding a 15 percent wage rise. They marched through the town centre and assembled in front of the Queensburgh Civic Centre, where they insisted on a meeting with the full council.

Mr Kinnaird and the Mayor, Mr Tim Dyer, met the workers and assured them that their grievances would be discussed.

In the light of this the council had taken a fresh look at the budget, and had decided to grant the increases.

Mr Kinnaird said yesterday that the blacks were satisfied with the increase, but had indicated that it would have to be adjusted again soon.
New chamber offer averts refinery strike

By STEVEN FRIEDMAN
Labour Correspondent

A NEW Chamber of Mines offer — giving workers at Germiston's Rand Refinery "vastly improved" service increments was the key to black workers at the refinery deciding not to strike legally, the general secretary of the National Union of Mineworkers, Mr Cyril Ramaphosa, said yesterday.

NUM members at the refinery voted on Monday to accept a new offer by the chamber and thus not to strike legally, as they had planned to do yesterday.

According to Mr Ramaphosa, the decision to accept the offer rather than strike was carried by a "large majority".

A joint statement by the chamber and the NUM on Monday evening announced the settlement and said the agreement provided workers with a wage rise of around 9%, "vastly improved" service increments and other benefits.

The NUM originally demanded a 40% wage rise and the chamber offered 8%, which led to the declaration of a dispute in August.

But the NUM says the key point of dispute was the union's demand for a 0.5% service increment for workers for each year of service.

The chamber originally agreed to this, but stipulated that the increment be calculated from the time agreement was reached, rather than from when workers began work at the refinery.

Later, the chamber made a new offer — a R120 increment for each year worked, with the proviso that the maximum increment be R300. NUM members at the refinery rejected both offers.

At a last-ditch meeting requested by the NUM late last week, however, the chamber made a new offer. It suggested workers receive increments beginning at R1 a month for each year of work up to five years, with the monthly increment rising depending on the number of years worked.

The maximum increment for any worker would be R50 a month.

The NUM later asked the chamber to agree that the R50 ceiling be increased each year by the same percentage as the wage increase negotiated for workers at the refinery. This the chamber accepted.

Mr Ramaphosa said yesterday workers at the refinery regarded the service increment package as a "significant improvement" on their present position and had accepted the chamber's offer on that basis. They were "particularly happy" with the agreement to raise the ceiling each year.

The agreement also grants long-service workers at the refinery an extra week's leave and increases sick leave.
Dunlop dispute spreads

The dispute between Dunlop (SA) and the Metal and Allied Workers Union (MAWU), which could lead to a legal strike at the company's Durban tyre plant, has now spread to two other Dunlop plants in Durban and Ladysmith.

The union says it plans industrial court action against the company at the two plants over its alleged refusal to sign recognition agreements at them.

MAWU says negotiations for the two agreements ended in agreement in September, and that they have already been signed by the union. It charges that the company now refuses to sign them because it says it wants changes made to them.

In a statement yesterday, the company said it had "as yet" received no details of a recognition dispute at the two plants.

It added that recognition agreements for the two "have not yet been finalised".

MAWU recently announced it was to hold a legal strike ballot at Dunlop's Durban tyre factory after charging that the two sides were deadlocked over wages. Dunlop replied that it was still willing to bargain on wages.

Now the union says, in a statement, that the dispute "looks set" to extend to the two other plants where it claims to have majority membership.

MAWU said the two plants were refusing to sign the agreements, after first agreeing to do so, because they say their directors will be requiring changes.

The union says it regards the agreements as valid, and that it refuses "to accept any tampering with (them) by the Dunlop board of directors".

Its executive, it said, had approved the dispute being taken to the industrial court "if necessary to enforce the agreements at the plant".

The union says that it plans to hold a strike ballot at the Durban tyre factory "within the next week or so".

It charged that the company had lost "a tremendous amount of goodwill and trust from its employees in recent months".
Concern over lack of representation on Media Council

NGC Pleads for Restoration of Christian Ethics in Labour
Garlick's wage levels slated

Labour Correspondent

WAGE LEVELS at Garlick's department store in Johannesburg have come under fire from the Commercial, Catering and Allied Workers Union (CCAWUSA).

The union's general secretary, Mr. Emma Mashinini, said she had been approached by a former Garlick's worker, Ms Lena Fuka, who was dismissed this month after working for the company for 13 years. At the time she was fired, Ms Fuka was earning R200 a month, Mrs Mashinini said.

She said the wage was well below the minimum pay rate set out in the wage determination for the commercial distributive trade.

In most job categories, the determination, which is legally binding, sets out higher minimum rates for longer-serving workers. Mrs Mashinini said that Ms Fuka's wage was below that prescribed for a worker with 13 years' service.

A Garlick's representative confirmed yesterday that Ms Fuka had been receiving R200 a month, but denied that her wage was below the minimum in the determination.

She said Ms Fuka had been working as a "general assistant" for which the minimum is R188 a month, regardless of the length of service, unlike other categories where rates rose with the length of service.

"We were therefore paying Ms Fuka above the minimum for this rate," she added.

Mrs Mashinini charged that, regardless of the legal minimum set out in the wage determination, a R230 a month for a worker who has served "as a confectioner" for 13 years is simply "not morally justifiable."
BLACKS TAKE THE REFERENDUM TO FACTORY FLOOR

BY STEVEN FREEMAN

Business Day/Labour

TO THE SHIRE OF IVER
A VICTORY FOR NUM

THE National Union of Mineworkers' (NUM) strength is growing rapidly with the union signing another major recognition agreement in the coal mining industry.

The union has signed a recognition agreement with the Colliers Committee of the Chamber of Mines for the Van Dyk's Drift coal mine near Witbank. This is the eleventh agreement of its kind.

The union's general secretary, Mr Cyril Ramaphosa, said the agreement was another "major breakthrough for the union's strength in this industry."

The union was expected to conclude several other recognition agreements within the mining industry.

The recent recognition agreement at Van Dyk which is part of the Rand Mines group and employs over 1,800 black workers, will be used to represent workers' aspirations.

The union has continued to make progress by organising workers in the industry.

The union success-
Sacked — over a coleslaw complaint

A TAFELSIG mother claims that she was unfairly dismissed from a leading supermarket chain store because she could not offer a customer a container for coleslaw that had just been ordered.

Mrs Cynthia Brenner, who worked as a delicatessen counter hand at the Pinelands branch of Pick 'n Pay, says that the Deputy Mayoress of Pinelands, Mrs A Barrett, was present at the time of the incident and backed her claim that she was not rude to the customer.

A Pick 'n Pay spokesman has confirmed that Mrs Barrett had spoken to him about the incident.

RUN OUT

Mrs Brenner of Rooieberg Street, Tafelsig, told the story of her dismissal to the Plaza Newsman: "Last Friday, I told the perishables manager that our stock of plastic salad containers had run out. He promised us we would have containers by Monday." Then, on Monday, between 5 pm and 6 pm, a customer came to the delicatessen and asked for cold meats I served her cold meats and then she asked for coleslaw. "I told her politely that we had no containers. She abruptly asked me why I didn't tell her that in the first place. The customer turned around and rushed to the acting store manager's office to lay a complaint.

"Mrs Barrett, the Deputy Mayoress, told me that the customer had been very unreasonable and when Mrs Barrett saw that the woman was going to the manager's office, she told me that she would intervene should I be fired.

"I went to the perishables, manager, and told him that the customer had gone to complain because there were no containers. "MUST GO"

"Instead of defending me, he went to the store to scratch around and came back with one salad container. As I approached the office where the customer was, I heard the acting store manager telling her, 'She must go!' and I knew he was referring to me.

"The customer apparently said that I had been rude to her.

"The acting store manager telephoned the Pick 'n Pay head office and after that he told me that he had received a complaint. "Just before 6 pm, he called me to his office again and told me that he had just spoken to the person in charge of personnel and that she had said I should go. I had no choice and left." Pick 'n Pay director Mr John Barry confirmed on Tuesday morning that Mrs Barrett had been in touch with him, but promised to call back to give further comment.
All work and no pay for actors?

Scores of actors in South Africa, whose income is variable at the best of times, are still owed fees for work done on films that “bombed” — or made a lot of cash. These range from thousands of rands owed to lead players to small amounts due to amateur actors and members of the public who were extras and walk-ons.

Some of these debts date back to 1980, and those concerned have given up all hope of being paid.

The South African Film and Theatre Union, Saftu — the local actors’ trade union — has good working arrangements with the SABC and most theatre management, but the real problem is in the field of feature films.

It has been magnified with the trend for overseas producers to make international movies in South Africa, where the weather is good, there is a pool of trained film technicians and no shortage of professional actors and spare-time “hopefuls.”

Yet some of the biggest projects have resulted in financial dissatisfaction. The epic “Zulu Dawn” had severe cash-flow problems in 1978 and the South African production “The Second Mile,” starring Cameron Mitchell, was never released — leaving everybody in the red.

On the other hand, South Africa has produced strikingly successful movies like “Kill and Kill Again,” which netted more than $7 million (about R5 240 000) in rentals to the American distributors and grossed about $25 million (about R25.5 million) at cinemas.

Yet its leading actor, karate star James Ryan, says he is still owed his percentage of the profits.

“All the actors were paid their fees and bonuses,” he said this week. “But I am still R5 000 down on the percentage.

“For ‘The Second Mile,’ my immediate salary was to be R5 000 and I was to receive another R2 500 on acceptance of the distribution rights, plus 5% of profits.”

“I received nothing as the project collapsed. It’s a sore point with all of us.”

An even bigger loss on “The Second Mile” was incurred by the post-production house Panorama Sound, its Francis Myburgh said on behalf of that company this week. “We wrote off about R25 000 on that one.”

“Still, that’s the nature of our business — high risk. I’d say our ratio of gains to losses is about 60 to 40.”

At the other end of the payment scale, extras in these and other films and TV productions lost their money largely because of a defaulting agent.

In 1980 some of them formed the Union of Film Extras (UFE) in an attempt to achieve solidarity among part-time film actors. Ten of them obtained a court order against the agent for a total of R1 215 in outstanding fees.

Despite this, they received nothing because lawyers could not track the agent to serve the order. A year later the UFE was disbanded.

Saftu and the Afrikaanse Akteursgilde represent featured players, not extras, and except for individual agents (most of whom are above reproach) there is now no protection for casual players.

As for professional actors, Carol Truchard, chairman of Saftu, says: “At the moment we are in negotiation with the SABC for actors to get their money quicker, and so far as theatre is concerned we have had no complaints.”

“I cannot speak for the independent film companies, but film contracts stipulate certain terminal dates. In any case, we can act only for members and at the moment there are a couple of cases pending.”

“Saftu has gone a long way in opening up negotiations and we have a standing committee with the SA Association of Theatrical Managers. Things are going well as far as these are concerned. But if actors sign a bad contract, that’s their lookout.”

“As to agents, we have a meeting with the Personal Managers Association on November 8.”

“With films, the main problem is slow payments. There is not enough control and I think this has to be worked out right from the top.”
THE powerful Metal and Allied Workers' Union (Mawu) this week accused a Johannesburg firm of sacking two shop stewards who had challenged management on its attitude to the referendum.

Mawu secretary Moses Mayekiso told City Press that the union was contemplating legal action against Kent Meters of Industria.

According to the union, the chairman of Kent Meters' shop steward's committee, Reginald Dubezana and another shop steward, Napi Motshabalwa were sacked on Monday. The two men, wearing "One man, one vote" stickers, were issued by the Federation of SA Trade Unions (Fosatu), approached management following a mandate from Fosatu's Central Committee to establish company attitudes to the new constitution.

But management refused to discuss the issue with them and according to the union, manager Peter Bennett pulled a sticker off Mr Dubezana's shirt.

When Mr Dubezana asked for the sticker back, he was called a communist and the two men were fired, the union said.

Mr Bennett denied that the two men had been fired for political reasons. He told City Press they had been sacked for disciplinary reasons concerning their general behaviour.

He refused to comment on the other allegations.

But Mr Mayekiso countered this by asking why management chose to sack the men when they asked about the constitution and not at another time.

He said Mawu condemned management's action and said companies should not do the Government's job.

He told City Press that Mawu members wearing the "One man, one vote" stickers had been harassed in a number of companies.

He referred to a recent strike at the Rheem tin and drums manufacturing company where 140 workers were sacked over a strike demanding the dismissal of a supervisor. Mr Mayekiso said management at this Afrotex company had been incensed by workers wearing the stickers and this had contributed to their hardline attitude towards the strikers.

By BRUCE COHEN

Mawu secretary Moses Mayekiso told City Press that the union was contemplating legal action against Kent Meters of Industria.

Two fired 'after row over stickers'

Reginald Dubezana, one man, no vote and now no job

A former member of the Federation of SA Trade Unions, he was fired outside the Kelloggs factory in Sunnyside, Pretoria, for "further investigation" after his membership "in front of the premises" was rejected. The Sunrise was part of a demonstration and highlighted workers' demands for democracy.
Union hits at action taken by Ciskei

Post Reporter

MR HERMAN REBHAN, general-secretary of the 14 million-strong International Metalworkers' Federation (IMF) has condemned the anti-union action taken by authorities in Ciskei.

Mr Rebhan said he fully endorsed the statement issued by the IMF's South Africa Co-ordinating Council condemning the banning of the South African Allied Workers' Union (SAawu), as being "directed against all democratic unions inside and outside South Africa".

Mr Rebhan renewed the commitment of his federation to do "everything in its power to bring about equal rights for all in South Africa" and attacked the "vicious collusion" between the South African and Ciskeian Governments in oppressing Saawu.

The IMF, which has affiliates in several Caribbean countries, has also condemned the United States's invasion of Grenada.

In a statement from Geneva headquarters, Mr Rebhan said "The US invasion is a flagrant violation of the Charter of the Organisation of American States and an affront to international law and order."

"The territorial integrity of independent sovereign states must be respected and military invasions must be condemned."

"We cannot condemn the Soviet invasion of Afghanistan and accept the American invasion of Grenada. A very dangerous precedent has been set."

"The invasion shows that the Reagan Administration has lost all sense of proportion and judgment."

"The sooner it is replaced by an Administration that can restore America's name as a champion of peace, national sovereignty and freedom from military adventurism the better."
Union will hold strike ballot at Dunlop tyre factory

Mercury Reporter

The Metal and Allied Workers' Union, which has declared a dispute over pay with the Dunlop Tyre Company in Durban, will hold a strike ballot at the factory on Thursday to gauge the reaction of its members on 'legal industrial action' against the company.

A union spokesman said the dispute had now dragged into the fourth week and 'all efforts on the part of the union to resolve the dispute over wages, shift allowance and various bonus schemes have been rejected by the company, which is refusing to put its "final offer" on the table'.

Of particular interest is the company's refusal of mediation. This is the first time a company has ever refused an offer of mediation by the union and has been interpreted by the union as a clear indication that it intends to provoke industrial action at the plant,' he added.

Meanwhile, the union will declare a dispute with Dunlop's Ladysmith branch over its alleged failure to sign a recognition agreement negotiated between the two parties.

The union spokesman added that it had indicated that the company's 'failure to comply with the agreement, an unfair labour practice which is having the effect of jeopardising industrial peace at the factory'.

The union also announced that it had been holding discussions on the situation at Dunlop with representatives of the National Automobile and Allied Workers' Union, another Fosatu-affiliate, which is organised at the major vehicle manufacturing firms.

The spokesman for Dunlop would not comment when approached by the Mercury yesterday, but the company is on record as saying that its doors have not been closed to wage negotiations with the union.
Wage dispute at OK

JOHANNESBURG — The Commercial, Catering and Allied Workers’ Union (Cawusa) has declared a formal dispute with the giant OK Bazaars chain store over wages — the first time the union has ever made use of the country’s official disputes machinery.

The dispute, which means the union has applied for a conciliation board to settle the matter, is the first step to a legal strike.

The OK dispute, which follows a recent wage-busting breakdown, affects the pay of 20,000 workers nationally.

The white and coloured shop workers’ union, the National Union of Distributive and Allied Workers (Nu-daw), also plans to declare a dispute with OK on the same issue.

Although Cawusa represents only black workers, its members are directly affected by the dispute.

Cawusa declared the dispute late last week, and Department of Manpower officials visited its offices yesterday to verify the union’s membership.

OK, which is not opposing Cawusa’s request for a conciliation board yesterday, submitted its reply to the department.

The company’s industrial relations director, Mr Roger Blackwell, said yesterday that Cawusa’s demands exceeded OK’s profits over the past year.

Cawusa’s general secretary, Mrs. Emma Mashinini, said the union had demanded a R50-a-month increase. OK had responded with an offer of R20 a month from December and a further R15 from February.

The minimum wage at OK was R240 a month.

Mr Blackwell said OK was also offering the union new negotiations in March, which could lead to further increases.

“We want to have annual negotiations, so that we can budget accordingly,” he said.

Handicapped given ‘kars’

TEN Cape Town children who are experiencing the joy of movement yesterday when they were presented with the first of 100 “Ro-kars” — four-wheeled cars propelled by hand.

The cars were presented on behalf of the Rotary Club of Constantia by the Mayor, Mr. Sol Kremer, at a function in the Civic Centre.

The idea was set in motion by a similar vehicle in Australia and has been developed by the Rotary Club over the past four years.

The Ro-kars have a single-crank back axle with two rowing levers.

Apart from the enjoyment these give, the Ro-kars also teach handicapped children coordination and perspective, and give them a sense of independence.

Gerhard van Niekerk, 9, of St Joseph’s Home in Philippi, enjoys his first try on a hand-propelled “Ro-ka.” The first ten of 100 cars were presented to homes and institutions yesterday for use by children who do not have the use of their legs.

IN GOD’S NAME

Farmer loses appeal

Staff Reporter

THE Appeal Court in Bloemfontein has dismissed an appeal by Ivan Burger, of Bonnievale, against his conviction and sentence for assault with intent to seriously injure a man who had raped a woman on November 22, 1980.

Burger was found

plans

homburg

rnes
Union declares dispute with OK

BY STEVEN FRIEDMAN
Labour Correspondent

THE Commercial, Catering and Allied Workers’ Union (CCAWUSA) has declared a formal dispute with the giant OK Bazaars chainstore over wages - the first time the union has ever made use of the country’s official disputes machinery.

The declaration of a dispute means the union has applied for a conciliation board to settle the matter and is the first step on the way to a legal strike.

The OK dispute, which follows a recent breakdown in wage talks between the two sides, affects the pay of 20,000 workers nationally.

It was also learnt yesterday that the white and coloured shop workers’ union, the National Union of Distributive and Allied Workers (NUDAW), also plans to declare a dispute with OK on the same issue.

Although CCAWUSA represents only black workers, increases negotiated by it are passed on to all workers and the NUDAW therefore argues that its members are directly affected by the dispute.

CCAWUSA declared the dispute late last week and Department of Manpower officials visited its offices yesterday to verify the union’s membership.

At the same time, OK, which is not opposing CCAWUSA’s request for a conciliation board, yesterday submitted its reply to the department on points raised by CCAWUSA in its application for a board.

The company’s industrial relations director, Mr. Roger Blackwell, said yesterday that CCAWUSA’s demands “add up to more than our profits over the past year — they would literally put us into the red.”

CCAWUSA’s general secretary, Mrs. Emma Mamello, said the union had demanded a R50 a month increase to come into effect from last month.

OK had responded with an offer of R20 a month from December and a further R15 from February, she said. The minimum wage at OK was R240 a month and the offer was unacceptable to workers.

Mr. Blackwell said that, besides offering two rises, OK was also offering the union new negotiations in March, which could lead to further increases.

He added that the offer applied only to workers earning below R350 a month — those earning above it would receive R350 a month from April, he said.

Mr. Blackwell said OK had no knowledge of a dispute with the NUDAW. “We have not negotiated wages with them for as long as I can remember, so it is unclear what grounds they would have for a dispute,” he said.

But the union’s general secretary, Mrs. Dulcie Hartwell, confirmed that it planned to declare a dispute OK were due to be informed of this yesterday.

“Although we have not negotiated with OK on CCAWUSA’s demands, they affect our members and we also want a conciliation board,” she said.

Labour Correspondent

ATTEMPTS to weld emerging trade unions representing more than 250,000 workers into a powerful new federation may face a “make or break” test at the weekend, according to union sources.

The unions are due to meet in Johannesburg to continue unity talks and unionists said yesterday they believed the meeting could be a watershed.

They believe long-existing tensions between older and newer unions may well come to a head at the meeting.

A unity meeting last month ended acrimoniously and only last-minute intervention by delegates from the Council of Unions of SA ensured that the unions would meet again.

Unionists said yesterday that there had been little or no change in the relationship between the two camps since
Sea Point hotel workers walk out

Staff Reporter

ABOUT 60 workers at the Arthur’s Seat Hotel in Sea Point today staged a walk-out after a dispute with the management about salaries and conditions.

They gathered in Main Road outside the hotel and said they would not return to work until their demands were met.

A spokesman said they had received “only one small” salary increase in more than two years and were demanding an immediate increase of R50 a month.

The management had offered them a R20 increase but they were not satisfied with this.

Another grievance concerned an amount of R25.99 which the management deducted from the salaries of “live-in” workers. They felt this was too much since between six and 10 people shared a room.

The general manager, Mr A Masters, denied the workers had gone on strike.

He said he had given his permission for them to hold a meeting during their tea-break. He was not aware of the walk-out and claimed that the “operational efficiency” of the hotel was not affected.

According to Mr Masters, it had been decided by the Industrial Council that a salary increase for the workers was to come into effect on January 4 but they wanted it now.

He said the amount of R25.99 for live-in workers had been set down by the Industrial Council.
Chain store in wage dispute

Argus Bureau

PORT ELIZABETH — The 9 000-member National Union of Distributive and Allied Workers (Nudaw) joined the Commercial, Catering and Allied Workers' Union (Ccawusa) today in declaring a formal dispute over wages with the giant OK Bazaars chain.

The breakdown in wage talks is expected to affect about 20 000 workers countrywide.

Miss Dulcie Hartwell, secretary of Nudaw, said today she had just told the personnel director of OK Bazaars, South Africa, Mr Richard Blackwell, that the union was declaring a dispute with them and had applied for a conciliation board to settle the matter.

**Strike**

She said the conciliation board would consist of union and management representatives and a legal strike would not necessarily be declared if an agreement was not reached.

Union members would still have to be balloted before such a decision was made.

Nudaw, a registered and unaffiliated union, would ask the Minister of Manpower, Mr Fane Botha, to handle the two conciliation board applications jointly, she said.

Mrs Emma Mashunum, secretary of Ccawusa, confirmed the joint request today and said it was the first time Ccawusa had made use of the country's official dispute machinery.

She said Ccawusa represented only 6 000 black workers, but the recent breakdown in wage talks would affect 20 000 workers nationally.

This was because increases negotiated by Ccawusa and Nudaw would be passed on to all OK Bazaars employees in the country.

Management and union representatives were engaged in talks and could not be contacted for comment.
Union supports minimum wage

The National Automobile and Allied Workers Union (NAAWU) has come out in support of a minimum wage of R2 an hour for workers in the motor components industry.

In a statement released in Pretoria yesterday, Naawu said it was aware of the wage negotiations taking place with the National Industrial Council for the Motor Industry.

"Naawu is not a member of this council and accordingly will not be present at the forthcoming meeting of the council set for November 11. However, Naawu members who are covered by the council's agreement have met and agreed to support the amount placed by party unions of a minimum wage of R2 an hour," the statement said.

While this will not be a substitute for Naawu's national in-plant demand of a minimum wage of R3.50 an hour, the union believes that an increase to R2 an hour will begin to put things right in an industry where minimum wages and working conditions are unacceptably low.

"Naawu has been in contact with one of the party unions, the Motor Industry Combined Workers Union (MICWU), and made this decision known to them.

"Naawu will also contact those companies where Micwu is active so that pressure can be built in support of this demand. "Naawu will be following the negotiations closely and further general meetings have been arranged," the statement said.
Mine safety probe at union's request

By PHILLIP VAN NIEKERK

AN INQUIRY into safety conditions — the first requested by an emerging union under a seldom-used section of the Mines and Works Act — began at the West Drakensberg mine near Carletonville yesterday.

The inquiry was requested by the National Union of Mineworkers after the refusal of a number of workers to go underground at the mine in September because they believed working conditions were unsafe.

They claimed that the roof was hanging down, had abnormally high cracks, that its supports were tilted, and that they had heard rumblings indicating a possible rock burst.

The incident is also the subject of a pending industrial court case in which the NUM is contesting the dismissal of 17 workers.

At yesterday's inquiry the chief inspector for mines in the Carletonville district, Mr E Vorster, said that on September 21, following the refusal of the workers to go underground, he had investigated the area in the mine at the request of management.

He found conditions to be acceptably safe "on the whole" except for two places which could constitute a danger if people worked there.

Asked by Mr M Bracey, for the NUM, whether he was aware of three recent accidents of varying degrees of seriousness at the mine, he said "People get injured underground every day. There is nothing abnormal about that. That's mining."

The presiding officer, Mr D Bakke, ruled out an 'in loco' inspection of the mine on the grounds that it would not materially affect the inquiry as conditions underground changed all the time.

Management had agreed to allow the NUM's lawyers to undertake an inspection underground but had refused to allow Mr Cyril Ramaphosa, general secretary of the NUM, to attend as well.

A spokesman for the NUM said the West Drakensberg case was only the first in what could be more requests for inquiries under Section 5 (4) of the Mines and Works Act.

This section permits an organisation of workers, when they believe there is danger to people's safety or health at a mine, to request an investigation by the Government Mining Engineer, who may then call an official inquiry.

The section — which became law in 1956, long before the current generation of unions came into being — does not specify whether the workers' organisation should be registered or recognised.
Surprise terms in pay talks

By STEVEN FRIEDMAN
Labour Correspondent

IN A surprise move, unions on the industrial council for the motor components and repair industry have demanded a minimum wage of R2 an hour — almost double the present minimum in the council’s agreement.

And yesterday, in a unique move, Fosatu’s National Automobile and Allied Workers Union issued a statement supporting the stance of the three unions on the council, one of which is a key Tusca union NAAWU said it would seek to “pressure” companies to accept the demand.

Although NAAWU’s own minimum wage demand in negotiations is R1.50 an hour, R2 an hour is regarded by many Fosatu unions as a “minimum living wage” and it is seen as significant that unions on the motor council have adopted it.

NAAWU has also held talks with the union which initiated the demand, Tusca’s Motor Industry Combined Workers Union, on the R2 demand.

Contact of this sort between Tusca and Fosatu unions is rare and the cooperation between the two unions on this issue is likely to strengthen the union’s position in the present negotiations.

It is understood that, although the minimum in the council’s agreement is R1.00 an hour, the minimum paid by most firms is much greater, and unionists argue that the R2 demand would not mean a major increase in wage bills.

According to union sources, the average minimum is R1.50-R1.70 an hour, although management sources say it is lower than that in most areas.

Negotiations are continuing this week and may be completed on Friday.

In its statement yesterday, NAAWU said that, although it was not a member of the motor council, it was aware of the current negotiations.
New turn in Dunlop dispute

THE wage dispute at the Dunlop Tyre Company in Durban took a new turn yesterday with the announcement that the Minister of Manpower, Mr. Fanie Botha, had approved an application for a conciliation board to settle it.

Mr. S C Meyer, the company's group industrial relations manager, told the Mercury last night negotiations between Dunlop's Durban factory and the Metal and Allied Workers' Union resumed yesterday at the union's request.

But the company has now been informed that the Minister of Manpower has approved the union's application for a conciliation board and therefore any further talks will now obviously be held within the board's terms of reference.

This means that the union and its members will not be able to take any industrial action before the conciliation board has met for further negotiation.

In the circumstances the company believes that the union's strike ballot is premature and any strike action will be unlawful, he added.

Meanwhile, the Fosatu-affiliated union which held a strike ballot at the factory yesterday would release the results today, according to a union spokesman.

The union spokesman said counting of votes would take place early today after workers on the 10 p.m. shift had cast their votes.

He confirmed that negotiations resumed yesterday.
Meeting on Shaft Stewards

Mail Reporter

The National Union of Mineworkers and the Chamber of Mines are meeting today to negotiate the recognition of shaft stewards.

The meeting is a sequel to the recognition agreement signed on June 9 when the NUM became the first black union to win the right to negotiate wages and working conditions for miners.

The agreement granted the NUM the right to represent workers where it had a substantial membership in certain job categories.

However, a number of issues such as grievance and disciplinary procedures are still outstanding.

Union sources said that in today's negotiations they would demand that shaft stewards who had to travel to union negotiations be paid for the time they were off work.
THREE clothing workers have started an industrial court action against a Diep River clothing factory, claiming they have been unfairly dismissed because of links with a new clothing workers' union being set up in the Western Cape.

The Clothing Workers' Union (Clowu) was launched at the end of last month in opposition to the Western Province Garment Workers' Union.

'Skirmish'

The court action is the first skirmish in what may become a protracted factory-floor war as the new union seeks to make inroads on the massive established union, with a closed-shop agreement with employers and a formal membership of some 66,000.

The workers claim they were summarily dismissed by the manager of their company, Park Avenue Lingerie, after being questioned about their links with Clowu and the distribution of pamphlets within the factory.

'Victimized'

Following their dismissal they approached the newly-established Cape Town office of the Legal Resources Centre for assistance.

Mr Geoff Rudender of the LRC confirmed yesterday that he had been instructed by the three workers to prepare an industrial court action on the grounds that they had been victimized.

If the industrial council could not reach a settlement, the main dispute would then go to the court, he said.

'Discipline'

Mr J Reinhardt, managing director of the clothing firm, said yesterday the firm had not been officially informed of any pending legal action.

He confirmed that the three workers had been dismissed in a "normal disciplinary action" about 10 days ago but strongly denied that this had been caused by their involvement with the new union.
All is not so OK

THE Commercial Catering and Allied Workers Union of SA (Ccawusa) has applied for a conciliation board hearing to settle a dispute with the giant OK chainstore group which employs 20,000 workers nationally.

This was confirmed by the union's secretary Mrs. Emma Mshimm who also said that officials from the Department of Manpower had visited the union offices to check on their membership.

And in another major move the white and coloured shop workers union, the National Union of Distributive and Allied Workers, plans to declare a dispute with the same company.

The dispute by Ccawusa follows a deadlock in wage talks and it is the first time that the union has made use of the country's official dispute machinery since the parties signed a recognition agreement earlier.
THE Industrial Court has ordered the temporary reinstatement of a sacked Cape textile worker who claims she was victimized for union activities by her employer, Franz Falke of Bellville South.

But the firm has elected to keep on paying her wages without returning to work, pending the final outcome of the case.

Mrs Maxie Dreyer, a member of the Fosato-affiliated National Union of Textile Workers, took legal action after she was fired on September 1.

Mr Geoff Budlender of the Legal Resources Centre, who is handling the matter, said yesterday that a temporary reinstatement order had been granted this week.
FOUR senior Mdantsane matrons including Ciskei’s Chief Nursing Officer, Matron N G Xesi, have been fired — without any reasons being given.

Matron Xesi and three senior matrons at Mdantsane’s Cecila Makwenane Hospital all received immediate dismissals from Ciskei’s director-general of health, Mr H M Mdledeni.

No reasons were given — and Mr Mdledeni flatly refused to discuss the sackings when contacted by City Press this week.

Matron Xesi said she and senior matrons P N Kalana, Constance Tapa and Beauty Qambata were all baffled by the action, as there had been no suggestion of them doing anything wrong.

“All the good work we’ve done has been thrown back in our faces,” said Matron Xesi, who was honoured by the homeland last year when a photo of her and a student nurse Jonghlanga was used on a Ciskei postage stamp.

“Not being told why I was fired makes me feel like a criminal. If I’ve

Matron N G Xesi’s fondest memory... the photo of herself and a student nurse used on a Ciskei postage stamp. She’s now lost her job.

3/11/83

committed an offence, why wasn’t I brought before the disciplinary committee?”

Matron Qambata — one of the pioneers of the Mdantsane hospital, said she had been slapped in the face by the authorities.

“I would have acce...
Company issues a court threat to union

BY STEVEN FRIEDMAN
Labour Correspondent

A COMPANY has started legal action against a trade union, alleging "unfair labour practice."
The move, in an industrial court, is believed to be without precedent in the country.
The company, Howick firm BTR Sarmcol, has declared a dispute with the Metal and Allied Workers' Union, charging it has failed to "bargain in good faith."
The union says it will fight the case.

Sarmcol have requested the Minister of Manpower to appoint a conciliation board to settle the dispute.

A company spokesman said yesterday that, if the board failed to settle it, Sarmcol would take industrial court action.

Although unions have made frequent use of the court to allege employers have been guilty of "unfair labour practices", this is believed to be the first time an employer has taken such action against a union.

If the case comes to court, it will have important implications for unions and employers throughout the industry and could open the floodgates to a spate of similar cases.

Sarmcol's action flows from a dispute with MAWU over severance pay, after agreeing to negotiate a recognition agreement with the union.

MAWU has demanded that retrenched workers receive two weeks' severance pay for every year they have worked.

It wants negotiation on this at the same time as the recognition talks.

The company argues that severance pay should not form part of the recognition talks and that the issue should be negotiated after the union is recognised.

The company's spokesman said MAWU had adopted "rigid and inflexible stance during negotiations" on the issue by refusing to move from its demand.

"They have told us it is union policy to demand two weeks' pay and they refuse to budge."

"We believe the means they are not prepared to bargain in good faith," the spokesman said.

He confirmed a claim by the union that the two sides had agreed to negotiate a recognition agreement within three months of MAWU recruiting a majority at the plant and that this had not been done.

"We believe the union is responsible for this. They have set conditions for the signing of an agreement - such as severance pay - because they do not want to be subject to the discipline of a formal agreement," he said.

A MAWU spokesman said the union would fight the case if it went to court.

"Their claim that we are inflexible is nonsense," he said. "We originally demanded that workers who were made redundant receive four weeks' severance pay for each year they had worked. We changed that to two weeks - so we have been prepared to adjust our demands."
Labour Correspondent

MEMBERS of the Metal and Allied Workers' Union at Dunlop's Durban tyre plant, the Minister of Manpower, Mr Fanie Botha, appointed a conciliation board to attempt to settle the dispute — which he described as 'legal' — and workers would meet again to consider their position. This will be done on Friday, he said.

The board met at the weekend and decided against taking industrial action at least until November 25 when the board will report to Mr Botha as a result of his request. However, the union's spokesman said the worker had only voted to continue the strike by 50 votes.

If Dunlop workers do not take action, it will be the second legal strike by black workers since the Government's new Labour dispensation was introduced. The first occurred at a Natal textile plant earlier this year.
Accord on mines

THE Chamber of Mines and the National Union of Mineworkers yesterday signed three agreements covering the recognition of NUM Shaft stewards, according to a statement released by the Chamber.

The agreements lay down conditions and procedures for the recognition of shaft stewards elected by members of the NUM and employed on gold mines, collieries and at Chamber-affiliated companies, such as the Rand Refinery, in respect of which the Chamber has recognised the union for purposes of collective bargaining. — Sapa
Call to boycott stores unfair

By STEVEN FRIEDMAN
Labour Correspondent

ATTEMPTS by a union to call a boycott of Sales House stores because of the sacking of strikers at Liberty Life were unfair, since the stores have only a "limited" relationship with the insurance company, said Edgars Stores, which owns Sales House, yesterday.

The Insurance and Assurance Workers' Union of SA (IAWUSA), 90 of whose members were fired by Liberty for striking, recently announced it was calling for a boycott of Sales House as part of its campaign against Liberty.

It described Sales House as an "associate company" of Liberty and implied that a boycott of the stores would put pressure on Liberty to settle the dispute.

Yesterday, however, Edgars rejected attempts to involve Sales House.

Edgars said it "wishes it to be understood" that it is "incorrect to describe Edgars Stores Limited or its division, Sales House, as an associate company of Liberty Life."

The company said it was "generally known" that Liberty had an investment in the Premier Group, which in turn had a majority shareholding in SA Breweries, which controls Edgars.

"Such an extended and immaterial investment relationship between Sales House and Liberty Life can in no way be construed as an "associate company" relationship," the company said.

It said neither Sales House nor any other Edgars division had been a party to the dispute between Liberty and IAWUSA.

Top unionist accused of foul play

By PHILLIP VAN NIEKERK

IN AN unprecedented move, the president of the Garment Workers Union of SA, Dr Anna Scheepers has been accused of an "unfair labour practice" by a former union employee.

Mrs Jacomina Ndaba plans to declare a dispute with Dr Scheepers and, if the dispute remains unsettled, to take action against her in the Industrial Court.

This is believed to be the first time the "unfair labour practices" clause in labour law has been used by a union employee against a trade unionist.

The dispute arises from the dismissal in October of Mrs Ndaba, employed by the union since 1988.

Mrs Ndaba was fired after a union document was leaked to a rival union, the Textile Workers' Union, and read to a meeting of garment and textile unions in Port Elizabeth.

Mrs Ndaba says Dr Scheepers accused her and "disgraced" her in front of 45 delegates.

Her lawyer, Mr Selwyn Cohen, said he was later told by Dr Scheepers that Mrs Ndaba had been dismissed after a series of leaks.

In addition, Mrs Ndaba had allegedly stolen a roll of toilet paper from the union and was considered unsuitable for the job.

Dr Scheepers had also told Mr Cohen the union had been forced to retrench staff.

"Later Dr Scheepers told Mrs Ndaba that unless the proceedings were withdrawn, she would not receive a pension, which is given at the discretion of the union," Mr Cohen said.

Mrs Ndaba refused to withdraw the case.

Dr Scheepers said yesterday she would defend the action.

Mrs Ndaba had not been dismissed merely because of the leaked document. Her work had been unsatisfactory for a long time and she had only been kept on for compassionate reasons.

"We paid for her to attend a secretarial course, but afterwards her work had not improved at all," Dr Scheepers said.

Dr Scheepers said the union's numbers were decreasing so rapidly union workers had had to be retrenched, and more might be dismissed next year.

She denied she had threatened to withdraw Mrs Ndaba's pension.
Company cites union over 'good faith'

Mercury Reporter
IN WHAT is believed to be an unprecedented move, a company has laid the ground for an Industrial Court action against a trade union, alleging the union is guilty of an 'unfair labour practice'.

The Howick firm BTR Sarmcol has declared a dispute with the Metal and Allied Workers' Union, charging it has failed to 'bargain in good faith.' The union says it will fight the case.

Sarmcol has asked the Minister of Manpower to appoint a conciliation board to settle the dispute. A company spokesman said yesterday that, if the board failed to settle it, Sarmcol would take Industrial Court action.

Although unions have made frequent use of the Industrial Court to allege employers have been guilty of 'unfair labour practices', this is believed to be the first time an employer has taken such action against a union.

If the case goes to court, the result will have important implications for unions and employers throughout industry.

Spate of cases
Were the court to rule that a stance taken by an employer or union during negotiations could be 'unfair', this could open the way to a spate of cases brought by both employers and unions.

Sarmcol's action flows from a dispute between it and Mawu over severance pay, which follows an agreement by the company to negotiate a recognition agreement with the union.

Mawu has demanded that retrenched workers receive two weeks' severance pay for every year they have worked. It wants negotiation on this to take place at the same time as recognition talks.

The company argues that severance pay should not form part of recognition talks and that the issue should be negotiated after the union is recognised.

The company's spokesman said Mawu had adopted a 'rigid and inflexible stance during negotiations' by insisting that severance pay form part of recognition talks and by refusing to move from its demand.

Union policy
They have told us it is union policy to demand two weeks' pay and they refuse to budge. We believe this means they are not prepared to bargain in good faith,' he said.

He confirmed a union statement that the two sides had agreed to negotiate a recognition agreement within three months of Mawu recruiting a majority at the plant, and that this had not been done.

'We believe the union is responsible for this. They have set conditions for the signing of an agreement — such as severance pay — because they do not want to be subject to the discipline of a formal agreement,' he said.

A Mawu spokesman said the union would fight the case in court.

'Their claim that we are inflexible is nonsense,' he said. 'We originally demanded that workers who were made redundant receive four weeks' severance pay for each year they had worked. We changed that to two weeks — so we have been prepared to adjust our demands.'

He claimed that the failure to conclude an agreement within three months was the company's fault.
Bakery union post reach accord

Post Report

The Food Beverage Workers' Union of South Africa (FBEUSA), a council of Unions of South Africa (Casa) affiliate, and Brito's Bakêras in Port Elizabeth reached a recognition agreement yesterday.

The general secretary of FBEUSA, Mr S Sibukhane, who came from Johannesburg to attend the meeting, said the success of an agreement relied upon a sound relationship of cooperation between the company and the union.

This was essential to prevent conflict and to negotiate optimal conditions of employment for the workers, while the situation of the company involved was taken into account.

Following this approach, he said, everybody involved will contribute to industrial peace in the interest of all parties. Mr Sibukhane said:...
Workers win big bonus increase

PORT ELIZABETH — Workers at the Shatter-prufe Safety Glass company in Port Elizabeth are to receive a 25% bonus increase and a 10% across-the-board wage increase, following negotiations between management and the Chemical Workers' Industrial Union last week.

Mr Les Kettle, a spokesman for the Federation of South African Trade Unions, said members believed the bonus increase was "very substantial," the size of the increase being one he had not previously encountered in his dealings with employers.

"In my opinion the bonus increase compares favourably with some of the other leading companies in the area," he said.

Thus follows a dispute between management and 550 workers at the company who staged a one-hour strike last Tuesday over management's wage and bonus offers.

Workers finally accepted management's offer after a report-back meeting with the union last Thursday. The increases come into effect next month.

Mr Kettle said workers were happy with the bonus increase as it was a "sensitive issue which had been a priority among them." The union, however, would continue to pursue its demand for one month's salary as a bonus, he said.

He said management's initial offer of a 3% wage increase and an additional annual bonus — equivalent to one week's wages — had been rejected by workers.

The final bonus increase was equivalent to three-and-a-half weeks' pay and meant that a worker in the lowest grade would receive an additional R20 bonus — in this instance, a total of R80.

Mr Neville Schonegevel, personnel director at Shatter-prufe, said the company was satisfied with the settlement.

A recognition agreement was concluded between management and the union on August 12 and more than 95% of the workers belong to the CWIU — Sapa.
Business Day

Employers may turn to using court action against unions

By STEVEN FRIEDMAN

For much of this year, unions have used industrial court action against employers with great effect. Now an employer is to use court action against a union.

Howick firm BYR Sarmcol has declared a dispute with the Metal and Allied Workers’ Union, alleging it is guilty of an “unfair labour practice”. If the dispute is not settled, it will go to the court.

Other employers may declare similar disputes soon.

The Sarmcol case has some major implications — which might worry employers as much as unions.

The company charges MAWU has been “inflexible” in negotiations by refusing to budge from a demand for two weeks’ severance pay for retrenched workers.

MAWU denies it is inflexible and says it has modified one major demand.

Sarmcol is relying on a concept in US labour law which has not been fully tested here — that parties must bargain “in good faith”.

In the US, a refusal to budge from a demand could be ruled unfair.

If Sarmcol goes to the court and is successful, however, the precedent set could be used just as enthusiastically by unions.

An employer who refused to negotiate any issue with a union because it is a “management prerogative”, could face court action if Sarmcol wins its case.

Meanwhile, increased employer use of the court may highlight more sharply the rule that, in most cases heard by the court, both parties must pay their own costs.

If employers are to use the court more, unions are going to have to find money to defend these actions. But, of course, major companies have access to far more money than unions.

If the law is not changed to allow the winning party to claim costs, some employers could use court action to deplete union finances and thus sharply weaken unions — win or lose.

LABOUR analysts believe Mr. Fanie Botha’s resignation will not have a major effect on Government labour policy and they are almost certainly right.

Many factors point in that direction but perhaps the most important is that labour relations action has moved increasingly outside the Department of Manpower’s direct control.

Indeed, departmental neutrals have become less and less of a factor in the labour scene.

It would take a major effort by Mr. Piet de Villiers to reverse the trend and it seems unlikely he would try — particularly while senior Department officials, who have not sought to stop this trend, remain in place.

But one fear voiced by a senior employer source is that Mr. De Villiers, as a relatively junior Minister, may not have the clout to withstand demands from the security establishment for tough action against unions.
Friendship project across the colour line may change racial stereotypes

Mrs Freda van Rooyen pointed out the newly-built house in the coloured suburb of Newclare, near Johannesburg, to illustrate how misguided white people may be when they think coloured people live only in slums.

By Kate McKaneill

The only way to narrow the gap between race groups is for individuals to get to know each other, says Mrs Freda van Rooyen, chairman of the Johannesburg Relations Committee, which recently launched a project to promote friendship between white and coloured families.

"Barriers are only broken down when people meet and become friends — South Africans have to start at this basic level."

"In South Africa both white and coloured people have stereotyped ideas of each other, and the only way to overcome these ideas is for individuals to meet in each other's homes," says Mrs van Rooyen.

She says white families who take part in the project will be introduced to coloured families of similar social standing. Committee members will organise the first meeting, but after that it is hoped the families will continue to meet in each other's homes.

"It is not only important that adults should meet. Children must also become friends as the majority of this country in the future depends on their attitudes.

"Some white people have the stereotyped idea of coloured people as ragged, drunken thieves. We want more people to visit coloured homes to find out this is not true."

Mrs van Rooyen says the authorities often do not give coloured people the choice of where to live and they are forced into shabby sub-economic housing.

"But go inside the houses and see how well kept and beautifully decorated they are, and you will realise that the people have much the same lifestyles, ideas and values as the people a short distance away in Johannesburg's white suburbs," says Mrs van Rooyen.

"Coloured people who have the resources and are given the opportunity to build their own homes often live in houses that would be the envy of most white people," she says.

Mr Godfrey Morgan, a coloured member of the committee, says coloured people may have bitter feelings towards whites, seeing them as authoritarian who have caused all their misery.

"But if they actually meet white people who genuinely want to reach across the great division between races in South Africa there is a chance their hostile attitudes will change," says Mr Morgan.

The relations committee will obtain details from all the families who volunteer for the project and match those with similar work and interests.

White and coloured families who are interested in participating in the project can telephone Mrs Freda van Rooyen at (011) 787-1722; Mrs Eva Bartman at (011) 673-3572; or Mr Godfrey Morgan at (011) 27-4301.
DUNLOP DISPUTE DRAGS ON

On Thursday 14th November a Conciliation Board meeting was attended by representatives of Dunlop SA (Tyre Division) and of the Metal and Allied Workers Union under the chairmanship of an official from the Department of Manpower.

MAMU motivated its claim for wage increases of between 8 per cent and 10 per cent on the basis that the current wages at the factory were far below the household effective level and supplemented living level as well as below their competitors like Firestone, Goodyear, and General Tyres. MAMU also argued that the company had made huge profits during 1982 and that these profits had been maintained in the first half of 1983.

Dunlop management did not dispute the company's ability to pay what the union was demanding but said that its policy on wages was determined by the availability of labour as determined by market forces from time to time.

After 6 hours the parties were still unable to reach any agreement but the company requested that one further meeting of the Conciliation Board be held and undertook to table further proposals.

MAMU agreed to this request and the next meeting was set down for the 5th December but union shop stewards remain sceptical last night that any agreement would then be reached although they said that 'the ball was now in Dunlop's court.'

MAMU Branch Secretary Natal
25.11.83
JOHANNESBURG — The Southern African Society of Journalists (SASJ) last night declared a dispute with major newspaper proprietors over their refusal to pay a 12.5% across-the-board increase to senior journalists next year, the SASJ's National Council said in a statement.

The council said it had declared a dispute with the Argus Company, South African Associated Newspapers and Sapa after months of negotiations.

"Most English-language newspapers are profitable and the Argus Company recently announced a 25% increase in the interim dividend to shareholders," the SASJ said.

"In the circumstances, we believe that the insistence of SASJ members on the 12.5% across the board is entirely justified."

The SASJ said employers had offered 11% across the board with another 2.5% at editors' discretion. — Sapa
Rondebosch by-election ‘aggressive’

By JO-ANNE RICHARDS

THIS WEEK’S municipal by-election has shaken the quiet, elite suburb of Rondebosch with its unusually costly, aggressive and professional campaign.

It has been speculated that Mr Michael Garvin spent between R30 000 and R50 000 on his campaign. Mr Garvin could not be reached for comment yesterday.

Mr Arthur Wienburg, who was elected as the Ward 11 councillor, spent in the region of R10 000. On the other hand, Mr Albert Vianello spent under R500 and was extremely surprised and encouraged by his support. He received about 200 fewer votes than Mr Garvin.

Most councillors approached thought the number of posters and newspaper advertisements for Mr Garvin and Mr Wienburg was far larger than usual in a municipal campaign.

The professionalism of the campaign was unusual because of Mr Garvin’s use of a public relations firm, and Mr Wienburg’s alleged use of “political party machinery.”

Mr Garvin has stated that he employed Peter Sorrell and Associates to act as his agent as he was overseas till the end of October.

Mr Wienburg has strongly denied that he used party machinery.

The result of the election has placed a question mark on the role and credibility of the local ratepayers’ association Mr Garvin had been chosen as the association’s candidate.

It also raised a query on whether the association would retain its constitutional provision that, before a candidate could be chosen as an official candidate, he would have to agree to withdraw if not chosen.

Mr J Pallem, chairman of the association, said he believed the controversial provision was a standard item shared by many ratepayers’ associations.

Mr R Hurly, a Rondebosch councillor, said the people should not blame the association if they were not prepared to support it.

It is believed by some civic circles that the result could have been affected by residents’ possible “unhappiness” about Mr Garvin’s being a property developer.

The SASJ declares salaries dispute

JOHANNESBURG — The Southern African Society of Journalists last night declared a dispute with newspaper proprietors over their refusal to pay a 12.5 percent across-the-board increase to senior journalists next year, the SASJ national council said in a statement.

The council has declared a dispute with the Associated Newspapers and Sapa following several months of negotiations.

“Most English-language newspapers are profitable and, the Argus Company recently announced a 25 percent increase in the interim dividend to shareholders.”

In the circumstances, we believe that the insistence of SASJ members on 12.5 percent across-the-board is entirely justified,” the statement said.

The SASJ said employers had offered 11 percent across-the-board.

Employers offered another 2.5 percent of the senior salary bill to be paid out at the discretion of editors, but the SASJ said editorial discretionary increases were a matter for negotiation between editors and managers — Sapa.

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ACTORS TO SEBBA

GST EXCLUDED
Union changes stance on legal recourse

The registered National General Workers Union has decided to make use of the Government's official dispute-settling machinery for the first time, its general secretary, Mr Donnise Kumalo, said yesterday.

Mr Kumalo said this represented a change of policy as the union had been against using the official machinery in the past. Union leaders' new stance would be put to members at a general meeting at the weekend for ratification.

He said the change was being made for "tactical reasons" and would involve referring disputes to industrial councils and the industrial court.

According to Mr Kumalo, the new stance would enable NGWU to declare disputes with two companies in the Pretoria area, MM Steel Construction and Bold Stone, who have accused National General Workers Union of refusing to recognize the union.

"even though we have majority membership at their plants."

The disputes would be referred to the metal and building industries' industrial councils and, if they failed to settle them, to the industrial court, Mr Kumalo said.

"It is an unfair labour practice to refuse to recognize a majority union and we believe both these companies have done this," he said.

But a spokesman for Bold Stone expressed "total surprise" at Mr Kumalo's statement.

"We are still negotiating with this union and this is the first I have heard of a deadlock or dispute. However, you obviously don't recognize a union overnight and we have been holding talks on the subject. In fact, we have been waiting for the union to come back to us with a date for further talks," he said.

An MM Steel Construction representative also denied the company refused to deal with NGWU.
Kentucky workers were unable to
get wages and improved working
conditions. The workers were
forced into a contract that
resulted in lower wages and
longer hours. The union
(Communist) was recognized,
but the workers were still
under the control of management.

Kundeke workers were living in
poverty and disease. The
management was voted in by
the workers, but they
remained under the control of
management. The workers were
forced to live in unsanitary
conditions and were paid
inadequate wages.

Francesca
interest in preserving the Union. She
has discovered the secret of how to
make a living. She has joined
the Communist
Party and is now
working for
the workers.

By Joaquín

The Communist
Party is active.

Page 1999

The Communist
Party is active.

Page 1999
Lay-offs again under focus in Frame dispute

By STEVEN FRIEDMAN
Labour Correspondent

THE industrial court's atti-
dute to retrenchments will be
tested further in a key dis-
pute between members of the
National Union of Textile
Workers and the Frame
Group of textile companies
tomorrow.

Ten workers retrenched by
Frame in October are alleg-
ing that their firing was "un-
fair" — in some cases be-
cause the principle of "last-
in-first-out", whereby long-
service workers are the last
to be retrenched, was not ob-
served.

Although the court has
urged employers to negotiate
on retrenchment, it has not
ruled on whether principles
such as "last-in-first-out" should apply.

The workers also allege the
retrenchment of some of
them is illegal because they
are migrant workers who
were fired before their con-
tracts ended.

Frame has replied that its
policy is that workers' effi-
ciency, rather than the "last-
in-first-out" principle, de-
cides whether they are
retrenched.

It says this and other as-
pects of its retrenchment
policy constitute "fair labour
practices in the capitalist
work environment".

It also denies that the mi-
grants who were retrenched
lost their jobs illegally. It
says their contracts allow
them to be retrenched at a
week's notice.

The case, which is to be
argued in Durban, takes
place in the context of a con-
tinuing recognition dispute
between Frame and the
NUTW at its Frametex mill.

The Minister of Manpower
has referred this dispute to
the industrial court, but the
Frame group wants the case
postponed because, it says, it
plans to go to the Supreme
Court in a bid to overturn the
Minister's decision.

This issue may also be
raised at tomorrow's hear-
ing.

In papers before the court,
eight of the 10 workers allege
they were retrenched with-
out either them or their union
being consulted.

Another two allege they
were fired when they were
transferred to another de-
partment, but refused to go
until they were assured their
conditions of employment
would not change.

One of the retrenched
workers claims 19 years' ser-
vice with the company and
another 18 years' service.

They say they were simply
told they were to be re-
renched and "promptly es-
corted from the premises".

The Frame group has re-
plied by spelling out its re-
trenchment policy.

While it insists that effi-
ciency is its main criterion, it
adds that, where workers
have similar competence, the
one with less service is re-
renched.

It says its policy is that,
where redundancies occur in
one department, workers are,
if possible, transferred to
another.

Thus, however, means that,
when they are transferred,
they are "in effect, workers
with the least service in their
new department, says the
company."
Mawu calls for reinstatements

THE Metal and Allied Workers’ Union (Mawu) is demanding the reinstatement of 13 dismissed workers at Barlow Manufacturing Company following their acquittal in court on charges of assault and public violence.

The workers’ appearance was sparked off by an incident after a work stoppage at the factory in Kew Site, Johannesburg, during June this year.

In a statement to Sowetan yesterday, the union said that members at the plant sang and hailed the result as a vindication of the union and the members’ belief in the innocence of those charged.

The union and members said all along the company had been unfair in their treatment of these workers by dismissing them without allowing them to hear the evidence against them, to question it, or to represent themselves in any way.

The company had said that they had sufficient evidence and that they were satisfied that those dismissed were guilty.

As a result of their dismissal, the union charged the company with an unfair labour practice and applied for a reinstatement against the company.

In hearing the application, the Industrial Court dismissed the company’s request to refer the matter to the Appeal Court for it to decide whether the industrial court was competent to hear the case.

After negotiations, the company agreed to pay wages to the dismissed workers for the period from their dismissal until January with the possibility of extending this until the unfair labour practice case is heard by the Industrial Court.

The union said that it was demanding the reinstatement of the dismissed workers as soon as possible in view of their acquittal in court.

The Federation of South African Trade Union (Fosatu) Barlow, Rand and Shop Stewards Council is to meet and discuss the outcome of the case, according to the statement.
Ten in key test case

Labour Correspondent

THE industrial court's attitude to retrenchments will be tested further in a key dispute between members of the National Union of Textile Workers and the Frame Group of textile companies tomorrow.

Ten workers retrenched by Frame in October are alleging that their firing was "unfair" — in some cases because the principle of "last-in-first-out", whereby long-service workers are the last to be retrenched, was not observed.

Although the court has urged employers to negotiate on retrenchment, it has not ruled on whether principles such as "last-in-first-out" should apply.

The workers also allege the retrenchment of some of them is illegal because they are migrant workers who were fired before their contracts ended.

Frame has replied that its policy is that workers' efficiency, rather than the "last-in-first-out" principle, decides whether they are retrenched.

It says this and other aspects of its retrenchment policy constitute "fair labour practices in the capitalist work environment".

It also denies that the retrenched migrants lost their jobs illegally.

The case, which is to be argued in Durban, takes place in the context of a continuing recognition dispute between Frame and the NUTW at its Frametex mill.

The Minister of Manpower has referred this dispute to the industrial court, but the Frame group wants the case postponed because, it says, it plans to go to the Supreme Court in a bid to overturn the Minister's decision.
Charges against 19 dropped

A magistrate yesterday dismissed charges against 19 women factory workers facing charges under the Intimidation Act.

The women first appeared in court early in October after being arrested at the premises of Kleenem Brush Works, Newclare, where about 300 employees had downed tools. The action followed a dispute between management and the workers.

The 19 were: Miss Lindzoy Khemah (21), Mrs Eliza
beth Chake (27), Miss Florence Mus-
kate (18), Miss Elizabeth Ramhoge
(19), Mrs Runathub Setshego (21),
Miss Sarah Sejere (21), Miss Lulhlo
Seoka (21), Mrs Serokha Mocola (21),
Miss Jamet Mokona (34), Miss Valet
Nzimpe (22), Miss Lenak Mentapolo
(21), Miss Angelina Tomba (31), Miss
Vergona Kinaube (21), Miss Valet
Mokoha (21), Miss Alice Mahlaba
(22), Miss Lenoka Seane (22), Miss
Mary Banda (21), Miss Sarah Mihmha
(21) and Miss Mvume Mole (21).

Mr L.S. du Toit was on the bench.
January wage increase for Natal garment workers

Mercury Reporter

THE second stage of a new wage structure for nearly 50,000 Natal garment workers will come into effect from January 1 next year with further pay increases of up to 12 percent for some workers.

Mr Frankie Hansa, general secretary of the trade-union affiliated Garment Workers Industrial Union, said yesterday the revised scales were agreed to by the union and the Clothing Manufacturers Association last year. The first stage of the agreement was implemented in January this year.

A feature of the new increments was the elimination of the wage disparity based on sex. While this longstanding grievance has been abolished, a sting in the new deal has been the increase in fringe benefits, comprising the sick and provident funds, which have been upped by as much as 70 percent, he added.

In terms of the new structure, a head cutter pegging Rs115 a week will earn Rs125.50 a week from January - a hike of Rs10.50. A cutter and trimmer earning Rs80 a week will get Rs8 more, pushing his pay since the new agreement came into being last year by nearly 50 percent.

Mr Hansa said parity in pay between male and female workers was reached in January this year when the wages of a qualified grade one male machinist earning Rs24,40 a week at the time, and his female counterpart earning Rs22,50 a week, were both increased to Rs30 a week. They would get a further increase of Rs5 next January.

Mr Hansa also disclosed proposals by the union to form a new fund to help members who were unemployed. If approved at the union's general meeting next week, the union membership fee would increase from Rs6 a week to Rs1 a week from January 1.

One of the benefits was that if a member who lost his job and the union was unable to find him alternative work, he would get 45 percent of his wage for six months.

This is in addition to what the member will collect from the Unemployment Insurance Fund from the Department of Manpower. This means that the member will get 90 percent of his wage if he is unemployed, he added.
LABOUR DISPUTES

Workers acquitted

Nine workers dismissed by Barlows Manufacturing for allegedly intimidating other workers during a work stoppage in July have been acquitted on charges of assault and public violence by the Wynberg Magistrate's Court.

The nine were among a group of 12 workers originally charged after a work stoppage over a wage demand by members of the Metal and Allied Workers' Union (Mawu) at the factory. The State later dropped charges against three.

The acquittal follows an Industrial Court hearing in which Barlows argued that it was entitled to dismiss any workers provided it gave the necessary notice. Barlows claimed the court did not have the jurisdiction to hear the case and asked for it to be heard in the Appeal Court.

On October 18 the Industrial Court ruled that an unfair labour practice could occur even if specified notice is given and that it therefore did have the jurisdiction to hear the case.

The issue has now been referred to the relevant Industrial council. Barlows has agreed to pay workers' wages from the time of their dismissal until the end of January, or until the matter is settled by the council or the court, if the matter is referred back to it.

Financial Mail December 2 1983
Metal union signs first maternity leave deal

By STEVEN FRIEDMAN
Labour Correspondent

THE Metal and Allied Workers Union has signed its first maternity leave agreement — and the union says it hopes this will set a precedent which other companies in metal-related industries will follow.

The union has signed the agreement with Pinetown automotive components firm Smiths Industries, where MAWU says it has 250 members.

The agreement will guarantee women workers the right to up to six months' maternity leave after leaving to have a child and the company will pay medical aid and pension contributions for workers during this period.

However, women who leave to have children will not be paid for the maternity leave period.

According to a company spokesman, who confirmed the agreement, the plant employs mainly Asian women workers.

He said Smiths Industries regarded the agreement as a "breakthrough for both the company and employees" which "has gone a long way towards building better human relations."

A MAWU statement yesterday said that the agreement, which also includes bonus leave provisions for all workers, was reached with the assistance of a mediator who was called in after the two sides had deadlocked.

The maternity agreement means women workers have the right to up to six months' maternity leave, after which they are guaranteed their jobs back or a similar job at not less than their previous pay rate.

Women who take maternity leave will also be entitled to benefit from any wage increases granted during their leave.

The leave bonus agreement will guarantee all workers with one year's service the equivalent of three weeks' bonus in addition to their normal leave pay at year's end.

A union representative said MAWU regarded the maternity leave agreement as "particularly important" and said it "trusted" it would set a precedent for other companies.

Wage negotiations between MAWU and Smiths Industries are scheduled for April.
Crisis is averted as SAA offers pilots better deal

A POTENTIAL crisis in South African Airways — which may have led to some of the airline’s 600 pilots quitting their jobs or calling for stay-away action — has been averted by a series of top-level meetings between the pilots’ association and management.

The crisis, sparked by growing dissatisfaction over salaries and working conditions, has been looming for months — but SAA management is expected soon to announce details of a better deal for all its pilots, cabin crew and flight engineers.

The deal is said to include more realistic salary structures, salary increases (though these are normally awarded this time of the year), better service conditions and a commitment to address service grievances.

Close sources said this week that SAA — which ran last year at a loss of R90 million — was being faced with a tide of discontent.

Some pilots were considering laying off work during peak periods, or quitting.

The growing discontent comes in the wake of a decision by over 100 senior SAA pilots who last year passed a resolution of no confidence in the chief executive, Mr Frans Swart.

Since then, sources disclosed that:

- Some pilots had, in fact, retired at the first option (age 50) and joined other airlines at higher salaries.
- Protests within the SAA Pilots’ Association were considering disbanding the organisation on the grounds that it had become ineffective in its dealings with management.
- They were opting to appeal to IFALPA, the International Federation of Airline Pilots’ Association, to present the association’s case to SAA management.
- Several Boeing 737 and A300 bus commanders flying the domestic routes had refused to be promoted respectively to Air Bus 747s and 747s on the overseas routes.

A senior Boeing 747 commander earns about R50 000 a year compared to his American counterparts’ annual salary of $130 000 (R140 000). Pilots believed they had been generally underpaid by SAA management — but the tide began to turn in their favour after Mr Swart’s retirement and was succeeded two months ago by Mr G D van der Veer.

Informed sources say that Mr van der Veer, a likable and highly competent administrator, was adopting a sensitive and understanding attitude towards grievances.

As a result of a series of meetings between pilots and management, an agreement has been reached and a “new deal” is expected to be announced soon.

In the past 18 months, SAA, along with most international airlines, has been severely hit by world recession and monetary problems.

British Airways has reduced staff by 22 000 in three years. Continental Airlines has cut its pilots’ salaries and fleet by half, and TWA is also experiencing severe financial difficulties.

Yet SAA has not laid off any of its pilots, though SAATS, as a whole, has been forced to reduce staff by 35% — those leaving are not being replaced.

Mr van der Veer confirmed that discussions had taken place with SAA’s various representative bodies, but would not comment on what was being considered in the new package.

Although he had only been in the job for two months, he said he had set certain priorities, and was determined to achieve satisfaction and results.

One of his top priorities, he said, was the staff.

“They are very important to me,” Mr van der Veer said.
A new deal ahead for SAA’s pilots

Johannesburg — A potential crisis in South African Airways — which may have led to some of the airline’s 600 pilots quitting their jobs or calling for stay-away action — has been averted by a series of top-level meetings between the pilots’ association and management.

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- Factors within the SAA Pilots’ Association were considering disbanding the organisation on the grounds that it had become ineffective in its dealings with management.

They were opting to appeal to IATA, the International Federation of Airline Pilots’ Associations, to present the association’s case to SAA management.

- Several Boeing 737 and 747 crews had refused to be promoted respectively to Air Buses and 747s on the overseas routes.
- A senior Boeing 747 commander earns about R55 000 a year compared with his American counterpart’s annual salary of $180 000 (R360 000).

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PRESS STATEMENTS

TODAY, Monday 5th December a further Conciliation Board meeting was held between representatives of Dunlop SA (Tyre Division) and of the Metal and Allied Workers Union (MAWU) under the chairmanship of the Department of Manpower.

The Company who had proposed this second C B meeting on the basis that the parties could still reach agreement tabled an offer which they said was absolutely final and they refused to consider any counter proposals from the union.

The Company’s proposal however was not very different from what they had previously proposed and did not reflect any serious change of stance.

Accordingly MAWU rejected the offer but indicated that they would negotiate further and could table counter proposals – this offer was however rejected by the company and hence the presiding chairman from the Department of Manpower will now report to the Minster that the parties have failed to reach agreement at the Boards.

Further to such report being submitted the union will again be entitled to take legal strike action in support of its demands.

‘All the time the company has been heading matters towards a confrontation – their attitude today leaves little doubt that this is what will occur. Our members will meet again early next year to decide on an appropriate response’, a union spokesperson said.

MAWU, 5/12/83 Durban

MAWU AND SMITH INDUSTRIES AGREEMENT

YESTERDAY Pinetown automotive component manufacturers, Smith Industries and the Metal and Allied Workers Union finally reached agreement on maternity and leave bonus provisions for the union’s 350 members at the plant.

The agreement was concluded with the assistance of a mediator who had been agreed to by the parties after they had earlier ended in deadlock.

The Maternity Agreement is the first signed by MAWU and details the following:

* Female employees shall have a right to maternity leave up to six months
* At the end of the six month period such employees shall be guaranteed their jobs back in the same or similar position at not less than their previous rates of pay plus any increases awarded during their leave
* During maternity leave the company will pay pension and medical aid contributions for such employees

The leave bonus negotiated will guarantee all employees with one year’s service the equivalent of 3 weeks bonus in addition to their normal leave pay at the year end.

The parties have agreed to schedule their wage negotiations for April 1984.

A spokesperson for the union said ‘We regard the maternity leave agreement as particularly important and trust that it will set a precedent for other companies in the industry who employ female workers’.

G Schremer, MAWU, Durban 2/12/83
Maternity leave decision

Labour Reporter, 5/12/83

The first maternity agreement signed by the Metal and Allied Workers' Union was concluded with the Pinetown automotive component manufacturers, Smith Industries, last week.

The agreement ensures that female employees of the company have a right to maternity leave of up to six months, at the end of this period they are guaranteed their jobs back or similar positions at the same salary, and during maternity leave the company will pay their pension and medical aid contributions.

In addition to the maternity benefits, it was agreed that a leave bonus would give workers with a years' service the right to an additional three-week leave bonus over and above the normal leave pay due to them.

The agreement was reached with the aid of a mediator after negotiations ended in deadlock with management a couple of months ago.

Altogether 350 Mawu members at the plant will be affected.
Employers get tough with trade unions

BY STEVEN FRIEDMAN

The battle is about management prerogatives – the decisions which management should be able to take without negotiation.

Mr Ros Holt says managers see freedom to take decisions affecting workers as an integral part of free enterprise. The Barlow battle thus reflects what is going on in many unionised factories.

The main focus of union activity this year has been to whittle away at these "prerogatives", which the unions see as a licence for managers to take decisions on issues directly affecting workers without consulting them.

Retrenchment and safety are two examples of issues on which unions are challenging management's right to take decisions alone.

It is this trend which Barlow appears to be reacting – as are employers who are irked by industrial court decisions curtailting their right to take key decisions without negotiation.

It seems many managements recognize black unions in the belief that their decision-making power would not be curtailed and are now reacting against the discovery that this is not so.

But the battle over which decisions should remain the domain of employers is what unionism is all about in the West and the Barlow report pinpoints the area of conflict which will dominate bargaining in future.

THE attempt by sacked Grand Bazaars workers to enforce a boycott of a Soweto store owned by Mr Richard Maponya got off to an auspicious start last week.

About 30 of the workers picketed the store's opening, but failed to prevent thousands of shoppers from buying at it.

The key factor was that the store offered special offers to shoppers – either because this is standard practice when a new store opens or, as the workers allege, to dent the boycott.

Although the boycotters lost the first round, the store will not offer these specials for ever and it will be a while before the strength of the boycott can be judged.

Cawuswa, the union to which the dismissed workers belong, has been careful not to allow the boycott to become a test of strength for it. It has left the boycott's organisation mainly to the sacked workers and has stressed that whether the boycott will continue is up to the Grandbaz workers alone.

PARALLEL unionism – once a standard method used by white-led unions to organise black workers – has fallen on hard times.

Most non-black unions have abandoned this strategy and one of the last surviving parallel setups – among the electrical unions – has collapsed.

Parallel unionism was devised by Tucsa. A non-black union would organise a separate black union and install its general secretary at its helm.

Until the 1980s, this was seen by emerging unions as a key strategy to weaken them. They argued that the non-black union controlled the black union through this device.

Although most established unions now recruit all races into one union by means of the closed shop, the electrical unions have retained this type of unionism.

Three unions, one each for blacks, coloureds and whites, were linked by a federation and Mr Ben Nicholson, general secretary of the white union, fulfilled this function in the other two as well.

Mr Nicholson denied this was a form of control and insisted it was a unique form of federation which prevented any race from dominating another. The black and coloured unions have decided to amalgamate into a non-racial union which will operate independently.

They say they have been branded parallel unions to their cost, that they asked the white union to join them, but that it refused...
A dispute at the OK

By JOSHUA RABOROKO

THE Minister of Manpower has appointed a conciliation board to resolve the dispute between the Commercial Catering and Allied Workers Union of SA (CC Awusa) and the giant OK Bazaars which employs over 20,000 people.

This was confirmed by the union's general secretary, Mrs Emma Mashinini, who told The SOWETAN that the conciliation board would sit this week.

The dispute by CC Awusa follows a deadlock in wage talks. This is the first time that the union has made use of the official dispute machinery since the parties signed a recognition agreement earlier.

Mrs Mashinini said that officials from the Department of Manpower had visited the union's offices to check on their membership. The union represents 6,000 of the 20,000 workers at all stores in the country.

The union has demanded a R50 a month increase to come into effect as from October and the company has come with an offer of R20 a month from December and a further R15 from next February.

Sowetan
5/1/83

Mrs Mashinini said that the minimum wage at the store was R240 a month and the offer had not been accepted by the workers.

The declaration of a dispute means that the union has to apply for a conciliation board to settle the matter and is the first step on the way to a legal strike. Failure by the board to settle a dispute can open the door to a legal strike, according to Manpower officials.

OK management has said that they intend to offer another salary increase next year, despite the two other offers.

Meanwhile it is understood that the white and coloured shop workers' union, the National Union of Distributive and Allied Workers has plans to declare a dispute with OK Bazaars.
Dunlop dispute goes on

Mercy Reporter

A WAGE dispute meeting between the Dunlop Tyre Company in Durban and the Metal and Allied Workers' Union ended in deadlock for the second time yesterday after nearly 18 weeks of on-off negotiations.

Now Mr J Schonken, chairman of the Department of Manpower, who chaired yesterday's Conciliation Board meeting—the second sitting of the board since the dispute was declared—will inform the Minister that the parties have still failed to reach agreement.

A spokesman for Mawu said after the meeting that the company, which proposed yesterday's meeting on the basis that the parties could still reach agreement, had tabled an offer which, it said, was absolutely final and had refused to consider any counter proposals from the union.

The company's proposal, however, was not very different from what they had previously proposed and did not reflect any serious change of stance.

'Accordingly, Mawu rejected the offer but indicated that they would negotiate further and could table counter-proposals. This offer was, however, rejected by the company.'

Mr Steve Meyer, Dunlop's industrial relations manager, said the company's new offer of a 48c an hour wage increase over 15 months and the introduction of a holiday bonus equal to two weeks' pay was rejected out of hand by the union.

The company believes that the rejection of its final offer is a clear indication that it is not prepared to accept any offer which does not meet its ideologically-based criteria, irrespective of whether its members would suffer as a result.'

He said the company believed that the union was not 'bargaining in good faith' because the union had a strike ballot prior to the establishment of the conciliation board for which they had applied and had increased their demands from the date of the appointment of the board.

The Mawu spokesman added his members would meet early in the New Year to decide on appropriate action, including the possibility of legal strike action in support of their demands.
More 'conciliation' tactics

By STEVEN FRIEDMAN
Labour Correspondent

TRADE union use of the
country's official dispute-set-
ting machinery has in-
creased dramatically this
year.

The Department of Man-
power is seeking new staff to
cope with the increase, which
places new burdens on offi-
cials who must process dis-
putes that have been de-
clarled.

Figures released in a
Rand Daily Mail report show
that the number of concilia-
tion boards appointed this
year is almost double last
year's figure.

Conciliation boards are ap-
pointed in an attempt to set-
tle disputes which are for-
mally declared in terms of the
official disputes procedure in
labour law. The num-
ber of boards appointed is
dependent on the extent to
which unions are using the
official disputes machinery.

Observers believe the fig-
ures are largely the result of
increased willingness on the
part of some major emerging
unions to use the official ma-
chinery for tactical reasons.

In most cases, emerging
unions use boards because
they are sometimes neces-
sary first steps before a case
is taken to the industrial
court. This year, however, an
increasing number of these
unions has been using the
boards as a first step towards
threatened legal strike ac-
tion.

Dr Van der Merwe said 101
conciliation boards had been
appointed so far this year,
compared to 69 in 1982 and 24
in 1981.

He said this meant all
unions -- not only the newer
emerging unions -- were us-
ing the official disputes ma-
chinery more.

Observers believe, how-
ever, that the increased use of
boards by the emerging
unions is the most significant
element in this trend.

The increased use of the
official disputes machinery is
also known to have placed
considerable strain on De-
partment of Manpower offi-
cials.

A request for a board must
be approved or rejected with-
in 30 days if a legal strike is
to be averted and, in some
cases, the department has
only approved applications
shortly before the deadlines.

Dr Van der Merwe said his
department was coping with
the increased number of ap-
plications.

"In some cases we are
working after hours to keep
pace, and we are also seeking
new staff to assist in process-
ing applications. We are,
however, managing to keep
pace and will be able to do so
in future," he said.
Right to fire workers is clarified

By Carolyn Dempster, Labour Reporter

An important legal precedent regarding the right of employers to dismiss striking workers has been set by the Industrial Court in the case brought by the Media Workers' Association of South Africa against The Star.

The application by Mwasa for the reinstatement of 209 workers was turned down by the court on the basis that the applicants had failed to establish a prima facie right to strike.

The significance of the judgment is that:
- In view of the vague definition of an unfair labour practice, it clarifies the right of an employer to fire striking workers.
- It is likely to boost the confidence of employers who seek to dismiss workers from now on.
- The only way unions will be able to protect their members is through negotiating contracts preventing employers from dismissing striking workers for a stated period of time.
- It is one of the few cases taken to the industrial court by a union to be won by an employer.

The application, in terms of section 43 of the Labour Relations Act, was made by Mwasa in June after The Star fired 209 workers.

The workmen went on strike over the dismissal of one of their colleagues, Mr Oupa Msmang.

In his finding, Mr D.R. van Schalkwyk said that, in view of the disciplinary history of Mr Msmang, the respondent... revealed unsurpassed leniency towards him, rendering his dismissal totally justified.

Mwasa alleged that The Star management ignored disciplinary procedures in Mr Msmang's dismissal.

The court made two important rubbings in this regard:
- That the "protection" in a system of procedures is not unilateral protection for the benefit of the employee only, but is bilateral and affords protection to the employer as well.
- That the action by the 209 workers constituted a strike and not a work stoppage as argued by the union, and that even if final agreement on disciplinary procedures has not been reached by the two parties, "it does not imply that anarchy is to reign in the interim."

Severance payments accepted

Labour Reporter

The Media Workers Association of South Africa has accepted the R180,000 severance settlement offered to the 209 workers dismissed by The Star earlier this year.

The union was given until November 30 to accept the offer. After receiving the Industrial Court judgment on the application for the reinstatement of the workers, the union decided not to take the matter further and to accept the severance offer.

Payments were pegged to the length of service of the individual employees dismissed and ranged from R250 to R2,000.
Big drive for support on extended shop hours

By Michael Chester

The Johannesburg Chamber of Commerce today launched a massive public poll to get support for its campaign for extended shopping hours.

The objective is to persuade the Transvaal Provincial Council to scrap restrictions and give shoppers the final vote on when shops should be able to open and close — including evenings and weekends.

Mr Marus de Jager, chief executive of the JCC, said the chamber was confident of a landslide vote in favour of the abolition of restrictions on trading hours.

He said support had already been pledged by the SA Consumer Council, the Housewives League and the Afrikaanse Handelsinstituut.

The battle for flexible shopping hours has been renewed in the wake of a decision by the provincial council to reject pleas from retail shops in Johannesburg and the rest of the Transvaal for permission to stay open until 5pm the next two Saturdays as a special concession to Christmas shoppers.

Mr Willem Cruywagen, administrator of the Transvaal, has turned down the proposal with an explanation that "there is no provision in the Shop Hours Ordinance in terms of which such concessions can be granted".

"Said Mr de Jager. "The provincial council has consistently ignored the views of business and the consumer on the issue of more flexible shopping hours, which quite clearly is the vast majority's advocate."

"We believe the best solution now is a full-scale public poll in which consumers can make their opinions known loud and clear."

"Inside the JCC, a large majority of the retail firms among our 4,000 members has voted in favour of more flexible trading hours. Now we want the general public to be given the final say.

"We do not expect a situation where retailers will be staying open round-the-clock. "We need seven days a week."

"But there is obviously a big demand among consumers for freedom of choice about shopping later in the evenings, or being able to shop on Saturday afternoons and Sunday mornings."

"We also recognize that the pattern of trading hours may differ from area to area," said Mr de Jager.

Consumers are invited to send in their votes to the JCC at Private Bag 94, Auckland Park, 2006.

The Star will assist the poll tomorrow by printing voting forms in all its editions..."
Recognition victory at Foschini stores

THE Foschini chainstore has signed a recognition agreement with the Commercial, Catering and Allied Workers Union (Cawusa) — the fifth chainstore to recognise the union.

The agreement gives Cawusa bargaining rights in 15 Foschini stores, and at Markhams, Pages and American Swiss stores which are also owned by the company.

A noteworthy feature is that Foschini owns stores with a relatively small labour force spread over a wide geographical area — a factor which usually makes union recruitment difficult.

A company statement yesterday said the agreement

and that wage talks were due to start soon.

Meanwhile, a conciliation board called to attempt to settle a wage dispute between Cawusa and DBA Na-

zara will meet in Johannesburg today.

Katz & Louie
FOR EXQUISITE DESIGNS

SA Plantia:

Killed as they

expected to

Kirsten's Innings

sentiments of the hundred that were

played and missed

and the pain it caused

and the bravery it

required

and the support it

received

and the memories it

left behind

and the lessons it

taught
Labour Correspondent

A KEY Natal Supreme Court case between the Frame textile group and the National Union of Textile Workers (NUTW) was postponed yesterday — but the two sides are due to contest yet another key case today.

The recognition dispute between Frame and the union has been marked by repeated legal actions which have led observers to describe the dispute as a "legal war of attrition".

Today's case will be the third prompted by the dispute to be heard by the ordinary courts and the dispute has also prompted two Industrial Court actions.

Today's case involves Frame's alleged refusal to stop deducting union dues from the pay of 210 workers at its Frametex mill who have resigned from the Textile Workers Industrial Union (TWIU) to join the NUTW.

In the case due to be argued yesterday, Frame wanted the court to set aside a decision by the Minister of Manpower referring its recognition dispute with NUTW to the Industrial Court.

Mr Acting Justice Gagut ruled, however, that the case was not urgent and declined to hear argument on it. He postponed the case until January 27.

The dispute centres chiefly on NUTW's demand for recognition of Frame's Frametex mill in New Germany, where it claims Frame has favoured the TWIU, even though it represents a minority of workers.

Frame argues that the TWIU represents a worker majority in its New Germany complex — which contains several mills — and is therefore entitled to facilities ahead of NUTW.

Today's case has been brought by the union, which alleges Frame has contravened the Basic Conditions of Employment Act by refusing to cease deducting dues from workers who have resigned from a union without that union's consent.

It says the workers asked Frame to stop deducting money from their pay on behalf of the TWIU, but that Frame said it would do this only if the union agreed.
Gadd adds punch to shop-hours campaign

By Michael Chester

The Mayor of Johannesburg, Mr. Alan Gadd, today pledged full backing to a new action programme to try to force the removal of rigid controls and allow retailers to introduce flexible shopping hours in the Transvaal.

The spearhead of the programme, launched by the Johannesburg Chamber of Commerce, is a public poll inviting consumers to state their views on the issue.

Mr. Marius de Jager, chief executive of the JCC, forecasts a landslide vote in favour of sweeping changes to allow longer shopping hours in the evenings and at weekends.

The objective is to bring pressure on the Transvaal Provincial Council to drop its opposition to necessary amendments to the Shopping Hours Ordinance to clear the way for flexible trading hours.

"The strait-jacket on shopping hours in the Transvaal has become hopelessly antiquated," said Mr. Gadd.

"It is causing enormous inconvenience to families on their shopping rounds now that so many housewives have jobs and need more time in the evenings and at weekends to shop properly."

Mr. Arthur Grobbelaar, general secretary of the Trade Union Council, announced he will be calling a meeting of all the relevant unions in the new year to attempt to come to a common policy.

Both the JCC and the mayor of Johannesburg believe that the Transvaal has fallen well behind other provinces on the shopping hours issue.

- In the Cape, where shopping hours are decided by each local authority, department stores in Cape Town have permission to stay open until 6 pm on Saturday next week and again on Christmas Eve and until 9 pm every day until Christmas.
- In Natal, shops can stay open until 5 pm on all Saturdays in December.
- In the Free State, where allowance is made to extend trading hours four times a year, shops have, the go ahead to remain open until 9 pm between December 19 and 22.

See voting form on Page 4.
Crucial Paris meeting on Kyalami track

By WIM VAN VOLSEM

The International Motor Racing Federation will decide next Wednesday on the final improvements that have still to be made to bring the Kyalami race track in line with international Grand Prix standards.

Three South African motor-racing personalities will fly to Paris to attend the important meeting of the Formula 1 Commission of FISA (Fédération Internationale de l'Automobile).

The start of next year's international Grand Prix season has been put back by almost a month to allow the organizers of the SA Grand Prix to make the necessary changes at the country's major circuit. The first race of the year, in Rio de Janeiro was postponed from February 26 until March 3 and the SA Grand Prix, scheduled for March 10, will now take place on April 7.

Mr Bobby Hartshoff, owner of Kyalami Enterprises, Mr Mervyn Key, local Formula 1 Commissioner and Mr Chris van Zyl, controller of motor sports at the Automobile Association, will be present at the Paris meeting on Wednesday to discuss the required changes.

The main items on the agenda will be the improvement of the pit area.

Several possibilities exist and include widening the pit lane and moving back the pit area.

The pit area also requires more electrical facilities necessitated by the increasing use of mini-computers by Grand Prix competitors.

The most expensive option would be to build the instalations or set up a new separate Formula 1 pit area at another site along the track. The existing pits could then be used as an entertainment centre or a go-kart track.

Kyalami Enterprises has already agreed to lengthen the run-off of the straight, levelling the track surface at several points and moving back the protective wall at Wesbank Corner.

Murder accused not drunk, court told

Maths Correspondent

MARITZBURG - Mr Theodorus Canes of Hillwood, accused of murder, was not as drunk as he made out on the night he allegedly shot his lover of nine years, the Supreme Court was told in Maritzburg yesterday.

The body of Miss Margarite Fourie, 31, was found lying on her bedroom floor with a bullet wound through the forehead in March this year.

Summing up his case before Mr Justice Kunleben, two assessors of the State council, Mr. S. J. Alberts, the memory of Mr. S. K. Smith, was "not affected by excessive consumption of alcohol as he seemed to have a tolerance for drinking."

Canes had the presence of mind to take off his shoes before entering the room and then had two automatic telephone calls that might have no recollection he knew that the deceased was lying on the floor next to the bed - and where the revolver had been put."

"In refusing to testify, he has not allowed his memory to be tested under cross-examination."

Mr. Slabbert said the firearm would have to be in an "unusual position for a suicide shot."

Defence counsel Mr. J. J. Jansen, SC, told the court the man had drunk between eight and 10 bottles of whisky at an hotel and had left the hotel in a drunken state.

"The extraordinary feature of this case is that the accused did not blame someone else, like a burglar, or fake the scene by putting the gun in the deceased's hand."

The gunpowder analysis used to show that Miss Fourie appeared not to have pulled the trigger was done with tests which were new and "unreliable." In all probability, Miss Fourie shot herself as she was under mental strain and from a letter we know that she contemplated suicide."

"Judgment will be given today."

Two escape death

DURBAN - Two panthers working nine stores above Gillespie Street, Durban, yesterday clung desperately to the railings of their crane when one side of it broke free from its cables.

"I thank God I'm alive," said a dazed Mr Johnny Givender, minutes after a rescuer pulled him to safety through a ninth-floor window. He was working with Mr. Joseph Lauti, painting a block of flats, when the accident happened.

Mr Givender said he had been trying to set a pin, which secured the crane to the cables, but the pin apparently did not set true. The crane broke loose and dangled vertically.

The two men were taken to hospital suffering from shock. - Sapa
LABOUR NEWS

Firm sacks entire workforce of 120

BY PHILIP VAN NIEKERK

A GERMISTON factory, Curame, Freedman, has fired its entire workforce of 120 - four days after it had asked the company to recognize their union.

Mr. David Masheke, an organiser of the Freedom Workers Union (FWU) of the South African Textile Workers Union (SAtu), said the workers were fired because they had refused to sign the union's new constitution.

A spokesperson for the company said the workers had been unhappy about their conditions of employment, while the company had been unhappy with the way they were working.

"So we decided to give the whole lot a notice on Friday," he said.

The workers were paid off yesterday, a day after the plant was due to shut for the Christmas period. The workers will be applying for new work in the new year.

Mr. Masheke said the workers had started putting the SAtu last month. They had approached management to recognize the union last week, but were told they should resign from the union or be fired.

They resigned from the union a year later and with their support, the company and the FWU.

They have since joined the National Union of Textile Workers.

In response to the workers' complaint, the company said the firm had signed the collective bargaining agreement with the company's workforce at the Pine Mill.

Mr. Shwenn Lurie, joint managing director of the Frame Group, said in a reply affidavit that the company had recognized the TWU as the collective bargaining representative for the company's workforce at the Pine Mill.

He denied that Mr. Sithole and the 18 others had resigned from the TWU.

In terms of the union's constitution, the union's regional director wanted to resign. No resignation may be accepted until all money owed by members to the union is paid.

As far as the company was concerned, the workers were registered members of the company's workforce and in terms of an agreement between the company and the TWU, the company accepted the mandates of the workers to make decisions on their pay in favour of the TWU.

Frame maintains that the mandate had not been revoked and that the company was compelled to abide by it. The judgment was reserved.

OK and unions in key meeting

By STEVEN FRIEDMAN

THE OK Bazaars and two other workers unions met at an official contact meeting to discuss terms and conditions of employment, the meeting's purpose being to settle the wage dispute between the two sides.

However, there was no agreement to meet again on Tuesday to continue discussions and another meeting will be held on Thursday if necessary.

The dispute centres around wage demands by the Commercial, Catering and Allied Workers Union (Cawusa), which OK has not granted.

Cawusa argued that the company can pay more than the company's own members.

As a result of this deadlock, the union declared a dispute with OK - the first time it has used the country's official dispute machinery.

If the conciliation board fails to settle the dispute, union members can strike legally if they vote to do so in a secret ballot.

The National Union of Distributive and Allied Workers (Nduaw), which represents white and coloured workers, has also declared a dispute with OK on the wage issue.
Deductions are 'illegal'

Mall Correspondent

DURBAN — The massive Frame Cotton Corporation was accused of making illegal deductions from workers' pay for subscriptions to the Textile Workers Industrial Union of South Africa (TWIU), a Durban civil court magistrate heard yesterday.

This allegation was made by Mr J N Sithole and 18 other workers at Frame's Pinetex mills, who, when they applied to the court for an order declaring the deductions unlawful and interdicting the company from continuing the deductions.

Mr Sithole said in papers filed before Mr G J Botha that he had been employed by the company since January 1968. He and the other workers became members of the TWIU in September 1962.

They resigned from the union a year later and withdrew their stop order authorization to the company and the union. They have since joined the National Union of Textile Workers.

In their submission, the workers said the continued deduction of money from their pay for subscription to a union to which they no longer belonged constituted a criminal offence and told the court that they planned to lay criminal charges against the company.

Mr Selwyn Luce, joint managing director of the Frame group, said in a replying affidavit that the company recognized the TWIU as the 'collective bargaining representative' for the company's workforce at the Pinetex mills.

He denied that Mr Sithole and the 18 others had resigned from the TWIU.

In terms of the union's constitution members must give one month's warning notice to the union's regional director if they wish to resign. No such resignation was accepted until all money owed to members by the union was paid.

As far as the company was concerned, the workers were registered members of the TWIU and in terms of an agreement between the company and the TWIU, the company accepted the mandates of the workers to make deductions from their pay in favour of the TWIU.

Frame maintains the mandate had not been revoked and until such time that it was, the company was compelled to abide by it.

Judgment was reserved.
Journalists reach a pay agreement

Senior editorial staff on major English-language newspapers will be guaranteed minimum increases of 11.5 percent next year, the SA Newspaper Press (Editorial) Conciliation Board announced yesterday.

The board said the Southern African Society of Journalists had reached agreement on the increases with the Argus Printing and Publishing Company and SA Associated Newspapers.

The 16 newspapers covered by the agreement will increase the total salary bill for senior staff by at least 13.5 percent in January.

Each member of staff who has remained with the same employer for at least a year will get a minimum increase of 11.5 percent on his December 1983 salary.

At least another two percent will be distributed at the discretion of editors.

Salary grades for journalists in their first five years of employment have also been improved, the board said.

Cadet journalists with matric will receive starting salaries of R500 a month next year, and graduates will start at R625 a month.

Agreement has also been reached on new salary grades for library and photographic assistants, on a five-day working week and on the option of payment in certain circumstances for extra time worked. — Sapa
The Law

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family centres are those in the dispute.

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The clan leaders are given
50ha of arable ground each while
the higher status families get
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But for the less affluent it
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For most of those interviewed the
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For many, the comparison is
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Johannes Andrews summed up
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While France's withdrawal
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Possible motives for the
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Mr Pik Botha... Influence could be far-reaching

Protest halts human rights group

A FUNCTION to commemorate the signing of the
counterpart Declaration of Human Rights was dis-
rupted yesterday by a
union protest.

When Mr Tony Bloom, chairman of Premiere Milling
and a director of South African Breweries, stood up to
speak on "The Right to Trade", 14 poster-bearing
protesters from the Insurance and Allied Workers' Union
burst into the Wesley
Hall on Snarl Street, Johan-
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They held up the posters at
the front of the hall.

One of the protesters claimed Mr Bloom had been part
of the ring to the firing of 106
workers in denial of their
right to the freedom of assoc-
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I disagree with everything they say but they have
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to say it", snapped Mr Bloom,
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After his speech, he said he
was prepared to meet the
unemployed leader "at any
time", and had written a let-
ter to this effect.

The protest lasted only a
minute, and most of the pro-
testers took seats in the 80-
strong audience afterwards.

Incident

Mr Bloom proposed that
unions and management
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removal of restrictions pre-
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Two other speakers later
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Mr Phiroshaw Camay,
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Mr Jules Browde, the
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By RENE DU PREEZ

IN another behind-the-scenes
twist to the incident-plagued
Windies tour, black-owned
video outlets this week
threatened to boycott films
supplied by a company which
is sponsoring Caribbean
pacemans Colin Croft.

The company — Dazzle Video — has been
sponsoring the Windies quickly to the tune of
R300 for each wicket he takes
in the six one-day and four
day Tests.

But it has brought strong
opposition from some black
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Owners of video outlets
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Mr Phatshwayo Cramay, the general secretary of the Council of Unions of South Africa, said that the rights of workers to pursue their claims non-violently, as the protesters did, remained unaltered.

Mrs Lindy Myrens, a teacher and community worker, said that picketing was a method to show what took place at the meeting, and that people should not be deterred from expressing their views.

Heritage

Professor Johan van der Vyver of the University of the Witwatersrand said South Africa’s legal heritage had to be preserved, and that law reform should be in line with international standards.

Mrs Mabel Clemen, a member of the Tramvaal executive of the United Democratic Front, spoke on the right to shelter.

Mr Caseman Saloojee, a member of the Tramvaal executive of the United Democratic Front, spoke on the right to shelter.

The right to shelter was a powerful means of control.

"Only when the land belongs to the people and the people govern will we be able to establish the right to shelter," he said.
Miners to demand double pay

By MONO BADELA

NUM's general secretary Cyril Ramaphosa told City Press this week that some far reaching decisions would be taken at what he described as a "very crucial meeting". Black miners in South Africa earn an average of R129 a month, said Ramaphosa.

The Hlobane mine disaster, in which 63 black miners lost their lives, will be fresh in the minds of the delegates from six regions in the Transvaal and Orange Free State. The one-day congress will be held at the Philip Smith Hall, Thabong Location, near Welkom. NUM was established in August last year, and its first congress held in December that year. The union's membership has increased dramatically since the first inaugural congress Ramaphosa said the Hlobane coal mine disaster will be hotly debated when safety and working conditions are discussed by delegates.

"Also on the agenda will be job reservation. We have long indicated that we are strongly opposed to job reservation and will decide on a strategy to end job reservation in the industry," said Ramaphosa.

"The bosses are making millions of rands in profit and are enjoying the protection of the Government on such practices."

He said it was well-known that racial discrimination was still rife on the mines and that black miners were excluded from earning wages equivalent to the jobs they were doing.

Apart from the election of new officials and discussions of the annual report, the union will also concentrate on formulating its strategies for the year ahead.
Trouble lurks in tax equality

BY STEVEN FREIDMAN

LABOUR WEEK
New contracts for migrant workers upset unions

Own Correspondent

CAPE TOWN — The Federation of South African Trade Unions (Fosatu) is angry about a move by the metal industry's employer association to introduce a new contract for migrant workers.

The Steel and Engineering Industries Federation (Seifsa) has recommended to employers that they enter into new contracts with migrant workers which will provide for one day's notice of dismissal.

The Metal and Allied Workers' Union (Mawu), a Fosatu affiliate, has already criticised the new measure, as have the Council of Unions of South Africa and the Black Sash.

The latest issue of Fosatu Worker News reports that some workers are already being given contracts specifying that, after an initial period of one month, workers will be employed on a daily basis.

A Seifsa spokesman defended the move, saying that the recommendation was to ensure that "all employees are on an identical basis as far as the termination of a contract is concerned."

The spokesman said that, prior to the move, only workers with permanent urban rights were employed on a daily basis, while migrant workers were on a fixed term contract.

But, in its newsletter, Fosatu said Seifsa had forgotten that migrant workers "do not enjoy the same privileges as urban workers."

"Losing a job for a migrant worker means being shipped to the homelands where both poverty and drought reign supreme."

Mawu, Cusa and the Black Sash have criticised Seifsa for introducing the measure without consulting the workers.

Fosatu Worker News also reports that "Mawu and other independent unions are gearing themselves up to resist the introduction of the new contract." The Seifsa spokesman said the federation had not monitored the extent to which the recommendation had been taken up by various employers.

Business 'blind to political truths'

Own Correspondent

CAPE TOWN — The white referendum on the constitution had proved that the Nationalist Government and business "march side by side," according to the Federation of South African Trade Unions (Fosatu). Fosatu, the largest national independent trade union federation with more than 100,000 members, was commenting in its latest newsletter on the recent referendum.

"A few lone business voices said 'no' but the rest marched to the government tune. Or is it not a case of the government marching to the tune of business?" said Fosatu.

"When Fosatu shop stewards went to management to find out whether their company supported the proposals, they were usually told that management did not comment on political matters. But these companies are members of the Federated Chamber of Industries which supported a 'yes' vote."

Fosatu said that businessmen supported the constitution because it kept power with the present government, thus offering "security for profit-making," deepened racial divisions among workers, and ensured continuation of foreign investment and trade.

"Unions, businessmen were 'blind to some political truths."

"Since they have now openly tied themselves to this racist regime, they will have to stand or fall with it in the future."

The nonracial union movement had shown that it was possible to fight and overcome racial division, said Fosatu.
Railways staff want extra 10 pc

10 for pay discussions

The chairman of the council, Mr. Jimmy Zurich, said even after the 12 percent January pay rise railway workers would be at least 10 percent short of what they were entitled to when inflation over the past few years had been calculated.

He pointed out that one of the reasons why the minister had been able to reduce his big estimated deficit during the current financial year was the major effort made by railway workers to raise productivity.

That they had done so was apparent from the fact that although total railway staff had been reduced by about 30,000 in the past 18 months, all systems were running smoothly and efficiently.

The minister would be asked to make provision in his budget for a further pay adjustment, Mr. Zurich said.

Staff

The minister announced recently that a further staff cut of about 8,000 would be implemented before the middle of next year.

The administration's economy campaign contributed to a big reduction in the budgeted deficit. This figure for the April-September period was R320 million. The actual deficit however, was R353 million.

Economists pointed out yesterday the 12 percent pay hikes in January for the 240,000 railway workers would add about R300 million to the total pay bill.

With a big deficit expected at the close of the financial year in spite of the success of the economy campaign, the minister will, according to the economists, probably have to raise tariffs — at least selectively — from the start of the new financial year.
300 workers win city rights

Labour Correspondent

About 300 workers at a Moon River plant, Moon River Textiles, have won permanent city rights in terms of the Rikhotso judgment after a campaign by their union, the National Union of Textile Workers.

The union is affiliated to the Federation of SA Trade Unions, whose newspaper, Fosatu Worker News, claims that is "the largest single group of workers to be given (city) rights" since emerging unions, together with the Black Sash, began urging workers to apply for these rights.

Fosatu Worker News notes that, although these workers can now stay permanently in the Natal town, a recent change to the law means that they cannot live with their families.

It says that the key benefit they will enjoy is that they cannot be sent back to the "homelands" if they lose their jobs.

In cities such as Mafikeng and Durban, the "homeland" area to which workers must return in terms of influx control laws is often a black township a few kilometres outside the city.

However, according to Fosatu Worker News, it is becoming "increasingly difficult" for workers sent to these townships when they lose their jobs to return to the cities such as Mafikeng to work.

It says that, in one case, this affected the job prospects of a worker in a plant where Fosatu's Sweet Food and Allied Workers Union had negotiated an agreement with the company, which allowed retrenched workers to have first claim on jobs when these became available.

The company had offered the worker his job back, but an administration board official attempted to prevent the worker taking the job because the wages were too high for a "rural" person, it said.

The board had only allowed the worker to take up the job after the union threatened legal action on the grounds that officials were "interfering in a legal agreement" between the company and union, it said.

It says the union believes there is "little point in having a clause in a retrenchment procedure which guarantees first option on employment if your non-urban status prohibits you from returning to the same job."

It is therefore now including a clause in the retrenchment procedures it negotiates with employers which says the company must inform its local administration board that it intends taking the workers back.
OK wage talks limp on

OK BAZAARS and two shop workers unions met again yesterday with an official conciliation board in an attempt to avert a legal strike at the store — but made "little progress", according to the general secretary of the Commercial, Catering and Allied Workers Union (CCAWUSA), Mrs Emma Mashnim.

She added, however, that both sides had made new proposals in an attempt to end their wage dispute and that they were due to meet again tomorrow to continue talks.

Yesterday's meeting was the second between OK and the unions since a conciliation board was appointed to attempt to settle the dispute.

The board's appointment follows CCAWUSA's decision to declare a formal dispute with OK after the two sides deadlocked over wages.

The National Union of Distributive and Allied Workers, which represents white and coloured workers, also declared a dispute with OK, arguing that its members were affected by the dispute between CCAWUSA and the company.

Yesterday, Mrs Mashnim said that OK had made a new wage offer to the union, which proposed increases over an 18-month period.

However, she added, CCAWUSA was insisting that the agreement cover a six-month period only, as this has already been agreed between the two sides in previous negotiations.

She said CCAWUSA had also made new proposals at yesterday's meeting, but was pessimistic about the prospects for a settlement.
Think before firing warning to firms

SUMMARY dismissal of workers could land more employers in court.

Labour practices were changing so markedly that companies had to think twice, advised Stellenbosch University's Professor S M Swart, before firing staff without hearing all sides of the dispute.

Discussing what he referred to as a landmark ruling on unfair labour practices, Metal and Allied Workers' Union vs Stobar Engineering, he said "Unfair dismissals are becoming increasingly significant in South African labour law. Employers will have to be far more cautious in their approach towards dismissing employees, especially when they are represented by a union which has the resources and experience to challenge employers' actions in court," he told a West German seminar.

Among the influences of industrial courts was the curbing of an employer's ability to victimise staff in labour disputes.

Prof Swart, head of industrial relations at the Graduate School of Business, told the Kronberg meeting the number of cases dealt with by industrial court hearings had increased rapidly. By the end of 1989 there had been 15 disputes of which only one dealt with unfair labour practice. Last year 41 cases, of which 15 dealt with unfair labour practices, were heard.

"Moreover, the court is starting to exert a significant influence beyond the cases it hears. The threat of an unfair labour practice case often induces out-of-court settlements."

Prof Swart said that among new benchmarks set by the hearings were:

- Employers must have reasonable grounds for dismissals and have conducted thorough investigations into the alleged misconduct.
- Workers faced with dismissal should be given a chance to give their side of the story.
- Employers may not refuse to negotiate with representatives of registered trade unions.
- Employers may not prevent employees becoming members of trade unions.
- Employers may not reduce pay or unfavourably alter conditions of employment on the basis of trade union affiliation.

Curbing of abusive manpower practices would have to be, he added, matched by more moderate attitudes among workers whose disruptive behaviour would also be weighed in the rulings of industrial court hearings.

"Companies will have to prove that equitable disciplinary and dispute-settling procedures exist and are utilised. Employers who face litigation over alleged unfair dismissals will not only have to contend with high legal costs but also with the possibility of having to pay large amounts of money in back-pay."

Prof Swart said Section 46 (9) of the Labour Relations Act had become "a key clause with respect to the potential which it provides for bringing an alleged unfair labour practice to court and it will probably be used with increasing frequency."

— Sapa
"Meddling" upsets union with majority support

By STEVEN FRIEDMAN
Labour Correspondent

CLAIMS by the Metal and Allied Workers' Union (Mawu) that Transvaal companies are trying to force it to bargain in their plants in the same forum as "minority" unions — usually representing skilled workers — are becoming an issue in the metal industries.

Mawu sources say the union's resistance to this may become the key source of conflict between it and metal employers in the months ahead.

It claims that the Steel and Engineering Industries Federation (Seifa) is behind the employer attitude Seifa denies.

In common with other unions affiliated to the Federation of SA Trade Unions (Fosatu), Mawu argues that, where a union has majority support in a factory, it should have the sole right to bargain with the employer.

It says four Transvaal plants where it represents most workers have insisted that, if the union wants to negotiate directly with them in their factories, it must do so with other unions with members in the plants.

These are generally white-led unions with skilled worker members, although in some plants rival unions organizing black workers also have members.

The latest issue of Fosatu's newspaper, Fosatu Worker News, charges that employers have tried to get Mawu shop stewards to take part in company works councils which include all unions with members in their plant.

It says this means that, in some plants, Mawu has more than 90% membership, but must bargain jointly with unions who represent "as little as 3%" of workers.

Mawu sources say the union has vowed to fight the employer stance and predict this will prompt conflict in metal plants.

They claim that Seifa has " urged employers to adopt this stance and accuse it of "meddling with companies which want to negotiate with representative unions."

A Seifa spokesman yesterday denied that its organization had urged employers to adopt this stance.

"Our general attitude is to oppose bargaining in the factories because this undermines the industrial council system," he said.

However, "where employers negotiate with unions in their factories on issues not covered by the industrial council agreement, we have not advised them on what form this should take — no guidelines have been issued by Seifa on this issue," he said.
Sarmcol, union settle out of court

A HOWICH rubber manufacturing company, BTR Sarmcol, and the Metal and Allied Workers' Union yesterday reached an out-of-court settlement of an application to the Industrial Court for an order compelling the union to resume negotiations over severance pay with the company.

The company had sought the application following a dispute over severance pay for retrenched workers.

In a joint statement yesterday, BTR Sarmcol and the union said both parties had agreed to meet again in the New Year to complete negotiations for an agreement detailing the procedural aspects of union recognition.

Agreement had been reached on establishing a mutually acceptable severance pay policy and setting up wage negotiations in April for review of wages to be effective the first pay week in June, 1984.
Union court tussle settled

By STEVEN FRIEDMAN
Labour Correspondent

SOUTH AFRICA'S first-ever industrial court action brought by an employer against a trade union for an alleged "unfair labour practice" has been settled out of court, the Howick metal firm BTR Sarmcol said yesterday.

The settlement also appears to have ended a dispute declared by the Metal and Allied Workers Union (MAWU) - which Sarmcol sought to take to court - against the company.

Sarmcol said in a statement the settlement meant the two sides had agreed to negotiate on union recognition, severance pay, and wages in the new year.

The dispute between the two sides began after negotiations in which they deadlocked over MAWU demands that severance pay for retrenched workers be written into the recognition agreement between it and Sarmcol.

MAWU declared a dispute with the company - a first step towards taking it to the industrial court - arguing that it was an unfair labour practice for the company to refuse to negotiate severance pay with it.

Sarmcol, which said it was not against severance pay but wanted to negotiate this separately, later let back by declaring its own dispute with MAWU.

The company alleged the union was guilty of an unfair labour practice because it "refused to bargain in good faith".

Yesterday the company's statement said the two sides agreed in an out-of-court settlement to meet again in the new year for negotiations.

The talks would be aimed at:

- Completing negotiations for an agreement detailing the procedural aspects of MAWU's recognition;
- Establishing a mutually acceptable severance pay policy;
- Setting up wage negotiations in April, 1984, for a review of wages.
R5 000 settlement for migrant workers

Labour Reporter

THIRTEEN migrant workers, who were dismissed from an Epping factory before their contracts had expired, have received more than R5,000 from their former employer in an out-of-court settlement.

The workers, all members of the General Workers' Union, were dismissed from Epping Cold Storage in February last year, after a recognition dispute with the company.

A GWU spokesman said the workers sued the company for unlawful dismissal.

"The workers planned to take the management to court on November 29, but just before the court case they agreed to pay the workers R5,347 in damages as well as their legal costs," the spokesman said.

A dispute flared up at the factory when the management would not agree to recognise the workers' elected committee, the spokesman said.

"Management announced that they were not going to renew the contracts of a number of workers who were members of the union. Other workers, still in the middle of their contracts, were dismissed," the spokesman said.
Mondi Paper Company, a subsidiary of the giant Anglo American group, has recognised Fosca's Paper, Wood and Allied Workers' Union after a two-year battle for recognition which became heated on several occasions.

A joint statement yesterday by the two sides announced that Mondi had recognised the union at its Flinkston mill in KwaZulu.

The statement said the union also claimed majority membership at three other Mondi mills — Merebank, Umgoni and Fliet Retief — and that talks on union recognition at these mills were taking place.

However, it is understood a key union demand — that it have the right to negotiate wages directly with Mondi at the mills — has not been granted in the agreement.

Mondi wants wages to be negotiated at an industrial council, but the PWAWU has thus far refused to join the council.

It is understood that, despite its willingness to sign the agreement, the PWAWU has not abandoned its desire to negotiate directly with the company.

The dispute between Mondi and the PWAWU has been seen as a key test for the union in the paper industry.

Although two paper companies, Premier Paper and Carlton Paper, have been prepared to negotiate with the PWAWU outside the official industrial council system, Mondi and another key paper company, Sappi, have insisted that wage negotiations take place at an industrial council.

It is understood that the signing of the agreement follows a marked easing of relations between the company and the union.

Yesterday's joint statement said the recognition agreement at Flinkston followed "negotiations lasting two years".
Parow firm to
reinstate workers

Labour Reporter
A PAROW engineering firm, Plaza Engineering, yesterday backed down in the face of an industrial court action brought by the General Workers’ Union (GWU) and agreed to reinstate 13 workers it retrenched earlier this year.

The workers, who were laid off in September, will be reinstated pending the negotiation of a "mutually acceptable retrenchment procedure", according to a statement issued by the GWU yesterday.

In the process, they will receive arrear wages amounting to about R10 000 for 2½ months of the three months in which they have been out of work.

Agreement was reached in an out-of-court settlement between the two parties before the industrial court was to hear an application for reinstatement of the workers and payment of arrear wages yesterday.

In its statement the GWU said it was "satisfied" with the settlement and added "had management agreed in the first place to negotiate in good faith with the representative union, it would not have been subject to the heavy financial commitment which the settlement extracts."

A union spokesman said the workers were likely to be retrenched again, but this would now occur in terms of a "proper retrenchment procedure."

According to the spokesman, the firm informed its workers on September 15 that it would have to lay off workers but said it would consult the union shop stewards’ committee before doing so.

However, it retrenched 16 workers the next day without consulting the committee or the union.

The GWU brought the court action after the firm refused to reinstate the workers and negotiate their retrenchment.

Three of the workers concerned had subsequently been re-employed.

The spokesman said the union would continue to press for a recognition agreement.
Three recognition agreements signed

THE Natal branch of the Metal and Allied Workers' Union (Mawu) has signed three full recognition agreements with companies in the Pietermaritzburg/Durban area, a union statement announced yesterday.

According to Mawu, this means its Natal branch has now signed 26 recognition agreements with employers. The union named two of the three companies which had recognised it as Van Leer — a Dutch-owned metal container firm — and Pillar Naco, a subsidiary of the Plate Glass group. It did not name the third company.

The statement said all three agreements gave the union "full plant-based bargaining rights" and also provided for grievance and discipline procedures and the right of shop stewards to operate in the plants.

Mawu described the three agreements as "useful and constructive." The union's Natal branch has grown rapidly this year and claims its membership has doubled in a matter of months.
Marah Vengas
THE Frame Cotton Corporation was yesterday ordered by the Industrial Court to reinstate 10 workers who had been retrenched from the corporation's Frametex mill during September and October.

But Mr Selwyn Lurie, the corporation's joint managing director, who is in charge of labour relations, told the Mercury last night they had decided to take the judgments of the Industrial Court to the Supreme Court.

"We will apply for an order staying the execution of the judgments pending the outcome of the review proceedings. Our attorneys are presently preparing the necessary application papers," he said.

The Industrial Court order was granted following an application by the National Union of Textile Workers of which the retrenched workers are members. Frame was also ordered to have the workers reinstated to their former jobs with effect from the time they had been retrenched, and to give them back pay.

In its application to the Court, Mr Martin Brassey, acting for the union, told the Court that the retrenchments had been unfair because neither the union nor the workers had been consulted before they were dismissed.

Retrenchments

The principle of 'last in-first out', in which long service workers were the last to be retrenched, also had not been observed.

The Court also heard that the retrenchment of some workers had been illegal because they were migrant workers who had been fired before their contracts had expired.

Among those dismissed were employees with 19 years' service.

Mr Douglas Shaw, QC, for the Frame Group, told the Court that the group's policy on retrenchments was founded on efficiency rather than the last in-first out principle and that workers had similar competence, the one with less service was retrenched.

Commenting on the Court ruling, Mr John Copely, the union's general secretary, said last night that it was one of the most important judgments from an Industrial Court in recent times.

'The company's defence, in our opinion, amounted to little more than a statement that the company should be free to pick and choose workers for retrenchment as it felt desirable and that no union or court should interfere in such selection.'
JOHANNESBURG — Significant precedents are occurring as a result of the increasing role being played by the Industrial Court in resolving labour disputes among them the fact that employers' freedom to victimise workers has been curtailed.

This was said by Prof S M (Blackie) Swart, head of industrial relations at the University of Stellenbosch Graduate School of Business, at a seminar in Kromberg, Germany. The seminar dealt with South Africa's economic relations with Germany and the subject of Prof Swart's address was 'Future aspects of the South African economy in the context of political developments'.

Cases

Prof Swart said the number of cases which had been heard by the Industrial Court had increased rapidly. Whereas by the end of 1980 it had dealt with a total of 15 matters, of which only one concerned unfair labour practices, during last year alone it had 41 cases, of which 15 were about unfair labour practice. 'Moreover, the court is starting to exert a significant influence beyond the cases it hears, as the threat of an unfair labour practice case often induces out-of-court settlements and peaceful resolutions,' he said.

Prof Swart cited several Industrial Court hearings which have crystallised industrial relations practices for the future. Among the issues on which clarity had been gained were:

- An employer must have reasonable grounds for dismissing an employee and must have conducted a thorough investigation into the alleged misconduct before sacking a worker.
- A worker faced with a dismissal should be given an opportunity by an employer to present his side of the matter.
- An employer may not refuse to negotiate with a representative of a registered trade union.
- Employers may not insist that employees may not be members of a trade union or other similar association of employees.
- An employer may not reduce the rate of remuneration or unfavourably alter conditions of employment on the basis of trade union affiliation by employees.

Danger

Prof Swart said there was now sufficient proof that 'ad hoc manpower practices constitute a significant danger to the potential viability of the business concern in South Africa'.

He added 'As a corollary it is suggested that disruptive behaviour on the part of employees could be viewed in a similar negative light by the Industrial Court.'

Discussing what he referred to as a landmark ruling on unfair labour practices (The Metal and Allied Workers' Union vs Stobart Engineering), he said 'Unfair dismissals are becoming increasingly significant in South African labour law. Employers will have to be far more cautious in their approach towards dismissing employees, especially when they are represented by a union which has the resources and experience to challenge employers' actions in court.'

Procedures

'Companies will have to prove that equitable disciplinary and dispute-settling procedures exist and are utilised. Employers who face litigation over alleged unfair dismissals will not only have to contend with high legal costs but with the possibility of having to pay large amounts of money in back pay.'

Prof Swart said Section 46 (9) of the Labour Relations Act had become 'a key clause with respect to the potential which it provides for bringing an alleged unfair labour practice to court and will probably be used with increasing frequency in the future.' — (Sapa)
Newspaper workers get pay increases

The Media Workers Association of South Africa and the two major English-language newspaper groups in the country, Saan and the Argus Company, have concluded a wage and salary agreement for 1984.

The agreement includes increases ranging from 11.5 percent to 23 percent.

A five-day, 40-hour week has also been agreed upon for all employees except security workers.

Mwasa members who are monthly-paid, will be compensated in certain circumstances for overtime and public holidays worked.

Negotiations on the inclusion of June 16 as a paid public holiday will take place early next year.

Salary scales for junior reporters, photographers and photographic and library assistants have been improved.

All increases come into effect on January 1, and are based on wages and salaries as at December 31, 1983.

Weekly paid employees in the Argus Company have received an additional two percent on their basic pay backdated to July 1, 1983.

In terms of the agreement, weekly paid unskilled workers will receive an increase of R17 to 12.5 percent, which ever is the greater, and semi-skilled workers R25.

The salary bill for senior journalists and other monthly paid employees will increase by 13.5 percent of which 11.5 percent will be across-the-board and the remaining two percent allocated at the discretion of the employers.

Mwasa, Argus and Saan will meet sometime next year to review their wage bargaining machinery as well as the recognition agreement between them.
All OK’s workers to get pay rise

Mercury Reporter

ABOUT 20 000 workers at the OK Bazaars chain stores throughout the country are to be given an across-the-board wage increase of R35 a month with immediate effect and a further R10 increase in April next year, it was announced yesterday.

The wage increase comes after lengthy negotiations between two shop workers' unions — the Commercial, Catering and Allied Workers' Union of South Africa and the National Union of Distribution and Allied Workers — and OK management at a conciliation board meeting.

The increases also marked the end of a dispute between management and workers, some of whom had threatened 'illegal strike action' against the company in support of their demand for a wage increase.

Dispute

The Commercial, Catering and Allied Workers' Union, representing black workers, and the National Union of Distribution and Allied Workers, representing white, coloured and Indian workers, declared a dispute after OK management refused to accept their demands for a R80 a month across-the-board pay rise for all workers.

However, the two unions later reduced their demand to R50, which was rejected by the company, but in a settlement offered R45.

A joint statement released yesterday said that a 'nationwide agreement' had been reached on wage increases for all employees in respect of whom the dispute arose.

Welcoming the increases, Mrs Emma Mashinini, CCWUSA's general secretary, said she was pleased that all workers, irrespective of their race, would benefit.

Negotiations for the next wage agreement for the period October 7 next year to October 6, 1986, would begin not later than July 6, the statement added.
OK Bazaars pay rise agreement has averted strike

By Carolyn Dempster, Labour Reporter

A nationwide wage agreement reached late yesterday between OK Bazaars Ltd and two unions representative of workers in the trade has averted a legal strike in the store chain.

It will also mean that about 20,000 workers countrywide will receive across-the-board increases effective from December.

The agreement was reached after the third meeting of the conciliation board on disputes between OK Bazaars, the largely black Commercial Catering and Allied Workers Union (CCAWUSA) and the mainly white and coloured National Union of Allied and Distributive Workers (NUDAW).

Disputes were declared by both unions when wage talks earlier in the year deadlocked.

CCAWUSA workers demanded an immediate R50 increase, and NUDAW's wage talks with the company broke down when it was argued that any agreement reached with CCAWUSA would have an impact on a wage agreement with NUDAW.

A legal strike seemed imminent after the conciliation board met for the second time without resolving the dispute last week.

In a joint statement released by both unions and the OK yesterday, it was stated that workers "in respect of whom the dispute arose" will receive increases from R35 a month backdated to December 7 until March 1984, and an additional R10 from April 1984 to September 1984.

Negotiations for the next wage agreement have been set for July 16 next year to cover the period October 7 1984 to October 7 1985.
Strike is averted as OK and unions agree on pay

By STEVEN FRIEDMAN
Labour Correspondent

A LEGAL strike at OK Ba-
zaars has been averted by a
wage agreement between the
company and two shop work-
ers' unions which will raise
pay for around 20,000 OK
workers throughout the coun-
try

A key feature of the agree-
ment is that workers in coun-
try areas will receive the
same increases as those in
the towns and cities.

Country workers usually
receive lower rates than
those in the cities and it is
believed that OK is the first
major chainstore to agree to
give both groups the same
increase.

The agreement was
reached between OK on the
one hand and the (black)
Commercial, Catering and
Allied Workers' Union
(Ccawua) and the (white and
coloured) National Union of
Distributive and Allied
Workers (Nudaw) on the oth-
er.

The OK board met three
times after Ccawua de-
clared a formal dispute with
the OK over pay when wage
talks between the two dead-
locked. The Nudaw later also
declared a dispute, arguing
that its members would be
affected by any wage agree-
ment between OK and
Ccawua.

Had the two sides failed to
settle the dispute, the unions
would have been able to hold
a legal strike ballot.

According to a joint state-
ment by the two sides, the
settlement means workers
affected by the dispute will
receive an increase of R35 a
month backdated to Decem-
ber 7 and a further R35 in
April next year.

The new agreement will
apply until the end of next
September and negotiations
for an increase to be effec-
tive from October 7, 1984, to
October 6, 1985, will com-
mence not later than July
next year, according to the
statement.

Ccawua claims that mini-
mum pay at OK is around
R350 a month.

The joint statement stress-
es that only workers "in re-
spect of whom the dispute
arose" will receive these in-
creases. This means union
members, and all workers in
the same job grades as them,
will receive them.

The wage deadlock arose
after Ccawua demanded a
R50 increase with immediate
effect.

OK countered with an offer
of R35 in December and a
further R35 in February. The
company would have applied to work-
ers earning less than R350 a
month only. The company
also suggested that fresh ne-
gotiations on a possible fur-
ther increase take place ear-
ly next year.
OK rise for 20,000 averts strike

Johannesburg - A legal strike at OK has been averted by a wage agreement between the company and two shop unions which will raise the salary of the workers throughout the country.

A key feature is that workers in the OK areas will receive the same increases as those in the unions.

The agreement was reached after a joint meeting of OK workers and the Commercial Workers Union of South Africa (CWUSA) and the National Union of Public Employees (NUPA) which met during the past week.

The union met with OK management at a meeting last month and agreed to a further agreement between OK and CWUSA.

Legal ballot

The two sides failed to agree, the union would hold a legal ballot.

According to the collective agreement, workers at OK will receive a 10% increase from 1 October this year, with a further 10% in December, and another 10% in April next year.

The new agreement will apply until 1 October 1985 and will be renegotiated for effective from 1 October 1986.

The wage settlement will be raised from R30 to R40 per month for a 40-hour week.

The OK workers demanded a 10% increase with immediate effect.

OK countered with an offer of R50 in December and a further R5 in February.
Public wants longer trade hours

By Michael Chester

The first wave of votes in a Johannesburg Chamber of Commerce public poll on consumer attitudes about shopping hours shows an overwhelming majority in favour of more flexible trading times.

The chamber intends to use the result of the poll as a new lever in its campaign to persuade the Transvaal Provincial Council to soften its rigid stance on fixed shopping hours.

The issue came to a head when the council turned down pleas for permission for retailers to stay open on Saturday afternoons if they wished, at least during the peak Christmas shopping rush.

Mrs Pam Herd, manager of JCC business services, said voting by consumers was continuing but a definite pattern was already emerging.

Voters were almost universally in favour of retailers being given permission to have more say about when shops were opened and closed, with a strong priority on extended shopping hours into the evenings during the week and on Saturday afternoons.

"Votes are still welcomed," said Mrs Herd. "We have already measured the strong majority support of retailers to extended shopping hours proposals but the voice of consumers also needs to be heard."

Mr Frank Vincent, director of the Durban Publicity Association, reports that the coastal centre is in the middle of a bumper shopping spree in the countdown to Christmas.

"A major part of the success is because of the permission for shops to stay open later," he says. "Trading hours were extended last Saturday to 5 pm and the shopping traffic was tremendous."

"We expect a repeat of the rush on Friday when shops will stay open until 9 pm."

"The longer hours have been welcomed by everyone."

See Page 7.
Win case

DURBAN — All three sections of the Industrial Conciliation and Arbitration Board have awarded four workers in a case handled by the South African Federation of Trade Unions, Unionists in South Africa's Industrial Conciliation and Arbitration Board yesterday, the date of their dismissal.

The four workers, Mr. E. K. N. M. W. A. M. W. and M. W. A. M. W. were all members of the company's catering department. They were dismissed on September 28.

The union took up their case and they were released from the company's premises. The decision was taken to take the case to the Board.

The Board ordered the reinstatement of the workers and awarded them back wages from the date of their dismissal.
Mixed opinion on flexible shop hours

Staff Reporters
A snap survey by The Star found wide differences in public opinion on the Johannesburg Chamber of Commerce proposals to seek more flexible trading hours.

Reaction varied from enthusiasm to indifference — with general concern about the safety of shop workers returning home late at night.

"Shops should have the opportunity to choose their business hours — not be bound by outdated rules and regulations," said Mr. Bob MacFarlane, chairman of the Sandton Merchants' Association.

"For instance, it may best suit the customers for a particular retailer to stay open on Saturday afternoons but perhaps stay closed on Monday mornings," Mrs. Veronica Slabbert, a shop assistant in Johannesburg's city centre, said. "It all sounds fine for the shopowners — but not so for the workers."

The manager of a nearby menswear store looked startled. "Stay open longer? It's hard enough work already!"

Mrs. Salari Juma, who works at a city centre shoe shop, fretted about black workers travelling home late. "I've seen too many stabblings and muggings at bus ranks."

People in smaller shops in Rosettenville showed little or no enthusiasm. "I work eight hours a day and still manage to do all my shopping in the lunch-hour," said Mrs. Avril de Bruin. "Why can't everyone else?"

However, at least one large store was in favour of staying open later during the week and reckoned it should be fairly simple to reorganize staff shifts.

The idea of late-weekday and Saturday afternoon shopping was also popular with most consumers and retailers interviewed in Sandton.

"Shopping is an entertainment — let's have more of it," said Mr. Michael Glaser, general manager of a department store.

He saw Saturday afternoon shopping in particular as "a positive stimulant for the economy."

The Star would still like your views on more flexible trading hours. Please fill in the coupon on this page.

PUBLIC POOL ON SHOPPING HOURS
Do your favour.
1. More flexible shopping hours? Yes: No:
2. Shops open until 7pm Mon to Fri? Yes: No:
3. Trading hours extended to 5pm Sat? Yes: No:
4. Sunday morning shopping until 12 noon? Yes: No:
5. Varying shop hours between towns/suburbs? Yes: No:

Name:
Address:
Signature:
Please tick replies and return to JCC, Private Bag 34, Auckland Park 2006.
Miss Richardson said the dismissals were unlawful.

Mr David Dennison, managing director of the supermarket, said the company's attorneys had been instructed to take the Industrial Court ruling on appeal to the Supreme Court.

He said the company had valid reasons for dismissing the workers and denied allegations that it was an act of victimisation because of their trade union involvement.

The Legal Resources Centre was approached and the matter was referred to the Industrial Court.
Gallo agrees to equal pay for women

By STEVEN FRIEDMAN
Labour Correspondent

The Commercial, Catering, and Allied Workers' Union (Ccwusa) has signed an agreement with Gallo (Africa) which will ensure that women doing the same work as men receive the same pay.

The union also described wage increases negotiated between it and employers as "perhaps the best this year."

Ccwusa said yesterday it had reached an agreement with wholesalers Makro which would increase pay for all workers at three of the company's outlets by R50 a month.

At Gallo, a Ccwusa spokesman said an agreement signed yesterday would raise the pay of workers earning R100 a week or less by R2.25 a week. Those earning between R100 and R150 would receive an R11-a-week rise and those earning above R150 would get R13.50 extra.

He said the agreement was valid for six months. The two sides would negotiate a further increase in mid-year.

The spokesman said pay discrimination between men and women workers would now be eliminated.

Before the agreement, the minimum for women had been R2 a week lower than that for men, and women earning the minimum would therefore receive a R16.50 a week increase, he said.

A company spokesman, Mr Malcolm James, confirmed the agreement and said about 300 workers were covered by it.

He added that the difference between men and women's pay had, in the past, been much greater than R2 a week, but the company had been moving towards pay equality between the sexes for some time.

"The agreement therefore completes this process, which was initiated by the company", Mr James said. He added that about 5% of the company's women workers were doing the same jobs as men.

At Makro, the R50 increase will apply for the whole of next year and is the result of a verbal agreement between the company and the union. A formal wage agreement is due to be signed soon.

The increase covers the company's outlets at Pretoria, Amalgamated Industrial and Germiston. It is understood that minimum wages will rise by about 22%.

A company spokesman has confirmed the agreement.
Court orders reinstatement

Mercury Reporter

A NATAL transport company, Cargo Carriers, has been ordered by the Industrial Court to reinstate immediately one of its workers who was dismissed after refusing to work overtime.

Mr Alson Dlamini, who had been employed by the company as a conductor for the past seven years, is back at his job, according to Mr Satchie Govender of the Legal Resources Centre, which took the matter to the Industrial Court.

Mr Govender said the reinstatement order was made retrospective to August 11 — the date on which Mr Dlamini was dismissed.

In papers filed in court, Mr Dlamini said his services were terminated by the company's branch manager when he refused to work overtime.

He said that about 5 p.m. on August 10, immediately after he finishing work and clocked his card, he was approached by the branch manager and asked whether he would like to work overtime.

Mr Dlamini replied that he could not because he had no transport to get home late at night, but said he would be willing to work if provided transport.

The manager then replied that if he did not want to work overtime he must come in and sign off the next day,' he said.

In a replying affidavit, the branch manager said that the particular division in which Mr Dlamini was employed as a conductor had at all material times been an 'overtime intensive activity'.

He said Mr Dlamini had refused to work overtime on previous occasions and once encouraged a co-worker to also refuse to work overtime.

'Not only are drivers and conductors required to undertake long journeys but it frequently happens that the maintenance and repair of trucks is completed at or about the end of the working day and caravans or mobile homes are required to be loaded on to the trucks for delivery the same evening,' he added.
Union aids white worker

The National General Workers' Union will apply for the reinstatement of its sole white member, fired from the Witbank branch of Pick 'n Pay last week.

Union general secretary Mr Donse Khumalo said negotiations had proved fruitless so a reinstatement order would be applied for.
Concern over PE harbour traffic slump

By CLAIRE PICKARD-CAMBRIDGE

THE 10 000-member-strong General Workers' Union expressed deep concern today over the exceptional decline in activity in the Port Elizabeth harbour.

The general secretary of the independent trade union, Mr Dave Lewis, said it was "scandalous" that the Government should permit the running down of a major national asset, with the consequent poverty thus entailed for workers in Port Elizabeth.

He said his union was aware of a temporary decline in harbour traffic all over the country.

"But we feel Government neglect of the Port Elizabeth harbour causes hardship to our workers in the Port Elizabeth region and is detrimental to the general level of regional economic activity," he said.

"If the Government does not take positive steps to induce exporters and importers to make greater use of our harbour, this already impoverished region will be faced with increasing unemployment and hardship.

"We believe the Government needs to examine, as a matter of urgency, the possibility of special rail subsidies and the obligatory utilisation of the Port Elizabeth harbour by major concerns such as Iscor."

Mr Lewis said GWU and SA Stevedores had concluded negotiations for wage rates and conditions of services in Port Elizabeth, Cape Town, Durban and East London next year and the basic wage for stevedoring hands would increase by an average of 13%.

The 1984 rates paid for an 8½-hour shift in Port Elizabeth and East London will be R18,90, in Cape Town R19,10 and in Durban R19,65.
Danger to the CBD, say traders

Fierce protest over flexible trading hours

By Andrew Beattie and Fiona Macleod

As the shopping hours controversy rages on, the Germiston Chamber of Commerce and a caucus of large and small traders have voiced strong opposition to proposed “flexible” or extended trading times.

Many small retailers and traders “bitterly” object to an extension of shopping hours, saying this could be “highly inflationary”, could lead to increased monopolization and further endanger Johannesburg’s Central Business District (CBD).

And Germiston’s Chamber of Commerce says that shop assistants may be loath to work longer hours and sacrifice their normal Saturday afternoon or evening activities.

Mr A B Towe, managing director of the Furnex Group, which represents 140 traders in the Transvaal, and Mr L A Nach, president of the Chamber, listed the following reasons for their rejection of the proposals:

Beneficial

- Flexible shopping hours would be beneficial to the larger shopping centres which have their own security systems. Smaller traders in the CBD might be forced to close down.
- Longer shopping hours, especially during the night, would increase security risks to traders and to commuters, and increase the crime rate. Perpetrators of assaults, bag-snatching and robbery would be able to operate more freely at night. The police force would need to be expanded.

Side-effects

- Bus and other transport services would have to be staggered and the consumer would eventually have to pay for this, along with all its inflationary side-effects.
- One-man businesses which are already operating about 10 hours a day would lack the staff to compete with larger stores.
- Women especially would be loathe to work longer hours in the evenings, and the family unit might suffer because of the absent mother.
- The public is not clamouring for longer hours.

Mr Towe says that if the 30,000 licensed small retailers were absorbed by larger concerns, which would almost certainly happen if trading conditions were changed to their benefit, more business would leave the CBD.
Stevedores get pay rises

Mercury Correspondent
CAPE TOWN—Almost 3 000 stevedores in South Africa’s four largest ports will receive an average pay rise of 13 percent in terms of a new wage agreement negotiated between the General Workers’ Union and S A Stevedores Ltd.

Announcing the pay rises in a statement yesterday, the union said the 1984 rates for stevedoring hands for an eight-and-a-half-hour shift would be R19.73 in Cape Town, R18.65 in Durban and R18.20 in Port Elizabeth and East London.

Workers in higher categories would receive similar percentage increases.

Its members found the new rates ‘acceptable under present circumstances’, the statement said.

A union spokesman added that the new agreements were signed port by port in negotiations held over the past six weeks.

The pay rises were slightly higher than increases in the cost of living during the past year. Also, further progress had been made in eliminating the pay differentials between the ports, he said.

A spokesman for S A Stevedores confirmed the pay rises but declined to comment further.

In its statement, the union sharply attacked the Government for allowing the decline of the Port Elizabeth harbour.

The union said its members were ‘suffering the consequences of Government neglect of the region in general and the harbour in particular’.

This caused hardship to other workers in the region and was detrimental to the general level of economic activity.
Docks men get 13% rise

Mail Correspondent
CAPE TOWN — Almost 3 000 stevedores in South Africa's four largest ports will receive an average pay rise of 13% in terms of a new wage agreement negotiated between the General Workers' Union and SA Stevedores Ltd.

Announcing the pay rises in a statement yesterday, the GWU said the 1994 rates for stevedoring hands for an 8½-hour shift would be R19.73 in Cape Town, R18.65 in Durban and R18.50 in Port Elizabeth and East London.

Workers in higher categories would receive similar percentage increases. Union members found the new rates "acceptable under present circumstances," the statement said.

A union spokesman added that the new agreements were signed port by port in negotiations held over the past six weeks.

The pay rises were were slightly higher than increases in the cost of living during the past year.

Also, further progress had been made in eliminating the pay differentials between the ports, he said.

A spokesman for SA Stevedores Ltd confirmed the pay rates and declined to comment further.

In its statement, the GWU sharply attacked the government for allowing the decline of the Port Elizabeth harbour.

Expressing concern about the decline, the union said its members were "suffering the consequences of government neglect of the region in general and the harbour in particular." This caused hardship to other workers in the region and was detrimental to the general level of economic activity.
Union wants six reinstated

THE Industrial Court has been asked by the Eastcourt branch of the South African Allied Workers' Union to reinstate six of its members who were fired by Teal and Sons following a dispute over their Christmas bonus.

Mr J Gumbi, branch chairman of SAAWU in the area, told the Mercury yesterday that workers who went on strike on December 19 and 21 had been dismissed but returned last week except the six employees who were members of the committee representing their trade union in the firm.

He said he and Mr Herbert Barnabus, the national organiser for

Mr R Teal, the manager for the firm. He refused to negotiate with them on the grounds that he did not recognise their trade union.

Mr Gumbi said they had reported the matter to the Industrial Court to have them reinstated and paid retrospectively. No date had been fixed for the hearing.

Mr Teal told the Mercury yesterday that there were not sufficient workers to form a trade union and he was not prepared to recognise them. Everything was back to normal as the workers had returned to work.

But Mr Gumbi pointed out that they had returned to work on the understanding that the court matter was still pending.