INDUSTRIAL RELATIONS - DISPUTES

Nov. — Dec.

1991
Negotiations for a national industrial council in the contract cleaning industry have hit unexpected snags, following a major revolt by the Transvaal region of the National Contract Cleaners Association (NCCA).

The Transport and General Workers' Union said this week that the NCCA's Transvaal region had rejected the recent agreement settling the five-week cleaners' strike in Natal schools, arguing that the Natal region had not been mandated to agree to national pay talks before the registration of an industrial council.

One of the largest members, Prestige Cleaning Services, had resigned from the NCCA in protest — rendering the organisation unrepresentative in the Transvaal and possibly the Cape. This posed severe problems both for national pay negotiations and for the registration of a national council, the union said.
Ellerines workers stand firm

By Brian Sokula

SA Commercial and Catering Allied Workers' Union members, in a national wage dispute with Ellerines, last night called for a boycott of the company and a march on its offices throughout the country during today and tomorrow's anti-VAT strike.

The ANC; Pan Africanist Congress; Azanian Peoples' Organisation; Cosatu and the National Congress of Trade Unions supported the call.

Converging at the union's Johannesburg offices, singing and slogan-chanting workers said their demands included:

• March 21 as a paid holiday
• A 5% percent increase in commission on sales
• A R20 increase across-the-board increase.
Tight-rope balance

LABOUR law proposals on the closed-shop agreement — membership of a trade union becomes a condition of employment — are akin to a tight-rope act.

The National Manpower Commission’s draft for a consolidated Labour Relations Act offers a delicately balanced freedom of association and “freedom of disassociation” mix.

It is proposed that all workers belong to a particular trade union if two-thirds, voting by secret ballot, are in favour.

But the agreement can be terminated if more than 60% of workers — again voting by secret ballot — are against it.

To hold the ballot, 10% of workers would have to petition the Industrial Registrar.

Several closed-shop agreements are in operation and have been negotiated through industrial councils.

The moderate Trade Union Council of SA (Tucsa), now defunct, comprised many unions involved in these agreements.

Cosatu unions, often vying for membership with their Tucsa counterparts, saw the closed-shop as an obstacle.

But matters have changed.

Cosatu’s 106 000 member SA Clothing and Textile Workers Union (Sectwu) endorsed the closed-shop principle at its congress this year.

Two former Tucsa affiliates, now part of Sectwu, had closed-shop agreements with industrial councils in the Cape and Natal.

Sectwu has kept the closed-shop agreements going.
Dispute over W's targets
Six White schools open to all
Vital labour judgment soon

THE Appellate Division is expected to hand down judgment in the next few weeks on a vital point of law which could affect all unions and employers.

At the centre of the dispute between the National Union of Mineworkers (NUM) and the East Rand Gold and Uranium Co (Ergo) is whether an employer can negotiate behind a union's back and deal directly with its employees.

**Deadlock**

Both parties agreed that workers could use a lawful strike to soften management up during collective bargaining. But there was a dispute over whether a strike in 1987 was lawful or not.

The NUM and Ergo signed a recognition agreement in 1984 which said the union was the sole collective bargaining agent.

During 1987, when wage negotiations became deadlocked, a conciliation board failed to resolve the matter. An overwhelming majority of union members voted to strike.

Ergo wanted to avoid the strike, particularly a sit-in, because industrial action in previous years had led to damage to the plant. So it sent its employees a letter setting out its last offer—which included back-dating the increase to June 1.

Of more than 12,000 workers, 70—including five union members—accepted the offer. But the strike went ahead.

And so did the sit-in. The company obtained an urgent interdict, but the workers ignored the court order, the police were called and used teargas to clear the plant. The strike continued.

The company issued an ultimatum—return to work or be fired. By August 28 virtually all the workers were back on the job.

The issue which led to court action was that strikers and non-strikers were treated differently. Strikers' increases were effective from August 28, non-strikers' from June 1.

The NUM claimed this was an unfair labour practice, took the matter to the Industrial Court and won. But on appeal, the result went the other way.

Finally, the Appeal Court was asked to make a ruling because, it was said in argument, the Labour Relations Act did not give clear enough guidelines.

**Attack**

A full bench of five judges was asked to draw the line between what was fair and what was unfair.

Mr. Martin Brassey, for the union, said that to bypass the union—even after deadlock—was to attack the collective bargaining structure itself.

The recognition agreement was designed to ensure industrial peace. And instead of breaching its terms, the company should have cancelled the agreement or dismissed workers, he said.

But Mr. John Myburgh SC, for Ergo, said dismissal was the last weapon employers should use in the present economic climate.

The strike was unlawful, Ergo claimed, because the NUM had bargained in bad faith—it had never intended to reach an agreement.

Judgment was reserved.
JOHANNESBURG — In a finding which could significantly swing the balance of collective bargaining power away from employers and towards unions, the Appeal Court ruled yesterday it was an unfair labour practice to offer a preferential deal directly to individual union members to induce them not to strike.

The case arose from a 1987 wage dispute between the East Rand Gold and Uranium Company (Erro) and the NUM.

On the first day of the strike, August 12, Erro distributed a letter offering to backdate the wage offer to June 1 provided employees undertook not to support any industrial action over the matters in dispute. Seventy workers accepted this offer. Employees who did not accept strike (about 300) would not have the wage increases eventually agreed upon backdated.

Following the end of the strike on August 28, a wage agreement was reached. However, the NUM did not accept Erro’s refusal to backdate the agreed increases. Part of the agreement was that the fairness of Erro’s action would be referred for adjudication to the Industrial Court.

The Industrial Court found that Erro’s conduct fell within the definition of an unfair labour practice in that it might have had the effect that “the relationship between employer or employee is or may be detrimentally affected thereby.”

The Labour Appeal Court subsequently overturned this judgment, ruling in favour of Erro. However, Mr Justice Goldstone yesterday reversed this finding.

Mr Justice Goldstone accepted the argument by counsel for the NUM that it was “subversive of collective bargaining” for the employer to “treat directly” with members of a recognised union. This would “usually, if not invariably, have a detrimental effect upon the union and its members. And could, in the long run, be detrimental also to the employer itself.”

The judge said an employer should not be forbidden from unilaterally implementing an offer already made.

However, he added: “Unilateral action means no more than that the employer may unilaterally implement changes in wages or conditions of employment no more favourable than those offered prior to impasse. If the employer wishes to negotiate further, he remains bound to do that only with the collective bargaining agent, that is the union.”

The judge said this applied where the union had bargained in good faith. “Where an impasse is reached because of bad faith bargaining, the position may be different and it may be that direct negotiation would not be unfair.”

However, “whatever bad faith bargaining the NUM was guilty of, the evidence does not establish that it was present or relevant at the point of impasse.” He said there was no evidence to suggest that bad faith bargaining by the NUM caused Erro to consider that further negotiations would serve no purpose.

Mr Justice Goldstone stressed his finding did not mean he condemned the conduct of the NUM during negotiations, which gave Erro “every reason to have felt frustrated and aggrieved.” Management had given evidence that NUM negotiator Marcel Gelding had been disparaging of members of management.

The Industrial Court ruled that strikers receive an amount equivalent to the back pay forgone was reinstated.
The Appellate Division has overturned a Labour Appeal Court ruling in an important dispute between the National Union of Mineworkers and Anglo American’s East Rand Gold and Uranium Company (Ergo).

The LAC had held that Ergo’s refusal to implement agreed pay increases retrospectively to workers who went on a legal strike in furtherance of a 1987 wage dispute was not an unfair labour practice.

This struck down an earlier Industrial Court decision finding the practice unfair and ordering Ergo to pay the workers an amount equivalent to wages foregone over the period.

In the AD, Mr Justice Goldstone found that on balance of probabilities, the deadlock between the parties was not the result of bad faith bargaining by the NUM. A union offer to go to arbitration was crucial in that regard, he found.
Ellerine talks go on

THE SA Commercial, Catering and Allied Workers' Union (Saccawu) and Ellerine Holdings were yesterday locked in negotiations in an effort to end a more than six-week old wage strike.

More than 1,000 union members out of a total workforce of 3,800 were still on strike this week, company human resources manager Pierre de Vilhers said.
Labour: Courts or constitution?

By DREW FORREST

At a glance, the 17-article section on worker rights in the African National Congress’ draft Bill of Rights seems absurdly detailed.

The right to form unions, bargain collectively and strike — fair enough. But is there really a need to protect the right to picket, to “reasonable” union access to company premises and to the deduction of union dues “where appropriate”?

Shouldn’t such relative minutiae, evidently included at the behest of the ANC’s labour ally, the Congress of South African Trade Unions, be dealt with in statute law or collective agreements?

Also enshrined in section 6 of the ANC’s Rights Bill — which covers workers and unions — are union rights to participate in lawful political activities and to form national federations and join international federations, the principles of equal pay for equal work and equal access to employment, and rights to state-provided pension, unemployment and workplace injury benefits.

Internationally respected labour law expert Bob Hepple, of the University College of London, certainly believes ANC proposals to be off-mark. He has written to the ANC arguing that section 6 should be largely enacted in ordinary labour law, rather than in the constitution.

Hepple is vitally concerned that the nurture of progressive labour legislation in South Africa requires “an autonomous labour court administering a self-contained system of labour law”.

If article 6 is dropped holus-bolus into the constitution, he argues, the Constitutional Court, whose officials may know nothing of labour law, may have to determine fundamental labour law issues.

Hepple believes no more is needed than constitutionally guaranteed rights to freedom of association, to form and join unions, to bargain collectively and to strike, subject to certain limitations.

Legal advisor to Cosatu Halton Cheadle concedes the danger, but argues that a balance has to be struck between giving labour too little protection and putting too much in the hands of an unspecialised court.

“Consider what happened under (former British prime minister) Margaret Thatcher there was no British court to strike down laws which substantially undermined trade union rights and were severely criticised by the International Labour Organisation.”

A possible compromise, he said, would be to second an officer of the Labour Appeal Court as an ex officio member of the Constitutional Court when labour matters were at issue.

Cheadle defends section 6 by arguing that the job of a democratic constitution must be to protect and foster collective bargaining within a common law system which is fundamentally hostile to it.

“The law must provide a protective arena in which unions and employers can both exercise power, and in that context negotiate with each other,” he said.

Unlicensed picketing, for example, had been typically prosecuted in South Africa as a form of illegal advertising.

Property and privacy rights preclude automatic union access to companies and to the disclosure of “such information as may be reasonably necessary”, another right enshrined by section 6.

What of the “left” argument that by encouraging too much reliance on the constitution, one may indirectly sap the labour movement’s organisational vitality? Isn’t the ultimate guarantee of rights the collective power of “civil society”?

“We’ve had 50 years of the all-powerful state, and we’ve seen what that has done,” Cheadle said.

“In South Africa, civil society consists of a couple of struggle organisations.

“I accept that you need people to insist on and defend constitutional rights. At the same time, you’ve got to entrench freedom of association, to protect associations from the state. You’ve got to have a framework within which civil society can thrive.”
Sactwu wins
6-month Tyl
wage deal

By DREW FORREST
THE South African Clothing and
Textile Workers' Union (Sactwu) has
notched up an important advance in its
push for central bargaining by win-
ing a six-month wage deal in the
Transvaal clothing and knitting indus-
tries.
The agreement, clinched at the
eleventh hour last Friday after strike
ballot forms had been printed, will
bring Transvaal industrial council
negotiations in line with those in Natal
and the Cape, where 75 percent of
clothing workers are concentrated.
The Transvaal talks have historically
taken place later in the year.
About 100,000 workers will be
affected, confronting employers with
the threat of industry-wide disputes
and strike action. Sactwu's long-term
goal is a single national council for
clothing, textiles and footwear.
In the Transvaal, a further consoli-
dation took place this year when knit-
ting and clothing employers met
Sactwu for the first time in one bar-
gaining forum — although there was a
differentiated wage settlement.
Negotiations had previously been con-
ducted in different industrial councils.
Sactwu said in a statement that
employers had vigorously resisted a
six-month agreement.
In terms of the settlement, most of
industry's 15,000 clothing workers
will receive 8.2 percent for the six-
month period, bringing sewing
machinists' wages to just under R800
a month.
Mediation for Saccawu, hotel

VÉRA VON LIERS

THE SA Commercial, Catering and Allied Workers' Union (Saccawu) and management of the Riviera International Hotel at Vereeniging have agreed on mediation in a bid to resolve a prolonged dispute over wages and centralised bargaining.

A spokesman for owners Sun International said yesterday the parties would meet on Friday. He said between 35 and 40 workers who had been locked out since November 25 had accepted the company's offer of a R103 across-the-board increase and a monthly minimum wage of R841.

Meanwhile, about 60 striking workers at Cuthberts, Barnes and ABC stores were arrested this week.

A union spokesman said they were arrested for allegedly contravening a court order obtained by the company last week. Cuthberts group human resources manager Paul Gartner said the order prevented the strikers from intimidating customers and staff.
Appeal of decision boosts bargaining
Cuthberts and union seek to resolve strike

CUTHBERTS and representatives of the SA Commercial, Catering and Allied Workers' Union (Saccawu) will hold a meeting tomorrow to try to end a more than two-week-old strike by about 150 workers at Cuthberts outlets.

Saccawu spokesman Stanley Mngomezulu said yesterday the union had proposed the meeting.

The strike had already resulted in the arrest of 18 union members in Johannesburg yesterday for allegedly contravening a court order limiting the size and location of pickets and barring strikers from intimidating staff and customers, Mngomezulu said.

A customer at one Cuthberts shop was also apparently arrested in a mix-up. Workers were also arrested in Pretoria and Germiston this week.

Cuthberts personnel manager Paul Gartner confirmed the meeting would take place and said the company had issued an ultimatum for workers to return to work by next Tuesday or face dismissal.

Gartner said the strike, which started on November 20, was non-productive and was crippling the company's business.

He said workers were striking in response to the company's reluctance to negotiate on a collective basis given the union's limited membership.

The union represented slightly more than one out of 10 employees and the company would therefore not concede to a demand to negotiate wages and working conditions until the union represented a majority of workers.

Saccawu said workers embarked on strike action after management refused to enter into negotiations over wages and working conditions saying the union's membership was far less than 50%.
Trash clash looms as talks fail

By KURT SWART

A SHOWDOWN over garbage collection seems inevitable between the Cape Town City Council and municipal workers since crisis talks ended on Friday night without a solution.

Further industrial action by the SA Municipal Workers’ Union (Samwu) cannot be discounted after the failure of the talks and the decision by the council’s Executive Committee (Exco) to dock the pay of workers engaged in a “go-slow”, sources said.

Workers are demanding a return to twice-weekly removals, claiming that halving collections has placed an “intolerable strain” on them because of the increased volume.

At the same time, there is a growing feeling among some councillors that Exco has mismanaged the situation.

Workers launched a wildcat strike on Friday in protest against the council’s announcement that it would dock pay.

About 50 workers complained that between R11 and R89 had been deducted from their weekly wage packets.

Consult

Samwu has warned that it is considering laying charges against the council because it believes the pay deductions are illegal.

However, when the union’s negotiating team met Exco on Friday night, it was agreed that the workers should end their sit-in over pay cuts, said Samwu branch chairman Mr Sali Emke.

Samwu argues that workers are not on a go-slow but are working to rule after years of doing more than their service contracts stipulate.

“The crux is that council’s cleansing branch said it would not implement the new system without full consultation with the union,” Mr Emke said. “The department acted unilaterally.”

A member of the council, Mr Arthur Wensberg, said some councillors were unhappy because Exco was not keeping them informed.

“The feeling is that Exco is not being consistent,” he said.

He caused a stir this week when he suggested that residents dump their garbage bags outside councillors’ homes.
Motor unions agree on pay

PRETORIA — Three motor industry unions representing 150,000 workers in the sector (which includes retail outlets and garages) agreed with employers at the weekend to minimum wage increases of between 8% and 10%.

The unions were the Motor Industries Staff Association (representing white collar workers), the Motor Industries Employees Union (representing artisans) and Numsa.

Motor Industries Staff Association president Johan du Plessis said the settlement was one of the lowest in recent years but the dire straits in which the industry found itself had to be taken into account.

"The union representatives took a realistic stand. They could not ignore declining vehicle sales and the threat of unemployment in the industry."

Motor Industries Federation director Vic Fourie said agreement was reached only after protracted negotiations and a third mediation session.

"Conditions in the industry are depressed and there is little prospect of a significant improvement in the short term."

He said the small wage increases should be seen against last year's 25% hike.
Ellerine strike ends

A TWO-month-old national strike at the Ellerine Group ended yesterday following agreement between the SA Commercial, Catering and Allied Workers' Union and the company on wages and conditions of employment, according to the SABC.

The union undertook to cease picketing.

VERA VON LIEBES reports the strike involved more than 1,000 workers and started on October 7.

About 133 of the 344 outlets in the group were affected.

The parties agreed on an across-the-board increase of R175 and that no employee should be paid less than R1,097.50 per month.

The parties also agreed on 7.5% commission after sales exceeding R20,000 for sales advisors. — Sapa.
Highveld strikers expected back at work

WORKERS at Highveld Steel and Vanadium are expected to return to work this morning after several days of illegal industrial action which has knocked production at the group's steel, vanadium and ferro-alloy divisions.

Nearly 4 000 members of the National Union of Metal Workers of SA (Numsa) started strike action on Tuesday last week in protest at the retrenchment of 600 workers.

Management and worker representatives agreed yesterday to continue talks to resolve the dispute, after Highveld issued an ultimatum on Monday for workers to return to work yesterday or face dismissal.

A Highveld official said: "Management and employee representatives at the Highveld group have agreed to hold further talks (this morning) and all employees will return to work for their respective shifts."

All four Highveld operations at plants near Witbank were affected by the industrial action, but production had continued "albeit at a level lower than normal." A market source said yesterday that it was unlikely that the company's ability to market its products had been affected.

Worldwide demand for vanadium pentoxide and ferro-alloys is weak at the moment, and there has been such an over-supply of vanadium products that Highveld has been able to close down its Vantra division twice in the past year. Most of SA's ferro-alloy producers are operating under capacity.

Falling steel prices and a glut in ferro-alloy markets saw Highveld's interim earnings tumble 43% from R117m to R65m.

Numsa spokesman was locked in talks yesterday and could not be reached for comment.

The Highveld official denied a report in this week's New Nation that Highveld had simply informed the union of the 600 retrenchments and had refused to negotiate a severance package.

"In terms of an agreement with the union, employees were given three weeks' notice of the impending retrenchments, which were discussed at numerous meetings. "Severance pay has been given," the official said.
Metalworkers call off strike

The 4,000 employees of Anglo American’s Highveld Steel Corporation in Witbank who were given an ultimatum to return to work on Tuesday or face dismissal returned to work yesterday, an Anglo spokesman said.

The spokesman said this followed an agreement reached with management on Tuesday.

In terms of the agreement, Tuesday’s talks continued until yesterday and management and employees’ representatives agreed to hold further talks today to resolve the situation, the spokesman added.

All employees would return for their respective shifts, the statement added.

The illegal strike by the workers, in defiance of a court interdict obtained by the company which ordered them back to work by Monday morning, affected the vanadium and ferro-alloy operations.

The spokesman said the strike’s impact on Highveld’s ability to market its products had not been seriously affected.

The spokesman denied claims by National Union of Metalworkers regional secretary Frank Boshielo that the union was forced to act immediately as management had informed the union of its intention to retrench workers on November 12, three weeks before they were due to lose their jobs.

He said that in terms of the agreement with the union, employees were given three weeks’ notice of the retrenchments, which were also discussed at several meetings. In addition, severance pay had been paid.

Mr Boshielo said workers went on strike in an attempt to block the retrenchments.

The strike is a sequel to the downing of tools by workers at the mine last Tuesday in protest against the retrenchment of 900 employees.
PLACARD PROTEST: UCT workers protest at the graduation ceremony in support of dismissed workers

Five UCT strikers sacked

By Quentin Wilson

FIVE UCT workers have been dismissed following disciplinary hearings relating to a strike earlier this year.

A total of 47 workers face disciplinary measures and all hearings should be completed by the end of this week, according to the university "court" roll.

Mr Harold Harvey, spokesperson for the Transport and General Workers Union, has voiced disapproval at the ongoing procedures.

"We have found disciplinary measures so far to be very inconsistent. Other than the five who have been dismissed there have been 12 or 13 others who have been issued final warnings for offences more serious than that committed by those dismissed," he said.

The September strike followed dead-locks on several issues during wage negotiations. Demands included a R300 across-the-board increase and more say in the restructuring of the university.

Lectures were disrupted and burn-
Metal workers return to work

ALL 4 000 members of the National Union of Metal-workers of South Africa who had been involved in industrial action at Highveld Steel in Witbank returned to work yesterday.

This was confirmed by both NUMSA and a spokesman for Anglo American Corporation.

Negotiations between Highveld Steel's management and the union were still continuing yesterday - South African Press Association.

AN ANNOTATED BIBLIOGRAPHY

IN THE EIGHTIES AND NINETIES:
Agriculture in South Africa
Dismissal deadlock (5)

Negotiations for the re-employment of 3,000 Iscor workers fired last week at the Durban coal mine, have reached impasse. They were dismissed after failing to comply with an ultimatum to return to work after a legal wage strike. Golding said that thus far, Iscor has turned down all union proposals on re-employment.
Retrenchment talks continue

TALKS between the National Union of Metalworkers (Numsa) and management at Iscor's Highveld Steel plant on the retrenchment of several hundred employees were expected to continue today, a Highveld official said.

This follows a return to work by nearly 4000 workers who had been engaged in a week-long industrial action at all four Highveld plants near Witbank since last Tuesday because of retrenchments.

Meanwhile, management at Iscor's Durnacol mine in Natal yesterday accepted a request by the NUM for mediation on the re-employment of 3109 workers.
Some gains but many job losses

Labour
Union declares dispute over FNB 'refusal' to talk

THE SA Commercial Catering and Allied Workers' Union (Saccawu) said yesterday it had declared a dispute with FNB, alleging the bank had refused to negotiate working conditions with the union.

Spokesman Stanley Mngomezulu said Saccawu, which represents 1 500 FNB employees, wanted to negotiate on issues including the bank's medical aid scheme, racial discrimination, the refusal to extend stop order facilities for union fees to Saccawu members, maternity leave, and the abuse of the bank's disciplinary code and procedure by management.

According to the union, FNB was unwilling to negotiate, saying Saccawu represented an insignificant number of employees in the bank's 23 000-strong workforce and because the company had established a sound collective bargaining relationship with the SA Society for Bank Officials.

FNB spokesmen could not be reached for comment yesterday.

The union had referred the dispute to a conciliation board which was expected to sit next January.

Meanwhile, a lockout of 500 workers engaged in a labour dispute with Sun International (Cskel), continued yesterday.

And at the Riviera International Hotel in Vereeniging a two-week lockout of Saccawu members remained unresolved.
Road to a social contract

SEVERAL corporations are considering agreements at plant level to provide for shared decision making with trade unions in exchange for worker compromises.

If such agreements are concluded, says Andrew Levy & Associates (ALA) in its annual report, they could provide the clue about the form of “social contract” that could emerge in SA.

Whereas the social contract process in Western Europe was initiated at national level, this is unlikely in SA.

There are widely differing viewpoints about what a social contract should comprise — and even its desirability.

“...The agreements which stick are likely to be negotiated at company or industry level. “A national level strategy only is likely to delay or even end the process since the agreements are unlikely to stick.”

If unions and management in specific industries begin to develop a working relationship which delivers benefits to both, it will provide the right climate for a national social contract.

But ALA warns that the process could take several years to achieve, if at all.
Bank responds to union's allegations

Vera Von Eren

The SA Commercial, Catering and Allied Workers' Union (Saccawu) had not provided proof of membership at FNB despite the bank repeatedly inviting it to do so, FNB senior GM Jimmy McKenzie said on Friday.

McKenzie was responding to a Saccawu statement last week that it had declared a dispute with FNB, alleging the bank had refused to negotiate working conditions with it.

McKenzie said the format of a relationship with the union would depend on its representation within the bank.

Meanwhile, Sapa reported FNB employees have instructed the 38 000-member SA Society of Bank Officials to conduct a strike ballot after a breakdown in salary talks.
Bid to end Saccawu
strike after attack

VERA VON LIEKES

MANAGEMENT at Riviera International
Hotel and the SA Commercial, Catering
and Allied Workers' Union (Saccawu) were
yesterday locked in mediation in a bid to
resolve a strike that started more than
three weeks ago, company and union
spokesmen confirmed.

This follows the "setting aside" at the
weekend of hotel worker Gladys Bengu as
she was about to report for duty.

Witwatersrand police spokesman Lt Col
Dave Bruce said yesterday Bengu alleged
she was attacked by two chefs and a waiter
who worked with her at the hotel. Police
were still searching for the suspects.

A Saccawu spokesman said the union did
not support violent solutions to strikes, and
on that basis neither mediation in a bid to
settle the dispute. He said details sur-
rounding the incident were still under in-
vestigation and it was not clear whether
Saccawu members were involved.

About 200 workers were locked out of the
hotel on November 25 after the decla-
rations of a wage dispute earlier in the year.
A company spokesman said the lock-out
was linked to a dispute over wages and
employment conditions and union de-
mands for a centralised bargaining forum
in the industry.

Management said at this time workers
could return to work only if they accepted
its final offer on wages and other condi-
tions of employment.

The union spokesman said the company
was offering a Rand 65 across-the-board in-
crease backdated to July 1. Saccawu was
demanding an additional Rand 9 from January
1 and that the company agree to join a
forum consisting of all Sun International
regions where the union had recognition to
negotiate centralised bargaining.

He claimed the company's tardiness in
dealing with the dispute had created a
costly, confrontational situation at the hotel.
No agreement on hotel dispute

MANAGEMENT at the Riviera International Hotel in Vereeniging and the SA Commercial, Catering and Allied Workers Union (Saccawu) were yesterday still exploring ways to resolve a four-week-old wage dispute, the union said.

"Agreement had not yet been reached after several mediation sessions over the past few weeks," a union spokesman said.

Mediation aimed at resolving the dispute started five days after about 150 Saccawu members were locked out of the hotel on November 25 and was not in response to a recent attack on a hotel worker, he reported earlier this week, the spokesman emphasised.

Riviera International GM Alex McMath confirmed earlier this week that mediation was continuing around a number of outstanding issues.

Meanwhile, a more than two-week-old lock-out by about 500 workers at Sun International hotels in the Ciskei continued yesterday.

The union claimed management was using Ciskei police to stop union members from picketing and had forced a number of workers to accept its final wage offer of R155 across-the-board by threatening to dismiss them if they failed to sign.

The key issue was the company's refusal to agree to full back payment of the increase to the traditional increase date of July 1, it said.

It was reported earlier this week Sun International regional manager Graham Vos said management believed its final offers were fair, correctly motivated and market-related.

And in another development, Saccawu members at 25 Kentucky Fried Chicken outlets went on strike yesterday after a breakdown in negotiations over centralised bargaining, the union said.
Resolutions Board plans public mediation course

THE Resolutions Board — a trust to facilitate the development of alternative dispute resolution (ADR) — will hold SA’s first public mediation training course next February in a bid to bring “law to the person in the street”, says board MD John Howard.

Training courses in conflict management have in the past been conducted on a closed shop basis by professionals and have been largely inaccessible to the public, he says.

The course — designed in consultation with leading business, legal, and labour academics — will cover an introduction and background to negotiation and mediation in the SA context and also emphasise the practical application of negotiation and mediation.

Follow-up courses will be held in all main centres.

Effective use of mediation and ADR — the process of resolving disputes using a neutral third party facilitator acceptable to all disputing parties without recourse to formal court procedures — was still at a formative stage in SA conflict management, a Board spokesman says.

It dates back about 10 years although widespread use was only made in recent years.

Says board chairman Prof Nic Wiethahn: “Against this background, the time is right for the sharing of knowledge through training courses and seminars which will help in cementing proficiency levels in the use of ADR.”

Management and labour relations consultancies increasingly claim proficiency in ADR, says Wiethahn.

Conflict

“The claims are too often made prematurely, prior to consultants having gained adequate experience in the field,” he adds.

The board was formed more than a year ago and is currently the only organisation geared towards implementing ADR in the wider spectrum of conflict resolution extending beyond the labour field into civil, commercial, agricultural and even domestic conflicts, Wiethahn says.

“The Resolutions Board did not assume an immediate high profile as we took care to develop our access to expert panelists and our infrastructure before we began to publicise the service.”

After handling many successful cases, the board had now designed a two-day certificate course in mediation skills which will be held at Unisa at the beginning of February.

Commentary

1. Termination of USK
Shareholders’ attempt to cancel the separately quoted USK Ltd.

2. Financial
2.1 The extraordinary event (after deducting the Vanadium assets)

3. Operating results
The consolidated results for the period ended 30 September 1991

4. Current status
A decision has been made...
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JANUARY — JULY
Labour issues move to centre stage
Samancor to meet Numsa on takeover

THE National Union of Metal Workers of SA (Numsa) will meet Samancor management next week to request more information on the group’s takeover last September of Middelburg Steel & Alloys which Numsa says intends retrenching 400 workers.

Numsa national secretary Bernie Fanaroff said yesterday the company had not yet provided information on the takeover. He confirmed Samancor had proposed to retrench about 400 workers in the restructuring of the enlarged group’s operations from January 31.

Barlow Rand sold Middelburg Steel and Alloys (MS&A) to a consortium including Anglo-American, De Beers and Gencor – which owns Samancor – for R1bn. Samancor bought MS & A’s ferro-alloy division for R487.5m.

It was reported at the time that Samancor would retrench 400 workers from the Middelburg Ferrochrome plant bought from MS&A. The plant employs about 3,000 people.

Samancor G M (chrome division) Wilrich Schroeder has said the rationalisation of its operations was due to market conditions. He said discussions with employees and employee representative organisations regarding rationalisation were underway.

A Samancor spokesman said yesterday he could not confirm that a meeting would take place next week.
Feathers Fly in Kentucky Dispute

Vatican Fined, a Representation of...
Gloom over the Sun empire

It's a little gloomy at the Ciskei Sun where the 700-strong workforce has been locked out after going on strike. And management has issued a directive that workers will be dismissed if they do not return to work by the end of the month.

According to the South African Commercial Catering and Allied Workers' Union, management has refused to re-open negotiations. They believe that their offer is "fair and market-related". The company is offering R810 a month, an increase of R110. At the Riviera Sun, the parties are still in deadlock over disciplinary procedures. And at the Wild Coast Sun, a conciliation board meeting this week tried to solve a deadlock which arose after the company refused to backdate the wage agreement to July 1.

Only the Venda Sun has had some success at effective labour relations. A wage agreement of R150 a month was successfully concluded and will be backdated to July 1.
Hot under the white collars

By ADRIAN HERSCH

WHITE-COLLAR mutiny appears to be growing.

A strike ballot is being held among First National Bank employees — and one is looming at the Perm.

Both disputes relate to the annual pay talks.

The SA Society of Bank Officials (Sasbo) wants a 16% increase — FNB offers 13%.

The discussions affect 25,000 employees.

Sasbo general secretary Ben Smith says that in 1991 FNB produced a 6.5% taxed increase in profit to R383.1 million.

FNB senior general manager Jimmy McKenzie says given the state of the economy it is important the bank protect itself for the future.

"The salary bill is R1-billion a year. Each 1% increase involves a large sum."

The outcome of the strike ballot will be known on February 4.

Mediation failed to resolve the dispute between the Perm and the Building Society Officials Association (Bosa).

Management offers a 10% raise, but the union wants 12%.

The Perm says it is in a handout to employees that a housing allowance — to those who did not previously benefit — is the equivalent of a 1.6% addition to the salary bill.

A union circular says the Perm has implemented its final offer to non-union members with effect from January 1.

The circular also says the Bosa received a “positive response” to an “opinion poll” about industrial action.
Retail sales decline

DEALERS and businessmen said yesterday retail sales in December had been disappointing.

Spokesmen for large chain store groups said although sales in rand terms had been better than the previous year, they showed a significant decline in real terms.

They attributed the decline to the recession and said consumers bought only bare necessities.

Labour law ‘inflexible’

THE Alternative Dispute Resolution (ADR) Act is unlikely to succeed in its objective to provide alternative, creative and cheaper methods of resolving disputes, says Centre for Dispute Resolution director Simon Garvey.

"The Act seeks to tie up practitioners in an autocratic and inflexible manner which is in absolute contrast to the spirit of ADR," Garvey said yesterday.

"True mediation requires flexibility and scope for the mediator."

Kaunda quits politics

FORMER Zambian president Kenneth Kaunda has quit active politics to promote global peace.

His decision to resign as leader of the United National Independence Party, through which he ruled Zambia for three decades, and the gulf between those who support him and those who reject him now threaten to destroy the once-powerful party.

REPORTS Business Day Reporter, Lagos

London

SALES of pre-sanctioned chrome are likely to take as long as last year, SA’s re-exports officials said.

"Capacity is slow returning," a spokesman for the industries association said.

Denmark's SA's re-exports last Friday...
Labour law 'inflexible'

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LABOUR: Unions and employers pull together ...

Textile industry sews up new restructuring deal

A ground-breaking deal to restructure the ailing textile and clothing sectors also heals rifts among employers, reports DREW FORREST

In phase two, the industry will formulate a long-term growth plan to make it more competitive internationally and a larger employer.

From agriculture through to retailing, the industry "pipeline" employs some 500,000 workers — although it has shed 20,000 in the past 18 months. The intention is to stem the loss of a further 12,000 and create 30,000 new jobs.

Agreed by Sactwu and employers in the cotton-growing, spinning, knitting, textile and furniture industries, as well as clothing retailers, the agreement has healed an ancient breach in employer ranks.

Textile and clothing employers have been at odds for years over tariff protection. It is understood that Sactwu played a constructive role in bringing together these historic antagonists.

Cosatu and employers will next week resume talks on the creation of a macro-economic negotiating forum, but the Sactwu deal bears out predictions that progress towards joint policy-making is likely to be most rapid at industry level.

Restructuring talks in some form are also under way in the metal, motor assembly and mining industries.

Ebrahim Patel

Agreed in the "working group" on clothing and textiles set up to advise the government last year, the plan entails an initial, transitional phase which seeks to limit the damaging effect of cheap textile and clothing imports, largely from the East, by means of a tariff quota system.

This would permit imports at current rates of duty in quantities agreed by the various sectors, with imports above the agreed quantities being permitted at higher duties.
NUM may pull out of talks

By DREW FORREST

COMPLAINING of “disappointingly slow progress”, the National Union of Mineworkers has warned that it may review its participation in vital employer-union talks on the future of the hard-pressed mining industry.

This week, NUM chief Marcel Golding accused the Chamber of Mines and the government of “heel-dragging” in their response to union proposals. The NUM’s central executive committee would assess its participation at the end of this month, he said.

Reacting, a chamber spokesman said the talks had established “some fairly useful co-operative structures”.

Progress on NUM proposals of a permanent mining commission and safety commission had been slow, but the issues were complex and there had been too little time to resolve them, he said. The chamber wanted to maintain the dialogue and would respond to the NUM soon.

At the historic union-employer “summit” on the future of the mines last June, four “commissions” were set up to examine the co-ordination of mine closures and industry downsizing, how to prolong the life of mines, the protection of agreed work conditions and the maintenance of health, safety and welfare standards, the training and retraining of retrenchees and aid to communities hit by job cuts.

Including representatives of the chamber, all mine unions and the departments of manpower and mineral and energy affairs, these were asked to make recommendations to a steering committee chaired by Idasa’s Van Zyl Slabbert. None of the commissions had yet reported, Golding said. “We don’t believe there has been satisfactory progress. Employers have been reactive and uncreative,” he said.

Of particular concern was the chamber’s slowness in responding to NUM proposals of a permanent mining commission. Representing major players and with its own charter, this would keep the industry under continuous review.

“Employees are worried about a command economy and see this as a commandist structure,” he said. The NUM had also made detailed proposals on health and safety and mining taxation.
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Bosses, workers plan a Codesa clone

By CHARLES SHYNE

TOP businessmen and unionists are proceeding with plans to set up an economic equivalent to Codesa in time for the next round of constitutional talks in March.

Representatives of both groups met on Tuesday to set the plans in motion. Codesa working groups, meanwhile, will be meeting tomorrow to consider how both sectors can be drawn into it.

The clustering of workers and bosses reflects the fears of both that constitutional and political negotiations might be delayed until the debate on economic issues.

Delegates at Tuesday's meeting in Johannesburg included the Steel and Engineering Industries Federation of SA, the SA Chamber of Business, the Chamber of Mines, the National African Federated Chamber of Commerce, the Federation of African Business and Consumer Services and the SA Employers' Co-ordinating Committee on Labour Affairs.

Permanent

The main delegates - each from Cosatu, Nactu and the public sector Federation of Senior Staff Associations - will also be present.

The government will not be represented at the meeting, although it is sympathetic to the cause of both groups.

The forum is envisaged as a permanent body to resolve disputes, plan economic policy, advise the government and generate growth. It will function parallel to Codesa with some members saying it might even be absorbed into it.

The first meeting of Codesa's five working groups will consider accepting submissions from employers and employees on economic aspects of a draft bill of rights and on institutional arrangements affecting control of the budget.

Decide

Stevens chairman, Amtin Rochild said this week that "a constitution could be written in a week, but to agree on a political economy will be a long, hard struggle."

"Now, in the domain of public policy, will we decide on the proper allocation of resources to stimulate the necessary economic growth and thereby remove wealth disparities?"

One leading businessman observed: "We need to move incredibly fast. We have already paid the costs of not having such a body, with the VAT day away of November 4 and 5 last year."

See Page 4
MORE than a million workers were affected by private mediations in industrial relations last year— an all-time record.

One of the key benefits of mediation is that it reduces red tape.

Its growing popularity will add weight to calls by the National Manpower Commission (NMC) that “private conciliation centres be officially recognised.”

The Independent Mediation Service of SA (lansa) conducted 821 mediations and 432 arbitrations last year.

This compares with 589 and 344 in 1985 respectively.

lansa director Charles Nuppen says that 89% of mediations related to wages and the others included retrenchment and collective dismissal disputes.

Most mediations are carried out between July and October because most pay talks come to a head at this time.

Two major pay disputes settled by mediation were in the national metal industrial council and the motor component industry.

These settlements affected nearly 500 000 workers.

Mediation in the national

By ADRIAN HERSCH

at a time when the auto-assembly industry led to a settlement which included a retrenchment moratorium—providing that production targets are met.

Mr Nuppen says that the type of deal is significant for the bargaining climate this year.

But Mr Nuppen warns that forces outside the workplace, such as developments in constitutional negotiations and the inflation rate, will play a significant role in bargaining.

Dismissals

Most of the 432 arbitration cases last year related to disciplinary and dismissal disputes.

There was a large increase in the number of mediations in the Western Cape and in arbitration in the Eastern Cape and Free State.

lansa is likely to set up permanent offices in the Eastern and Western Cape in 1982.

Besides industrial relations, the organization is involved in mediating disputes in the community.
Cosatu set to seek representation at negotiations

By Mike Shapiro

Cosatu's involvement in the recent high-level talks should not be dismissed lightly, according to the federation's general secretary. "We have made it clear that we are interested in finding a solution that reflects the interests of all parties." Cosatu had expressed concern over the proposed Labour Court's role in resolving disputes, and had called for a more inclusive process.

Upon closer examination, it became clear that the federation's position was based on a desire to protect the interests of its members, particularly those in the informal sector. "We have consistently argued that the informal sector is a vital part of the economy, and that their voices must be heard in any decision-making process," said Cosatu's general secretary. "We will not accept a situation where we are left out of the process of decision-making."
Security Act talks

SECURITY industry employer and worker representatives will meet Deputy Law and Order Minis-
ter Johan Scheepers in Cape Town today to discuss possible Security Officers Act amendments, said a Transport and General Workers' Union spokesman.

Participants include the Security Officers Board, the Consumer Council, the SA National Security Employers and the TGWU.
MORE than 60 delegates from organised business and labour yesterday agreed on "the urgent need to set up an economic forum", said the meeting's facilitator, the Consultative Business Movement (CBM).

The CBM said a working group had been set up and would report back in March. It would approach government to take part in the forum.

Representatives of Cosatu, Nactu and Fedsal, and Sacob, the AHI, Fabcos, Nafoco, Seifsa, Sacola and the Chamber of Mines attended the meeting.

Sacob director-general Raymond Parsons said the working group would examine whether the forum should make an input at Cosesa. In an Agenda TV discussion he said he was "very positive" about the meeting.

Cosatu assistant general secretary Sam Shilowa said during the Agenda programme Cosatu was not contemplating an alternative "Budget"
Labour, business take initiative

By DREW FORREST
IN A giant stride towards co-determination, business leaders this week signalled their clear backing for macro-economic negotiations with the labour movement.

At a heavyweight meeting convened by the Consultative Business Movement in Johannesburg, both sides agreed to set up a working group with 50/50 representation within two weeks which will debate the aims, scope, powers and composition of an economic forum, as well as urgent issues such as its relationship with the Convention for a Democratic South Africa (Codesa).

The plenary will reconvene within weeks and sources were confident a forum would be in place by mid-year.

Speaking for labour were the Congress of South African Trade Unions, the National Council of Trade Unions (Nactu) and the largest representative of organised white workers, the Federation of Salaries and Staff Associations.

On the employer side were the South African Chamber of Business, the South African Co-ordinating Committee on Labour Affairs (Saccola), the Afrikaanse Handelsinstituut, the Steel and Engineering Industries Federation, the Chamber of Mines, Federation of African Business and Consumer Organisations (Facobco) and the National African Federated Chambers of Business and Industry (Nafco).

Business has been equivocal about the forum concept, mooted last year by Cosatu. As long ago as last July, a meeting between Cosatu, Saccola and the government yielded a draft agreement on a procedure for establishing a forum, which business and the state subsequently failed to endorse.

"The dominant employer view is that this must be pursued," said a business source. "Other business organisations will come in as the process develops."

A potential stumbling-block is the issue of state involvement. Influenced by its experience of the National Manpower Commission — where employer-union compromise proposals were regularly overridden last year — Cosatu insists that the government must participate directly in the forum as a negotiator.

The government's view is unclear, but the dominant view appears to be that the forum should be a bilateral affair with advisory powers. Unionists see Finance Minister Barend du Plessis and Law and Order Minister Hermus Knel as key obstacles.

Business sources contacted this week were confident that once a forum was in place, government would find pressure to join it irresistible — as happened with the "Saccola Accord" on the Labour Relations Act.

On the forum's scope and powers, there are differences of emphasis between employers and unions.

Cosatu is looking in the long-term for negotiations on economic policy, but its immediate goal is to agree "transitional economic arrangements", including immediate, concrete measures to stem job cuts and create employment and an end to "unilateral restructuring" by business and the state.

Employers are more cautious — some appear to see the forum as a way of setting principles and guidelines rather than policy.

It is likely that the parties will agree to draw a range of political players into the process, including the African National Congress and civic organisations, but as junior partners.

"If we're discussing transitional measures, major political groupings must be included," said Cosatu spokesman Neil Coleman. "Agreements on job creation schemes, for example, must involve the ANC as a potential future ruling party."

Although it is misleading to describe the forum as the "economic Codesa" — economic talks will focus on substantive issues and solutions, while Codesa is concerned with principles and procedures — the relationship between the two will have to be defined.

One approach mooted at this week's meeting was the creation of a constitutional committee under the forum, with formal links to Codesa, which would make an input on economic matters.

Some Cosatu unionists fear employers' primary interest in the forum will be to win union undertakings on pay restraint and industrial stability.

Employer sources deny this. "We're looking for an institutional structure in which the partners can play their proper role in society — the question of strikes and wages belong at a lower level of negotiation," one commented.
Government gives ground on guards

By DREW FORREST

THE government has given significant ground on the controversial Security Officers Act as a result of sustained trade union pressure — and further concessions may be on the cards.

The Act, and particularly the requirement that low-wage security guards pay a registration fee and annual levy to the Security Officers Board (SOB), was the spark for mass protests last year by members of the Transport and General Workers' Union.

This week the TGWU's Jane Barrett revealed that major changes to the Act had been agreed in a tripartite "working group" set up in the wake of the protests. These were embodied in a draft amendment Bill published late last year.

The working group, which includes the TGWU, the South African National Security Employers' Association, representatives of the Law and Order Ministry and the Consumer Council, was to meet again this week to consider other possible changes.

Barrett said consensus had been reached on including worker representatives on the SOB; changing the schedule of crimes disqualifying workers from the industry; negotiating the code of conduct, and the police's role in monitoring the industry.

Barrett said that at this week's meeting, the union would press for further changes, including provision for representation for trade unions and employer bodies on the SOB.
JOHANNESBURG — In what could be a precedent-setting decision, the Industrial Court ruled last week that Checkers should consult properly with the SA Commercial, Catering and Allied Workers' Union (Sacawu) before closing or selling shops, according to Sacawu legal officer Ros Nyman.

Reasons for the judgment have been reserved until today.

The judgment was the result of an urgent application brought by Sacawu against Checkers to prevent the retrenchment of 34 Sacawu members.

Nyman said that when Pepkor bought a controlling interest in Checkers last year, it told Sacawu there would be no "change in the working conditions".

However, the company then sold one of its stores, said 34 workers would be retrenched.
Unions gear to shape up SA's future

Last Tuesday organised labour and big business met at the headquarters of the Premier Milling Group in Johannesburg to look at future economic and business policy. Sowetan reporter JOE MOHLELA (right) was on the sidelines and reports.

BY A strange twist of fate, last Tuesday's historic meeting between organised labour and big business took place at the same building that used to house the executive suite of the company's former managing director Mr Tony Bloom.

It was Bloom who in 1985 was in a delegation of white South African businessmen who met the African National Congress in Lusaka at a time when public contact with the then outlawed organisation was taboo.

The Lusaka meeting was later denounced and described as unpatriotic by the National Party Government, then under president Mr PW Botha.

Destiny

Last Tuesday, it was the same businessmen who were meeting with black leaders, some of whom are members of the ANC.

This time the Government was cheering from the sidelines.

It was a pity that Bloom, who has since left the country, was not at this meeting.

One thing emerged at the forum - the labour movement will play an important role in shaping the political destiny of South Africa.

Predictably, the meeting was stormy and perhaps a harbinger of stormier sessions still to come. For, at this forum that will deal with the bread and butter issues of change in South Africa.

One observer said: "Given the volatile political climate, it was a miracle that these people reached agreement within hours."

Although political parties were not represented, the forum resolved that the Government be invited.

It is logical to assume that the presence of the Government in the forum will imply that other political players should form part of the economic process.

But it will also be realistic to imagine that trade unions will use the forum to articulate their displeasure about, for example, the Government's unilateral implementation of the Value Added Tax.

The unions will also have the opportunity to warn the Government that it will be walking on live landmines if it were to increase VAT.

The Congress of South African Trade Unions is clearly sympathetic to the cause of ANC while big business element, which is in favour of negotiations, would also be uncomfortable with the idea of Codena being bandied about.

If that happens, distinct battle lines will be drawn, with the National Council of Trade Unions known to be uncomfortable with Codena - showing dissent.

The more than 60 delegates were drawn from Cosatu, Nactu, the South African Chamber of Commerce, the Afrikaanse Handels Instent, Fables, Nafoc, Steel and Engineering Industry Federation of South Africa and the Chamber of Mines.

They agreed that white politicians were busy shaping a political programme for a new society.

The forum should look at economic problems.

But it also emerged that without the Government's input into the economic debate, the forum would remain an exercise in futility, hence the decision to invite it.

"What also became clear was that Nactu did not want the forum to be an extension or a sub-committee of Codena," said Mr Cunningham Nguvazana, Nactu's general secretary.

Mr Cunningham Nguvazana, Nactu's general secretary, said the forum was in fact an answer to the feelings expressed during the Labour Minute in 1990 when Nactu and Cosatu sought a fair deal for black workers.

"The forum will have to address itself to job creation and other schemes that will improve the lot of black working class," Nguvazana said.

Movement

Chief economist of Nafoc, Mr Vincent Phahlane, said an increasing number of blacks would need to become employers, thereby expanding the employment base.

"Black employers will help a lot towards increasing the employment base and thereby contributing to job creation," he said.

Chief executive of Burdown Rand Mr John Hall said the fact that the labour movement and big business were ready to co-operate was indicative that the parties were keen to help solve the economic crisis.

He said the move should not be seen as an attempt by big business to bludgeon unions into co-operation so as to minimise industrial action in the workplace.
Checkers told to consult with union

IN WHAT could be a precedent setting decision, the Industrial Court ruled last week that Checkers should consult properly with the SA Commercial, Catering and Allied Workers' Union (Saccawu) before closing or selling shops. Saccawu legal officer Roseline Nyman said

Reasons for the judgment have been reserved until today.

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Nyman said that when Pepkor got a controlling interest in Checkers last year, it told Saccawu there would be no "change in the working conditions of members".

However, the company then sold one of its stores and informed the union last week that 34 members would be retrenched.
Fewer exiles than planned want to return

FAR fewer exiles than originally planned for are expected to return, repatriation and government sources said yesterday.

The total number of returning exiles has been substantially reduced from 30,000 to between 15,000 and 20,000.

Initial estimates of how many exiles would return ranged between 30,000 and 40,000, but the current rate of registrations for return suggest the main thrust of the planned six-month programme could end sooner than expected.

UN High Commissioner for Refugees information officer Michael Keats said yesterday that the rate at which returnees were registering suggested the total would be less than 20,000.

Keats said that by January 25 the UNHCR had forwarded the names of 4,000 people to government, and of them 3,500 had so far been cleared. So far 82 cases had not been forwarded yet as additional information was being sought.

Home Affairs director-general Piet Colyn said yesterday 5,983 exiles had returned before the UNHCR's involvement.

More exiles would register, but Colyn said he did not expect the number to be large, estimating the total number of returning exiles to be 15,000.

About $15m has been collected so far by the UNHCR for the repatriation programme. It is understood that some of the donors have agreed not to seek repayment if the number of exiles is smaller than expected, although the issue has not yet been discussed with the about 40 donors.

Meanwhile, a possible conflict between the UNHCR and government was averted.

Exiles yesterday after a meeting between the UNHCR mission chief Kalib Kalumyia and government representatives.

The tension arose because the UNHCR said a returning exile, Enoch Mathi, was arrested on January 13 — the day after his return — and held without being charged.

Keats said yesterday the arrest was contrary to the letter and spirit of the UNHCR's agreement with government.

Mathi is alleged to have beaten up a policeman and stolen his firearm in an argument. The incident is alleged to have taken place shortly after the October 8 cut-off date for indemnity.
Exploratory agenda for meeting

Business and labour set to finalise forum

ORGANISED business and labour will meet at the Premier Group headquarters in Johannesburg tomorrow to thrash out the mechanisms for the establishment of a national economic negotiating forum.

The meeting results from several months of informal discussions between union and employer groups.

A South African Chamber of Business (Sacomb) spokesman said the meeting, which has been convened by the Consultative Business Movement (CBM), would be "exploratory" and would aim at agreement on the structure, tasks and methods of an economic forum. Several employer organisations supported this view.

The meeting is expected to discuss and, where possible, take decisions on:

- The aims, objectives and terms of reference of the economic forum;
- Whether the forum should attempt to establish a social accord or negotiate economic policy or guidelines;
- Who should participate, in particular whether the forum should include representatives of government and political parties;
- The forum's structure and financing;
- The forum's relationship with Codesa and other transitional structures; and
- Whether there should be a time frame for the forum.

The CBM confirmed it was convening the meeting. It drafted the agenda in consultation with the principal parties.

Employer groups scheduled to attend include the Afrikaanse Handelsinstituut, the Chamber of Mines, Fecobs, Naboc, Saccola, Sacob and Sufa. They will each have between two and five delegates.

On the labour side Cosatu, Nactu and the Federation of Staff Associations will have 10 delegates each.

The question of government and party political participation in the forum has been a matter of intense informal debate in recent months. There are influential leaders in organised business and labour who argue that policies should be negotiated and agreed between themselves alone and then, where necessary, put before government for implementation.

Both parties fear that were the forum to fall under Codesa, critical economic policy issues might be sacrificed in the horse-trading of broader constitutional and political negotiations.

Others in the unions argue, however, that once the ANC is in government the organisation could be a useful ally in economic negotiations.

Other groups argue that political parties should be involved as organised business and labour represent only the elite in the economy, while political parties can claim to represent a broader spectrum.

Cosatu assistant general secretary Sam Shilowa said he hoped the meeting would finalise the beginning of formal negotiations at national level. He said the unions had to decide on the aims and scope of the forum and whether they were aiming for a social contract or an agreement.

He said Cosatu expected employers to use the forum to convince unions to accept wage restraint. Cosatu opposed this.

He said the unions would demand a mor-

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Forum 20/11/92

Forum on retrenchments. Other issues were VAT, housing, pensions and labour legislation affecting farm, domestic, public sector and homeland workers.

Shilowa said Cosatu wanted to participate in Codesa if it was open to non-political organisations.

Nactu's general secretary Cunningham Ngcukana said the federation wanted a tripartite structure involving government, business and labour to be set up.

He said the CBM had already convened a series of meetings between parties to the talks and "while it was nice drinking tea" it was urgent to get "a properly constituted tripartite structure on the ground."

He said the union movement did not want an economic forum to be a "junior partner" to Codesa. Nactu believes the forum must be "democratic and accountable" if it is "to take the workers with it."

Nactu's general secretary Cunningham Ngcukana, speaking last week at Cosatu's summer school, urged unions to play a "pro-active role" and said the forum should address all the macro-economic issues facing SA. He cited investment, taxation, economic restructuring, trade and GATT as examples.
**CURRENT AFFAIRS**

**MINE WAGES**

**Teething troubles**

Within days of the State President praising, in his opening address to parliament, last year’s profit and productivity-linked mining wage agreement as far-sighted, the National Union of Mineworkers (NUM) announced that it will pull out of the deal.

The miners are essentially warning employers that they should not be regarded as a soft touch, which is how the rank-and-file evidently perceive their leadership and have told them so.

The choice of Kgalema Motlanthe as acting general-secretary is symbolic of the present mood. Motlanthe, a socialist, was the NUM’s education secretary, he is an ex-Robben Island prisoner who last year served as the first chairman of the ANC’s Winwatersrand branch.

But the NUM’s sudden leftward swing is more apparent than real. This can be inferred from the explanation of the bargaining posture put forward by former acting general-secretary Marcel Golding (now the assistant general-secretary), who stressed that the productivity wage deal runs till June and can happen before then.

As Golding puts it, the unhappiness is more to do with employers not having adhered to the agreement. The principle of it has not been rejected.

Golding accused the mining houses of withholding information essential for the bonus scheme to work properly, adding that implementation of the scheme “has caused substantial problems for our members.”

Part of the problem seems to be an inconsistency among the mining houses in applying the agreement. In general employers are dismayed and disappointed; there was hope that the productivity-linked approach would catch on.

Regarding job security, Golding said the union would have to assess the gold price and its impact on the industry. “We recognised the crisis of gold, in terms of its low price, and some of the problems experienced by the industry. But the solutions that are being proposed and the manner in which these are being implemented raise serious concerns.”

The union decided on that basis to review its position and advised its negotiators not to participate in the scheme “But you must understand the scheme only comes to an end in June when we have to enter a new wage deal. As the negotiations unfold, we will have to see what other mechanisms we can use to try to augment workers’ wages.”

The pragmatic approach pioneered in NUM by former general-secretary Cyril Ramaphosa remains intact at the top. The leaders know they must find the best compromise between earnings and job security.

But they agree with their members’ complaint that the base increase of 5% agreed last June is too low. It is further questioned by the members whether they can have much control over productivity in order to make any impact on their earnings.

Yet there remains a great deal of scope for creative bargaining, says labour consultant Pat Stowe. It’s possible, for example, that this year’s compromise might take the form of a slightly higher base increase and better information disclosure, but with the pay rise still linked to productivity.
LABOUR LAW

When should a company tell the union that a change of ownership which could affect the employment relationship is in the offing? Furthermore, what exactly is meant by "full and proper consultation"? (15)

These are key questions for business following the Industrial Court ruling last week that Checkers must "properly consult" the SA Commercial, Catering and Allied Workers' Union (Saccawu) before it can sell or shut down any of its stores.

It is established in labour law that, where jobs are at stake and there is knowledge of this, the company has a duty to "consult" the union in question. It is part of good-faith bargaining, though it might seem an infringement of a fundamental right in common law— that is, the right to dispose of one's property as one sees fit.

One problem with last week's finding by Mohammed Bulbulia, a permanent member of the Industrial Court, is that he gave no reasons with it; these were expected to be delivered later this week. The ruling was made in terms of section 17 of the Labour Relations Amendment Act, which provides for urgent interim relief, pending a fuller hearing under section 43, which can take up to four months.

In Checkers' case, that could mean having to keep paying more than 30 workers who are sitting at home, since the (closed) Roodepoort store in question was due to be taken over by new owners at the end of January. The union sought an urgent application last weekend to prevent this, and, 34 members being laid off at the end of this month. A union spokesman apparently explained that when Pepkor took control of Checkers, it had told the union that members' working conditions would not change.

That, though, seems less relevant than the question of when, precisely, the union was informed that the company might close one (or more) of its stores.

A source close to Checkers—which is outraged by the court's decision—says that the union was notified, late December, that the company was closing the Roodepoort store and had started relocating employees. The union, over four meetings, refused to cooperate. While those consultations were underway, the company sold the store because the lease was up for renewal. The union was informed of this, says the source, adding that, from Checkers' point of view, it complied with guidelines on retrenchment.

The implications of the ruling as it stands, says the source, are enormous—especially in the highly competitive retail trade. For example, the duty to consult could well affect business if competitors know that a store...
Labour

The Weekly Mail, January 31 to February 6, 1983

Checkers in Landmark Ruling
Business Times Reporter

ALTERNATIVE dispute resolution, the revolutionary labour strategy which promises employers and workers quicker and cheaper solutions to industrial strife, has passed its biggest test.

A team of negotiators and mediators ended a strike by 7,500 workers which brought almost all operations at KwaNdebele's Ekandustria development area to a halt.

John Howard, managing director of the Resolutions Board which led the talks, says: "This avoided a crippling dispute which could have dragged on for months in an industrial court, incurring huge legal costs."

Simmering

The independent board was set up seven months ago with Dr. Wielahn, author of much of South Africa's modern labour legislation, as chairman.

It aims to defuse tensions by making negotiation possible through the use of alternative dispute resolution (ADR) methods.

Mr. Howard says ADR, which has applications far beyond labour disputes, has been adopted by 800 of the biggest US companies.

The Ekandustria dispute, which hit almost all the 90 industrial employers, had its roots in KwaNdebele's lack of labour law.

Simmering dissatisfaction was brought to a boil by the calls for mass stayaways in protest against VAT, says Mr. Howard.

"The union calls brought to the surface at least 10 different issues which workers wanted to resolve. Employers refused to negotiate because the strike was considered unlawful and a crusade was likely."

Professor Wielahn, who is also chairman of KwaNdebele's Labour Advisory Commission, led a team of negotiators and mediators appointed by the Resolutions Board to the area.

The board, which has put together a panel of mediators, including attorneys, retired judges and labour consultants, believes the Ekandustria dispute was a major test for ADR.

Professor Wielahn says concessions were made by both sides, but the biggest cost was lost pay for thousands of workers.

He says ADR has application in commercial, agricultural and civil disputes.

"The legal system is heavily overburdened and ADR provides an effective, less costly and less damaging form of negotiation."

Jaw-jaw to end strikes
Demotivated staff demand 16%

Urgent talks to avert bank strike

LAST-MINUTE negotiations have taken place to avert a strike by more than 18,500 First National Bank employees, which could close branches throughout the country.

The results of a strike ballot by members of the SA Society of Bank Officials - the country's oldest and biggest banking-sector union - were due to be announced yesterday.

Union general secretary Mr Ben Smith was locked in last-minute negotiations with management yesterday, according to a union spokesman.

Earlier, Smith said he was confident workers would vote in favour of taking some form of industrial action.

The union accused the bank of "demotivating" its 25,000 employees by failing to keep a five-year-old "payment-on-performance" agreement and adopting a "market-related" policy for pay increases.

The members of the 38,000-strong union are demanding an increase of 16 percent based on performance.

The management is offering 13 percent.

First National Bank senior general manager Mr Jimmy Mackenzie said although he did not believe workers would vote to take industrial action, if there was "total support" for a strike, the bank would have no option but to close, review the situation and take necessary steps.

Smith said employees felt "cheated.

"The bank vowed not to move the goalposts if their staff achieved outstanding results. Our members accepted the challenge and have produced record profits for four consecutive years," Smith said.

Last year was another record year with bank profits rising 16.8 percent from R329.8 million to R385.1 million, Smith said.
Companies ‘spying on unions’

AN INTERNATIONAL security firm is being used by company management to spy on unions, a labour affairs publication has alleged.

The SA Labour Bulletin says in its latest issue it has documents proving that Lodge Security Services has passed on information on union activities to firms it is contracted to.

SA Commercial, Catering and Allied Workers Union (Sacawu) assistant general secretary Kaiser Thibedi yesterday said “severe action” would be taken against companies which used Lodge in this way — if the allegations are proved authentic.

He said “these undercover methods are likely to undermine the economic forum. We are already suspicious about the bosses’ intentions in such forums.”

The bulletin claimed “a web of agents employed by Lodge Security Services collected information on union activities” in Natal in 1993. The Bulletin said its sources believed this was still going on.

The companies using Lodge services, as far as the bulletin was aware, were Pick’n Pay, Dunlop and Cabana Beach Hotel.

Pick’n Pay’s Frans van der Walt said it could not “prescribe to agents what they should write about or not” and if an agent wrote there was a strike looming “it would be a warning sign for us and we would try and act on it.”

He said undercover agents were employed to prevent pilfering but it was possible an agent “could end up at a union general meeting.” He added that the company would be very circumspect about how to use information.

Lodge Security Services MD Edel Ashman said they passed on whatever their agents reported to their clients. Ashman was not aware of any reports on union activities currently.

The bulletin quotes from a letter sent by the then investigations manager for Lodge in Durban, Warwick Fresslech, which said the objective of an undercover investigation was “to bring to the attention of management shop steward and union activities. This enables management to act quickly and make right decisions before negotiating with shop stewards and the unions.” This letter was addressed to Tommy Smit at the Four Seasons Hotel.

The bulletin article is based on reports in its possession from agents operating at a range of Pick’n Pay stores in Natal. The bulletin said “it’s clear from the reports that some of the agents are shop stewards” as not only general union meetings, but shop steward and Cosatu regional executive meetings are reported on.
Transport industry nearer to striking

THE transport industry has edged closer to a wage strike after four unions declared a dispute with employers and announced they had started moves for a strike vote.

The Transport and General Workers Union made the declaration last week saying the four unions would meet on Friday to review the situation.

"The TGWU, which is by far the major representative, has initiated the meeting and is already preparing for the ballot next week," the statement said.

Management and union leaders have failed to reach a compromise in wage talks that began last year.

The workers are demanding increases of between 49.4 and 44 percent on weekly wages for the higher and lower paid brackets. Management has in turn offered increases of between 14 and 18 percent. 

- Sapa
Retailers negotiate over provident fund

Twenty major employers in the retail industry are negotiating a national provident fund with the 100 000 strong SA Commercial Catering and Allied Workers' Union (Saccawu), says Saccawu assistant general secretary Kaiser Thibedi.

The talks are the result of a Saccawu initiative to involve the entire industry in setting up the fund.

The employers, who have grouped together in a Participating Employers' Association, include Checkers, Chicks, Edgars, OK Bazaars, Pick n Pay, Foschum, CNA/Gallo, Ackermans, Pep Stores, the Beares Group, Game, Metro Cash and Carry, Morkels and SA Druggists. Other retail employers, who were originally involved in discussions around the proposed national provident fund, have pulled out at this stage.

The major problems were whether to make membership of the fund compulsory and whether to merge existing funds into the new national fund. The employers are adamant that membership should be voluntary and that the new fund should run parallel with existing ones, says employer spokesman John Corlett.

Thibedi argues that Saccawu members should join the fund and that existing funds should be "collapsed" into the national fund.

The companies involved employ about 90 000 people.

The existence of this new negotiating forum does not address the question of whether an industrial council could be established in the retail trade. Corlett said yesterday the diverse nature of the industry militated against the formation of a council and the issue "wasn't even on the agenda" Thibedi said, while an industrial council was desirable in the industry, Saccawu was concerned only with the provident fund issue at the moment.

Meanwhile, Checkers is asking for the setting aside tomorrow of an industrial court order that "proper consultation" take place between the company and Saccawu before retrenchments.

Nearly three weeks ago Saccawu sought urgent relief from the industrial court to stop Checkers retrenching workers in a store it had closed. In a ground-breaking ruling, relief was granted and Checkers was obliged to consult Saccawu before retrenchments could take place.

This has apparently sparked a wave of applications from unions seeking to halt retrenchments.

At issue is whether a company has the right to unilaterally retrench workers when closing or selling its operations or whether the union should be involved in the decision.

A source said there had been nearly 60 hours of consultation and Checkers now wanted the order set aside. A Saccawu spokesman said the union would oppose Checkers' application.
Dispute at Kentucky

The two-month strike by 600 Kentucky Fried Chicken workers in Transvaal and the Cape could be resolved soon, a well-placed source said yesterday. Kentucky employers spokesman Vincent Farrell confirmed the SA Commercial, Catering and Allied Workers' Union (Saccawu) had accepted that outlet managers were part of management. This was a disputed point as the union wanted to represent managers.

There was also consensus on regional bargaining. The strike at 50 Kentucky outlets was over the union's demand for national centralised bargaining.
Hawker stalls form part of responsibility programme

IN SUPPORT of the informal business, Mercedes Benz of South Africa (MBSA) will shortly provide stalls from which hawker will conduct their business, chief executive of the company, Mr Christo Kopke said.

The stalls, to be erected at the factory’s East London plant, have had the support of hawkers and workers, Kopke said.

He said this was part of the company’s social responsibility programme.

“we could never have erected them without involving workers,” Kopke said.

He said hawkers would operate from a hygienic environment.

The union and management were working hard to bring about a sound industrial relations climate.

By Joe Mdilela

He said the hourly-paid work force was represented by the National Union of Metal Workers of South Africa.

“Numsa represents 60 percent of all hourly-paid employees.”

He said the nine-week strike action that rocked the company in 1990 served as a lesson that there was a lot to be achieved in the area of industrial relations.

“We are proud that we are working more closely with the union to the satisfaction of both management and workers.

“Of course, we are far from perfect, but we are working hard to resolve the problems,” he said.
New Act gives pickets the Kentucky blues

IN THE eighth week of the Kentucky Fried Chicken strike, feathers continue to fly. Negotiators from the South African Commercial Catering and Allied Workers’ Union (Saccawu) and Devco Franchise Specialists, which owns the Kentucky franchise, are attempting to resolve the conflict before the end of the month.

The conflict is also exposing the new Intimidation Act as a potential stumbling block for workers’ picketing rights.

The strike, which began in mid-December in the PWV, has spread to Cape Town, the southern Cape and Durban. According to Saccawu’s Allan Horwitz, the Transvaal West Rand towns will join the strike by today.

Last weekend, Saccawu’s Bethel Mokone and two organizers were arrested and held at the Bethal police station for the weekend when they went to conduct a strike ballot in the northern Transvaal, says Horwitz.

They were released on Monday and not charged.

Many stores have been picketed and “Kentucky is pulling out all the stops to prevent Saccawu members from picketing,” says union lawyer Richard Spoor.

He says franchisees are resorting to various methods to stop pickets like saying the protests are contravene municipal by-laws, which stipulate that you need permission to gather.

For example, without permission they obstruct pedestrian traffic and create a public disturbance.

But the most sinister defence being used to interdict pickets is the Intimidation Act, passed last year as the enlightened brother of the Internal Security Act, says Spoor.

In terms of this new Act, anyone who is guilty of intimidation when he does anything to make another fear for his safety or economic livelihood.

The clause on “economic livelihood” is a “stumbling block for labour”, says Spoor.

“It has the potential to criminalise strikes, pickets and ballots and contradicts the Labour Relations Act which gives workers the right to picket.”

“It is an important time to test the right to picket now that the ban on outdoor gatherings has been lifted,” says Spoor, adding that “the right to picket is vital to unions especially for Saccawu at outlets where their negotiating power is limited.”

Devco representative Vince Farrell says his organisation met Saccawu this week. The union put forward a proposal aimed at ending the strike and the various owners would come back to him by the end of next week with their responses.

Farrell said some store owners had to resort to action where striking workers had threatened other employees or customers and that business had been adversely affected in black areas.

However, no stores had been closed and replacement labour was keeping the stores running.

Horwitz confirmed that the union had held a meeting to thrash out the issue of a single bargaining unit for the various stores as well as clarify the position of store managers.

Store owners believe managers should not join unions but the union says store managers — who earn an average of R700 a month — do not have the powers, rights and status of bona fide.
Security guards face suspension

MORE than 45000 security guards face immediate suspension from the industry and dismissal in three months time for refusing to pay the annual registration fee of R48 required in terms of the Security Officers Act, the Transport and General Workers' Union (TGWU) says.

In terms of the Act, all guards were required to pay the fee by the end of last year. But only a quarter of the 62000 registered guards have paid the fee so far.

TGWU, which has 15000 members in the security industry, has demanded the fee be waived until a new Security Officers' Board is set up with worker representation. This is likely to happen only when parliament passes agreed amendments to the Act.

A meeting last month between the board and TGWU failed to reach agreement on the fee. The board is insisting the fee be paid, as it is under pressure to pay back a R1m loan.

The union believes suspension is imminent. It is holding a national meeting of shop stewards this week to plan action against any suspensions.

Last year tens of thousands of security guards held mass marches and protests against the introduction of the fee.
NEGOTIATIONS over pay and benefits for 400,000 public sector employees ended in deadlock yesterday when pay increases put forward by government representatives as an outcome of between 6% and 6.5% were rejected by the two main public sector unions and staff associations.

Pay talks deadlock

8 May 1972
Security union talks

TRANSPORT and General Workers' Union stewards in the private security industry were still meeting yesterday to discuss levels required under the Security Officers Act. TGWU spokesman Jane Barrett said it had been hoped the meeting could be finalised by yesterday, but it appeared this would only happen today.
Management spy rings rife in unions

Last year former president of the National Union of Metalworkers, Mr Maxwell Xulu, was accused of spying for the security police. The Labour Bulletin has uncovered evidence of widespread spying on trade unions during 1990. THORAYA PANDY reports:

“Minnie said the points they had on the agenda were answered by Mr Gordon Houtt, about the back pay. Then Minnie said the comrades told Houtt they wanted their back pay of March 21 and if he does not want to give it to them he will see what will happen.”

Labour Bulletin has in its possession reports from agents at seven Pick ’n Pay branches.

Some reports are simply entitled “Pick ’n Pay general meetings” One, dated April 8, 1990, details the problems faced by the union over negotiations conducted at the time. The report details the positions of the regions and Cosatu’s opposition to casual labour. It also discusses plans for a stayaway on Monday, April 9.

The investigation reveals that some of the agents are shop stewards.

An original transcript of a Pick ’n Pay shop stewards meeting dated April 30 is also in the possession of Labour Bulletin.

The agent was present as she/he was able to describe the agenda adopted and present discussions in detail. The sensuousness of the meeting is obvious from some of the items on the agenda.

Reports written by Lodge to various managements, such as a Mr Middlebrook at Dunlop Tyres, outline the crucial issues uncovered by the agents.

These reports were prepared by Frieslich.

A May 9 report details a work stoppage on Monday, April 23. The work stoppage was over the dismissal of a worker, and the staff were also unhappy about the company doctor. The report reveals there was a direct link between the agent and someone at Dunlop management.

There is a trend for a number of ex-SAP members to join private security companies (Frieslich is a former member of the SAP).

With the reduction of the state’s security apparatus, SAP members have had to find new employment.

They have knowledge and probably access to the latest surveillance techniques. They also have a particular “mind-set”, committed to the undermining of unions rather than the creation of an environment conducive to collective bargaining, Labour Bulletin says.

During the eighties it was the government’s security apparatus that monitored activities of the union movement and passed it on to employers.

With the coming of majority rule and the even closer possibility of an interim government, employers will not be able to rely on the state to monitor union activities.

Some employers seem to be preparing for this by turning to private security companies, the publication argues.

“Alredy some security companies like Lodge have assembled a network of agents in the Natal region. It is important that unions confront employers involved with security companies and force a withdrawal of agents.”

“Beyond this, unions need to add a clause into their recognition agreement prohibiting spying and infiltration.”

“Failure to end the infiltration of spies dressed up as shop stewards will seriously undermine the union negotiating strength.”

Lodge Security Services managing director, Mr Edel Ashman, said: “We are an international company specialising in controlling loss and theft within the retail trade and are not interested in labour relations.”

When some of the reports and letters were read to him, he conceded some clients wanted to know why staff are unhappy.

“We don’t encourage staff to phone us and tell us their problems. Some are, however, not willing to speak to us.”

He said agents gave verbatim daily reports and these are handed to the client who can do what he wants with them. “We never tried to bring unions down.”

Mr Frans van der Walt, general manager for group industrial relations at Pick ’n Pay, categorically denies the franchise has ever requested or used information on trade unions gained through spying.

“We used Lodge undercover services to investigate pilfering.”
Truckers warn of TVL strike

By FERIAL AFFAJEE

TRUCKERS and other workers in the industry could soon cripple the goods transportation sector with strike action.

The sector's four unions have declared a joint dispute with the Motor Transport Owners' Association (MTOA) in the industrial council for the Transvaal goods transport industry.

It is the first joint dispute in the industry, involving the Congress of South African Trade Unions' Transport and General Workers' Union (TGWU) and three other unions. TGWU organizer Thulani Dlamini said: "We hope it's the start of unity."

Wages are a central issue, but the demand for a national industrial council is also high on the union's negotiating agenda. A strike ballot will be held next week.

The MTOA is offering wage increases of between 14 and 18 percent for the highest and lowest paid workers respectively. The union's demand is for increases of between 49 and 44 percent.

The TGWU will also declare a dispute next week with the National Contract Cleaners' Association over the latter's withdrawal from negotiations for a national industrial council in the contract cleaning industry.
Getting the office in harmony

BY MONDLI MAKAHNYA

The obscure phrase of "harmonisation of working conditions" is set to become employers' new headache. As union demands diversify, this issue is likely to keep popping up at negotiations. The latest issue of Bargaining Monitor, a labour journal produced by the Labour Research Service (LRS) — which researches on behalf of the giant Congress of South African Trade Unions and is therefore influential in the federation's policy decision — puts forward an argument for the uniform treatment of all company employees from chief executive to kitchen cleaner.

If it were to be implemented everybody would eat in the same canteen, use the same parking lots, have the same benefits and wear the same uniforms, where appropriate.

Many companies in the Nordic countries, Germany and Japan have started moving in this direction. The argument behind it is that workers tend to be more productive where conditions have been uniform than where discrepancies exist.

The only local company where it has been successfully attempted was Cashbuild, under the directorship of Albert Koopman. But much criticism has been leveled at the top-down manner in which Koopman implemented the programme.

Most local corporations have never heard of the concept, never mind begin debating it. What is at the top of the corporate agenda is equalising benefits between black and white employees.

Although no deliberate programme of harmonisation has been embarked upon in the headquarters or major South African corporations, conditions are more or less uniform because the head offices are overwhelmingly staffed by white-collar employees.

But even then, there are still inequalities depending on rank in the company hierarchy. For instance one bank's executive directors have a separate lift from the rest of the staff which takes them directly to the seventh floor.

Even progressive companies have not yet looked at the issue. In companies such as PG Bison and Johnson and Johnson the emphasis is still on participative management — drawing worker representatives onto the board.

This may be because unions themselves have not pushed hard enough for it. LRS director Darse Moodley attributes this to the fact that unions still see themselves solely as vehicles for mobilising blue-collar workers around bread-and-butter issues.

"Once they get past this hurdle, then they'll start putting this issue on the agenda."

But Koopman — while also blaming unions — differs: "The unions see it as a threat to their power base. They want to have control over the organisation of employees and when you harmonise working conditions you undermine that power."

But even when the issue does finally prop up at bargaining forums there is likely to be resistance from the "suite" executives.

"I think South African capitalists will not take kindly to it," says Moodley. "They will need lots of reconditioning before they accept it."

Anglo American human resources director Bobby Godsell argues that while the corporation identifies the need for uniformity, different levels of skill have to be recognised. He refers to Mikhail Gorbachev's book Perestroika which attributed the failure of the Soviet Union to the "mindless pursuit of equality".

"You just have to recognise the different levels of responsibility. Even the unions do so and that is why they negotiate different wage packages for different categories."
The workers rally behind Mario, the improbable unionist

By FERAL HAFFAJEE

THE one label you wouldn't think of pinning on Mario de Castro is that of trade union leader. Dressed in a neat pinstripe suit and navy net tie, he chain-smokes and talks nicely to the dozen, reminding one more of an insurance salesman or perhaps a computer technician.

Yet this unlikely unionist has a powerline construction company on the brink of a strike over his dismissal.

De Castro, a Portuguese immigrant, came to South Africa in 1984 but still has an accent as thick as if he had stepped off the plane yesterday.

A qualified electrician, he learnt how to organise workers in Lisbon, where he was a shop steward for seven years. Soon after arriving in South Africa he found a job at Feralin, on the East Rand.

At the beginning of last year, he says, he began to wonder why he didn't see any union organisers from the Inkatha-aligned United Workers Union of South Africa (Uwusa) - the only union recognised by the company - at the workplace. Then a friend told him about the National Union of Metalworkers of South Africa.

He got hold of Uwusa literature detailing its campaigns and demands. Pleased at what he saw, he went to the union's offices in Nigel and advised it to start organising at his factory because "Uwusa was not representing the workers' interests."

The union gave him a pile of registration forms and when he left the offices, he was an intern shop steward at Feralin. Thus began De Castro's programme of urging the company to change its industrial relations practices.

Soon he had 100 members willing to leave Uwusa and join Numsa.

He gave the managing director a copy of the National Peace Accord, "to show him where South Africa was going". He was called into another manager's office and told that the Congress of South African Trade Unions was "a union for the communists".

"I told them I am not a member of the African National Congress or the Communist Party - I'm a member of the union, and the union has the right to defend the rights of the worker," De Castro says.

He asked for permission to hold union meetings in the company's canteen. When this was refused, he took workers into the streets at lunchtime and held meetings there.

When a worker was injured by a machine, he took photographs of the wounds "so they couldn't deny it happened at the factory." Then he had the film from a supervisor who had got wind of his action.

De Castro was dismissed.

Mario de Castro ... dismissed for "the distribution of union literature" during the VAT strike

Photo: KEVIN CARTER

November last year. The reason given for his dismissal was "the distribution of union literature" during the strike against Value-Added Tax on November 5 and 6.

Numsa declared a dispute with Feralin over his dismissal. In a show of support, 96 percent of the workers voted in favour of going on strike to demand his reinstatement.

The company alleges that De Castro acted in breach of an agreement with the union. The agreement referred to was concluded with Uwusa, restricting the display of all union literature to a noticeboard supplied by the company. Uwusa also agreed that anything displayed on the noticeboard would have the company's stamp of approval.

De Castro says the company made it extremely difficult for workers to leave Uwusa. For example, workers had to sign forms cancelling their stop-order payments to Uwusa numerous times.

And Numsa shop steward, Rolfi Xipu, says the union is still struggling to earn recognition at the factory, despite its proven support.

Feralin's personnel manager, G. Apostolidis, said this week that the company was not yet prepared to comment on the matter. However, in a circular distributed at the factory last week, the company set out its position on De Castro's dismissal. It accused him of misuse and abuse of company time, ignoring company rules and regulations, and of "unbecoming behaviour towards female employees."

"Any strike action will be unlawful," the circular said, "and employees embarking on an illegal strike or any other form of industrial unrest will be placing their job in serious jeopardy."

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"Any strike action will be unlawful," the circular said, "and employees embarking on an illegal strike or any other form of industrial unrest will be placing their job in serious jeopardy."
Security men agree on levy

SHOP stewards in the contract security industry decided at a national meeting to recommend to security guards that they pay the R48 annual registration levy for 1982, the Transport and General Workers' Union said yesterday.

A TGWU statement said the recommendation was subject to a thorough review of levies within the Security Officers Board once it was restructured in accordance with the proposed amendments to the Security Officers Act.

"The union members will reserve their right to withhold the next round of levies should they find the existence and operations of the board to be contrary to their interests as security officers."

The recommendation to pay the levy was linked by the union to a decision to step up its campaign for the establishment of an industrial council for the security industry.

"TGWU sees the establishment of an industrial council as the only solution to the shocking wages and working conditions in the industry where the minimum wage in some areas is less than R400 per month."

The meeting further agreed that TGWU should urgently meet the Security Officers Board in order to discuss the contents of a code of conduct for security officers which has been proposed by the board.

The union would propose that security officers be prohibited by the code from engaging in unauthorised or illegal surveillance activities and that they would not participate in destabilising violent activities.

The proposals stemmed from media exposure of allegations of spying by members of Lodge Security on Saccawu members and also of possible links between Springbok Patrol's training programme and suspected activities by a "third force."

"There are strong suspicions on the part of the union that numerous security companies may be involved in clandestine violent activities."

The recommendations were to be reported back to TGWU's 15,000 security guard membership in its seven branches.

Sapa
Motorvia strike ballot

A BALLOT at Motorvia has yielded a 90 percent vote in favour of strike action. A strike could cripple this trans-Africa vehicle transport business but also win better working conditions for its employees.

The Transport and General Workers' Union, which is in dispute with the company, alleges that the company reduced its wage offer for drivers, supervisors and pilot drivers.

The initial offer of the company was R245 for long-distance drivers and R375 for pilot drivers and supervisors. The company's revised offer is R293 and R301.
Bosses dig in on pay rises

PAY TALKS will be tough this year and several companies have proposed no increase. Labour consultant Gwynn Brown says those that have offered no pay increase will review the position later in the year. "While few employers are likely to stick to this position as talks wear on, it is nevertheless an indication that a great many of them are determined to settle at single-figure percentage increases for '82."

Settlements are being concluded below the inflation rate, but even if the economy turns around soon, moderate agreements should prevail at least until the end of the year. Mr Brown says "There will be a lag of between nine and 18 months before a changed economic climate allows any lessening in wage restraint."

Retrenchment remains a threat for unions in some sectors in spite of huge job losses last year. "Job security demands will therefore be prominent in many sets of talks. The chances that many productivity deals will be reached do not look good. But the option will increase as talks move to deadlock and further employer concessions are linked to productivity."

Mr Brown writes in Labour Chronicle "Against all the economic realities is a mounting anger on the shopfloor over job losses and the inflation rate. Coupled with political expectations, the bargaining atmosphere in many companies will have a dangerously low accident threshold."

by ADRIAN HERSCH
Settling disputes need not be a battle in court

By CATHY STACK

TOMORROW Miss Linda Macun, a young woman with no legal background, will become the first full-time director of a non-profit company aimed at providing an alternative method of resolving disputes. The company, Alternate Dispute Resolution Association of South Africa (Adrasa), uses Alternate Dispute Resolution (ADR) as an alternative to adversarial systems like the courts.

Disputes need not have a winner-takes-all outcome. ADR aims to resolve disputes without destroying relationships. Ask Miss Macun, 27, what it involves and she talks of various forms of arbitration, mediation, mini-trials and monitored negotiations.

Most important, she said, was that people realised that court was not always the only option. ADR would suit cases that involved "continuing relationships"—such as disputes between business partners or landlords and tenants.

Miss Macun said ADR had been a buzzword in legal circles for about 18 months.

People in the profession were concerned about criticism that litigation was too costly and time-consuming for most people and they decided to establish Adrasa.

Many companies overseas often include in contracts an undertaking that ADR procedures would be used before resorting to litigation, she said.

Miss Macun quoted British and US experiences of the system, revealing that she has done her homework.

She has a varied background, which she believes will help her to make a success of her new post.
Metal bosses, unions looking at key issues

By ADRIAN HERSCH

STRIKES, stayaways and sanctions are some of the controversial issues to be investigated by employers and trade unions in the metal industry.

The parties set out their proposals for growth and job creation at a meeting this week.

The beleaguered metal industry shed 20,000 jobs in 1991.

Latest figures show that the high lay-off rate has continued this year — 31,000 jobs were lost in January.

The National Union of Metalworkers of SA (Numsa) proposes the establishment of a framework organisation as the basis for the negotiations about job creation.

Overlap

It wants the organisation to deal with labour stability, training and affirmative action, sanctions, strengthening the metal industrial council, and workers' rights.

A comprehensive information base, to be shared by both parties, should be established.

Numsa proposes that researchers begin compiling reports on trade, investment patterns and productivity.

Employer organisations Seufsa says that because of the establishment of the National Economic Forum, most macro-economic issues will have to be dealt with in it.

But macro- and micro-
Domestic workers now on agenda

Govt nod for labour laws to cover farms

TWO key labour laws could be extended to cover SA’s 1.3-million farm workers by the end of April.

This was one of several agreements reached yesterday at the first meeting between new Manpower Minister Piet Marais and the country’s two largest labour federations, Cosatu and Nactu.

“We reached a number of concrete arrangements about addressing issues outstanding since the departure of Eli Louw last November,” Cosatu general secretary Jay Naidoo said. “It was a very constructive meeting. It seems it will be possible to achieve a number of new agreements with this Minister relatively quickly.”

According to Cosatu, Marais agreed that amendments to extend the Basic Conditions of Employment and Unemployment Insurance Acts to farm workers must be urgently processed through Parliament. He undertook that this process would be completed before the end of April.

It was agreed that discussions between the SA Agricultural Union, Cosatu/Nactu and the Manpower Department should be held as soon as possible to iron out problems with the extension of the legislation.

Manpower director-general Joel Foorie, who was present at the meeting, stressed that consultation with the SAAU was an important part of the process envisaged by the Minister.

Organised agriculture indicated last week it opposed extending the Basic Conditions of Employment Act and other labour laws to agriculture. SAAU chairman Boet Fourie told a meeting of the Free State Agricultural Union SAAU wanted separate “agriculture-friendly” labour laws to apply to the industry.

A draft amendment Bill published last year provided only for limited, special consideration for agriculture, mostly related to the seasonal nature of the industry – for example, longer working hours during peak periods.

Manpower’s Fourie said if consensus could not be reached at the proposed consultations, government would have to take a final decision.

The union representatives also briefed Marais on the proposed economic negotiating forum being discussed between the unions and organised business. “He listened carefully and we expect he will convey our views to the Cabinet,” said Naidoo.

The extension of labour law to domestic workers was also discussed. Cosatu said Marais agreed to respond by mid-April on progress in processing legislation, including how practical problems in extending the Unemployment Insurance and Workers’ Compensation Acts can be solved.

Marais also agreed to convene a meet-

Labour laws

strategy A number of steps were set in motion to ensure this process gets under way.”

It also discussed “serious administration problems” in the Industrial Court and it was agreed to set up a joint working group to investigate possible solutions.

Fourie said the main problem was delays of up to nine months in hearing of cases in those regions that were particularly overloaded with cases.

He said there had been a noticeable improvement in relations between labour and the ministry: “There is more of an understanding of the department’s problems on their part, and we have a better understanding of what the unions want.”
Civil Service Plan: Pay Project

Food Industry: Agreement on National
Agreement on national food industry forum

CAPE TOWN — Cape Town's Food and Allied Workers' Union (Fawu) and multinational cereal manufacturer Kellogg this week signed the first agreement towards setting up a national food industry forum, Fawu general secretary Mandla Gwanyana said on Friday.

The proposed national body would include all players in the food sector and serve as an industry-wide negotiating forum, he said. (IS)

The March 3 agreement with the Kellogg Company of SA was the first to involve a formal, signed commitment to the envisaged forum, Fawu head office spokesman Manseer Jaffer said.

Gwanyana said a food industry forum would negotiate minimum positions on matters like collective bargaining, training and development, economic restructuring, worker participation and a code of conduct for transnational companies. The agreement followed others between Fawu and firms in the food industry, including Donald Cook and Anglo American subsidiary Rhodes Fruit Farms.

The union hoped management and labour representatives would meet in early May to discuss setting up the forum. — Sapa 8/10/99 9/3/99.
Pact on farm workers denied

CAPE TOWN — Manpower director-general Joel Fourie yesterday denied the National Manpower Commission had reached consensus on extending labour rights to farm workers.

If consensus had been reached between employers and employees it could not have run Parliament, he said.

Earlier, commission member Dawie Bosch had said government did not have to delay giving farm workers basic legal rights as these had been agreed on.

His remarks followed a statement by Manpower Minister Piet Marais that the Basic Conditions of Employment Act could be extended to farm workers before the end of April, subject to the commission's consensus.

However, after meeting Cosatu and Nactu on Tuesday, he said the process was subject to consensus being reached with the SA Agricultural Union, representing farmers.

According to Cosatu, the SAAU had been party to negotiations on the commission, which resulted in the recommendation that existing labour laws be extended to farm workers.

The SAAU has since said it supports a separate body of legislation for agriculture.
Saccawu softens line to stem job cuts

Weekly Mail Reporter

THE militant South African Commercial, Catering and Allied Workers’ Union (Saccawu) has hinted that it may be willing to enter job flexibility and productivity arrangements with beleaguered employers in a move to stem job cuts.

At a Johannesburg media conference this week, called in reaction to demands by three groups for wage freezes this year, Saccawu general secretary Kaiser Thubedi said the union “was not dogmatic” and “would negotiate on anything”.

However, the union also indicated that the creation of industry-wide bargaining forums was a pre-condition for productivity talks.

Thubedi described an agreement by “80 percent” of Saccawu-organised companies to join an industry-wide provident fund as a breakthrough. But intensely competitive major groups have consistently stonewalled demands for sector bargaining structures.

Saccawu members face a bleak year following employer proposals at the start of annual pay talks with OK, Southern Sun and the Kaures hotel chain for a pay freeze.

Thubedi said he feared this would set the trend for other pay talks, commenting that the wage freeze, coupled with employer plans to meet the crisis through restructuring and retrenchments, represented the most “comprehensive and dangerous attack” on the labour movement since the 1970s.

According to national president Allan Horwitz, the Federated Hotel, Liquor and Catering Association (Fedhas) is pursuing a sector-wide policy of zero increases. The union also complains of massive casualisation.

OK, already in dispute with the union over the closure of 20 stores, has offered to open its books and suggested an immediate move to mediation. Saccawu has demanded the chain grant a R3.50 monthly across-the-board rise and a minimum wage of R1 113 a month, plus a 13th cheque. Both OK and Southern Sun have agreed to consider a small increase late in the year — but only if trading conditions improve.

Market leader Pick ‘n Pay said this week its pay award “would not come near” union demands for a R230 across-the-board increase and a R1 100 minimum wage. The chain’s current offer — R170, or 15.4 percent on average — is unlikely to be exceeded in other pay rounds due to start soon.

Saccawu was to meet Pepkor on Wednesday to discuss the parlous state of its subsidiary Checkers, which claims 130 of its stores are running at a loss and has warned that it will go into liquidation if the union hampers recovery. Liquidation would put at least 10 000 people out of work.
Blacks strike for white colleague

By MONWABISI NOMANDOLO

AN EAST Rand company came to a standstill this week when its entire black workforce went on strike after one of their white colleagues was fired for allegedly distributing anti-VAT pamphlets last year.

Portuguese immigrant and unionist Mario de Castro was allegedly dismissed in November last year at the Nisel plant of a specialist electrical pylon manufacturing company, Feralin, said the National Union of Metalworkers (Numsa).

Feralin spokesman G Apostolidis declined to speak to City Press about De Castro's case before the matter went into arbitration.

The strike started the 12th day yesterday, said Numsa organiser Rolly Xipu.

Xipu added that the 500 black workers were demanding De Castro's reinstatement.

In a message to his black colleagues De Castro said he was fired for, amongst other things, defending workers' freedom of speech and expression - and for negotiating a minimum R2-an-hour increase for all workers, irrespective of their colour.

He added that he was fired last year “within minutes, without even talking to the management. I was called by the management and fired on the spot,” he said.

De Castro said he has been working for the company since February 1985.

“The management has been at pains to find an excuse to get rid of me because I have been at the forefront of the workers’ struggle,” he said.

“The company does not like or even recognise Numsa,” alleged De Castro.

The management and Numsa have reached a deadlock on negotiations concerning De Castro’s future in the company, since negotiations started last Wednesday, Xipu told City Press.

Xipu said the company wanted to offer the fired man R11 000 to pay him off and settle the matter.

But, the union wanted R20 000 paid to De Castro, failing which he should be reinstated, Xipu said.

He also accused the company of recognising Inkatha-affiliated Uwusa and not Numsa, which had “proven support in the company.”

Xipu said after Numsa declared a dispute with Feralin over the dismissal, 96 percent of the workforce voted in favour of going on strike to demand De Castro’s reinstatement.
VWSA acts on targets

VOLKSWAGEN S.A. this week may have averted a strike at its Ultenhage plant when it offered to reinstate 39 workers dismissed at the beginning of February for not meeting production targets in the company's press shop.

The company is also willing to allow the National Productivity Institute to do an independent time and motion study to investigate workers claims that they cannot meet the company's targets of 211 parts an hour.

Union organizer Gavin Hartford says the company's offer goes some way to ratifying the union position that production targets had to be negotiated with workers and could not just be unilaterally implemented.

The union is still discussing VW's offer.
Numsa submits demands in 1992 wage negotiations

CAPE TOWN — Core demands for the 1992 wage negotiations in the engineering, motor, auto assembly and tyre industries were submitted by the National Union of Metalworkers of SA on Friday.

Central to this year’s talks would be the union’s continued demand for a R2 an hour across-the-board increase, said Numsa’s secretary for collective bargaining, Les Kettledas.

Other core demands were on job security, and parental, organisational and bargaining rights.

“We expect negotiations to be tough, specifically our demand for an unconditional and unlimited moratorium on retrenchments.”

“Numsa is very concerned about its members losing jobs. Last year it was predicted that 35 000 jobs would go in the metal and engineering industry.”

Kettledas said Numsa would be pressing for a R2, or 25%, hourly increase for all in the four industries.

In the motor sector, the union demanded a R4.50 minimum hourly wage, and in engineering, R5.50.

There were about 350 000 workers affected by the metal and engineering talks.

The motor council negotiations involved about 200 000 workers, the new tyre manufacturing industry another 12 000 and the national bargaining forum in the auto industry, 35 000.

Demands on workers’ rights included allowing union members 10 hours each month to meet on company premises.

“This is essential for the process of negotiations where representatives must report back to workers, and get mandated.”

Shop stewards should be given at least 20 days’ paid leave a year for training so they, like employers’ industrial relations representatives, could be educated about labour relations.

Numsa also demanded the right to strike and picket without fear of dismissal.

“We also want a code of practice agreed to on ending discrimination in employment practices. While apartheid may have been scrapped from the statutes, there is still a lot of discrimination...”

Numsa also wanted all bargaining in the engineering sector to be centralised, with existing house agreements being drawn into the national industrial agreement, he said. — Sapa.
Business and labour unite to find solution to economic woes

Representatives of organised business and labour have drawn up a proposal for a body which will negotiate economic solutions for the country and are confident the government will agree to participate.

A draft proposal for an economic forum, drawn up by a five-person group representing employers and unions, is to be presented to the government for its consideration before the end of April.

Approval

Among the participants are the South African Chamber of Business, Seifsa, Sacela, AHI, Cosatu, Nedlac and Fedesa.

At present, the draft is being circulated among business and labour organisations for approval.

The key to the proposal is that all decisions will be reached by consensus. Once an agreement has been reached, all parties will be bound to implement it.

The proposal says that, in recognition of the economic challenges facing the country, business and labour believe major economic stakeholders need to develop co-operative mechanisms for addressing them.

"Organised labour, organised business and the governing authority have a central role to play in developing strategies geared towards the generation of sustained economic growth, the elimination of distortions in the economy, stability and addressing social needs," the document states.

The draft proposes the body would be operative for the transitional period and should focus on short-term challenges and the formulation of a long-term economic framework.

Mechanisms would be created to ensure the consensus areas were practically implemented.

Growth

The document states that, while accepting that Codesa was not the appropriate structure to deal with the economy, some co-ordination between political and economic change would be necessary.

Proposals from the business organisations for the agenda of an economic forum are:

- **Macro-economic restructuring**, focusing on the need for economic growth, development and job creation,
- The development of a balanced industrial strategy aimed at turning SA into an export-oriented economy,
- Monetary, fiscal and other policy changes necessary to bring macro parameters such as inflation, interest rates and the external value of the rand in line with an outward-looking economy, and
- Pubic sector reform, including tax expenditure reform.

On the list of labour's proposed agenda are economic restructuring, including trade and tariff issues, retrenchments, employment and job creation, VAT and taxation, worker rights, pensions and provident funds, institutionalised collective bargaining and investment.
300,000 in state pay showdown

Own Correspondent

PRETORIA — More than 300,000 public servants are set to take industrial action this week for the first time in decades.

This follows their rejection of an improved government pay offer.

The Commission for Administration on Friday increased its wage increase offer from 8.4% to 9.3%. The 11 staff associations and unions involved in the negotiations are demanding a 15.3% increase.

The showdown came after veiled threats that hundreds of thousands of white workers would vote 'no' in the referendum because of the pay impasse.

A member of the employees' caucus said workers would embark on "soft industrial action" on Friday. This was likely to include go-slow and work-to-rule.

Staff representatives and the commission will meet again on March 23.
Pay Liger's Public Service Stayway Threat
Strike not definite

A SPOKESMAN for the caucus of the 11 public servants' associations involved in pay talks with government said in Pretoria yesterday he knew of no organisations which had definitely opted to strike over government's latest 9.5% pay offer, as was reported yesterday. The Public Service Act prohibits civil servants from striking.
Mwasa calls off wage strike at SABC

THE Media Workers’ Association of SA (Mwasa) yesterday called off a wage strike by 1 300 black SABC employees, shortly before pay negotiations were due to begin.

The strike by black labourers, journalists, producers, artists, cameramen and studio crews was called on Tuesday to support a demand for a 7% annual increase across-the-board.

An SABC media spokesman confirmed that striking employees had returned to work.

Talks between Mwasa and SABC labour relations officer Christo Pretorius began yesterday.

— Sapa

Ban lifted on writings by Buthelezi

WRITINGS by Inkatha president Mangosuthu Buthelezi have been unbanned 16 years after they were published.

According to a recent Government Gazette, the first issue of the first volume of the magazine Inkatha, written by Buthelezi, is no longer undesirable.

The gazette lists the author of the publication, which was produced in 1976, as one “Mntwana Mangosuthu Buthelezi.”

Inkatha leaders have been unable to shed light on the publication’s content or say why it had been banned.

The gazette also unbanned the ANC’s In Defence of the African Image and Heritage.

The unbanned list includes a feast of Marxist memorabilia, including titles from the former Soviet Union such as ‘The Problems of Building Socialism and the Old Classic, The ABC of Communism by Nikolay Bukharin.’

Black consciousness leaders Steve Biko and Barney Pityana’s writings in the SA Student Organization’s newsletter of 1973 and the selected speeches of Malcolm X are also now officially undesirable.

A pamphlet by the Natal Indian Congress, the only ethnic organisation among the ranks of the ANC-aligned ‘Where Are We Going? has also been unbanned.’

Despite all the glitz and noise, Frank Mayville’s ‘The Joys of Oral Sex’ and Erin Cune’s ‘Amazulu’ were both declared undesirable, as was a Brief History of the Revolutionary Activities of Comrade Kim Il Sung, once required reading in Khmer Rouge re-education camps.

“Give a man a fish and he fills but a single dish.
Teach him the art of rod and reel and he’ll never lack a meal.”
Deadlock over SABC wage talks

SABC management and disenchanted black employees have reached a deadlock in wage negotiations, according to a spokesman for the Media Workers’ Association of SA.

Mwasa national organiser Vincent Mfundisi said union leaders were yesterday talking to SABC director general Wynand Harmse, after an earlier meeting with the corporation’s labour relations officer had not brought the desired results.

“If these talks are not fruitful, we’ll demand to speak to (Home Affairs Minister) Gene Louw.”

Black staffers, including labourers, journalists, producers and studio crews, are demanding a R1 500 per month across-the-board increase, opposed to management’s offer of a 7 percent hike.

Mwasa earlier called off a wild-cat strike in the wake of the wage negotiations.

Mr Mfundisi said Mwasa Johannesburg representatives were due to stage a sit-in outside Mr Harmse’s office yesterday. — Sapa
Warning on industrial action

NEGOTIATED wage increases this year are likely to average 14 to 15 percent, compared with 16.1 percent in 1991 and 17.4 percent the year before, as an expected decline in inflation and the poor state of the economy make their mark.

However, according to a document prepared by labour relations consultants Andrew Levy and Associates, actual settlements will vary sharply according to industrial sector and the financial position of employers.

The trend towards variation was seen for the first time last year since robust collective bargaining began in earnest, say the consultants.

The two largest Cosatu-affiliated unions - the National Union of Metalworkers of SA (Numsa) and the National Union of Mine-workers (Num) - accepted their lowest inflation-adjusted increases since the early 1980s and Nums regarded its acceptance as a temporary suspension of its national wage policy.

Last year real wage increases averaged only 0.3 percent, compared with 2.5 percent in 1990 and 3.1 percent the previous year.

Greater realism

"While a greater realism is certainly to be seen in the wage bargaining process, unions will continue to fight to maintain the living standards of their members," says Andrew Levy.

"Even with the tough economic backdrop of 1991, there is still a more than 50 percent probability that employers will face industrial action in support of wage demands and a more than 50 percent chance that such action would be in the form of overtime bans or go-slow." The consultants warn that employers can expect union negotiators to step up calls for shorter working hours as the country moves into an era with a greater emphasis on non-discrimination at work.

Firms successfully resisted such efforts throughout the 1980s on the basis that it would be too costly. In 1989 it was found that 80 percent of workers surveyed still worked a 44-hour week.

However, unions were arguing that there was no reason why unionised workers should work longer hours than non-union employees, many of whom worked 40 hours or less.

At the same time, they claimed - "often with justification" - that better working methods could result in maintained or improved productivity.
Wage demands

THE first round of wage negotiations in the metal industry began in Johannesburg yesterday, with trade unions demanding increases of between 14.4 percent and 42.6 percent.

At yesterday's meeting, union representatives presented 48 demands on pay and working conditions.

The National Union of Metalworkers demanded an increase of R2 an hour across-the-board.

In addition, it asked for the minimum rate to be increased from R4.70 to R5.50 an hour for the lowest-paid workers.
Colonel's secret recipe for workers

By FERIAL HAFFAJEE

MANAGEMENT and labour finally found a recipe to end the three-month strike at 14 Kentucky Fried Chicken outlets in the PWV region this week.

In terms of the agreement, the union has secured a regional wage bargaining unit within the framework of a single national recognition agreement. Dismissed casual and permanent workers will be reinstated and the disciplinary charges laid against workers for misconduct during the strike will be dropped.

The union believes the approval of a centralised bargaining mechanism in the PWV will have a ripple effect in persuading other Kentucky franchisees to also join. And the union hopes that the agreement will pave the way for other franchise outlets to accept centralised bargaining structures.

However, strike action accelerated at branches in the Western Cape with a demonstration on the Parade attended by Chris Hani on Tuesday. The strike will also continue at those branches in the PWV which are not party to the agreement.

Strike ballots are being conducted in the Northern Transvaal, Free State and Natal.

South African Commercial, Catering and Allied Workers' Union organising Allan Horwitz said the union was expecting opposition to applications for picket action from Conservative Party-controlled town councils in the Northern Transvaal, but said it would oppose any such moves in the supreme court.

The strike has also won new members for the Congress of South African Trade Unions affiliate: workers at five Kentucky branches in the Transvaal deserted the National Council of Trade Unions-affiliated Hotel Liquor Catering and Allied Workers' Union to join Sacawu.

Wage negotiations in the new bargaining unit begin next month.
Public-service talks delay

DURBAN — Talks scheduled to take place yesterday between 11 employee organisations representing more than 300,000 public servants and the Government's Commission for Administration have been postponed to an unspecified date.

A spokesman for the organisations said the commission had originally requested a postponement to mid-February. He said the referendum and the Budget speech had probably had an impact on the talks.

The deputy director-general of the commission, Dr Lucas Stoop, confirmed the meeting had been postponed because the commission needed more time.

The spokesman said most worker organisations were busy holding ballots among their members as to whether they should stay away or impose a ban on voluntary overtime.

He said the stayaway scheduled to take place had had a limited effect and had been confined mainly to Cape Town.

About 30,000 workers, members of the Public Servants League, embarked on a one-day strike on Friday.

The PSL has written to President de Klerk saying they "cannot accept the present basis of negotiations and we therefore deem it necessary for you to personally intervene in this very sensitive and important matter."

The organisation alleged it had been threatened with disciplinary action.
Wage talks postponed third time

Staff Reporter

THE Commission for Administration yesterday postponed its wage talks with the 11 dissatisfied public service employee organisations in Cape Town, despite threats of further mass stayaways.

Mr Dale Forbes, general secretary of the Health Workers Union, said the commission had informed the union yesterday it could not continue with talks. He said this was the third delay.

A countrywide strike by civil servants was held last Friday after more than 305,000 workers rejected the commission's 3.82% pay increase offer.

Civil servants are demanding an increase of 15.3% and a minimum monthly salary of R724.

Talks are expected to resume on April 15.
Workers seek 28% rise

DURBAN — The Durban City Council's 14 000 employees have demanded a 28% wage increase which would add R95 million to the council's wage bill.
Media unity in wage fight

JOHANNESBURG - Two media unions have joined forces in a bid to institute national industrial action against Republic Press, the magazine arm of Perskor. The South African Union of Journalists and the Media Workers' Association of South Africa have both declared deadlocks with Republic Press over wages and service conditions.

SAUL general secretary Mr Karen Stander said salaries at Republic Press were extremely low when compared with those of the rest of the industry.

The company has offered both unions 10% across-the-board, which has been rejected by members — Sapa
US unions help to push for settlement of strike in SA

IN A rare display of international solidarity, the National Union of Metalworkers (Numsa) and US trade unions have acted successfully in support of one another. US multinational Crown Cork & Seal has succumbed to pressure from a broad alliance of US unions, African solidarity groups and congressional leaders, and told its wholly owned SA subsidiary to settle its dispute with Numsa.

By forcing the agreement, the alliance claimed an important victory in what was considered a test case for the role of the US solidarity movement in a post-sanctions and post-apartheid SA.

Last September 198 workers were dismissed from Crown Cork’s Alrode plant for supporting a two-day stayaway called for by Cosatu in protest against violence.

This week — in its fourth mediation session with Numsa over the dismissals — Crown Cork will propose settling on the basis of immediate reinstatement of 100 workers, with the outstanding 96 placed on a preferential recall list.

A company spokesman said the firm would also offer R500 000 to retrain or voluntarily retrench the 96.

A Numsa spokesman said the company’s offer was a “breakthrough”, but said the workers insisted that all 198 be reinstated immediately. The union would try to achieve this through mediation.

Mike Fleschman — labour desk co-ordinator for the US-based Africa Fund — said what was important about the offer was that it demonstrated “the US anti-apartheid movement is still able to mobilise real union-to-union solidarity and inflict real punishment on US multinationals which inflict acts of corporate aggression against the democratic movement”. Africa Fund co-ordinated the US campaign.

If Crown Cork reneged on the agreement — which was struck with US unions and solidarity groups at the company’s headquarters in Philadelphia — the issue would be turned into a major international human rights effort, Fleschman said.

“Crown underscores the importance of maintaining strong Western solidarity movements and of developing enforceable standards of corporate conduct for multinationals.”

Central to the US campaign against Crown Cork was a visit by Numsa organiser Bethuel Masemane. He returned to SA this week after mobilising support for the campaign among US unions.

Besides the United Steelworkers of America, which organises Crown Cork in the US, the International Association of Machinists, the United Automobile Workers, the Coalition of Black Trade Unions, two national garment worker unions and a network of anti-apartheid committees were involved in the campaign.

In addition, congressional leaders Ron Dellums and John Conyers gave strong backing.

Numsa workers at Caterpillar in Isando staged daily one-hour work-stoppages last week in solidarity with 10 000 US Caterpillar workers, who were striking over central bargaining. Numsa demanded that management write to its US parent company urging it to settle with the strikers.

After two days, management agreed...
Union denies comment

THE National Union of Metal-workers has denied a report in yesterday's Business Day which indicated it regarded Crown Cork's proposal to settle a dispute with it as a breakthrough. The union said it had reserved its right to comment until after a mediation session today.

O. H. G.
Metal industry wage talks begin

NATIONAL pay talks in the metal industry would resume in Johannesburg today, chief negotiator for the National Union of Metalworkers of South Africa, Mr Les Kettleley, said yesterday.

Numsa and the Steel and Engineering Industries Federation of SA met on March 19, when parties to the national industrial council agreement on wages and conditions of service motivated their respective proposals.

"Real" negotiations would start today and Numsa expected Serfia to respond to union demands, Kettleley said.

- Sapa
CWIU 'showdown' on training schemes

THE Chemical Workers' Industrial Union is heading for "a showdown" with Sasol, AECI, Sentrachem and SAPREF if they do not negotiate industry training schemes.

The union says these employers are intent on forming a training board despite the Congress of South African Trade Unions demand that training boards should only be established where its affiliates represent the majority of workers in an industry.

The initiative only has the support of "six minority craft unions and the South African Chemical Workers' Union (a National Council of Trade Unions affiliate)."

The CWIU will not join the training board until industry chiefs negotiate non-discrimination and affirmative action clauses. The union also wants the training scheme to teach transportable skills which workers can take across the industry or into other industries. The scheme should include basic education in the ambit of industry training."
Unions reject six percent wage offer

TRADE unions in the metal industry yesterday rejected a 6.4 percent wage increase offered by the Steel and Engineering Industries Federation of South Africa.

Mr Brian Angus, Seisla's executive director, said the unions countered the offer with demands ranging from 42.6 percent for labourers and 20 percent for artisans.

Mr Les Kettleman, chief negotiator for the National Union of Metalworkers of South Africa, described the offer as "totally inadequate".

Seisla's across-the-board offer amounted to hourly increases of 30 cents for labourers and 67 cents for artisans.

This would raise wage rates in the industry to R5 and R11.11 for labourers and artisans respectively.

Kettleman said Numsa demanded R2 across-the-board, or 25 percent of actual earnings, whichever was greater.

In a statement, he said it was clear from yesterday's wage talks and the employers' response to union demands that negotiations were set on a tough course.

He said Seisla had rejected Numsa's demand for a complete moratorium on retrenchments, a crucial issue for negotiations. Numsa called on employers to find alternatives to retrenchments. - Sapa.
THE SABC and the Media Workers Association of SA have asked the Minister of Manpower to appoint a mediator to settle their pay dispute.

Both sides are sticking to their positions: the SABC has offered an increase ranging from seven percent to 13 percent, while Mwasa wants a 30 percent across-the-board increase with a maximum increase of R1 200 a month.

Mwasa also demands that minimum wages be increased from R950 to R1 500 a month.
Trade unions at metal industry pay talks yesterday rejected Seyfa's offer of a 7.6% increase and countered with demands ranging from 22.5% for labourers and 25% for artisans, Seyfa executive director Brian Angus said.

More than 300,000 industry employees were represented by the National Union of Metalworkers of SA, seven Confederation of Metal and Building Unions affiliates, two SA Confederation of labour affiliates, a Nactu affiliate and an independent union.
Metal unions reject wage increase offers

CAPE TOWN — Trade unions at metal industry pay talks yesterday rejected the 6.4 percent increase offered by the Steel and Engineering Industries Federation of SA, said Seifsa executive director Brian Angus.

Unions countered with demands ranging from 8 percent for labourers and 12 percent for artisans, he said.

Seifsa’s across-the-board offer amounted to hourly increases of 30c for labourers and 67c for artisans. This would raise wage rates in the industry to R5 and R11.11 for labourers and artisans.

The 12 unions party to the national industrial council talks tabled more than 13 demands for improved conditions of service and wages.

Yesterday’s meeting set the formal bargaining process in motion following the opening round on March 19 when the parties motivated their proposals.

More than 328 500 industry employees were represented by the National Union of Metalworkers of SA, the SA Confederation of Labour, seven affiliates of the Confederation of Metal and Building Unions, one affiliate of the National Council of Trade Unions and one independent trade union.

Negotiations will continue on April 24 — Sapa.
STAR 3/4/97

Mediator wanted for media dispute

The SABC and the Media Workers Association of SA (Nwasa) have asked the Minister of Manpower to appoint a mediator to settle their pay dispute.

The SABC has offered an increase ranging from 7 percent to 13 percent ceiling, while Nwasa wants a 30 percent across the board increase including a minimum wage increase from R950 to R1 500 a month — Staff Reporter
NEWS IN BRIEF

Car industry pay talks
ANNUAL pay talks in the vehicle manufacturing industry started in Port Elizabeth yesterday when Numsa tabled core demands on wages, job security, parental and worker rights (15%). Employers were expected to respond today.
Job cuts bid
by car industry

MOTOR car industry employers have told the National Union of Metalworkers (Numsa) that before making any offer on wages this year, they want to resolve their difficulties with the moratorium on retrenchments agreed in last year's talks.

Employers say they are unable to maintain an unconditional moratorium on retrenchments.

Representatives of motor, metal and tyre and rubber industry employers — who are separately involved in talks with Numsa — met for the first time this week to share ideas on how to deal with the 270,000-member union's demands.

Numsa is demanding a R2-an-hour, across-the-board increase. It also wants to extend the moratorium on retrenchments to the metal and tyre and rubber industries — without this being linked to a ban on "unprocedural industrial action" as is the case in the auto agreement.

In the opening round of car assembly negotiations this week, National Association of Automobile Manufacturers (Naamsa) director Nico Vermeulen presented an overview of the key issues facing the industry this decade.

The detailed presentation highlighted current problems such as falling sales and a shrinking industry.

Samcor will cut working time and wages by over a third over the next three months in order to keep the moratorium. Toyota, meanwhile, is doing so well that it has been working overtime.
Job security a thorny issue

By Mike Siluma

Annual wage talks between motor industry employers and trade unions, which began in Port Elizabeth on Monday, have been adjourned after a dispute arose on the thorny issue of job security for the industry's employees, the National Union of Metalworkers (Numsa) said.

The talks involve on the one hand the manufacturers Toyota, Samcor, Delta, BMW and Mercedes Benz, and on the other Numsa and the whites-only Iron and Steel Workers Union.

Numsa's chief negotiator Les Kettle says talks have bogged down on Tuesday when employers could not guarantee a moratorium on retrenchments—a key union demand. The employers had insisted that the retrenchment issue be resolved before they could give a response to Numsa's demands. These include:

- An across-the-board hourly increase of R2, or a 25 percent raise on actual wages, whichever was the greater.
- Minimum hourly rate of R4.50.
- Moratorium on retrenchments, training of retrenched workers and severance pay of one month's salary for each year of service in the event of retrenchment.
- Reduction in the working week to 40 hours without loss of pay.

The talks are scheduled to resume on May 8.
Motor industry talks stall

Negotiations around a retrenchment moratorium occupied centre-stage in annual negotiations in the automobile industry which kicked off this week. National Union of Metalworkers of South Africa representative Les Kettle said employers would not make a wage offer or respond to the union's other demands until consensus was reached on the moratorium question.

Naamsa executive director Neo Vermeulen said they could not agree to an unconditional moratorium on retrenchments.

Negotiations in the tyre industry also started yesterday.
attenuated basis, but do not consider how the
members of an important union would be
likely to react if it were refused the right to
strike. Many readers will conclude that if
arbitration has the merits the authors claim
for it, no scope exists for permitting work
stoppages.
A difficulty I have is this: it is through
calling strikes that union leaders loom large
on the national scene. Where would the
working class movement be if these men
cessated to be news, dropped out of the head-
tines? And don’t many workers gain a vicar-
ious satisfaction from their prominence?

Bernard Ingham’s book is an autobiogra-
phy which culminates with an account of his
role as Margaret Thatcher’s chief press offi-
cer.

He emerges as a chivalrous and indeed a
comprehensive advocate of Thatcher, whom
he sees as being above all a caring person.
Ingham came of a working-class back-
ground, became a reporter at the age of 16
and stood as a Labour candidate in a munic-
pal election in his early 30s. Later he became
a temporary civil servant and took up a
position as a press officer in the Board for
Press & Incomes.

Some three years later he transferred to
the newly formed Department of Employ-
ment & Productivity as speech writer for the
Minister, Barbara Castle, of whom he be-
came a fervent admirer. He says of her:
“Most of all Barbara Castle prepared me for
the big stuff. She, like Margaret Thatcher,
was a substantial politician endowed with
good looks, energy, fire, intelligence, deter-
mination and guts. And the greatest of these
is guts. Both Barbara and Margaret were
made of sterner stuff than their parlia-
mentary parties and the Cabinets of which they
were members.”

Castle took productivity as seriously as
employment. She saw that a radical change
in the attitudes and behaviour of trade union
leaders was essential to the performance of
the British economy. She prepared a policy
document called “In Place of Strife” which
went to the Cabinet for approval but was
rejected, only Prime Minister Harold Wilson
supported it.

By 1970 Ingham had become utterly disil-
lusioned with Labour’s handling of the
unions and thought they deserved to lose the
election of that year. He fully endorsed the
ideas of Edward Heath, the new Tory prime
minister.

But to put these ideas into effect Heath
would have had to make a break with con-
sensus politics; this he failed to do.

As for the Labour government that came
between Heath and Thatcher, it achieved
nothing on the industrial scene. Only after
1979 were Heath’s ideas on industry trans-
lated into reality by Thatcher; she believed
that consensus politics were the result of
woolliness and irresolution.
Saccawu demands a joint employers' forum in June

THE SA Commercial, Catering and Allied Workers' Union (Saccawu) has threatened to occupy major stores, hotels and banks if all the major service sector employers do not come to a joint meeting in June to discuss the 96 000-member union's demands.

Saccawu will also then demand the nationalisation of the service industry.

This emerged from Saccawu's national bargaining conference held at the weekend.

The union said it would present all retail, catering and financial services employers with demands for a national industry forum, a national provident fund and training board.

Saccawu also rejected job flexibility, employing casual workers and sub-contracting, and demanded a moratorium on retrenchments. It would oppose any wage freeze and fight for a living wage.

If employers did not meet these demands in June, Saccawu would declare disputes, apply for conciliation boards and conduct strike ballots.

The strike ballot would be for national strike action, including occupation of stores, hotels or banks.

When Saccawu last called all employers to a joint meeting in March — to discuss a national provident fund — the only major employers to turn up were Metro and Karo's Hotels.

According to Saccawu, Pick 'n Pay and Metro have already indicated they would attend.

If current offers on the table in the retail and catering sector are anything to go by, the union seems headed for a major showdown with employers.

Checkers, which is losing several million rands each month, has proposed a 10% wage cut, and provided the union with a long list of stores it wants to close altogether.

And Southern Sun and OK Bazaars are offering 7% and 5% respectively, both to be implemented later than usual due to depressed conditions.

In retail, where minimum wages range from R500 to R5120 a month, there are large disparities between groups.

Pick 'n Pay, for example, has offered a 13% increase and it, along with Edgars and Woolworths, is among the sector's top performers.

Retail employers are reluctant to join a national forum for the service industry because of the scope of industry. Saccawu has organised everything from supermarkets to hairdressers.

In the financial sector, where Saccawu's membership is minute, the 22 000-strong SA Society of Bank Officials recently had to abandon a strike at First National Bank after its members voted against it.

And the Perm and Absa are retrenching staff.
Deadlock over law for farmworkers

CAPE TOWN — Manpower Minister Piet Marais, the SA Agricultural Union and Cosatu will meet again on Thursday in a bid to resolve the stand-off over labour rights for farmworkers.  

The parties held a "long and very difficult, though fruitful," meeting in Pretoria on Friday, Manpower Ministry spokesman Ted Townsend said yesterday.  

Cosatu has demanded the Basic Conditions of Employment Act and Labour Relations Act be extended to the country's 1.3-million farm-workers, while the SAAU has argued for a separate statute for agriculture.

SAAU co-director Kobus Klesnans said Thursday's meeting was tentative. "The parties have decided that only the Minister's Press secretary will liaise with the Press," he added, declining to comment further.  

DIRK HARTFORD reports Cosatu sources said the "very tough" meeting had deadlocked and it had made a final proposal for SAAU to consider. They said they expected a response from SAAU at Thursday's meeting.
WORKERS at Pick 'n Pay have declared a dispute in their annual wage talks.

The negotiations reached deadlock with the SA Commercial, Catering and Allied Workers Union (Saccawu) demanding a R250 a month across-the-board increase — a 21.5% raise.

Pick 'n Pay offers R170 across the board — a 15.24% increase. Job flexibility issues are also being discussed. The pay offer is likely to be the highest in major retail stores.

Saccawu spokesman Molele Modiga says workers are determined to get increases above the inflation rate, which was 15.8% in February.

A Pick 'n Pay spokesman says the 15.24% offer is not necessarily final. But she says the company's financial results, released two weeks ago, do not justify pay increases higher than inflation.

"We have given good increases in real terms over the years when we were able to do so," she says.

Job flexibility proposals have been on the table for the past two years. This year the altering of shift patterns and the trans-
Talks to resume on farm labour

CAPE TOWN — Manpower Minister Piet Majola, the SA Agricultural Union and Cosatu will meet again tomorrow in a bid to resolve the deadlock over labour rights for farm workers.

The parties held a "long and very difficult, though fruitful" meeting in Pretoria on Friday, Manpower Ministry spokesman Ted Townsend said yesterday.

Cosatu has demanded that the Basic Conditions of Employment Act and Labour Relations Act be extended to the country's 1.5 million farmworkers, while the SAAU has argued for a separate statute for agriculture.

Progress

Mr Townsend said progress had been made at Friday's talks, but did not elaborate. The meeting would go ahead on Thursday.

Approached for comment, SAAU co-director Boas Kienhans said tomorrow's meeting was tentative.

"The parties have decided that only the Minister's press secretary will liaise with the press," he added.

Cosatu campaigns co-ordinator Lusa Seettel said Cosatu would try to issue a more detailed statement later — Sapa
Pay negotiations

WAGE negotiations in the public sector continued this week. Negotiations began last month with the government offering 2.5 percent and the Public Sector Union demanding 15.3 percent. [151]

Wage negotiations in the automobile and new tire manufacturing industry will continue early in May. They also ended on a sour note: employers in the automobile industry did not table an offer and will not do so until agreement is reached on the call for an unconditional moratorium on retrenchments. [152]

Negotiations in the new tire manufacturing industry were derailed by the same issue and the employers tabled an offer 10 percent below the union's demand. [153]
'Come talk or face sit-ins and strikes'

SOUTH AFRICA could face the spectre of bank, hotel and store occupations of commercial and catering employers continue to ignore the South African Commercial Catering and Allied Workers' Union's demands for an industry pow-wow.

The establishment of a national industry forum was the key issue that delegates haggled over at Saccawu's national bargaining forum held in Johannesburg last weekend.

Employers have been given until a meeting planned for June to commit themselves to creating the forum and thrashing out solutions to the crisis facing the industry. If they do not, the union will start proceedings for mass action.

Up for discussion at the June meeting are:
- The union's demand for a moratorium on retrenchments
- The wage freeze expected in
- The national provident fund and a national industry board.

The first meeting on the national forum, held in March, flopped when only 23 employers attended. Metro and Karos were the only big employers to show up while giants like Pick and Pay, Checkers and Southern Sun were conspicuous by their absence.

Pick and Pay has indicated it will attend the June meeting while other employers could not be reached for...
WAGE negotiations between the Government and employee organisations have reached a deadlock.

A statement released by the Public Service Caucus said while most employee organisations had submitted revised demands, some had maintained their position of outright rejection of the Government's latest offer.

The revised demands were submitted by the Public Servants Association, the Public Servants League, the South African Nursing Association, the Hospital Personnel Association, the Natal Provincial Administration Personnel Association, the Institute for Public Servants and the Public Servants Artisans and Allied Workers Association.

The seven organisations called for the starting salary of general assistants to be increased to the fourth notch of the lowest salary scale from July 1. This will represent an increase of between 14 percent and 29 percent for the lowest paid workers.

For other public servants, a general salary adjustment of 7.5 percent from July 1 was proposed. It was also proposed that salaries again be adjusted by five percent from October 1.

"The negotiators from the Government could not reply to the revised demand and a further round of negotiations was consequently scheduled for May 18 and 19 in Durban," the statement said.
**VW and Numsa settle work rate dispute**

THE dispute over production schedules at VW's press shop has been resolved after the National Productivity Institute (NPI) found that workers could produce more vehicle floors an hour than the disputed target set by the company.

VW declared a dispute with the National Union of Metalworkers (Numsa) after it raised production schedules from 160 to 211 an hour and workers consistently failed to reach the new target. The union said the target was unrealistic and demanded an independent study.

Eventually 53 workers were dismissed for failing to reach the new schedule. After a strike threat and constant short stoppages, VW agreed to Numsa's demand for an independent assessment by the NPI.

The NPI said workers could produce about 215 floors an hour, but set down about 14 provisions — including allowing time for glove changes, maintaining a constant work speed, and foremen helping when workers went to the toilet. According to a VW spokesman, these provisions are in place and workers have consistently reached the new target.

Meanwhile, the retrenchment moratorium in the car assembly and tyre and rubber industries, which looks set to become the major issue in this year's negotiations, continues to cause dissension between unions and employers. Employers say the moratorium expires at the end of June. In this context, the tyre and rubber industry offered to extend the moratorium until the end of the year, with an offer of a R1 an hour across-the-board increase. Numsa rejected the offer. It insists that the moratorium is a standing agreement. In addition, it said its demand of R2 an hour increase still stood. Negotiations in the car and tyre and rubber industries will continue early next month.
KAROS Hotels and its workers are close to agreement on a wage increase suspension — says the recognised trade union.

SA Commercial, Catering and Allied Workers Union (Saccawu) spokesman Allen Horwitz says a pay-rise suspension for three to six months is likely.

An important concession sought by the union is a moratorium on retrenchment, reflecting the trend where job security issues have moved to centre stage in many pay talks.

Saccawu acknowledges Karos's tight financial position. But it seeks monthly financial disclosure as part of the deal.

Mr Horwitz says “should the financial position improve significantly during the year we want the right to get increases backdated to the normal implementation time.”

The implementation date would be April 1.

Another request from the union is a reduction in the working week from 45 to 40 hours. But this may not be conceded as readily as a retrenchment moratorium.

A Karos spokesman says it is possible that an agreement could be reached in a few days.

Mr Horwitz says relations between the union and Karos have improved since the late 1980s.

Pick 'n Pay and Saccawu are trying to resolve their pay dispute in conciliation board talks. Both parties made concessions at the last meeting.

A company spokesman says the union lowered its demand from a 21% pay rise to 17.9%. The company increased its offer from 15.4% to 16.6%.

Saccawu is consulting its membership and conciliation board talks will resume on Wednesday.

It is unlikely that job flexibility issues will form part of the Pick 'n Pay agreement, says a company spokesman.

The union appeared to reject flexibility at a recent conference, but since then some union officials have said that the statement has been misunderstood.

One says, “We reject flexibility where there are no guarantees of job security.”
Workers row with council

CONFRONTATION is looming between about 140 Sandton town council workers and the town council.

The workers refuse to vacate council premises in Sandton which they have been occupying since last year to escape violence in neighbouring Alexandra.

The council, which threatened to evict the workers last year but held off pending negotiations with the workers, said on Monday the employees would have to be housed elsewhere “as a matter of urgency”.

But the workers maintained they would not move.

Democratic Party councillor Mr Riek Ehlers raised the issue at a town council meeting on Monday night but management committee chairman Mr Willem Hefer declined to answer questions and referred Ehlers to a Press statement released earlier.

In the statement, Hefer said some 570 employees had occupied the Sandfontein and other council depots in March last year after an outbreak of violence in Alexandra.

The council later gave the workers permission to stay there temporarily.

After numerous requests for them to find alternative accommodation, 430 employees had vacated the council premises – several with the assistance from the council’s housing scheme, Hefer said.

The remaining employees stayed on in the depot, although the council had explained to them that they could not continue to live there.

Workers claim they cannot find housing.
The Alternative Dispute Resolution Association of SA (Adrasa) has been formally launched. Its mission is to encourage the swift resolution of disputes with creative, businesslike settlements outside the courts by using negotiation or appropriate or alternative dispute resolution (ADR) procedures.

The business sector could save millions of rand and thousands of man-days every year by choosing ADR where litigation is inappropriate, says Adrasa director Paul Pretorius, also chairman of Independent Mediation Service of SA.

While litigation is an indispensable method in many disputes, it has many drawbacks. It is very expensive, time-consuming and based on a winner-loser concept, which usually sours the relation...
Steel in their teeth

It's early days yet, but metal industry wage talks are looking as difficult as ever.

No headway was made in negotiations between Seifsa, the employers' federation, and the National Union of Metalworkers (Numsa) at their third round of bargaining last Friday. Employers stuck to their opening offer of a 6.4% increase on scheduled wages for artisans and labourers. Numsa was equally steadfast in looking for increases of up to 42.6%.

Seifsa also says the unions have not given an adequate response to proposals to change the industry's Main Agreement and that not enough progress has been made on substantive issues. While the union demand for a moratorium on retrenchments was hotly debated, no progress was made. It's looking like a case for the independent mediators.

The Confederation of Metal and Building Unions, representing mainly craft unions, did, however, drop their initial demands for 20% to 15% on actual wages. The white Mineworkers' Union similarly moved from 20% to 16%.

Negotiations will continue on May 14.
Poland, IMF hold talks

WARSAW — Poland and the IMF began talks yesterday aimed at restoring loans after Poland failed to meet earlier IMF-approved reform targets. An IMF mission led by Michel Deppler, head of the fund's European department, met Finance Minister Andrzej Olechowski to "review the progress of Poland's reforms", the ministry said.
Unions ‘want to help run things’

CAPE TOWN - Trade unions would demand increased worker participation in industrial enterprises in future as part of their struggle for economic democracy, ANC secretary-general Cyril Ramaphosa told delegates.

They would also want to play a greater role in the restructuring of the economy and in the strategic planning of companies.

"One of the greatest challenges in overturning apartheid is to combine the move to political democracy with the creation of a path towards economic democracy," he said.

Both forms of democracy would entail major shifts in power towards the working class, a process which would be aided by collective bargaining.

"The achievement of economic democracy will have to be underpinned by government policy and by new laws," Ramaphosa said.

Government intervention would be needed for the redistribution of wealth, the alleviation of poverty and the protection of unemployed, domestic and farm workers who could not bargain collectively.

He cited four areas in which workers could build a measure of economic democracy through collective bargaining - training and affirmative action, greater disclosure of information, participation in planning and the investment of workers' savings and retirement funds.

The new Community Growth Fund was a first step in workers having a say over how their savings were invested.

Ramaphosa said new laws requiring greater disclosure of corporate information were necessary to create a better environment for collective bargaining. Published accounts were not sufficient as they normally covered far more than the bargaining units.

A key issue for collective bargaining would be a government-supported programme to provide basic education in literacy and numeracy as well as more advanced training for workers.

He said trade unionism was likely to spread in SA, in contrast to its decline in many western countries which had substantial welfare programmes and state support systems for unemployed and disadvantaged workers.

It would take many years before such a system could be in place in SA.
Adapt - ANC man

Employers must

Since the 1970's under
the “yours to choose”
order, workers have
been forced to
accept whatever
conditions the
employers have laid
down. This has
resulted in long
hours, low
wages, and poor
working conditions.

The response of
workers has been
to fight for
improvements, but
with limited success.

Workers have
organized
unions, but the
employers have
often
attempted to
break these
unions. The
workers have
also
attempted to
strike, but
frequently
been
met with
repression by
the employers.

The only hope for
improvement is for
the workers to
unite and
organize
collectively. Only
then can they
fight effectively
for their rights.

The black trade
unions
demonstrate
this. They have
achieved
improvements
for their members
through
collective
negotiations.

The road ahead is
not easy, but it is
possible. The
workers must
unite and
organize to
achieve their
goals.

The workers have
the power to
change their
circumstances,
but they must
unite to do so.

Employers must
understand this
and negotiate
fairly with the
workers.

The struggle
continues.

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Fedhasa told to tackle shebeen trade

A JOHANNESBURG city councillor has called on Fedhasa to do something about unfair competition which hotels and bottle stores in the greater Hillbrow area are experiencing from shebeens.

Fedhasa's Transvaal AGM this week heard delegates tell how the 24-hour-a-day shebeen trade, operating from "every second block of flats," was booming while licensed hotels had to observe regulations set by government and representative organizations. This situation, they said, came with a marked rise in crime which drove foreign tourists away from Johannesburg.

City councillor Destree Simpson, a former hotelier, said yesterday there were about 25 hotels in the Hillbrow area, about 20 clubs and an unknown number of shebeens.

"Hotels and bottle stores have to work to restricted hours, while shebeens and clubs operate 24 hours a day. They make huge profits because people are prepared to pay anything after closing time."

Unlike legal outlets, illegal operators sold without being subjected to VAT, said Simpson.

"My message to Fedhasa is: Do something about this."

Witwatersrand SAP spokesman Captain Eugene Opperman said police arrested many shebeen operators every day, but they kept going back to the trade.

"There are even people who run mobile shebeens, selling from street corners," Opperman said.

"We are doing our best to arrest people and take them to court, punishment is out of our hands."

The influx of people had brought with it a big increase in crime and prostitution, he added.

SAPA reports that Liquor Board chairman and special consultant to the Trade and Industries Minister Tommy Vorster, told the Fedhasa congress yesterday although the Liquor Act had been streamlined, there was still a general perception that it was over-regulated.

He said the reason for this was that different Liquor Acts had, over many years, been used as vehicles for issues which had nothing to do with the distribution of liquor, such as the hotel grading system.

This had been introduced to encourage hoteliers to upgrade their establishments — with a liquor permit as a reward.

Vorster said, however, the need to control the liquor trade was accepted almost universally. Amendments to the Liquor Act tallied with deregulation policy.
Telkom lines tangled

THE lines have become seriously tangled in Telkom wage negotiations. Telkom announced this week that it had reached a settlement with the three white unions in the sector for a 10 percent general increase and an increase of 11 percent in the starting notches of various entry grades.

In the same week, negotiations broke down with the South African Post and Telecommunications Employees Association and the South African Postal and Telecommunications Employees Union.

BRIEFS

The Post Office and Employees Association, the mainly Indian and coloured unions, added to the tension, announcing that it will hold nationwide marches on Saturday to highlight its wage demands.
Labour
13th cheque deadlock

CNA Gallo workers have declared a dispute in their annual wage talks — in spite of a well-above inflation pay offer.

The SA Commercial, Catering and Allied Workers Union (Saccawu) and the company failed to reach agreement in private mediation talks this week.

The dispute between Saccawu and Pick 'n Pay has been resolved in conciliation board talks.

Bonus

CNA Gallo and the union have agreed on a R250 a month across-the-board increase and on a minimum wage of R100 a month — a rate on the payroll of about 10%.

But Saccawu also wants a 13th cheque of 100% of the monthly rate. The company offers 75%.

The union has asked for a conciliation board hearing.

CNA Gallo chief executive Ian Outram will not speculate on the outcome of conciliation board talks, but says negotiations “have been held in a good spirit.”

Pick 'n Pay and Saccawu settled for a pay increase of 16.6%. When the dispute was declared, the union demanded 21.9% and the company offered 15.24%.

The agreement includes R185 a month across-the-board increase, R900 monthly minimum wage and a change to the length of service bonus system.

Job flexibility issues did not form part of the deal.

A company spokesman says the parties have undertaken to negotiate a “courtesy agreement” — standard of courtesy to customers will be formulated.

Wage negotiations between SA Breweries (beer division) and the Food and Allied Workers Union (Fawu) begin on Wednesday.

Neither of the parties will comment on the offer or demand because it relates to pay. But the union says it will seek a moratorium on retrenchment.
Azapo joins SABC fray over wage proposals

THE Azanian People's Organisation yesterday condemned the management of the SABC for what it said was insensitivity on the part of the corporation and pledged support for any action to be taken by the corporation's workers.

Azapo spokesman Mr Khagale Makhado criticised SABC management for rejecting a wage proposal from the Media Workers' Association of South Africa.

Makhado said the fact that only last week more than 70 percent of Mwasa members voted for a strike indicated that the SABC management was completely insensitive to the demands of black workers.

Negotiations

"According to Mwasa, the dispute emanated from the fact that the SABC not only rejected the union's proposal but also slammed the door on further negotiations on the issue in the current period.

"Mwasa feels that the SABC has not overcome the anti-union feelings that they have been harbouring.

"The results of the SABC management's reluctance to address the deadlock and open the door to negotiations are too ghastly to contemplate," said Makhado.

He added that Azapo pledged its support to any action that the workers might take and urged black masses to pressurise the SABC to meet the demands of its workers.
Court orders Toyota strikers back to work

TOYOTA said yesterday it had obtained an urgent court interdict ordering striking workers at its Durban assembly plant back to work. (April 11, 1992)

A spokesman said management was prepared to continue negotiations with worker representatives in an attempt to resolve the dispute. However, "due to the complex nature of the assembly operations", it would be impossible to resume production until the company received assurances that all employees would comply with their employment conditions. (April 11, 1992)

Toyota personnel and industrial relations director Theo van den Bergh said yesterday attempts last week to resolve the strike — which began on Wednesday — were delayed by the plant's shop stewards participating in national motor wage talks in Port Elizabeth on Friday.

The strike began on Wednesday after about 1 000 of the 6 000 workers downed tools demanding the dismissal of a supervisor. A Numsa spokesman said workers were also demanding the reinstatement of a dismissed worker and that overtime be made voluntary because workers had been on almost consistent overtime this year.

A Toyota spokesman, responding to Numas complaints that production levels had been increased and hours of work reduced, said this was the case, but added (April 11, 1992)

Toyota

that: 80%

Meanwhile Sapa reports that the National Bargaining Forum for the motor assembly industry met on Friday for the second round of the annual wage talks.

Employer group chairman Dave Kirby said the proposed moratorium on retrenchments was the only issue discussed.

The unions said the moratorium was a "critical demand", but it would examine any proposal on employer concessions given the state of the industry.

The employers said certain manufacturers needed to shed labour and the moratorium on retrenchments — which ends on June 30, 1992 — could not be renewed.

Numsa collective bargaining secretary Les Kettle said "absolutely no pro-

gress" had been made at these talks and others in the tyre and motor industry.

He said workers in motor assembly plants would embark on lunch-time demonstrations in response to employers' "bad faith bargaining" which threatened deadlock and conflict.

Kettle said motor assembly and motor industry employers did not table counter-proposals to the union's demand for a R2 across-the-board increase, while the tyre industry had not budged on its offer of R1.

The New Tyre Manufacturers' Association conceded a further 12-month moratorium on retrenchments until June 1993, but subject to a review of business conditions in December.
No agreement in Toyota strike talks

DURBAN — Management at Toyota SA and representatives of the National Union of Metalworkers of SA have still not reached an agreement on ending the massive strike.

A Toyota spokesman said yesterday negotiations were still taking place but there had been no progress as yet.

The strike at the Prospecton plant, south of Durban, spread yesterday with union officials claiming all 6 500 Durban workers were out.

Workers at the plant began their strike a week ago with production being brought to a standstill from Thursday causing a loss of 430 vehicles a day. A Numsa shop steward, Mduduzi Ngema, said the workers were demanding the dismissal of a production line supervisor they regarded as discriminatory and unfair.

Sapa reports that a management official, who declined to be named, said the company would act only if the correct grievance procedures were followed.

Ngema said: "We did follow procedures We took up the issue with line management and the department manager. When the problem was not resolved we took up the matter with the personnel department, and when it was still not resolved we went on strike."

Ngema said the strike had spread from the production plant at Prospecton to the automotive components and stamping divisions in Jacobs and Mofem.

Meanwhile, Ngema said union representatives would today challenge a court interdict declaring the strike illegal and which last week ordered strikers to return to work.
Pay talks deadlock

NATIONAL pay talks in the footwear industry, covering about 30,000 workers, had stalled over employers’ refusal to revise their 9.75% wage offer, Mark Bennett of the SA Clothing and Textile Workers Union said yesterday. Unions are demanding a 14% increase.
Wage negotiations end in a deadlock

The fourth round of wage negotiations in the metal industry ended in deadlock yesterday, employers and union representatives said.

The talks were briefly interrupted by demonstrating trade union representatives, according Mr Les Kettledas of the National Union of Metalworkers of South Africa.

In a statement, he said no real progress had been made in negotiations affecting more than 320,000 workers. - Sapa
Post Office chairman warns against subsidies

PRETORIA - Granting massive Post Office discounts from a weakened financial base would mean economic suicide for the newly-commercialised company, SA Post Office chairman Donald Masson said yesterday.

Speaking at the annual general meeting of the SA Direct Marketing Association in Johannesburg, Masson stressed the user should pay for the cost of the service and said it was unfair to expect taxpayers to subsidise postal services.

"It is morally indefensible for the Post Office to expect a continued subsidy from the state when millions of people face starvation, unemployment, lack of education and hospital services.

Poor agricultural conditions caused by drought and a large enough police force were pressing needs.

Masson said the Post Office's rate adjustments lagged behind inflation at an alarming rate of 70%.

It was essential the Post Office retained and expanded its client base to ensure a viable and efficient mail service, he said.

The Post Office, he said, should operate on sound business principles. It was the aim, therefore, to make it a profit-making concern within five years when state subsidies would no longer be needed.

It was envisaged that shareholders would get a 25% return on capital before tax.

Masson said five task teams had been appointed to investigate problem areas within the Post Office.

The groups would investigate bulk mailers, service levels, agency systems and increasing mail volumes.

Trade unions and extra-parliamentary bodies would look at permanent mail deliveries to informal settlements.

Masson said although provision had been made for a R166m deficit this financial year, the Post Office had invested millions in automatic mail sorting equipment and people.

He said every possible way of increasing mail volumes had to be investigated urgently.

Proposals had been made for differentiated rates for bulk mail users, an improved distribution network, the rationalisation of some services and the expansion of services.

Also being looked at was the phasing out of free street deliveries versus private post boxes and mail collection points.

Metal unions declare dispute

NEGOTIATIONS in the metal industry ended in deadlock yesterday with 11 of 12 unions declaring a dispute with Seifsa and NUMSA by indicating that it would also declare a dispute soon.

And the fifth negotiation meeting at the end of May - which was meant to be the last - will now be an executive committee meeting of the Industrial Council to discuss the dispute.

Seifsa and the metal unions, with the exception of the Iron and Steel Workers' Union which did not declare a dispute, have not moved from their opening positions.

Seifsa has offered a 6.4% increase and the unions, which have about 90 demands on the table, are still seeking increases of up to 42.5%.

Seifsa said if the unions did not drop some of their demands it could not continue negotiating.

The National Union of Metalworkers (NUMSA) urged Seifsa to start meaningful negotiations on the key issues it had raised.

NUMSA said it was forced to respond by declaring it was prepared to take part-time work or to refuse to accept the retrimming proposals.

Seifsa said it was unfair to expect workers to accept retrimming as well.

NUMSA said Severn's demand was "completely impractical" as only improved economic conditions could stop job losses.

Seifsa is demanding an increase of R2 an hour or 25% of actual wages.

Several hundred leaders in NUMSA-organised factories picketed the negotiations in Johannesburg.

NUMSA said the demonstration showed the "groundswell of feelings" among its members about the negotiations.

Employers also rejected NUMSA's core demands on parental and workers' rights, but undertook to respond at the next meeting to union calls for a code of practice to end unfair discrimination.

Seifsa said that while some unions had modified their positions, others had made no concessions at all and had rejected every employer proposal for changes to the industry's agreement.

SAPA reports Seifsa executive director Brian Angus said that by declaring a dispute, employers would be able to consider lockout action if it was not resolved.
Mwasas, SABC wage impasse to continue

By Justin Pearce

SABC management has failed to meet wage demands by the Media Workers' Association of South Africa (Mwasas), and the two-week-old dispute continues.

If Mwasas calls a strike, the action will affect 98 percent of the SABC's black staff. This will mean, among other things, the suspension of African-language news broadcasts as happened during Mwasas's one-day strike earlier this year.

Mwasas originally demanded a 30 percent across-the-board increase, plus a minimum wage of R1 500 per month. The SABC agreed to an increase to compensate for the unacceptable four percent increase offered last year.

Union spokesperson Mr Mzukwa Twala said Mwasas had been during the talks to accommodate a 20 percent increase. The union offered management two possible schemes for the phasing in of this increase, but these proposals were rejected.

The SABC offered 11 percent across the board and a minimum wage of R1 300.

Azapo, the ANC and the PAC have issued statements supporting the SABC workers.
**MEETINGS...**

Remember, last week we gave you a summary of the articles we have run this year on the role and problems of building organisation. This week we will begin to look in more detail at the actual skills you need to build your organisation. We will start off by looking at the issue of meetings.

So we will look at:
- what a meeting actually is
- an example of a bad meeting
- the purpose of meetings
- and finally how to plan meetings.

Next week we will look at how to plan and chair meetings.

**What is a meeting?**

All of us have sat in a meeting at some point in our lives. Perhaps we have even had to plan and run a meeting. But why are meetings so important? Why do we have meetings? Try and answer these questions before you read the rest of this article. Answer these questions in your group or write down your ideas if you are working alone.

**Why do you go to meetings?**

- don't stick to the topic
- some people don't speak at all
- the chairperson doesn't know how to direct the meeting
- you leave the meeting feeling unhappy because you don't know what action needs to be taken
- you don't know what to prepare for the next meeting

The result of a bad meeting is that it can lead to:

- lots more boring and frustrating meetings
- no practical work actually getting done
- the executive is unaccountable to the membership
- individuals do not feel part of the organisation and don't feel that it is meeting their needs and so they leave the organisation could collapse

**Why do you think meetings are important?**

A meeting is an important tool to the hands of an organisation. We have meetings so that we can have collective and democratic decision making, planning and follow-up, accountability and other practices essential to running an organisation.

If meetings are used effectively then they can help an organisation to function in an accountable and efficient way. In this way the organisation will grow and will achieve the needs of its membership.

Do you agree with the points being made in the two paragraphs you have just read? Why then do we often complain about bad meetings?

Read the following points and mark off the points that you have experienced:

- the meeting starts late
- other people arrive late
- there are no minutes
- there is no agenda so you don't know exactly what the meeting is about
- people repeat each other and they...

Without organisations and meetings we cannot have democracy and real involvement of people. Until our organisations really involve people and are democratic they will not serve the people. What we are trying to achieve is democracy and accountability in our organisations. This is not easy but good meetings will take us some way down the road.

**The purpose of meetings**

It is important that your organisation discuss the purpose of meetings generally. You also need to be clear on the purpose of each and every meeting you have.

List the purposes of the last three meetings you have been to...

**MEETINGS...**

- meetings must not be too frequent or held simply for the sake of it
- there should be regular meetings with the possibility of calling emergency or irregular meetings when the need arises
- there should be decisions about the different types of meetings needed. For example, some meetings could be to discuss policy and others to discuss organisational or practical work. Wherever possible, the members must know what type of meeting they are going to and what the meeting is for. They must know the purpose of the meeting.

In this way it is also easier to ensure that meetings are generally shorter and people can decide when a longer meeting is necessary. It is possible to have other types of meetings. For example you might like to have an evaluation meeting where you look back on the last year and plan for the next year. This might take a series of long meetings.

Next week we will look at how to plan and chair a meeting. We will also look at the actual procedures of meetings. Sometimes this seems quite complicated and it makes people feel that they can't contribute to meetings because they don't know what is going on. Perhaps next week's article will help sort that problem out.
Keys to lead govt in talks with labour and business

CAPE TOWN — Government would meet labour and business leaders to discuss the proposed Economic Forum, but had not yet decided to take part, Finance and Trade and Industry Minister Derek Keys said during his budget vote in Parliament on Friday.

Our political staff reports a Cosatu delegation and a Cabinet committee are to meet in Cape Town this afternoon.

Cosatu said it was hoping the meeting would be able to resolve any problems government might have and end delays that were beginning to plague the forum initiative.

Keys said he would do everything in his power to encourage and facilitate a healthier relationship between labour and management and make the state accessible to both parties.

He said management had struggled to adapt to labour's more militant mode and this, and general business conditions over the past few years, had resulted in demotivation.

'This has been particularly true in cases where businesses at the forefront of good labour practice have been singled out for disruptive industrial action merely because they were seen as convenient targets in the economic civil war.'
Public service wage talks falter

DURBAN — Wage negotiations between 11 public servants' employee organisations and the Commission for Administration yesterday failed to reach agreement on an annual increase, said the Natal Provincial Staff Association (NPSA).

NPSA general secretary Lallie Ganasen said three employee organisations had abandoned talks in protest against the commission's 8.5% offer.

She said six employee organisations — including the Health Workers' Union, the Public Servants' League and the Public Servants' Union — were demanding a 15.3% increase. The other staff organisations were demanding lower increases.

She could, however, not immediately supply further details and said a statement would be issued later.

Commission spokesmen were unavailable for comment. — Sapa.
No agreement as clothing wage talks near conclusion

CAPE TOWN — Wage negotiations in the clothing industry entered their final, third round this week with prospects of an agreement being reached looking extremely bleak at this stage.

An estimated 7 000 SA Clothing & Textile Workers Union members opposed the increase of about 6% offered by manufacturers at a mass meeting at the Goodwood Showgrounds on Sunday.

Union members committed themselves to strike action should employers not improve on the offer.

They also rejected the 9,75% increase in wages for footwear workers and the increases of less than 10% offered by some textile companies.

Chief negotiator for the Cape Clothing Manufacturers Association and the Cape Knitting Industries Association and Sear-del group industrial relations executive Johann Baard said yesterday the two parties "were poles apart" with only one more day left to negotiate. Further rounds of negotiations required the mutual consent of both parties.

“Things are not looking optimistic, but the negotiations are still alive so there is still hope,” he said, adding that employers were deeply concerned about the gulf separating the two parties. The Cape negotiations resume today.

According to official statistics provided by the National Clothing Federation, employment in the clothing industry declined from 113 700 in April 1991 to 104 600 in April 1992. Forty factories had closed since December and production volumes were expected to decline by about 6% in line with last year’s fall.

The union has demanded a 17,5% increase or R35, whichever is the greater, and has also presented other demands which Baard said would add an approximate 20% to the wage increase.

He said employers were offering a 3% wage increase and a further 3% increase in benefits, for example, sick pay. Alternatively, the full 6% could be taken as a wage increase.
EDWARD WEST

PRODUCTION of 3 440 vehicles — or 430 a day — worth about R140m, has been lost since 6 000 Toyota workers at Prospecton, Durban, downed tools eight days ago.

Yesterday negotiations deadlocked on the issue of arbitration. (157)

Toyota SA executive chairman Bert Wessels said management had requested a return to work and had offered to refer some issues under negotiation to arbitration. Other issues would be handled by in-house grievance procedures.

In a statement Wessels said, "It would appear as if this offer is unacceptable."

Wessels said his company would have to consider its position as a court order had been obtained declaring the strike illegal and unprocedural.

Toyota production losses top R140m

Toyota public affairs spokesman Fihlile Wilkin said the supply of vehicles to dealerships was reasonable, though there were waiting lists for certain models.

Sapa reports that the National Union of Metalworkers of SA said it would continue meeting management in an attempt to resolve the dispute.

Yesterday workers extended demands for the dismissal of a supervisor at the Prospecton plant for alleged discrimination to call for the dismissal of another supervisor at the Jacobs plant and a personnel manager at the Prospecton plant.
Toyota in deadlock

Talks intended to end a strike by 6,000 Toyota SA employees in Durban remained deadlocked over arbitration yesterday, the ninth day of industrial action. A management representative said a deadlock arose over the union's demand that arbitration be completed before strikers would consider returning to work.
Public servants’ salary dispute ends in dissent

THE public service salary and wage dispute was settled in Durban yesterday, with lower paid workers winning big increases.

This follows weeks of negotiations between staff organisations and the Commission for Administration.

The deal includes increases of between 16% and 31% for lower paid workers and the abolition of the three bottom notches on the salary scale.

Other workers got 9.5%. Public servants initially demanded a 15.5% increase. The adjustments are effective from August 10.

However, six organisations pulled out of negotiations and rejected the deal.

It was unclear last night what action the dissenting groups may take.

Sapa reports that the commission said the six organisations’ members would also receive the negotiated increase.

The five employee organisations who remained in negotiations represented 260 000 members, or 75% of the 11 organisations’ total membership, they said in a joint statement.

They are the Public Servants’ Association, Hospital Personnel Association, SA Nursing Association, The Natal Provincial Administration Personnel Association and the Public Service Artisan and Allied Workers’ Association.

Those who withdrew from talks are the Natal Provincial Staff Association, National Education Health and Allied Workers’ Union, Health Workers’ Union, Public Servants’ League, Public Servants’ Union and the Institute for Public Servants.

Public Servants’ Association GM Hans Oliver said government had refused to raise the R2.2bn set aside in the budget for increases “So we had to make the best possible use of the allocation and we think we have achieved this”.

The six dissenting organisations had predominantly black memberships, he said.

About 86 000 workers would benefit from the 16% to 31% increase.

Government spokesmen last night declined to comment on the fact that SA MPs received a 12% increase last year — more than most public servants.
Negotiations deadlock despite compromises

CAPE TOWN — Negotiations between western Cape clothing manufacturers and the SA Clothing & Textile Workers' Union have reached stalemate, despite compromises by both parties at the third and final round of talks this week.

Employers increased their packaged offer of 9%, which covers wages, the provident fund and sick pay, to 7%, while the union dropped its wage demand to 10% from 17.5%, Cape Clothing Manufacturers' Association and the Cape Knitting Industries' Association chief negotiator, Johann Baard said yesterday.

The union found the proposals "unsatisfactory", but agreed to take them back to its membership for discussion, Baard said.

The third and final round of negotiations in Natal takes place today.
BLOEMFONTEIN — An appeal by the National Union of Metalworkers of SA and 17 of its members against a judgment of the Labour Appeal Court was dismissed by the Appellate Division yesterday.

The case arose from a wage dispute and disruptions at plants belonging to Macsteel (Pty) Ltd, of Germiston, in August and September 1987.

An industrial court found that the collective overtime ban by Macsteel employees, with the knowledge and concurrence of the union, was neither unlawful nor an unfair labour practice but a legitimate industrial relations pressure tactic.

On July 24, 1990 Judge WJ Hartzenburg and assessors, in the Labour Appeal Court set aside the industrial court's decision, substituting an order that the union's conduct to introduce, instigate and persist in an overtime ban in the circumstances was an unfair labour practice. Union members' failure to work normal overtime, furthering a collective intention to persuade Macsteel to accede to their wage demands, 'constituted a collective overtime ban'.

Yesterday Judge Richard Goldstone said there were ample grounds for the lower court to hold that the overtime ban was an unfair labour practice. It followed that there was no reason to interfere with the order made by the Labour Appeal Court.

BOPHUTHATSWANA — Bophuthatswana's state pension and unemployment fund had embarked on "a major thrust into the Johannesburg property market", the company said yesterday.

The Sefalana Employee Benefits Organisation (Sebo), which has been involved in a commission of inquiry into alleged financial irregularities, has also begun an advertising campaign aimed at boosting its corporate image.

Semon GM of customer services Rohan Laird said yesterday the campaign was not aimed at addressing issues raised by the inquiry but "to let people know we exist."

Among recent Sebo acquisitions are two buildings in Johannesburg's CBD, for R13m, and three office blocks in Sandton.
HOW TO PLAN AND CHAIR A MEETING

Last week we looked at what a meeting is. We gave some examples of good and bad meetings. This week we look at the skills you need to:

© plan a meeting
© chair a meeting

What does planning a meeting involve?

Planning should improve participation by making sure that discussion is on a single (specific) topic and that members are well prepared for the meeting. Planning does not mean controlling and directing the meeting in such a way that it restricts participation from members.

Have you planned a meeting before?
What were the difficulties?

Why do you think it is important to plan a meeting?

Planning a meeting is the responsibility of the Chairperson, the Secretary or the Executive, depending on the type of organisation. We will look more closely at the functions of the executive structure of an organisation listed on the next page.

Planning should include the following:

Minutes:
- Minutes of the previous meeting must be made available to members before the meeting, or read out at the beginning of the meeting.
- Minutes must be adopted at the beginning of the meeting. Everyone must agree that they are an accurate record of the last meeting. Members must be given the chance to add points or items to the minutes which have been left out.

Agendas:
- An agenda must be presented with the minutes. The agenda is a list of the most important issues for the members to discuss.
- The agenda is drawn up from the Masters’ Arising from the previous meeting and from the discussions of the Executive or Secretariat.
- Members can suggest additions to the agenda.
- An agenda should include all the items known as “General” or “Any Other Business” to allow members to raise short items not included on the agenda.
- An agenda should also include the item “Assessment of the Meeting” which can take five minutes at the end of the meeting. Members can talk about whether they felt the meeting was worthwhile, and how they felt the meeting was chaired.
- Each item on the agenda must be introduced by someone. This member will either lead a discussion or present a report.

Discussion:
The member will lead the discussion on an issue and then make proposals to the meeting on a way forward. Members can then comment on and discuss the issue, as well as the proposal.

Reports:
- Was the task that was completed, what were the problems and what still needs to be done.
- Members should discuss the report and delegate responsibility to ensure that the task is completed.

Issues that need to be planned in our organisation:

Chairing Meetings
Chairing a meeting is very important if we want the meeting to be effective. It is important to have an experienced chairperson for important meetings. It is also important, however, to teach people to chair meetings. It is an important skill for people to learn.

What are the responsibilities of the Chairperson?
The Chairperson must try to assure that;
- Everyone who wants to speak is given a chance to speak.
- Speakers stick to the topic of discussion and do not raise other irrelevant matters.
- Speakers are as brief as possible.
- Discussion must aim at coming to conclusions. There must be a clear way forward which everyone understands.
- The discussion is summarised, so that everyone knows what ideas and proposals are being made. However, at the same time the Chairperson must be careful not to repeat everything that has been said. This is a waste of time. If the chairperson thinks the members are unclear, he or she could ask whether members want a summary of what has been said or decided.
- There is agreement on what the decision is, and make sure that everyone understands what decision has been taken.
- Someone must be given the task of carrying out the decision, and know it should be done and reported on.

Other responsibilities of the Chairperson include:
- Be alert to new things that might happen. For example, new members of the organisation should be welcomed and introduced themselves.
- Adding a meeting rather than dividing it. It is always better if a meeting reaches consensus on issues. Voting on important issues often causes more divisions in an organisation.
- Setting a cut-off time for the meeting. If everyone agrees the meeting should end.
- Setting a time and a venue for the next meeting.

Members: does your chairperson know about these responsibilities?
How can you help them to improve their skills in chairing meetings? Give them this article to read. It could help make your meetings a lot better and more efficient.

Chairpersons: It is often difficult to chair a meeting.

Sometimes mistakes are made but no one says anything in the meeting about it. To fix this problem, make sure that at the end of the meeting you ask for yourself as the chairperson to be assessed along with the meeting. Ask members to make one good point about your chairing, and one criticism of your chairing.

Next week we will look at meeting procedures, and procedural points most used in our meetings.

- Resources List -

Do you want more information on planning and chairing meetings, and on building organisations? One of the organisations you can contact for advice and material is:
The Human Awareness Programme 4th Floor Centenary House 156 President Street Johannesburg 2000 Their telephone number is (011) 337 8716
Keys ends commitment. Bill eg done seven times rape.

Shoulder's cold.

For unions.
News in brief

Stewards meet.

SHOP stewards from clothing factories across the country are to meet in Port Elizabeth at the weekend.

The meeting has been called for negotiations of the South African Clothing and Textile Workers' Union to report back on a meeting held with employers in Cape Town on Tuesday.

A statement concerning the weekend meeting will be issued on Monday, a Sactwu spokesman said.

A mass meeting of clothing, textile and leather industry workers in Goodwood, near Cape Town, last weekend, rejected current wage offers. - Sapa.
Toyota and union in bid to end strike

DURBAN — The dispute which has brought the giant Toyota motor assembly plant at Prospecton to a halt for the past two weeks remained unresolved last night.

And yesterday the National Union of Metal Workers warned that it would not be held to ransom by Toyota's refusal to attend national vehicle industry pay talks because of the strike, reports Sapa.

Toyota did not attend the third round of national pay negotiations in Port Elizabeth on Friday, employer spokesman Dave Kirby said yesterday.

As a result, agreements reached at the pay talks would not be binding on Toyota.

At Toyota's Prospecton plant representatives of the management and workers were engaged in a day-long internal inquiry yesterday into complaints against three staff members at the plant.

The inquiry would continue today, MD Ralph Broadley said last night. "Hopefully it will come to an end soon," he said.

Toyota

About 6000 workers downed tools on May 7 in support of their demand for the dismissal of a superintendent for alleged discrimination, and later added the removal of two managers to their demands.

Frequent talks between management and the National Union of Metalworkers of South Africa officials failed to break the deadlock.

Union spokesman Thomas Magrapes Hlatshwayo said if the outcome of the inquiries was "satisfactory", strikers would return to work today.

Commenting on Toyota's decision not to attend the wage talks, Numsa chief negotiator Les Kettledas said any agreement reached at the national bargaining forum (NBF) would be binding on Toyota.

"We do not believe that the NBF should be held to ransom by any company that experiences problems at plant level which are not related to national negotiations." Kirby said employers tabled a full response to wage and other demands by Numsa and the Iron and Steel Workers Union on Friday.

He said the demands, if met, would cost employers R110m. An additional 45% for benefits would raise the real cost of the demands to more than R160m.

Other demands relating to job security, workers' rights and workplace discrimination were either rejected or referred to quarterly NBF meetings.

A senior Toyota spokesman said negotiations had to end by June 30.
The Two Faces of a Costly Strike
Inquiry paves way for more talks at Toyota

AN INTERNAL inquiry into complaints against three managers at strike-hit Toyota were completed last night, opening the way for further talks with the National Union of Metalworkers of SA (Numsa), the motor company said. (ID) (I) (I) (I)

The strike started on May 7 when about 6 000 workers downed tools in support of their demand for the dismissal of a superintendent for alleged discrimination. They later added the removal of two managers to their demands. The dispute has brought the Toyota

motor assembly plant at Prospecton, Durban, to a halt for the past two weeks. Toyota PRO Flip Wilks said last night the inquiry by management and workers had been completed, and that negotiations with Numsa would resume today. (I) (I) (I) (I) (I)

A Numsa spokesman said earlier management would make a decision based on the inquiry. He said there would be further talks on the reinstatement of a shop steward dismissed six months ago.
Toyota management and trade unions seemed on Monday to be about to end the strike at the Prospecton plant near Durban. The output of 430 vehicles a day has been stopped since the first week in May, the company estimates that R200m in turnover has been lost. But it might also be argued that, with

demand for new cars slack and inventories rising, Toyota cannot have been hurt too badly up to now. The prospects of a settlement had improved last week, with both sides agreeing to go to arbitration. But the agreement collapsed because workers refused to go back to work before the inquiry.

On Monday management and worker representatives sat down again to consider the complaints that sparked the strike. The action, involving more than 6,000 employees, began on the Creaseda production line over worker demands for the dismissal of a production line supervisor.

But it is also possible that the dispute also offered an opportunity for the unions to apply additional pressure on motor industry employers in the third round of the National Bargaining Forum wage negotiations, which started last Friday.

Ironically, the Prospecton strike meant that no representatives of Toyota attended the forum talks, so any forum agreements will not be binding on Toyota.

Unions went to Port Elizabeth asking for a 25% wage increase, which employers say was effectively 45% by the time benefits were taken into account.
Toyoko arbitration ends

Arbitration hearings aimed at ending the three-week-old strike at Toyota's Prospecton plant have been completed, but the 6,000 workers are yet to return to work, and await a date to be set by management and their representatives.

Van Eck: NP can't scare me
6000 are still out at Toyota

ARBITRATION hearings aimed at bringing the three-week-old strike at Toyota's Prospecton plant have been completed but the 6000 workers are yet to return to work.

The hearings were completed on Tuesday, according to Mr Theo van den Berg, Toyota's group director of personnel and industrial relations.

"Negotiations are currently under way for a return to work by the 6000 workers affected by the strike," said Van den Berg.

However, workers representatives had no idea when there would be a return to work to resume production which has been hard hit at the plant.

Most of the workers felt that some of their demands would be met, enough to enable them to return to work but a date has yet to be set by management and their representatives.

The workers went on strike on May 7 to demand that a superintendent be dismissed for alleged discrimination. The strikers later added the removal of two other managers to their list of demands.

The strike has cost Toyota the production of 430 vehicles a day and the company has reportedly lost well over R200 million in turnover.
**Numsa, Seifsa in pay dispute**

Metal industry negotiators agreed to resume pay talks on June 9 following a dispute between employer and union representatives in Johannesburg on Wednesday.

The National Union of Metalworkers of South Africa (Numsa) said all unions involved in the negotiations, except the SA Yser-en-Staalune, declared a dispute on May 14.

Employers represented by the Steel Engineering Industries Federation of SA had subsequently also declared a dispute. A further round of talks could be held on June 18 and 19.

Seifsa spokesman Mr Hendrik van der Heever confirmed the decision taken at a special executive committee meeting of the National Industrial Council for the Iron, Steel and Metallurgical Industry.

Numsa official Mr Les Kettlebas said his union would have no alternative but to ballot its members for industrial action if no progress was made in national negotiations across four sectors.

Numsa negotiators in the metal, tyre and motor industries on Sunday expressed concern at the apparent lack of progress in these negotiations.

However, the union remained committed to finding an acceptable outcome to the negotiations and expected employers to do the same - Seifsa.
SHAPING POLICY ON UNION'S ROLE IN TIME FOR A RETREAT

The role of the union in the workplace has evolved significantly. Once primarily focused on collective bargaining and representing workers' interests, modern unions are now required to be more flexible and responsive to the changing needs of both employees and employers. This requires a strategic approach to governance and management, which can be achieved through a combination of leadership, policy implementation, and community engagement.

[Diagram: Illustration of union roles and responsibilities]

CIVIL THOMPSON

[Image: Photograph of a person]
Dispute at Toyota settled

MORE than 6 000 workers are expected to return to work at Toyota plants in Durban today after a "settlement package to resolve the dispute" was negotiated with Numsa, a company spokesman said.

But the 18-day strike, it is estimated, may have cost the motor assembler up to R310m in lost turnover.

Toyota SA CE Bert Wessels declined to comment yesterday on the impact of the strike on Toyota's operations. This would be assessed today if production resumed as planned, Wessels said.

Toyota would also not elaborate further on the settlement package for fear of jeopardising it.

Numsa could not be contacted for comment last night.

Sapa reports that in terms of the agreement between Toyota SA and Numasa shop stewards the company would:

• Place a production superintendent in an office where he would have no dealings with workers.
• Transfer a personnel manager to another post.
• Remove a manager from the auto components division for placement elsewhere.
• Re-employ a shop steward committee chairman who was fired eight months ago, and
• Abandon all Industrial Court actions by the Toyota auto components division and its predecessor, Meltink, against Numsa.

Earlier estimates suggested that the strike was costing Toyota up to 430 vehicles a day in lost production. Based on an average vehicle price of R40 000 over the period of the strike, Toyota has lost up to R310m in turnover since the strike began on May 6.

The work days lost exceed the 17.5 days lost to work stoppages in Toyota’s previous financial year to December 1991.
TEXTILE TALKS

The SA Clothing & Textile Workers' Union, which has threatened strike action over wage negotiations, had agreed to a fourth and final round of talks, assistant general secretary Ebrahim Fatel said in Cape Town yesterday.
**Mediation body meets**

CAPE TOWN — The committee investigating implementation of the Short Process Courts and Mediation in Certain Civil Cases Act met for the first time in Cape Town yesterday, Justice Minister Dr. Casley Coetzee announced.

The Act provides for mediation by an impartial party in a short process court or magistrate's court before any action is given in certain civil actions.

The Act is intended to save costs and resolve matters quickly in a forum providing an alternative dispute resolution procedure.

The Minister will be empowered to appoint an independent, objective, impartial person — an advocate, attorney, lawyer, lecturer or retired magistrate — to act as a mediator or adjudicator in a short process court.

The committee, chaired by Justice Department Deputy-General J.G. Geyser, would advise the Minister on the establishment of the courts, managing pilot projects, drafting the rules of mediation process and setting up the courts — Sapa.

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**No prospect of Mylo Fancourt payouts**

CAPE TOWN — There were no prospects of investors in any of the Club Mykonos companies, Mykonos Wekulos Belegungs, and Fancourt receiving interest payments yet. Master's bond's provisional curators said in an interim report submitted to the Cape Town Supreme Court this week.

The provisional liquidation of Marina Martumique would also mean a considerable delay before debenture and participation bond investors received a dividend. However, there was hope for capital payments to Silverhurst, Finanzhaus and Spectravest investors.

The report disclosed that about R156m of funds invested in Masterbond debenture bonds had been unallocated prior to the provisional liquidation of the group. Initially it was thought that R156m was unallocated, curators Wimien Wilken, Arnold G Lombik and Jozua Malherbe said. They had obtained the advice of senior counsel on how to deal with the R156m in unallocated funds, accumulated in an undifferentiated account and lent to debtor companies without issuing debenture certificates to investors.

**LINDA ENSOR**

The debtor companies which received the R156m had been identified as Club Mykonos (R27m), Fancourt (R22m), Marina Martumique (R28.7m), Phandialand (R2m), Finanzhaus and Spectravest (R54.4m), Silverhurst (R13m) and others (R3.2m).

Senior counsel advised that monies received by the debtor firms should be pooled and apportioned on a pro-rata basis to all unallocated investors as amounts were received.

The report disclosed that Club Mykonos share block owners' rights were in doubt as the validity of the unregistered lease on the land was open to dispute. Investors' rights depended on the validity of the unregistered 99-year lease.

A negotiated settlement was essential for Club Mykonos as there were a number of conflicting interests and claims, the curators said.

Club Mykonos Langebaan owed R79m to investors for funds borrowed, R49.6m to unsecured creditors and R70m in secured mortgage bonds.

"Unless there is a compromise between the secured investors, the purchasers of the share and share block units of CML H protract the court's order for payment," the source said.

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**Church council plans joint rallies to end violence**

The SA Council of Churches will soon invite representatives of political parties, trade unions and homeland governments to attend joint rallies aimed at ending unrest.

Leaders of the organisations, with the exception of the ANC and Inkatha yesterday attended a meeting of a committee which was appointed in April at a summit on violence convened by the SACC.

The committee comprises representatives of the ANC, Inkatha, the PAC, Azapo, Cosatu, Nactu and two.

**WILSON ZWANE**

A source close to the council said the committee resolved to ask church leaders to invite black political organisations to join rallies soon probably next month.

The source said the committee had stressed that joint rallies should be aimed at promoting peace, not political differences. "The organisations have not proceeded from holding their own political rallies," the source said.

He said the committee also resolved to recommend the formation of a "multiparty commission" to visit hostels and squatter camps with a view to finding mechanisms to curb violence in these areas.

Although a date had not yet been finalised, church leaders would ask the organisations to reconvene later this month to discuss violence which continued to affect SA's townships, the source added.

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From Page 1
A Ku Klux Klan supporter takes a peek under the hood of a KKK member during a rally in Wisconsin, America. About 200 people protesting the Klan gathering at a city park clashed with police. Klan members cancelled plans to burn a 6m cross.

Toyota strike is resolved

ALMOST all 6 000 Toyota workers turned up at the plant in Prospecton yesterday after a three-week strike that cost the company about R200 million in lost production.

The plant went on stream again following the ending of the strike last night when Toyota management and the National Union of Metalworkers of South Africa came to an agreement which ended the dispute.

The workers seemed happy to be back at work, arriving at the plant's gates about an hour before they started.

There was no tension evident and the workers joked among themselves.

While some held a 30-minute meeting in the car park, others went straight to their work stations.

It is believed that Toyota lost at least R200 million when the production of 430 vehicles a day ground to a halt.

The component manufacturers are believed to have lost R50 million worth of business and the workers themselves had to forgo R800 000 a day in lost wages.

The regional secretary of Numsa, Mr Ecko Esau announced that the strike was over. "We have got a settlement."

He said that in terms of the agreement, the three senior white Toyota employees against whom the workers complained had been moved to other jobs.

Esau said that the union would also continue to discuss industrial relationships with Toyota management.

A Numsa shop steward who was dismissed by a company which was later taken over by Toyota will be employed.

The 6000 workers began downing tools on May 6 to demand the dismissal of a superintendent for alleged discrimination.

They subsequently added the other demands.
Critical talks at SABC today

DIRK HARTFORD

THERE could be a breakthrough in the 16-day national strike at SABC by members of the Media Workers' Association of SA (Mwasa) today when the parties meet to discuss the SABC's response to the union's revised demands.

Officials of both Mwasa and the SABC said the meeting was "critical" after constructive negotiations on Tuesday (30).

Mwasa has dropped its across-the-board demand from 30% to 20%. It is also calling for a R1,500 minimum wage. The SABC is offering an 11% increase and a R1,300 minimum.

An SABC spokesman said the R1,300 minimum wage offer amounted to an effective 30% increase for workers at the lowest pay level.
NEGOTIATION AND PROTEST

A question of bad faith

In labour law, at least, resorting to pressure tactics during negotiations is, we now know, illegitimate. It's a bad-faith bargaining and constitutes an unfair labour practice. This view, contained in an important recent judgment of the Appellate Division, finally settles an old controversial issue in labour relations (see p44).

But it has echoes on the political stage following the ANC's threat to unleash unprecedented levels of mass action to break the negotiations impasse—even while government and the ANC both remain committed to negotiating. In fact, progress continues to be made at Codesa—except on the central question of an elected constitution-making body and its powers.

The analogy with labour is academic. In the final analysis, political negotiations are about power, regardless of either party's stated commitment to keep talking. The hope is that the chief adversaries at Codesa will realise that going for broke will leave the country devastated.

If there is no breakthrough by July, the ANC warns of "rolling" mass action, including strikes, stayaways, sit-ins, demonstrations and "new forms" of action as well. 

ANC secretary-general Cyril Ramaphosa at the end of the ANC's policy conference on Sunday (see p45).

The programme of action adopted at the conference reflects the ANC alliance's "conviction that only mass pressure can compel the National Party to commit itself to the logical outcome of negotiations," said ANC information chief Pullo Jordan. "However, we have come to the realisation that unless the majority participates actively in shaping that process, negotiations must fail."

ANC president Nelson Mandela warned: "If the government remains deaf we will take mass action. It can happen in June or July, depending on government's response." Mandela's relationship with President FW de Klerk has in recent weeks soured sharply over culpability for the violence, which Mandela is convinced, de Klerk can put an end to if he has the will.

 Asked whether he did not fear that such a campaign would get out of hand, Mandela replied that persuasion, via Codesa, had failed — though (paradoxically) "we don't think negotiations have failed." The regime, he added, was negotiating today "because we engaged in mass action. That is the lesson of history. The situation has always been out of hand."

What about damage to the economy? "Our economy is so mismanaged it cannot be further harmed," said Mandela dismissively.

Business leaders, including Anglo American's Julian Ogilvie Thompson, have rightly pointed out that mass action would postpone economic recovery.

Government has said that it would not succumb to threats or be bulldozed. NP spokesman Piet Coetzee says it is highly irresponsible of the ANC to fan political tempers, and the Nats are concerned that the organisation could be starting something which it may not be able to control. He warns that mass action includes intimidation and violence. However, the NP is convinced that the negotiating process will continue.

In its report to the ANC policy conference, the organisation's special commission on negotiations said the country has "entered a decisive period in which the transfer of power from the white minority regime to the people is on the immediate agenda" and that the transfer of power "can be achieved in the shortest possible time."

The report maintains that government "pursues a strategy in the transition aimed at weakening and destroying the ANC through violence and other means, and at locking it into a permanent 'power-sharing' arrangement in which white minority domination will be largely intact."

It is significant that the mass action programme is also seen "as part of the unfolding process of preparing for democratic elections," which provides another perspective on the threatened protests.

The ANC leadership, it should be remembered, has a difficult balancing act to perform with its militant, impatient cadres, on the one hand, and the demands of pragmatism, on the other. Arguably, the pragmatic approach won through on policy matters — in particular, on economic policy, at its conference — in spite of the drawbacks of its populist, assembly style of democracy.

Much of ANC rhetoric should be seen in this light. Its negotiations commission, interestingly, talks of the need to "creatively link" negotiations and mass action as "mutually reinforcing elements of our struggle." The slogan adopted for the campaign is "From corruption, murder and mismanagement to democracy, justice and good government."

If government continues to block the process of transition, appropriate actions will be taken to make the system "truly unworkable." This could include the systematic, nationwide occupation of legislative, administrative and judicial buildings.

SHOW BUSINESS

Accents need apply

The SABC board has given the corporation the go-ahead to establish itself as a multi-million rand international TV producer. Negotiations between the SABC and American producers Kushner/Locke are expected to be finalised soon. They plan to co-produce the third series of the popular TV programme "Tropical Heat" in SA.

David Goldstein, an Israeli who has produced a TV movie that proved a financial failure for the SABC, will be executive producer for the filming of "Tropical Heat". Goldstein has also acted as an agent for the SABC, buying TV programmes from international companies.

California. Secretary of State office records show that Goldstein operates a company called Filmtel Entertainment. An SABC spokesman says Goldstein, then an employee of United Studios of Israel, produced a TV movie, "The Orchestra", for the SABC in the Eighties. He admitted that the SABC had lost money on the project.

The SABC will invest R21m in the R42m "Tropical Heat" production. The spokesman said the SABC's return (the series is shown in other countries) will generate enough funds to promote local productions. He said 90% of the production team will be local technicians. Local actors will also be used.

Moonycen Lee, a spokesman for the TV division of the Personal Manager's Association (for actors), cautiously welcomed the chance for SA actors to feature in an international TV series. But Lee warned against a repetition of what happened some years ago when the only artists employed were those with "a perfect American accent."

Some SA filmmakers are concerned after being told by SABC staff that funding for local productions in the current financial year has dried up and that completed productions will be paid for only in the next financial year.

Eddie Botha

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LES KETTLEDAS

Driving a hard bargain

Les Kettleudas's early days as a union leader consisted of on-the-job training or, more precisely, lunch-time training. During the midday break, the former paint laboratory technician for General Motors talked about what he and other workers saw as poor conditions, low pay and the limits prescribed by job reservation rules.

"In our first year," he remembers, "there was a lot of opposition from employers. But we had to continue."

In 1974, Kettleudas (44) left GM (now Delta) and became a full-time union official. Now he is the national secretary for collective bargaining of Numsa, the metalworkers' union that represents 280,000 dues-paying members who work in the metal industry, vehicle and tyre manufacturing and the motor industry.

Though he acknowledges that there have been "substantial changes in working conditions" at the car assembly plants since he went to work for GM in 1968, he believes that management has the same response to the union's request for better wages and benefits.

"Employers have the same attitude no matter what, whether it's recession or boom. They always accuse the union members of being unreasonable and unrealistic. That response is always there."

The current contract with the car companies expires at the end of the month and negotiations are going ahead, following the recent strike now under way at a Toyota plant in Durban. So far, the carmakers are offering increase packages worth about 6.4% - a number that Kettleudas says "smacks of a handout."

Though Numsa is asking for 25% increases (which management sees as 45%, including benefits), he would be happy to see an offer that would at least cover inflation.

"Or else our members are not able to improve themselves."

Will there be another strike like last year? Kettleudas dips into his well of union-speak.

"If there is no real progress, we will be forced to hold a ballot for our members on whether they want to take industrial action."

Sitting across the negotiating table is Dave Kirby of BMW, who says he gives Kettleudas "an 'A' for perseverance."

Says Kirby: "He is intelligent, articulate and tenacious. He is a bulldog. He has strong goal orientations. He sets clear targets and then hammers away." Nevertheless, Kirby does not "agree too often with his philosophy, his standpoint. He is not co-operative, he is confrontational."

Kettleudas says he is just doing the job he is mandated to do. And he tries to keep calm, cool and collected while he goes about his task.

"I go in and get the best deal for the members. I don't do that by jumping on the table and screaming at the employers."

Kettleudas, who is based in Port Elizabeth, says all of his free time goes to the union. But when he needs to get away from it all, he jumps into his new Delta-made Opel Kadett (he recently retired a Renault) and heads about 80 km west for the peace and quiet of Humansdorp, where he grew up.

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Is it legitimate to use pressure tactics against your adversary in the midst of negotiating with him?

The question may be academic in the high stakes of power politics, as the ANC threat of mass action against government "intransigence" at Codesa shows.

In labour law, however, this longstanding controversy has finally been settled in an important Appellate Division judgment recently delivered by Mr Justice Goldstone, in Masetcel vs the National Union of Metalworkers (Numsa), Cosatu's biggest affiliate.

In terms of the judgment, a concerted refusal by employees to work voluntary overtime as a pressure tactic constitutes an unfair labour practice. According to Webber Wentzel labour lawyer Tim Trollop (for the company), the judgment should be welcomed "because it emphasises the primary importance of collective bargaining and recognises that power play should be seen as a last resort rather than as a starting point."

The dispute goes back four years. It came to a head when the company obtained an interdict in the Industrial Court preventing employees from imposing a collective overtime ban while in the midst of wage negotiations. Most employees went back to work but when the Industrial Court suspended the interdict on its return day, most of the company's Numsa members refused to work overtime.

The matter went to trial and the Industrial Court found that it was a legitimate industrial relations pressure tactic for union members to ban voluntary, noncontractual overtime, without notice to the employer, to enhance their collective bargaining power.

This decision was reversed by the Labour Appeal Court, which took the view that the overtime ban constituted a deviation from the proper purposes of collective bargaining. It was unfair because it effectively pre-empted wage talks.

The issue then went to the Appellate Division where the union's lawyers argued that it could never be unfair for employees to refuse to work overtime, regardless of the motive for such refusal, because workers were under no contractual obligation to work overtime.

Thus they were free to refuse to work overtime whatever the reason and whether they did so individually, collectively or simultaneously.

Factors taken into account in the Appellate Division judgment were:
- The overtime ban was instituted during the course of wage negotiations.

□ There was no suggestion that Masetcel was not bargaining in good faith.
- Overtime had been done for some years to the mutual advantage of the company and employees who wanted to work overtime.
- The union knew that a ban on this overtime would seriously disrupt production and cause substantial losses for the company.
- The ban was instituted without the declaration of deadlock in negotiations and without notice to the company, and
- The union disingenuously denied any knowledge of the overtime ban.

However, the court seems to have left open the question of the circumstances in which an overtime ban can be imposed. Would it be legitimate, for instance, where an employer was bargaining in bad faith? And, if that were the case, does it imply that negotiations should continue regardless?

□
On the road again

TOYOTA is back on the road.
The country's leading car manufacturer and the National Union of Metalworkers of South Africa hammered out an agreement on Monday this week.

All three of the managers pinpointed for dismissal by the workers were removed from the production line into office jobs. The chairman of the shop stewards council, dismissed from the company earlier this year, was reinstated in line with workers demands. He will go to court to contest his demand for back pay.

In the most significant move, the company will drop all action pending against the union in the industrial court.

One such action, with component manufacturer, Metlink, was a damages claim for R250 000.
Eskom workers denounce job losses

By Mike Siluma

The unions accused Eskom of being part of a government plan to cause a “high level of unemployment so that a democratic government should face chaos”. June 25 has been declared a “national day of action”.

Eskom corporate communications manager Bongani Khumalo said yesterday it was “regrettable” that the unions had raised the question of restructuring through the media while talks were going on.

Three trade unions representing Eskom employees have warned of confrontation with the electricity supply utility over job losses following rationalisation.

Since 1995 Eskom had slashed its workforce by 30 percent, at a cost of some 20 000 jobs; the National Union of Mineworkers, the National Union of Metalworkers of SA and the Electricity Workers Union said...
AS THOUSANDS of SA Commercial, Catering and Allied Workers Union members staged nationwide lunch-hour pickets yesterday, the union prepared to take a wage dispute with Checkers/Shoprite to the conciliation board.
Deadlock in metal industry wage talks

Discussions to resolve the dispute over wages in the metal industry will resume later this month after Sefsa and Numsa this week failed to reach an agreement.

Sefsa yesterday revised its wage offer from 6.4% to 8% for all workers on condition the union dropped other demands. Numsa rejected the offer and a further meeting was scheduled for June 18, collective bargaining national secretary Les Kettledas said in a statement last night.

Sefsa remained opposed to a Numsa demand for a moratorium on retrenchments but said it was prepared to consider alternatives, Kettledas said.

Responding to a demand for a code of practice to end discrimination in employment, Sefsa called for a code of conduct...
Mediation comes home

Radford Jordan is a former senior lecturer in political studies at Wits University

Professor Frank Sander of the Harvard Law School, an internationally recognised expert in alternative dispute resolution (ADR), recently spent two weeks in SA. He came at the invitation of Adraas (the recently formed Alternative Dispute Resolution Association), which hopes he will prove to have given ADR decisive help in taking root here.

ADR was born in the US more than a decade ago. It offers various techniques for resolving disputes more quickly and cheaply than recourse to courts of law. Of these, the most important and the one that contrasts most strongly with adjudication in the courts, is mediation.

In the course of a packed conference at Sandton on “Streamlined Justice”, Sander drew the following comparisons between adjudication in a court of law and mediation:

- Looks to the past/looks to the future.
- Devises facts/devises with the relationship between the parties.
- Tries to assess liability or fault/seeks to restructure or repair relationships.
- Provides a winner and a loser/seeks to provide an accommodative outcome.
- Handled largely by attorneys/offers an important role to disputants, and
- Results in a general rule or precedent/results in custom-built solution in the instant case.

There is no category of dispute where mediation has not proved its worth. Where mediation seems to have failed, ADR has other strings to its bow, notably informal arbitration and the “summary trial”. Sometimes recourse to one of these proves in the end to be unnecessary, after the mediator appears to have failed, the parties have second thoughts, come together on their own and arrive at a settlement.

The programme arranged for Sander by Adraas was a heavy one. He visited the Appeal Court in Bloemfontein and judges in the Transvaal, the Cape and Natal. Imparting knowledge of ADR is the breath of life to him. Much as his programme demanded of him, he gave the impression that he would have wished to do no less.

ADR was pioneered here by the Independent Mediation Centre (Imcic), which has specialised in industrial mediation but has also extended its work to community disputes. Sander agrees that Imcic’s work is of a calibre second to none in the world.

It is not surprising that ADR should have struck roots here. Sander sees its debut in the US as the result of an article contributed to the Stanford Law Review about 20 years ago.

There are two great question marks that hang over ADR’s future here. The first is whether a climate of reconciliation is able to build up in the country, Codasa could well be the start of this.

The other arises from the conservatism of the legal profession, the body of people who can excel at ADR if they choose to embrace it, but whose lack of response could well result in its falling into hands less competent but more willing.
South Africa to check mercury risks at Thor
Toyota withdraws agreement

Toyota SA yesterday withdrew an agreement reached with Durban employees at the end of a 17-working-day strike last month because of another work stoppage, which enters its fourth day today.
Progress in metal talks

ALTHOUGH the metal and engineering industry remains locked in a dispute with the National Union of Metalworkers of South Africa, there was some progress this week.

Employers increased their wage offer to eight percent, up from 6.4 percent, on condition that the union drops its substantive demands. In return, the companies will withdraw their demand for changes to the industry's main agreement.

The employers tabled proposals for establishing a training fund for retrenched workers and for a code of conduct to promote non-discrimination.
Clothing strike looms

THE South African Clothing and Textile Workers' Union has declared a wage dispute with employers in the clothing industry, heralding a potential production shutdown early next month. The disputes affect 105,000 workers covered by industrial councils in Cape Town, Durban and Johannesburg. Union official Ebrahim Patel said a strike ballot would be held if dispute meetings failed to yield a settlement. — Sapa.
Cosatu hosts business indaba

THE Congress of South African Trade Unions is to host four worker and management conferences in major centres between June 18 and June 25 to project its vision for the new South Africa.

The first will be held at the Sandton Sun Hotel, Johannesburg, on Thursday, starting at 9am.

The other conferences will be held at the Lord Charles Hotel, Somerset West, on June 23 (8am), East Cape Training Centre in Port Elizabeth on June 24 (8am) and at the Durban Inn in Durban on June 25 (8am).

By JOSHUA RABOROKO

Topics to be discussed include the changing role of the shop stewards, macro-environmental policies, workplace conflict and co-operation. Cosatu's thinking on the role unions should play in the political process and the implications this will have on management.

Speakers will include Mr. Jay Naidoo, general secretary of Cosatu, Professor Ari Sitas, director and founder of the Centre for Industrial Labour Studies at University of Natal, Mr. Sipho Pityana, assistant to the vice-chancellor of Fort Hare University, Mr. John Gama, executive member of the SA Communist Party, and Mr. Chris Dlamini, first vice president of Cosatu.

Co-ordinator Ms. Tracey-Ann Carroll said the conferences had been organised by Industrial Relations Network in association with Case.

She said they would provide an opportunity for approachability, and urged businessmen to attend so they could learn more about trade unionism.
No pay for staying away, say employers

Still a strange trend;

Groskopf, is

When Town Government

foreground funding

For Mr. Tarrington

1986 Employment Court in
drop damages

and the provision

and contributing to an economic depression. 1982

translation.

The PM was concerned

of the result of economic

For many small business

and the effects of

the...
Municipal employees plan protest

By Louise Burgers
Municipal Reporter

Mass protests against the Johannesburg City Council management committee by thousands of municipal employees, who face possible retrenchment and no increases, are expected next week — for the first time in the council's history.

A dispute has been declared by the unions after the fourth round of wage talks broke down on Monday. The issue will now go before the Industrial Council.

The annual Johannesburg budget, expected to top R3 billion this year, will be presented on June 25 — the same day the council's 12 unions, representing the 23,000-strong workforce, from labourers to directors, have chosen to demonstrate on the lawns of Civic Hill in Braamfontein.

In an unprecedented move last week, more than 1,000 white-collar employees approved a motion of no-confidence in the present management committee.

Johannesburg Municipal Employees Association (JMEA) general secretary Theo Crouse said the council had given the undertaking to unions on Monday that they would not embark on a mass retrenchment programme for the next six months.

Mr. Crouse and SA Municipal Workers Union (Samwu) bargaining officer Roger Ronie told The Star last week that the union had it in writing that the council intended to scrap 7,000 posts to trim the workforce to 15,000.

The council has denied that the figure is so high.

In the latest JMEA newsletter to members, trade unions say they were astounded that for the first time in 106 years the council has managed itself into the position that it sees fit to retrench employees in order to balance its budget.

Mr. Crouse said the unions, presenting a united front for the first time, had indicated that, despite declaring a dispute, negotiations would continue and there was no question of a strike.

"But at this stage we are poles apart," he said.

This is the first time in many years that the council wage talks have not been finalised before the annual budget.

The 12 unions want salary increases of between 16.7 and 34 percent to bring the minimum wage into line with that of workers in other cities.

In another development, Samwu yesterday urged the Government to immediately withdraw the Provincial and Local Authority Affairs Amendment Bill which, the union says, is being forced through Parliament this session.
Dismissals ‘will lead more to join strike’

MANY doctors and other professional health care workers would strike if the general assistants on strike at provincial hospitals were dismissed, National Health Unity Forum spokesman Dr Aslam Dadoo told a news conference in Johannesburg yesterday.

Sapa reports radiographers and professional nurses at Tembisa Hospital yesterday joined the strike and Baragwanath radiographers and nurses also threatened to join the strike if talks yesterday between the Transvaal Provincial Administration and the National Education, Health and Allied Workers’ Union (Nehawu) were not fruitful.

TPA spokesman Piet Willem said last night the talks did, in fact, deadlock. The TPA’s chief superintendent, Dr Van der Heever, distributed letters warning that workers not returning to work by yesterday would have to give an explanation by 4pm, and those who did not provide explanations would be fired.

It could not be established last night what steps would be taken.

DIRK HARTFORD reports that ANC national executive committee member Cheryl Carolus told the news conference the fact that some workers earned R410 a month was disgusting “Many Cabinet ministers spend that much on themselves every day.”

The forum said the doctors and nurses it represented were debating the situation and if the TPA did not move to resolve the strike, or if it dismissed strikers, its members could take action.

Nehawu general secretary Philip Dexter called on anyone who had information on the deaths of babies at GaRankuwa Hospital at the time of a strike in 1990 to contact the union. He said the union had evidence that the babies died because “someone panicked and attempted to get them taken from the hospital by ambulance without proper equipment.”

He reiterated the union’s claim that the TPA was preventing workers from giving emergency care by locking workers out.

He said “skeleton staff” for emergency care was accepted the world over, but not by the TPA.

Meanwhile, the TPA said there was only R16 separating its offer and Nehawu’s demand and that wages had risen by 130% for general workers since the beginning of 1979.

Other Nehawu demands were also being addressed.

Yesterday a second hospital in the Free State joined the strike, but Durban hospital authorities denied Nehawu’s claim that its members at King Edward Hospital were on strike in Natal.

The TPA said 14 Transvaal hospitals were affected by strike action.

Nehawu claimed between 300 and 500 of its members were arrested yesterday at hospitals, including the Johannesburg Hospital. At Germiston Hospital police allegedly used teargas, samboks and dogs to break up a crowd of strikers and one worker was seriously savaged, it said.
Order against NUMSA march

BARLOW Group subsidiary Barlow Appliance Company yesterday obtained an interim interdict in the Rand Supreme Court prohibiting the National Union of Metal Workers (NUMSA) from assembling itself with a march planned for today in support of workers dismissed during an illegal strike.

The firm has dismissed 600 workers in September 1988 after an illegal strike and the matter has been the subject of arbitration proceedings between the union and management.

Yesterday's order granted by Judge C Pleman also prohibits the union from instigating, encouraging or associating itself with any conduct which is in breach of the arbitration agreement.

The union has been interdicted from publishing or disseminating statements to the effect that the dispute was adjudicated in any forum other than by an independent arbitrator who was appointed by agreement between the two parties.

NUMSA has also been interdicted from publishing or disseminating statements which claim that the dismissals were unlawful or unfair.

In terms of the order the union may not encourage, incite or associate itself with any conduct amounting to a boycott of the company's products.

Nor may it associate itself with calls for the reinstatement of the dismissed workers.

Dismissed workers demonstrated at the opening of Codesa II last month protesting against the involvement of Barlow Rand CE John Hall in the national peace accord.
Patients may die, TPA warns hospital strikers

By Helen Grange and Abel Mash

After yet another breakdown in talks yesterday, the Government has warned that the crippling hospital worker strike may lead to patient deaths.

Despite deteriorating hygiene conditions in at least 16 Transvaal Provincial Administration hospitals due to a protracted strike by hospital assistants and clerks, negotiations between the TPA and the National Education, Health and Allied Workers Union (Nehawu) again ended in bitter accusations and reciprocal warnings yesterday.

In a statement last night, the TPA warned that if conditions were not normalised, "it may cause a further deterioration of services, loss of life, continued damage to property, and the intimidation and assault of persons."

The Transvaal Provincial Administration yesterday refused three demands tabled by the National Education, Health and Allied Workers' Union at a meeting — maintaining the deadlock between the two parties, reports Sapa.

Demanded

Nehawu demanded that:
• The TPA arrange a meeting between Nehawu and the Minister of Administration and Tourism.
• The TPA consider the withdrawal of all court injunctions.
• The TPA "go soft" on the implementation of disciplinary action against striking workers.

The strikers themselves are demanding a minimum wage of R724 and an across-the-board increase of 15 percent.

The TPA said last night there was a difference of only R18 between the minimum amount demanded and the amount offered by the authorities.

Nehawu has meanwhile warned that nurses and doctors could join the strike.

The TPA has made an urgent appeal to the public to offer their services as voluntary hospital workers, earning a daily tariff.
Clothing workers declare dispute

Sowetan Correspondent

CLOTHING workers will march in Cape Town tomorrow in what employers have slammed as "grossly irresponsible", warning that jobs are on the line.

The Grand Parade will be closed for parking the whole day to allow a meeting of the SA Clothing and Textile Workers' Union (Sactwu) between noon and 2pm, the city council public relations officer, Mr Ted Doman said.

Sactwu spokesman Mr Ronald Bernickow said workers would march on the offices of the Cape Clothing Manufacturers' Association on the Fore-

shore to hand over a list of wage demands.

A dispute was declared on June 10 and the looming strike action is threatening to cripple the ailing industry.

The union is demanding a wage increase of 15 percent across-the-board while employers have offered an eight percent package increase.

The parties meet today in the first of three Industrial Council meetings in an attempt to resolve the dispute, said association executive director Mr Peter Cragg.

The march, which has magisterial and municipal permission, is expected to cause a half-day shut down at factories.

But employers warned yesterday that permission from the workplace will not be granted and the march is viewed in "a very serious light".

Garment Manufacturers' Association chairman Mr Patrick Boers said workers who "desert their positions must be prepared to face the consequences and possible dismissal."

Boers said "Workers will be placing their jobs on the line and they know that there are thousands of unemployed people who would love to replace them immediately.".

Boers accused the union of having no interest in the survival of the industry.

Cragg said the timing of the march was "completely inopportune" and could have taken place yesterday, a paid public holiday in the industry.

The association was discouraging its member factories from giving workers permission to take part in the march which breached agreements.
Bid to end hospital strike fails

By MOKGADI PELA and Sapa

NEGOTIATIONS between the Transvaal Provincial Administration and the National Education, Health and Allied Workers' Union in a bid to end the three-week hospital strike, reached a deadlock yesterday. The workers downed tools three weeks ago in demand of a 15 percent across the board wage increase and a R724 a month minimum wage.

The strike has affected more than 17 hospitals in the Transvaal, the Orange Free State and Natal. At a Press conference in Johannesburg yesterday, Nehawu appealed to the TPA to allow hospital workers rendering essential services to serve the patients. A TPA spokesman reiterated its earlier statement that the strike was not in the interest of Nehawu or its members.

The union also appealed to the Minister of Public Administration to meet with it to resolve the dispute. It also proposed the establishment of an interim dispute resolution mechanism.

Nehawu also alleged that between 300 and 500 members have been arrested.

Hospitals affected by the strike include Baragwanath, Groenkloof, Boksburg-Benoni, Willem Cuytswagen, Weltevreden, Ermelo, Middelburg, Johannesburg, Natalpunt and Pietersburg.

Three shop stewards have died since the strike started.
Retail workers' pickets

SOUTH African Commercial Catering and Allied Workers' Union members have held lunchtime pickets nationally to highlight wage and other demands in the past fortnight.

On Thursday, a crucial meeting between employers and the union attempted to reach some agreement on the union demand for a centralised bargaining forum.

And in a related development, Sacca-wu will take a dispute with the beleaguered Checkers-Shoprite group to a conciliation board on June 24. The possibility of an agreement with the company has suggested a 10 percent wage cut.

Union relations with Checkers have been strained in the past year because of Checkers' intentions to close down a number of stores. The dispute has been taken to court on several occasions.

More pay for guards

THE Transport and General Workers' Union this week clinched a healthy wage settlement with Fidelity Guards.

Traditional guards will get 20.3 percent and 21.3 percent increases, while key points guards will get 12.5 percent increases.

The agreement also provides transport allowances for guards, time off for shop stewards to attend to union business and improved training and promotion policies.
is a current issue in negotiations.

In a press conference earlier this week, the President of the National Federation of Unions and Employers of Metal Workers, John Smith, said, "The current negotiations are critical for the future of our industry. We are seeking fair wages and benefits for our members."

The negotiations have been ongoing for several weeks, with both sides holding firm on their positions. The union is demanding a 10% wage increase and better working conditions, while the employers are offering a 5% increase and minor improvements in working conditions.

"We are committed to ensuring that our members have a fair and just work environment," said Smith. "We will not accept anything less than what we believe is fair and just for our members."

Negotiations continue as both sides prepare for a potential strike if a resolution is not reached.

Make or break week for metal pay talks

Little reward for five-star service

Labour
Dispute linked to protests

The Paper, Printing, Wood and Allied Workers' Union is to link its fight against retrenchments at Sappi to the proposed mass action next month, a union spokesman said in Johannesburg yesterday.

Speaking after a meeting between union leadership and Sappi management, PPWAWU organiser Rob Rees said the union was in dispute with the giant paper producer over two issues - retrenchments and economic restructuring.

Sappi had recently retrenched more than 2000 forestry workers and replaced them with subcontractors who earned low wages with no benefits or protection under labour legislation.

"PPWAWU has now decided to intensify this campaign in its own ranks and made Cosatu these worker actions are going to fuel the ANC's mass action campaign, which PPWAWU supports," Mr Rees said.

The union would link up with other Cosatu unions in a broad national campaign.

Sappi's comment was still awaited at the time of going to press — Staff Reporter.
30 000 March Over Wages

An estimated 30,000 members of the SA Clothing and Textile Workers' Union marched through central Durban and Cape Town yesterday afternoon in support of the union's wage demands. The protesters marched to the Natal and Cape Clothing Manufacturers' Associations respectively. Sacwru said the marches followed four wage negotiation meetings which have failed to reach agreement on wages, annual bonuses, provident funds and wage parity.
Union quiet about strike after 8 days

A PROTRACTED labour dispute at the Toyota SA Durban plant remained unresolved yesterday with no sign of further negotiations since talks broke down last week.

A company spokesman said he was waiting for the National Union of Metalworkers of SA to contact him about further discussions to resolve the dispute which has claimed eight days of production.

It also follows a 17-working day dispute at the Durban plant last month.

The latest dispute arose from worker dissatisfaction at a management offer to pay shop stewards for the duration of last month's strike.

The company said it regarded negotiations by shop stewards as work. Workers demanded that everyone be paid for the period and not just a sector of the employees.

Meanwhile, a union spokesman said strikers were adamant in their demand for pay and would continue putting this position at negotiations.

Strikers lost about R800 000 a day in wages during last month's strike - Sapa
Motor industry pay talks deadlock

A DISPUTE has been declared in the motor industry after employers failed to table improved wage offers yesterday, said National Union of Metal-workers of South Africa official Mr. Les Kettledas.

The white Motor Industry Employees Union also had declared a dispute, while the Motor Industry Staff Association reserved its position.

"There was an all-round feeling that employers were not negotiating in good faith. We broke off the last meeting on June 3 to enable employers to go back and get a revised mandate," Mr. Kettledas said. That up to 40,000 petrol attendants at over 5,000 filling stations were covered by the negotiations for a new industry agreement for some 200,000 workers.

Employers also did not take up union offers for joint discussions on the future and viability of the industry. NUMSA had tabled demands for a R2 or 25 percent wage increase, maternity and workers rights and an end to discrimination.

The industrial council would convene on June 29 to deal with the dispute.

Meanwhile, a looming deadlock in metal industry pay talks was defused yesterday after union negotiators threatened a sit-in until Seifsa improved offers on pay and job security.

Seifsa's negotiating team agreed to seek a revised mandate from its council after the 35-member NUMSA threatened to occupy the Seifsa boardroom in Johannesburg.

"Absolutely no progress was made at the meeting," said Mr. Kettledas.

Seifsa spokesman Mr. Hendrik van der Heever said hopes for a settlement before June 30, when the industry's agreement expired, were remote. He said most of the 12 unions party to the talks revised their demands in response to Seifsa's final offer of eight percent.

NUMSA would take part in a march in Johannesburg on Monday to highlight its demands — Sapa
Motor union declares dispute
CAPE TOWN — A dispute has been declared in the motor industry after employers failed to table improved wage offers, National Union of Metalworkers of South Africa official Les Kettle said yesterday. He added that up to 40,000 petrol attendants at over 5,000 filling stations were covered by the negotiations for a new industry agreement for some 200,000 employees — Sapa
Continuing views of the hospital dispute

...
Numsa to hit streets

By JOHANNES NGOBO

NATIONAL Union of Metalworkers of South Africa (Numsa) and the Steel and Engineering Industries Federation of South Africa (Seifsa) are heading for a showdown with Numsa members planning to take to the streets on Tuesday.

National wage negotiations between the two are deadlocked with Numsa declaring a wage dispute. (SD)

Numsa is also locked in dispute with the tyre industry bosses. (SD)

The union expects to put about 40,000 workers from four Transvaal regions on the streets.

Cosatu this week said that its Transvaal members will stage mass protests in the streets of Johannesburg to demand higher wages.
40 000
STAN 23/01/92
march,
hand over
demands
(15)
Staff Reporter

About 40 000 singing, toy-toying members of the National Union of Metalworkers of SA (Numsa) yesterday marched through downtown Johannesburg to demand higher wages and improved working conditions.

Led by SACP general-secretary Chris Hani, the marchers, who carried anti-Government placards and ANC and Numsa banners, delivered memorandums to the Steel and Engineering Industries Federation of SA, the Department of Manpower and the Motor Industries Federation offices with demands, including:

- A 20 percent increase across the board and a moratorium on retrenchments.
- That Issor close KwaMadalane hostel, whose inmates they have linked to last week's massacre of residents in Bolipaton and Slovo Park.
- A "living" wage and a reduction in basic food prices.

The march formed part of the ANC's mass action campaign for an interim government.

If employers failed to meet the workers' demands, the 230 000-strong Numsa would soon hold a strike ballot and decide on action, warned general-secretary Moses Mayekiso, adding that wage talks with employers had reached a deadlock.

"Numsa wishes to assert that we have accepted the challenge of the metal bosses in their intransigence to accede to our reasonable demands. We want to say that with today's march the matter now is in the hands of the actual producers, those who create the marvels with their labour power but are forced to live in hovels," said Numsa in a statement.

ANC, Inkatha wrangle over unionists' meeting — Page 11
Talks aim to end strike

Soweto, 23/6/92

THE National Health and Allied Workers Union meets the Minister of Administration today in a bid to break the impasse which has affected more than 20 hospitals nationally.

The meeting takes place in Pretoria amid fears of the strike escalating to include professionals.

The strike has largely been confined to general assistants whose demands are a R724 minimum wage, a 15 percent across-the-board increase and an end to temporary employment.

Hospitals in Kroonstad in the Free State were hard-hit by the strike yesterday and appeals have been made for voluntary workers to help.

Solidarity

Nchawu members at the Red Cross Children’s and Groote Schuur hospitals in the Cape began striking yesterday in solidarity with their colleagues in other parts of the country.

The labour unrest at the Universitas and other hospitals in Bloemfontein has improved slightly, according to the Free State Provincial Administration.

A Natal Nchawu spokesman said things were “normal” at Natal hospitals and explained that the union wanted to ensure workers in northern Natal were organised before striking.

Other reports said about 300 nurses and radiographers at Baragwanath Hospital in Soweto marched to the hospital’s administration building and presented a list of demands to management.
Talks break down
NEGOTIATIONS between Toyota and the National Union of Metalworkers of SA (Numsa) broke down completely yesterday after Toyota rejected a Numsa proposal to settle the strike. The two-week strike was sparked after Toyota paid some shop stewards for the previous strike.
Toyota talks break down

Talks between Toyota and the National Union of Metalworkers of South Africa broke down almost immediately yesterday because of the union’s demand for payment of striking workers, according to a senior management spokesman.
Business, labour move on deadlock

ORGANISED business and labour have held talks on the possibility of joint efforts to address violence and revive the entire political negotiating process.

It is likely that Saccos and Cosatu will meet in the next few days to discuss a common approach to Monday's day of mourning for victims of the Bophelong massacre. This follows calls by Cosatu and the ANC to business to support campaigns to break the political deadlock, and a call by the ANC for business to join in observing the day of mourning.

Sacob yesterday spelled out its own plan of action to get Codesa back on track.

Saccos' labour spokesman Bobby Godsell would yesterday only confirm that there have been some exploratory talks over how business and labour can do something to break the political deadlock.

He said he hoped for further contact between Saccos and organised labour.

Godsell also said a response to the day of mourning call was being addressed in different industries.

Although the ANC's PWV region and Cosatu's Vaal region had called for the day to take the form of a work stayaway, neither organisation's national structure had done so.

A Cosatu spokesman said the union's regions would determine specific actions for Monday.

Affiliates of Saccos, which includes all the major employer organisations, are scheduled to meet today to attempt to develop a joint position on the issue. They may meet union representatives later.

It is understood that a number of employer organisations have received formal proposals from unions regarding Monday's events. The NUM asked, at yesterday's wage negotiating session, that the industry respond in an "appropriate way".

Last night, in his capacity as Chamber of Mines president, Godsell extended the chamber's sympathies to the relatives and friends of the victims and said Monday was a day "for dignity and respect, not one to be appropriated by any group".

"It requires South Africans to pause and remember not only those killed last Thursday but also the thousands of innocent victims of mindless violence" of the past few years, Godsell said.

He added that Monday should be a day of...
15 000 set to protest despite legal row

By Louise Burger
Municipal Reporter

Up to 15 000 municipal workers are expected to attend a mass meeting in the city today to discuss their wage dispute with the Johannesburg City Council — regardless of whether an application to the Rand Supreme Court goes against the unions.

An urgent court application by the Joint Committee of 12 Municipal unions to have a Johannesburg management committee decision banning workers from protesting at Braamfontein Civic Centre overturned was postponed yesterday afternoon after the city council indicated it would oppose the motion.

The matter is set down for 10 am today in the Rand Supreme Court.

An SA Municipal Workers Union (Samwu) spokesman said the City Hall had been booked in case the Supreme Court ruled in favour of the management committee.

The Samwu spokesman said municipal employees would be disciplined and well behaved “It’s not a strike; we object to the attitude of the council negotiators and we are going to tell our members.”

If the unions are, however, forced to hold the meeting at the City Hall, chaos is expected as there will be no room inside for the thousands of workers expected to attend.

The management committee barred the meeting at the Braamfontein Civic Centre on the following grounds:

• That the meeting would disrupt council activities.

• Such a meeting could be particularly disturbing on the day that the council meets to consider its budget.

• Right of access to the Civic Centre would be denied to the public at large who used it as a thoroughfare.

The city council is to meet today to consider the annual municipal budget, which is expected to top last year’s record R2.6 billion. Harsh criticism is expected from opposition councillors and civic associations.
Strike said to be harming race relations at SABC

By Mawunya Muneke

The SABC remained mum yesterday on an open letter signed by senior staff members and sent to the corporation's board and management criticising its handling of the six-week-old strike by members of the Media Workers Association of SA (Mwasa).

The letter was widely circulated and signed by members of Television News Productions (TNP) — of which "Agenda" is a subdivision — and other staff members, who voiced concern on the harm the labour dispute was doing to race relations at the corporation and its public image.

SABC labour relations manager Christo Pretorius confirmed management had received such a letter but said: "We're treating it as an internal matter and therefore have no comment at this stage."

The letter — addressed to the corporation's board and senior management — stated that the dispute was polarising staff along racial lines and negatively affecting the SABC's political credibility.

The dispute had put black middle management staff in an untenable position. Their current and future credibility had been dealt a severe blow.

An SABC source last night said "substantially more than 100" staff had signed the petition. Black middle managers were "hot on strike but were "hanging in the middle" with no staff to manage.

Mwasa members, who are predominantly black, downed tools at SABC facilities countrywide on May 18 after wage negotiations broke down.

Meanwhile, a joint committee comprising Mwasa and the SABC is to hold an informal meeting tomorrow as part of ongoing talks.

TNP editor-in-chief Johan Pretorius said the SABC was doing "everything in its power" to end the strike as soon as possible, but at the same time realised that it needed a commitment from both sides. "TNP and the rest of the SABC staff are very concerned about the damage being done to both sides if the strike is not resolved."

Mwasa has contacted the National Olympic Committee of SA and sponsors of the SA team to have SABC coverage of the Games cancelled unless its demands are met.
Union wins court order for meeting

SUSAN ROGERS

THE Johannesburg Municipal Combined Employees' Union, locked in a wage dispute with the city council, obtained an order in the Rand Supreme Court yesterday allowing it to hold a mass meeting on the piazza outside the council's offices in Braamfontein next Tuesday.

The meeting was originally planned for 5.30pm yesterday to coincide with the council's budgetary debate.

During the course of yesterday's urgent application however it was agreed that if the judge ruled in favour of the union, the meeting would be held at 5pm next Tuesday instead.

After hearing argument from counsel representing both parties, Judge N M MacArthur granted an order declaring that the management committee's refusal earlier this week to give permission for the meeting on the piazza was invalid and of no force and effect.

He set aside the management committee's decision subject to a number of conditions agreed upon by the union, council representatives and their lawyers.

The union brought its application against the town clerk and the management committee only hours before the meeting was due to take place yesterday afternoon.

However while the application was still in progress, the judge granted a short adjournment to allow both parties to reach agreement on conditions under which the meeting would be held if there was a ruling in the union's favour.
SABC news staff slam top brass

By FERIAL HAFAJEE

In an unprecedented move, senior news staff at the South African Broadcasting Corporation this week sent a scathing open letter to management criticising its handling of a month-old wage strike.

And in related developments, sympathy trade union action overseas could black out the corporation’s Olympics coverage as well as coverage of the African Athletics Championships in Mauritius this weekend. The National Soccer League will not allow the SABC to cover games this week while its secretary general Solomon Morewa will not grant interviews to the corporation until the strike is settled.

In a partial boycott, the African National Congress will restrict appearances only to Agenda until the strike is resolved. And according to the Media Workers Association of South Africa, the national soccer team due to play in South Africa in July, has said that it will not allow SABC coverage of its games while the strike continues.

In the petition to SABC management, senior news staff urged management to act in a “proactive manner” to resolve the wage dispute.

Among those who signed are Barbara Felscher, head of Television News Production and Agenda presenters Adrian Steed and Freek Robson as well as Agenda executive producer Hein Ungerer. An SABC source said that most staff had eagerly signed the petition when it was circulated on Tuesday morning and it could signal widespread dissatisfaction with management’s attitude to the strike.

“We have a labour dispute on our hands, not an armed insurrection,” they said, adding that it was offensive of the corporation’s security personnel to sport shotguns and bandoliers as if the SABC had now become an unrest area.

Media Workers Association of South Africa shop steward Duma Madikizela said that Mwasa had briefed trade unions overseas who were on standby to prevent the broadcast of the Olympic games in South Africa.

Until now, the SABC has not requested a formal negotiating meeting with Mwasa while the union has maintained an “open door policy” with management. Negotiations could easily resolve the impasse — there is only a nine percent gulf between the union’s demand for a 20 percent increase and the company’s 11 percent offer.
Retail bosses just window shopping

Weekly Mail Reporter
WHAT should have been a watershed meeting between major retail employers and the South African Commercial, Catering and Allied Workers' Union (Saccawu) last week ended a damp squib.

The union sought, but did not find, concrete action on its demands for a moratorium on retrenchments and a centralised bargaining forum Employees, on the other hand, forced the meeting through concerted industrial action, maintained a stony silence and made no commitments.

In this atmosphere, strike action seems almost inevitable as workers also attempt to wring a moratorium on retrenchments from reluctant employers in sectors hard hit by recession and falling profits.

"Employers played stupid," says Saccawu representative Rosalind Nyman of the meeting, adding that employers "were forced to come through mass action.

"The large retailers just kept quiet, the smaller companies were more vocal," said Nyman. Employers only asked for a document outlining Saccawu's plans. They have committed to responding to Saccawu's demands after receiving the document on July 27.

And in a related development, Saccawu has come out strongly against OK Bazaars' proposal of a wage freeze between April and August. On Friday, members picketed branches and have also threatened strikes on the scale of the 1983, 1987 and 1990 strikes which rocked the country's biggest retail outlet.

The union is also likely to take a strong line against the newly merged Checkers/Shoprite chain where management has proposed a 10 percent wage cut for Checkers workers in order to standardise wages between the two chains. The company also proposed that wage differentials will be standardised over seven years — the union believes it can be done in two years.
Employers are asked to go easy

By ZILLA EFRAT

meetings with leaders of major political groupings Sacoeb will also throw its weight behind the National Peace Accord and work out a joint approach with other employer bodies to planned stayaways. The Afrikaner Handels-instituut (AHI) is also involved. AHI executive director Joe Poolman says "It is a combined effort from business as a whole." The AHI will attend meetings arranged by Sacoeb

Badly

Saccoeb is also evaluating whether it could play a role in the facilitating process, but has not made a final decision, says secretary Fredie Downe. The Consultative Business Movement is advising its members of the actions it intends to take in response to the impasse in political negotiations, says Premier chairman Peter Wrightson. It is not known what the advice is. Fabcos executive director Jabu Mabuza says his organisation is concerned about the deadlock in negotiations. "We are praying that good sense will prevail. There is no better alternative to a political settlement." Companies have expressed concern about the derailment

Mourning

From Page 1

 огрегiations. But they say they are confident the negotiations will get back on track.

Mr Bezuidenhout says the breakdown in negotiations has caused a negative view among SA and foreign businessmen. However, Sacoeb sees it as part of the negotiation process.

Angle American corporate communications manager Glenn Bryant says "Angle believes that all politicians have behaved badly on the issue of violence and that they should stop pointing fingers at each other." Mr Wrightson says Premier will bring out a special issue of its company newspaper to keep employees informed.

Harlow Rand group public affairs general manager Ken Fransie says Harlows has felt the effects of violence, especially at some of its PWV plants.

Sanlam deputy chairman and chief executive officer Pierre Steyn says the political logjam is causing uncertainty both in SA and abroad. Sacoeb has warned that failure to overcome the stalemate could lead to further closures of business, withdrawal of investment, loss of 26th opportunities and a flight of capital and skilled manpower.

Fiat's Wim Boltes says few exporters expect sanctions to be reimposed. "Large buyers, particularly in Japan and Korea, are using the situation to their advantage when negotiating long-term contracts," he says.
Strike ends at cement plants

Settlement has been reached in the protracted strike at Blue Circle Cement, and 400 workers resumed work late last week at the Hemmenman, Lichtenburg and Industria plants. The Construction and Allied Workers' Union said a wage increase of R1 an hour or 16 percent (whichever was the greater) was negotiated, and December 28 would be a recognised holiday.
Eskom agrees to suspend restructuring plan

ESKOM agreed not to retrench any staff and to suspend its restructuring programme following talks with union representatives yesterday, an Eskom statement said.

More than 3,000 employees, together with representatives from Numsa, the NUM and the Electrical Workers' Union, travelled from power stations in the eastern Transvaal to Megawatt Park in Johannesburg yesterday to present Eskom CE Ian MacRae with a list of demands which included an end to Eskom restructuring, the creation of a national Eskom/mediation forum and a moratorium on mothballing power stations.

Our own correspondent reports that phone performing Arts Council (Nacap) issued an ultimatum to about 300 striking employees last night to return to work by tomorrow or face dismissal.

DIRK HARTFORD reports that factories organised by Cosatu's 45,000 strong Paper, Printing, Wood and Allied Workers' Union yesterday came out in support of marches and stoppages to back union demands for an end to retrenchments.

Meanwhile, strike at the SABC in its seventh week as deadlock continues.

SABC spokesman Chris Pretorius said he hoped the Media Workers Association of SA would respond today to SABC proposals.
Eskom accord with unions

Eskom last night announced it had reached agreement with the National Union of Mineworkers, the National Union of Metalworkers of SA and the Electricity Workers' Union on a set of employee demands. Eskom said it had agreed to suspend and refer to a national forum its current restructuring plan, halt the mothballing of power stations and not carry out any privatisation.
Bid to stop dismissals

By Helen Grange

A total of 5244 striking hospital workers have been dismissed with effect from tomorrow, and more letters of dismissal or intention to take disciplinary action are on the way to scores more.

The Transvaal Provincial Administration (TPA) action comes after workers ignored Friday's deadline to return to work or provide written reasons for their absence during the protracted wage strike.

Despite this, lawyers for the National Education, Health and Allied Workers' Union (Nehawu) are making last-minute representations to the TPA, hoping to reverse the dismissals before they take effect tomorrow.

The union yesterday softened its position, saying it would call off the strike if the Government agreed to go to arbitration and withdrew disciplinary action against members.

Meanwhile, Nehawu is holding a meeting with other public sector unions today to discuss action the unions can take in support of hospital workers.

Nehawu said in a statement yesterday that arbitration was a fair offer and would be accepted by any reasonable employer.

The Government and Nehawu should enter into arbitration as soon as possible, Baragwanath Hospital medical advisory committee chairman D.J. Gelderen said in a statement yesterday.
Deadlock broken

A BREAKTHROUGH in the Toyota strike was made yesterday when the company and the National Union of Metalworkers of South Africa agreed to go to mediation.

The workers have been given an ultimatum to return to work on Monday, July 6 or face dismissal.

A spokesman for Toyota said yesterday the company and Numsa had agreed to the director of Independent Mediation Service, Mr Charles Nuppen, mediating between the parties regarding the "unlawful" strike which resulted in the ultimatum being issued against the workers.

The mediation would take place on Friday, he said.

He said, however, that the ultimatum to striking workers to return to work on July 6 remained in place and workers failing to comply with it faced dismissal.
Numsa to hold strike ballots

By Mike Shuma

In a move that could be a precursor to widespread industrial action in the metal and allied industries, the National Union of Metalworkers (Numsa) will hold strike ballots for thousands of members from Monday.

The decision, taken by the union's national executive committee (NEC) and announced yesterday, follows a deadlock in annual wage talks between Numsa and employers in the metal, motor and tyre industries.

Numsa general-secretary Moses Mayekiso said the NEC had endorsed the recommendations for strike action from the union's regions and ballots would take place from July 6 to July 17.

The union's national strike committee would meet on July 20 to assess the results and take a final decision on the strike.

Regarding the strike in constitutional negotiations, Mr. Mayekiso said the union fully supported the present mass action in the Vaal area over the Bophutatswana massacre.

"Any disciplinary action taken against the workers involved would be fought," he warned.

The union stood by its demand that Iscor should "immediately close and demolish the Madala hostel."

Numsa is the biggest union in the metal industry, where the Steel and Engineering Industries' Federation is presently balloting employers on the possibility of locking workers out over the wage dispute.

Seifsa executive director Brian Angus said the results of the lock-out ballot should be known some time next week.

Other decisions taken by the Numsa NEC included:

- That the union should support mass action aimed at toppling the "De Klerk regime" and achieving constituent assembly elections by year's end.
- That Codeva negotiations should be open and public, and be aimed solely at "transferring power to an elected constituent assembly."
- Urging Toyota SA to agree to refer its dispute with members at the Durban assembly plant to mediation, instead of dismissing the strikers.
- Supporting African National Congress demands regarding the security forces, including subjecting them to international monitoring.
**Eskom clarifies agreement**

ESKOM said last night it had not agreed to suspend the closure of certain power stations and its restructuring programme as was demanded on Monday by three trade unions.

Eskom said in a statement yesterday there had been some misunderstanding about Monday's accord reached between Eskom and the trade unions.

"In the understanding reached between Eskom, the National Union of Mineworkers, the National Union of Metalworkers of SA and the Electricity Workers Union some details were incorrectly reported," Eskom said in a statement.

Eskom pointed out that in its accord with the three, it had not agreed to suspend its restructuring programme or the closures of certain units.

"Eskom and the relevant trade unions supported the formation of an Eskom-trade union summit where various issues of mutual concern, including restructuring, will be discussed," Eskom said.

It undertook not to retrench staff until the management of surplus staff had been discussed. — Sapa.
TPA agrees to mediation

THE Transvaal Provincial Administration has agreed to mediate with hospital strikers - but invested that crucial wage demands at the centre of the dispute will remain off the agenda.

Meanwhile, thousands of unemployed men and women are seeking to fill the vacancies left by about 7000 workers dismissed yesterday.

But the hospitals have turned them away, after having decided not to hire people until the TPA has made a final decision on workers' continuing representations against dismissals.

The cases of 1299 workers were still being considered, and 325 strikers had been warned of dismissal, the TPA said last night.

In addition, a seven-day period - beginning yesterday - has been granted to dismissed workers to supply written representations over why they should not be fired.

The National Health, Education and Allied Workers Union yesterday held a march through central Johannesburg to deliver a memorandum to TPA officials.

They demanded that the dispute be referred to arbitration, that the TPA withdraw all mercurials and disciplinary action, and that all dismissed workers be reinstated.

Several unions affiliated to the Congress of South African Trade Unions have pledged their support for Nchawu's strike, warning that they will consider solidarity action should the union's demands not be met by tomorrow.

The Conservative Party has urged the Government to dismiss all provincial hospital strikers countrywide, adding that the strikes "are obviously politically inspired and part of the ANC's mass action plans."

Hospital workers in Natal and the Eastern Cape joined the strike yesterday, but low stayaway figures were reported in both regions. - Sowetan Correspondent
Perskor union dispute appeal

By JOE MDHLELA

The two-year-old dispute between the Media Workers’ Association of South Africa and Perskor will be heard by the Appellate Division of the Supreme Court in Bloemfontein on August 27.

The case is a sequel to the dismissal of 3,500 workers by Perskor in 1990.

The company subsequently re-employed some of the dismissed workers, a move that angered the union, which then took the matter to the industrial court.

Favour

The industrial court ruled in favour of the union and ordered the company to reinstate all the dismissed workers.

The company appealed to the Pretoria Supreme Court, which upheld the industrial court ruling and dismissed the appeal.

At a later hearing, the same court overruled an earlier decision by Mr Justice Curlewis in favour of Perskor.

Mr Justice Spoelstra ruled in favour of the company, prompting Mwasa to take the matter to the Appellate Division.
MEDIATION in the three-week-old Toyota SA strike in Durban, involving about 6,000 workers, begins tomorrow — three days before workers have to return to work or face dismissal.

Charles Nupen of the Independent Mediation Services of SA will attempt to resolve the deadlock which is costing the company about R1.3m a day in lost production. Effectively, Toyota loses production of 450 vehicles a day.
TV debate breaks deadlock

HOPES for the resolution of the hospital workers’ strike were raised yesterday when the National Education, Health and Allied Workers’ Union (Nehawu) and the TPA agreed to enter into mediation following an acrimonious TV debate.

TPA deputy director Deon van Loggerenberg said the three-week deadlock was broken yesterday afternoon when representatives of the two parties met to discuss the details of the mediation.

He said the agreement followed a heated discussion between TPA MEC Fane Frenz as and Nehawu general secretary Philip Dexter on SATV’s Agenda programme on Tuesday, after which both parties realized that the situation would not be resolved unless they agreed to resume talks.

Earlier yesterday Cosatu sent a memorandum to President F W de Klerk demanding mediation to settle the dispute.

Cosatu spokesman Sphi Binda said if De Klerk did not respond by tomorrow the Cosatu public service unions would adopt “other strategies”.

Van Loggerenberg said he had 700 fired workers had seven days to make written appeals against their dismissals to their own hospitals. The fate of 1,299 other strikers was still under consideration.

Nehawu assistant general secretary Neil Thobane said the union’s lawyers would also make a collective representation on behalf of the dismissed workers.

In the Free State 600 general assistants were dismissed yesterday when they failed to respond to ultimatums to return to work. Nine institutions are still affected.

Earlier in the day thousands of strikers marched from the centre of Johannesburg to the TPA regional offices in Braamfontein in protest against the mass dismissals, Thobane said. Meanwhile, general assistants at Natal hospitals began their strike yesterday.

According to Natal Provincial Administration (NPA) director-general N E Howes, no general assistants came to work at King Edward VIII and Queenstown hospitals in Durban, while at three other institutions between 25% and 50% of the workforce were on strike.

NPA MEC for Health Services Peter

Hospitals

Dr Miller warned that the strike in the Natal/KwaZulu area would heighten tension and increase the potential for violence.

The lives of hospital secretaries had been threatened, and there were reports of widespread intimidation, he said.

Thousands of unemployed men and women turned up at the gates of Baragwanath Hospital early in the morning to apply for the vacancies left by nearly 1,000 general assistants who had received their letters of dismissal.

Hospital spokesman Annette Cear said the vacancies could not be filled during the appeal period, but added that many had been taken on as voluntary workers. The hospital underwent a spring clean yesterday with the assistance of hundreds of voluntary workers, and the hospital was slowly returning to normal.

A Groote Schuur Hospital spokesman said late yesterday patients were being given cold food and support services were unable to do their normal work.

Operations at Port Elizabeth hospitals were being cancelled and patients not requiring constant attention were sent home yesterday. However, in other parts of the eastern Cape workers reported for duty as usual.
TPA agrees to mediation

By Helen Grange

The Transvaal Provincial Administration has agreed to mediate with hospital strikers — but insisted that crucial wage demands at the centre of the debilitating wage dispute will remain off the agenda.

Meanwhile, thousands of unemployed men and women are seeking to fill the vacancies left by about 7,000 workers dismissed by yesterday.

Hospitals have turned the prospective employees away, having resolved not to hire labour until the TPA has made a final decision on workers' continuing representations against dismissal.

The cases of 1,299 workers were still being considered, and 325 strikers had been warned of dismissal, the TPA said last night.

The National Health Education and Allied Workers' Union yesterday held a march through central Johannesburg to deliver a memorandum to TPA officials. They demanded that the dispute be referred to arbitration, that the TPA withdraw all interdicts and disciplinary action, and that all dismissed workers be reinstated.

Hospital workers in Natal and the eastern Cape joined the strike yesterday, but low stayaway figures were reported in both regions.

The Free State Provincial Administration dismissed 600 hospital workers yesterday after strikers failed to respond to an ultimatum to return to work and explain in writing why they should not be disciplined.

Nine health institutions in the province were still affected by the strike on Tuesday. Strikers at Boshobelo Hospital returned to work on Monday.
Striking employees at the Napac factory in Cape Town have called off their strike following discussions with management. The strike, which started last week, was called by the National Union of Metalworkers of South Africa (NUMSA) over wage demands and job security. The workers, who were demanding a salary increase of 10%, returned to work yesterday after agreeing to a new wage offer of 7.5%.

Manager of the factory, Mr. Robert Coetzee, said that the improved offer was based on the current economic situation. He added that the workers' safety and future security were also taken into consideration.

The strike had caused significant disruptions to production, with many customers affected by delays in deliveries. However, Mr. Coetzee assured that the factory would soon be operating at full capacity.

NUMSA General Secretary, Zizamele Cosa, praised the workers for their efforts in securing a better deal and called on other workers to continue to fight for their rights.

Despite the strike's end, the situation remains tense as the workers are concerned about the company's ability to uphold the new agreement.
Nehawu is prepared to call of strike

THE National Education Health and Allied Workers' Union has agreed to call off the hospital strike if the Commission for Administration commits itself to arbitration or mediation.

The union also demanded that the commission withdraw disciplinary action against the strikers.

Nehawu president Mr Neal Thobane said yesterday the union had agreed to call off the strike depending on the response of the TPA.

The two parties are scheduled to meet today to discuss withdrawal of disciplinary measures the Transvaal Provincial Administration intends to take against the strikers.

However, the TPA yesterday said while it had agreed in principle with Nehawu to enter into mediation, "this has no effect on the process of disciplinary action against striking workers and those already dismissed.

"Nehawu still demands arbitration on several issues which do not fall within the ambit of the statutory functions of the TPA," the TPA said in a statement.

By ISAAC MOLEDI

The TPA said it was concerned about conditions of patients at the strike-affected hospitals as well as intimidation and brutality on its workers and volunteers.

Eight homes of Tembisa Hospital employees were set alight in the past two days.

Meanwhile, Nehawu cancelled its meeting with management at Groot Schuur Hospital yesterday while another Cape hospital, Karl Bremer, joined in the strike - but with only one person - the Cape Provincial Administration reported.
Fury over firing of hospital staff

BY FERALI HAFJEE

THE Transvaal Provincial Administration (TPA) this week dismissed more than 5,000 general workers, but finally agreed to go into mediation with the National Education, Health and Allied Workers' Union (Nehawu).

The fate of about 1,300 workers still hangs in the balance. The country faces the possibility of sister unions in the public sector coming out on sympathy strikes.

Nehawu general secretary Phillip Dexter this week called the mass dismissal "malicious and short-sighted".

About 22,000 workers are on strike around the country in 19 hospitals; the Cape Provincial Administration has said it will not dismiss workers at the five hospitals on strike in the Cape. The Free State Provincial Administration this week began interdicting striking workers.

Workers in the Transvaal were selectively dismissed. According to the TPA, "the case of each individual striker was reviewed on merit", but the union believes this may be a process of weeding out active union members.

New workers will be employed after the seven days allowed for workers to make representations. Meanwhile, volunteer workers at strike hit hospitals are holding the fort and being paid R3,25 an hour.

The strike highlights the need for expediting legislation in the public sector, says Dexter.

Last year, the Public Servants Association (PSA), Nehawu and the Commission for Administration (which deals with human resource development in the public service) started negotiations towards drawing up legislation. The PSA submitted draft legislation while Nehawu urged the commission to seek a wider mandate from the government which would give it decision-making powers in order to speed up the process, by doing away with the commission having to report to the cabinet on every clause.

Nehawu believes the existing Labour Relations Act should be extended to the public service with additional provisions for emergency service workers.

Shamima Mayets, the union's attorney says "We have not had a response from the Commission for Administration. The legislation is a long way away because we have not started work on the first clause."

But she is hopeful draft legislation will be tabled in October.

The Commission for Administration says the legislation is "under consideration".
Mediation holds the key to hospital strike

The crippling hospital strike by thousands of health workers country-wide could end next week — if the Government agrees to refer the industrial dispute to mediation.

In an important breakthrough, the Government's public sector negotiating forum — the Commission for Administration — agreed to consider a mediation proposal by the National Education, Health and Allied Workers' Union (Nehawu) at a meeting in Pretoria yesterday.

"If the Government agrees to mediation, the dispute would end soon, given the forum's "intransigence" and "negative attitude".

"We spent four hours trying to get the Commission members to agree to consider the proposal to refer the dispute to mediation. I am not hopeful that they will agree to mediation," he said.

Dexter warned that the union is seriously considering leaving the forum because it was a "waste of time.

"We will then have to devise other ways of having our demands met and this would most definitely include prolonged industrial action," he said.

The union proposal includes that the following issues be referred to mediation: salaries, the status of temporary employees, interim dispute resolution mechanisms and the dismissal of strikers.

Dexter said the union agreed that the mediator's recommendations would be referred back to the negotiating forum.

The Commission declined to comment.
Mediation key to strike

THE nationwide hospital strike could end next week if the government and 10 public service trade unions agree to proposals made at Friday's meeting between the Commission for Administration (CFA) and the National Education, Health and Allied Workers' Union (Nehawu) in Pretoria.

Nehawu general secretary Phillip Dexter said if the CFA and the negotiating forum of unions accepted the proposals, Nehawu would ask its striking members to return to work.

Both the CFA and the negotiating forum had to agree that a mutually agreed arbitrator would mediate on Nehawu's demands, which included wages, the status of temporary employees, interim dispute resolution mechanisms, and the dismissal of strikers.

He added that all parties in the forum could participate in mediation.

But Dexter said he was not hopeful that the CFA would respond positively when they meet again on Monday, as it had taken the union four hours to convince them to consider the proposals.

The CFA had argued it could not make decisions without all the unions present. Agreement had been made with only five unions after the other six walked out of negotiations on May 19.

The CFA declined to comment on Thursday's meeting.

Dismissed Transvaal hospital workers were not responding to the Transvaal Provincial Administration's invitation to apply for reinstatement, according to TPA health services MEC Fanis Ferreira.

Dexter said dismissed workers would not make appeals until the CFA promised to agree to mediation.

The Free State Provincial Administration said fired workers had to apply for reinstatement before July 11, while the Natal Provincial Administration obtained a court interdict preventing strikers from inciting others to strike. Strikers were also intimidated from interfering with non-strikers.

Dexter said though cases of intimidation had been reported nationwide, there was no evidence that Nehawu members were responsible, adding that the union's members were being harassed, bullied and assassinated.

Nehawu is demanding a wage increase of R724 a month and an across-the-board increase of 15.3 percent.

The CFA has offered R708.50 a month. — Sapa.
Health strike off if mediation allowed

STRIKING Western Cape health workers are optimistic that a countrywide strike will be called off tomorrow following a meeting this weekend between the government and the National Education, Health and Allied Workers Union (Nehawu).

Nehawu regional chairman Mr Wilfred Alcock said the union was optimistic after the meeting with the Commission of Administration in Pretoria on Friday.

"There will be a general meeting tomorrow to receive the reportback from the meeting with the government and to decide on our next course of action. We believe the strike will be called off if the state responds positively to our proposal to refer the dispute to mediation and arbitration."

Solidarity

Union general secretary Mr Philip Dexter was less optimistic. The government had agreed to give its answer tomorrow on the mediation proposal but Mr Dexter said on Friday that he was not hopeful that the commission would change its "intransigence" and "negative attitude".

If the government failed to give a positive reply the union would be compelled to "intensify the struggle".

Mr Alcock said this could entail calling on all other public sector workers to engage in solidarity action from tomorrow and bringing out on strike union members in the private sector, "especially at private hospitals and creches used mainly by so-called whites."

The Transvaal Provincial Administration (TPA) has dismissed more than 7 000 striking workers to date, but no workers have been sacked in the Western Cape.

"The Cape Provincial Administration (CPA) has distanced itself from the actions of the TPA," said Mr Alcock.

"The relationship between ourselves and the CPA right now we can term progressive and we also have a healthy relationship with the hospital administrations."

The union was however, "highly disturbed" when a Groote Schuur transplant patient was transferred to City Park for an operation last week after the hospital administration barred its own surgeons from operating at Groote Schuur.

The hospital cited the lack of back-up service because of striking staff as the reason for the bar.

Emergency

"It has been our position from the start that for emergency cases only we would provide service if management requested extra staff. We are highly disturbed that management of Groote Schuur never approached the union before the City Park operation. We could have released staff to render emergency services."" More Western Cape workers joined the strike this week when Nehawu members joined Health Workers Union (HWU) members already on strike at Tygerberg Hospital, bringing the total number on strike to about 2 400.

By KURT SWART,
The Labour Appeal Court (LAC) has become much stricter than the Industrial Court when dealing with employees.

The case of the waiter who stole a can of Coke highlights the increasing severity of Labour Appeal Court rulings. CATHY STAGG reports.

But the LAC said the employee must have known she would be denounced unless the problems were resolved. The Industrial Court should have held that as a minor employee, she should have been aware of where she was failing.

Clyve Thompson of the University of Cape Town labour law unit spoke about collective bargaining. Prof Thompson said that in spite of changes in legislation, it seemed that the Industrial Court had a mind of its own. The basic rules had been set out over five to six years and the main theme was the promotion of collective bargaining.

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The highlight of the past year was the first unfair labour practice appeal to go before the Appellate Division of the Supreme Court. Numsa vs Ergo was the first at that level (the highest court in the land) since provison for appeals was introduced in 1986.

The hard line which the appeal established spanned a relatively modest part of collective bargaining turf, and Prof Thompson.

However, in deciding the narrow points, the court declared its position on three major labour law issues:

- The fundamental philosophy of the Labour Relations Act was that collective bargaining was the means preferred by the legislature for maintaining good labour relations and for the resolution of disputes.

Prof Thompson said it was a revelation for the Appellate Division to come out with this type of language.

- The right to strike was an essential and integral element of collective bargaining.

- In the exercise of its power and the discretion given to it, the Industrial Court was obliged to have regard not only, or even primarily, to the contractual or legal relationship between the parties to a labour dispute. It must have regard to the application of the principles of fairness. In essence the Industrial Court was one in which both law and equity were to be applied.

Professor Thompson said the court held that Ergo had breached the terms of a sole collective bargaining agreement when, at the point of impasse, it had refused to negotiate in good faith by giving its employees an offer not previously put to the union. The offer was to give back pay to those who ignored the strike call.

For as long as the union's recognition agreement was in effect, an employer could not negotiate with individual employees. However, the employer could take unilateral action.

Professor Thompson said that if the employer's last offer had been that all workers must take any cut, he could communicate that fact to union members and their implement it by reducing the wage packet.

The fact that the shrunk pay envelope was received by workers did not mean that they accepted the position and that their contracts had been amended accordingly.

Status

The parts remained in dispute and union members, even having taken the reduced wage, were allowed to strike for something better until such time as their collective bargaining representative had settled their claims with the employer.

Only if there was a basis on which to cancel the union's collective bargaining status could the employer deal directly with workers.

The employer could not simply instruct the members to persuade the union to amend its bargaining position, but could not invite the members to accept it's last offer.

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Two courts at odds over a can of Coke

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Toyota set to fire up to 6,000

TOYOTA is set to dismiss up to 6,000 employees today after mediation efforts on Friday failed to end the three-week strike at the company's Durban assembly plant.

"The breakdown in talks came about through National Union of Metalworkers of SA's (NUMSA's) intolerance in its demand for payment for no work during the current 19 day strike. In the light of this our ultimatum that striking workers face dismissal if we do not return to work by Monday stands," said Toyota MD Ralph Broadley.

A NUMSA spokesman said Toyota had continued to insist that workers return to work today and raise their grievances, including those that led to the initial strike, through the proper channels.

Workers went on strike after they learned that some shop stewards had been paid for the duration of a strike in May.

He said the union had offered to shelve its demand for payment to workers for the second strike if the agreement reached after the first strike could be reinstated.

In addition, it wanted Toyota to consider a series of ex-gratia payments to the workers in lieu of the second strike once production and relations at the plant had returned to normal.

NUMSA's members will meet today to discuss their next step.

The possibility of "solidarity action" from Toyota workers in the Transvaal and at other motor assemblers could not be ruled out, the spokesman said.
Bid to end dispute

A CONCILIATION board will be convened in Port Elizabeth on July 13 in an effort to resolve the dispute declared by motor industry employers, the National Union of Metalworkers and the Iron and Steel Workers Union against the Delta Motor Corporation on June 22. The corporation said in a statement a dispute meeting had been held between the parties involved on Friday to discuss wages, job security and workers' rights.
Toyota talks fail

Last ditch mediation between Toyota SA and the National Union of Metalworkers of SA aimed at resolving the strike at the company's Durban manufacturing facilities failed to bring an end to the strike, the company said on Sunday. "We regret the fact that mediation which took place in Durban on Friday, July 5, was unsuccessful in obtaining a solution which would bring our plants back to normality," Toyota SA managing director Ralph Bradlely said.

STAN 6/17/92
n the hospital strike

the nation
in brief

**Sowetoan 6/7/92**

**Vow on hospital strike**

THE National Education, Health and Allied Workers Union has reaffirmed its commitment to ending a nationwide hospital strike if the proposals made at Friday's meeting with Commission for Administration are met.

Nehawu president Mr Neal Thobejane yesterday said that the status of temporary employees, interim dispute resolution mechanisms, safety and dismissal of strikers were the demands which formed the "bottomline" to call off the strike.

Nehawu, ten public service trade unions and CFA are to meet again today to resolve the logjam.

**Boycott set for Vaal**

A CONSUMER boycott is set to hit four Vaal towns today after local organisations suspended the work stayaway, which started 12 days ago.

The public relations officer for the Vaal Civic Association, Mr Paul Sithole, said the consumer boycott was aimed at white-owned businesses in Sasolburg, Vanderbijlpark, Vereeniging and Meyerton, and that Indian-owned shops had been exempted.

**SABC strike end in sight**

THE resolution of the six-week-old strike by SABC employees may be in sight with further talks between the two parties set for tomorrow.

The workers, all members of the Media Workers Association of South Africa, are locked in a wage dispute with management.

*Sowetoan Reporters* (151) **Sowetoan 6/7/92**
Unionists in sit-in after talks fail

Four National Education, Health and Allied Workers' Union officials yesterday staged a sit-in at the Transvaal Provincial Administration's offices after talks to resolve the hospital strike ended in a deadlock in Pretoria.

The four are Nehawu first vice-president Mr Vusi Nhlapo, secretary-general Mr Phillip Dorster and shop stewards Mr Siphiwe Mahase and Mr Matthew Sithole.

The sit-in followed a stalemate reached by Nehawu, 10 public service trade unions and the Commission for Administration (CFA) during negotiations to define the continuing hospital strike at more than 75 state hospitals countrywide.

Nehawu president Mr Neal Thobejane blamed the CFA for the break down of the negotiations.

He said the CFA's failure to take part in mediation proceedings - agreed earlier - was the cause of the deadlock.

He said part of the Nehawu delegation, which staged the sit-in in the TPA's offices, would continue until mediation is agreed upon.

A CFA statement said "the employer representatives could not agree to the appointment of a mediator - demanded by Nehawu - regarding matters which had already been concluded, or should be dealt with, within the forum."

"Funds for the improvement of conditions of service have to be voted by Parliament"
THE strike at Toyota SA could be resolved if Numsa reconsidered its position and put forward a reasonable stance, Toyota MD Ralph Broady said yesterday (ST).

Management had reluctantly resorted to mass dismissals but after two months of lost production and the impact of the strike on suppliers, dealers and customers, Toyota had to bring its facilities back on line.

Numsa was demanding payment for so work for the second strike. Accession to this demand would ripple through the economy and set unacceptable precedents for labour relations, giving a wrong signal to workers nationally, Broady said.

Toyota chairman Bert Wessels said getting the work force back was "first prize". But Toyota would have to employ new workers within weeks if there was no settlement.

Numsa said it was willing to negotiate and called on Toyota to move from ultimatums to negotiations. It said it had made moves at mediation which were rejected by the company without any counter-proposal.

A spokesman said Toyota's industrial relations system was in tatters.
Commitment: from employers wanted

Dirk Hartford

The biggest obstacle to peace and prosperity in SA was the minority government and Cosatu would do all it could to persuade the majority, including employers, to take action against government intransigence, Cosatu general secretary Jay Naidoo said yesterday.

He confirmed that Cosatu and Saccola had held “constructive talks” yesterday on the current situation, but said Cosatu was still looking for an active commitment from employers.

In talks earlier this week, business leaders warned that workers who participated in strikes would face disciplinary action, reports Sapa.

They said mass action would result in further business closures and retrenchments and a “downward spiral” in the economy from which it would be extremely difficult to restore growth.

There would also be a negative impact on local and overseas business confidence, and an increased potential for violence.

Naidoo would not elaborate on the contents of yesterday’s talks, but said Cosatu was “more hopeful” that employers might act in support of democracy.

The joint meeting of Saccola, Cosatu and the TPA to try and facilitate a solution to the hospital strike demonstrated this.

He challenged employers to come up with practical solutions to the issues Cosatu was campaigning against, instead of wasting their energies on opposing its mass action campaign.

Cosatu would never forfeit its democratic right to mass action, especially when employers were unable to deliver a viable alternative, Naidoo said.

© Comment: Page 6
Toyota and NUMSA begin talks on dismissals

Workers' jobs now hang in the balance:

TOYOTA SA's management and union leaders are to meet in Durban today to discuss the dismissal of 6,000 striking workers, according to a company spokesman.

The announcement of the talks follows a letter from Toyota to the National Union of Metalworkers of SA advising them that unless the union presents reasonable proposals for the re-employment of the dismissed workers by 4pm today the company will start employing replacement workers on a permanent basis.

NUMSA's national organiser Mr Gavin Hartog said yesterday that the tone of management's letter was "a request to reopen negotiations."

Hartog said union leaders would meet workers at the plant this morning before meeting management.

— Sapa
NUMSA and Toyota representatives were in Pretoria today to seek a solution to the strike by 6,500 workers in Durban and Johannesburg after Toyota told the union it would start recruiting permanent workers next week.

Numsa said Toyota's letter amounted to a request to reopen negotiations.

Meanwhile, Numsa yesterday rejected Toyota's assertions that sections of its plant were running at up to 40% capacity.

A Numsa spokesman said even if they were true, customers should be warned that most of the production would have to be scrapped.

He said when workers returned to work after the first strike, not one car had been produced. During the second strike the company tried to produce a car, but it was "overburned" and cruelly spraypainted and headed for the scrapheap."
Textile workers sue Mooitex

MARITZBURG — Mool River Textiles allowed people to bring weapons to its factory and even provided storage facilities for them, the South African Clothing and Textile Workers’ Union said in an application before the Supreme Court here to reinstate arbitration procedures previously agreed to.

Sactwu has applied to the court to order Mooitex’s holding company, Avtex, to reinstate arbitration procedures agreed to in October 1989.

The reinstatement of these channels would mean that workers dismissed in and after July last year could enter arbitration over their dismissals.

The workers were dismissed when they failed to arrive at work “as a result of extreme and violent intimidation in Bruntville as well as at the workplace”, according to an affidavit by a Sactwu official.

The violence, including a number of murders committed on the factory premises and in the township, was “so severe, aspects were referred to the Goldstone Commission of Inquiry”
Strike wave set to engulf SA
SA BREWRIES and the Food and Allied Workers Union (Fawa) have agreed on a 15% pay increase.

This year's wage talks were concluded well within the negotiation period — for the first time ever.

Fawa negotiator Ernest Buthelezi says the rise takes the minimum wage to R3,83 an hour — about R1 612 a month for a 48-hour week.

The minimum for those working a 48-hour week will be about R1 433 a month.

The relationship between SAB and the union has improved since the seven-week strike in 1989.

SAB public affairs manager Adrian Botha says negotiations were held in a positive fashion.

Mr Botha says: "This is the first time we have been able to conclude negotiations before the expiry of the current substantive agreement — and without any third party intervention."

Mr Buthelezi is not entirely unhappy with the agreement, but says the union would have "preferred an agreement about 3% or 4% above the inflation rate."

Fawa did not push strongly for this because the union is also giving attention to improvements in non-wage issues — housing and medical aid.

These matters are being discussed in a separate forum.

Mr Buthelezi says "some progress" has been made.
A special kind of a Special Friendship. A special friendship. A special friendship.


Now their white dumpling face. I am not.

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Bid to end strife

From Page 1

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Crisis

In effect, he was asking for international involvement in monitoring compliance with the Peace Accord and the Groote Schuur, Pretoria and DF Malan munitions. A monitoring role for the international community is a key ANC demand.

President FW de Klerk’s diplomatic initiatives and the absence of the Soviet Union convince the government that it will have a more favourable reception at the Security Council.

Whatever the outcome of the council meeting, however, government ministers are already preparing themselves for a greatly changed climate after mass action.

“When we return (from the current crisis) it is likely to be a very different negotiating table,” said one who is intimately involved in the negotiations “If it does involve the same players and format you can be sure that the issues will be different.”

Rallies

The first two days would consist of a stayaway from work. On August 1, workers would occupy the major cities with the intention of bringing city life to a standstill.

The next two days would involve workers’ occupation of factories and other workplaces while the last two days would consist of rallies and meetings.

Already, however, events are on the ground appear to be overtaking the leaders.

ANC Youth League president Peter Mokaba confirmed this week that the intention was to take the townships back to the era of “ungovernability” of the mid-80s.

“We part of our mass action we are going to identify and march towards the homes of police who killed our people during riots,” he said. “We are going to harass their families so that they know that they are stay-

Swift

Saccala vice-chairman Johann Liebenberg said the objective was to avoid a national strike and to find ways to urge politicians to negotiate.

The draft proposal endorses swift transition to an interim government and the holding of democratic elections for a constitution-making body.

Key personalities in this initiative are Saccala chairman Bokhosi Botha, Chamber of Mines president Bobby Godsell, Cosatu secretary-general Jay Naidoo and Cosatu deputy secretary-general Sam Shikweni.

A leading Cosatu official said joint action by business and the unions was bound to make an impact on resolving the impasse in political negotiations.

But the ANC alliance’s bottom line for resuming talks and averting the general strike remained that the government accept majority rule, he said.

On Friday Cosatu’s central executive committee decided on a seven-day national strike beginning on August 1.

At least six Cosas participants will be at the United Nations in New York on Wednesday when the Security Council begins its hearing on South Africa.

Among those addressing the council will be Foreign Minister Pbk Botha, ANC leader Nelson Mandela, Inkatha president Mangosuthu Buthelezi and homeland leaders Lucas Mangope of Bophuthatswana, Brigadier Gupa Gope of Ciskei and General Bantu Holomisa of Transkei.

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THE BIG ONE

We Demand

We Want Power

We Want Hunger

We Want Control

We Want Freedom
CAPE TOWN — A threatened strike by clothing workers to back wage demands has been averted at the 11th hour and the beleaguered clothing industry has been rescued from what employers say would have been a disastrous blow.

Finishing touches were being placed on agreements in the western Cape, Natal and Transvaal on Friday, with only the eastern Cape still plagued by indecision.

The agreements were reached in informal, closed door negotiations after the SA Clothing Workers’ Union declared a formal dispute and workers staged a march.

Wage increases averaged 11%-12%, with packages ranging between 12.75% in the Cape and 13.9% in the Transvaal.

Cape Clothing Manufacturers’ Association and Cape Knitting Industries Association executive director Peter Cragg said the settlement was realistic in current economic conditions. Retrenchments were at record levels.

National Clothing Federation (NCF) figures showed that over the last eight months the number of manufacturers in the western Cape, Natal and Transvaal had fallen by 72 and more than 13 000 jobs had been lost.

The clothing, footwear and textiles index fell about 25% since July 1991.

Cragg said Cape employers, unlike those in Natal and Transvaal, would not accede to calls for the creation of a slack fund and for a guaranteed annual bonus.

Chief negotiator for Cape employers and Scardel industrial relations executive Johan Baard said employers had started out with a 5% offer and the union with a package which amounted to a 14% increase. A dispute was declared at the point.

From Page 1

where the unions proposed an increase of 22% and the employers 9%.

Baard said it was the first year since the industry had been exposed to “Costa-style negotiations” that the parties had reached a settlement without third party intervention. This augured well for the future of collective bargaining in the industry.

Meanwhile, five listed clothing and textile companies have disappeared from the JSE board over the last year. And many unlisted companies have gone under.

The two industries’ circumstances have been made more difficult by an uncertain legal framework.

A new interim tariff and quota structure was introduced in May and was due to be amended again by the Board of Tariffs and Trade in the next few weeks. The long delay in instituting a new structure caused serious disruptions, industry sources said.

One analyst said this was a sector in deep trouble and a lot of the share prices were at “bombed-out” levels. But he added there was still relative value in some shares like Scardel and Remtex.

Earlier this month, JSE-listed clothing retailer Focus Holdings was provisionally liquidated. Legalee Clothing, Trumtex, Flai Holdings (DCM) and last week, Debonair Group were other listed companies which collapsed.

Unsung was only saved from the brink by a R120m restructuring agreement with its bankers. Chairman Robert Wachsmann partly blamed the flood of cheap imports, estimated at 65% of the market.

Significant unlisted companies which fell by the wayside include Starter Clothing in Cape Town and Calypso, Triple-A, Dayle Clothing and Nina Fashion in Durban, while Hebox Textiles in Hammersdale and Scottford Mills in Ladysmith had been plagued by problems.

Employment over the last eight months had fallen to 100 000 (from 116 000, NCF), executive director Hennie van Zyl reported. This excluded the rural and homeland areas where 40 000 people worked.

Clothing output dropped 5% between November and June and 13% since the beginning of 1990. Van Zyl expected a further contraction up to the fourth quarter. Thereafter, positive growth was expected.
Sacolla and Cosatu join forces

Business plan to resolve talks impasse

BUSINESS yesterday threw its weight behind key ANC demands, including the formation of an interim government before the end of the year, in an attempt to avert a general strike and break the negotiations deadlock.

The decision was contained in a document agreed to by union federation Cosatu and employer body Saccola yesterday.

Saccola, a grouping of 10 employer organisations including Sacob and the Chamber of Mines, also said it saw no reason why democratic elections for a constitution-making body should not be held within six months.

And it plans, together with Cosatu, to convene joint assemblies for peace, democracy and economic reconstruction on August 3 — the first day of Cosatu's planned week-long general strike.

Both organisations will promote the document among their members and the broader public.

It is the first time employers have come out in support of a transition to democracy within a specified time-frame. The ANC and Cosatu are insisting that elections for a constituent assembly be held by the end of the year.

The document also supports the idea of an independent electoral commission to ensure elections are free and fair.

An employer source said the agreement means Saccola is likely to ask its members to voluntarily close their factories on August 3 so the joint assemblies can take place.

He said employers would be reluctant to discipline workers — other than the standard "no work, no pay" — for taking part in the mass action campaign when Saccola supported one of its key political demands.

However, another source said employer organisations were still discussing the document. He said the aim of the document was to try to persuade Cosatu to call off its general strike "which will cripple the economy which is already seriously ill".

But Cosatu general secretary Jay Naidoo said its mass action campaign, including the general strike, will not be affected by the agreement with Saccola. The agreement was a step forward in breaking the political logjam and part of Cosatu's attempt to "find solutions with all parties" committed to peace and democracy.

Naidoo said Cosatu would reconsider its position on mass action only if substantial progress was made in resolving demands for the resumption of political negotiations, an end to violence and in unlocking negotiations around food prices, jobs and restructuring. "We want to see employers taking action to break the political logjam and open the way for democracy, peace and economic reconstruction."

Renter reports that Cosatu yesterday unveiled its mass action plan for early August to try to force the government from power.

Cosatu assistant general secretary Sam Shilowa said there would be a general strike on August 3 and 4, marches throughout cities on August 5, occupation of factories on August 6 and rallies in townships on August 7 and 8.

Shilowa told 10 000 demonstrators outside the Union Buildings that yesterday's protest was a warm-up for the general
Breakthrough imminent

Cosatu and business leaders on the brink of agreeing on a document to speed up transition:

BUSINESS and trade union chiefs are on the brink of agreeing on a joint document which could speed up the stalled political transition and ensure that if next month's general strike does take place, its effects on the economy will be limited.

Top labour and business leaders met in Johannesburg yesterday to try to hammer out a final version of the document, which proposes practical steps to combat violence and poverty - and commits the signatories to mobilising support for a transition to interim government and an elected constitution-making body by this year.

It is understood that Cosatu is consulting a wide range of organisations, including churches, to see if there is support for the approach set out in the document.

Sources say they hope the finalised and signed document will be public by the end of the week.

Members of the SA Co-ordinating Committee on Labour Affairs and Cosatu are the key players in the negotiations.

Saccola spokesman Mr Bokke Botha yesterday confirmed that meetings had taken place and said another was scheduled for later this week.

The discussions had been "constructive", he said, but would not comment further.

The labour/business negotiators are also considering proposals that:

- Assemblies "for peace, economic reconstruction and progress to democracy" be jointly convened by participants on August 3 - the day the strike is scheduled to start.

- The document be presented to "a broadly representative meeting or convention" to be held before the end of this month.

Observers believe that if the joint business/labour initiative comes off, it will offer clear benefits to both sides.
Lock-out vote

A LOCK-OUT ballot will be held in the metal industry on Wednesday following a breakdown in annual pay talks, the Steel and Engineering Industry Federation of SA (Seifsa) said yesterday.

Seifsa’s Mr Hendrik van der Heever said the outcome of the vote could be known by tomorrow.

The Nation in Brief

Seifsa and the National Union of Metalworkers of SA (Numsa) last met in June 19 in a bid to break the bargaining deadlock over wages, job security and workers’ rights.

Numsa was not available for comment. - Sapa
Union boycotts hospital talks

HEALTH union Nehawu boycotted negotiations with the public sector negotiating forum yesterday and instead led marches by striking hospital workers in Cape Town and Johannesburg.

Police also said yesterday that a hospital worker killed an assailant with a broken bottle in an incident they indicated was connected to the strike. However, police refused to supply further details or say where the attack took place.

Sapa reported that three nurses injured in a petrol bomb attack related to the strike died in Baragwanath Hospital in Soweto at the weekend.

Hospital chief superintendent Dr Chris van den Heever said the sisters were among seven people injured in one of three petrol bomb attacks on the homes of non-strikers last week.

"A 13-year-old boy remains on the critical list, while the remaining three patients are still serious but stable."

Sapa reports that 1 000 Nehawu supporters marched to the TPA's Braamfontein offices in Johannesburg yesterday, while in Cape Town striking hospital workers demonstrated outside the headquarters of the Cape Provincial Administration.

In a statement yesterday Nehawu said it might boycott all further meetings of the public sector negotiating forum as these had been made futile by constant backering.

The forum is made up of 11 employee associations, including Nehawu and the Health Workers Union, and negotiates with government's Commission for Administration on pay and benefits.

Nehawu's position has been hardening, its secretary-general Phillip Dexter said yesterday.

"Until the weekend we were calling for mediation, but now that has changed. We have to get rid of the TPA."

RAY HARTLEY reports that TPA spokesman Pet Wilkens said yesterday hospitals had become soft targets in the ANC's mass action campaign since the Congress Against South African Transvaal (Cast) had threatened to barricade them in support of Nehawu's demands.

The TPA knew from the beginning that the hospitals strike was linked to the mass action campaign, he said.
Bid to avoid strike

Talks between Cosatu and businessmen on Friday

By Ike Motsapi and Sowetan Correspondent

THE Congress of South African Trade Unions will meet businessmen on Friday to discuss a proposal aimed at averting the proposed general strike scheduled to start next month.

And, the South African Democratic Teachers' Union (Sadtu) yesterday announced that its 38,000 members would join the mass action spearheaded by the African National Congress, Cosatu and the South African Communist Party.

The teachers' organisation was considering strategies to support the campaign, and teachers, parents and students were being consulted.

"It is clear that mass action has become the only viable, non-violent tool left at the disposal of the democratic forces," Sadtu said.

Meanwhile, Friday's meeting between business and Cosatu has been confirmed by Cosatu's assistant-general secretary Mr Sam Shilowa and Mrs Frieda Dwayne of the South African Consultative Committee on Labour Affairs.

Business and labour leaders have been locked in urgent negotiations aimed at producing a joint approach to key issues facing the country.

At issue is Cosatu's planned general strike on August 3. The federation is calling the strike in support of a set of demands which include the curbing of violence, a moratorium on retrenchments,living wage and the establishment of a democratically elected constituent assembly.

Businessmen, who are affiliated to Saccoca, presented to Cosatu a draft document in which they committed themselves to efforts to, among other things, curb violence and combat poverty.

Shilowa said the federation was going ahead with its mobilisation campaign with marches arranged for King William's Town and East London tomorrow.
No brakes on dispute

DURBAN — The labour dispute at Toyota SA's plants remained unresolved yesterday although there was a possibility of further talks, said a company spokesman.

Toyota's public affairs general manager Mr Flip Wilken said talks with the National Union of Metalworkers of SA on Monday were inconclusive.
Cosatu upbeat but Saccola points a finger of caution

By Shaun Johnson and Esther Waugh

Business chiefs moved yesterday to lower expectations about imminent agreement on a joint Saccola-Cosatu document aimed at speeding up the transition process and limiting the effects of strikes - but labour leaders remained optimistic.

Bokkie Botha, chairman of the SA Co-ordinating Committee on Labour Affairs (Saccola), said some press reports about his organisation's talks with trade union leaders had "created dangerously wrong impressions". He confirmed, however, that the talks were continuing.

The Star understands that a meeting of the Saccola and Cosatu executive committees is scheduled for Friday.

In a statement, Mr Botha said no agreement had been reached between Saccola and Cosatu, and stressed that Saccola would not "take sides with any political party in respect of the current impasse ... it is outside of Saccola's scope".

Cosatu general secretary Jay Naidoo remained upbeat about the prospects for a joint document, however. He said there was tentative agreement in principle on several proposals. He did not rule out postponing the strike threatened for early next month, but said Cosatu was committed to mass action, in alliance with the ANC, aimed at bringing down the Government.

The Star reported yesterday that discussions between the business leaders and Cosatu officials were at an advanced stage, and published the text of a draft joint document - adding that clarity could be expected by the end of the week on whether consensus had been achieved.

Mr Botha said in his statement that the document was "an unmandated exploratory draft" which had now "been overtaken by subsequent events".

Saccola officials suggested that there was unlikely to be agreement with Cosatu unless the strike was called off.

The Star understands that a newer version of the exploratory draft includes the suggestion that normal economic activity might be suspended on August 5, the first day of the scheduled national strike.
Masa may help in health dispute

THE Medical Association of SA (Masa) looks increasingly like being drawn into helping resolve the dispute over health workers' pay and conditions.

There were indications in discussions last night that Masa, together with the newly formed SA Health and Social Services Organisation and other health groups, would be brought in as a mediator in the dispute between Nehawu and the authorities. The talks continue today.

The parties hope that Masa will be able to encourage intervention "at the highest level".

A solution to the six-week-old hospital workers' strike also appeared closer after a meeting between Nehawu and the Cape Provincial Administration (CPA) in Cape Town yesterday.

Nehawu secretary-general Philip Dexter said he was "optimistic and hopeful" any agreement reached in the Cape province would influence the outcome of strike talks in other provinces.

The CPA displayed a more progressive approach than the TPA, he said. His union had begun urging strikers in Natal and the Cape to return to work.

The CPA said yesterday that 2 387 hospital, roads, community service and conservation workers were still on strike. LINDA ENSOR reports.

Striking workers marched through the Kimberley Hospital, while at Valkenberg strikers from surrounding hospitals gathered in the hospital and allegedly forced non-striking workers to join them.

Ferene Hospital in East London announced that 90% of its staff had resumed work.
Bid to avert general strike

Business representatives hold crucial talks with Cosatu in an attempt to ward off a threatened work boycott.

By Ike Motsapi

BIG business and the Congress of South African Trade Unions engage in crucial talks today aimed at averting a general strike scheduled to start on August 3.

Cosatu's national executive committee will meet officials of an organisation representing employers, the South African Consultative Committee on Labour Affairs (Saccola) at the talks.

The talks will be held in Johannesburg and start at 10am.

They were initiated by Saccola after Cosatu announced that it planned a general strike from August 3 if its demands were not met.

The strike is part of the ANC-led mass action campaign aimed at installing a democratically elected constituent assembly by December this year.
Pressure is on to end hospital strike

CAPE TOWN — Agreement reached yesterday by the Cape Provincial Administration (CPA) and health union Nehawu to end the strike by 2 500 hospital workers in the Western Cape would put increasing pressure on other provinces to settle the six-week old dispute, the union said.

In terms of the Nehawu-CPA agreement, no worker will be victimised, no disciplinary action will be taken against workers and no worker will be dismissed.

Nehawu (the National Education, Health and Allied Workers' Union) regional chairman Wilfred Alcock said the CPA had also agreed not to take legal action against the union.

The CPA had also agreed to minimise workers' loss of earnings by paying them for the strike period but deducting these wages from their pay over five months.

The CPA undertook to make representations to the Commission for Administration to consider mediation to resolve the dispute and to make representations to the Transvaal Provincial Administration and its Free State counterpart to reconsider their dismissal of workers.

Alcock said the CPA had distanced itself from the dismissals, supported mediation and the demand for internal dispute resolution mechanisms.

He said the union was grateful for the CPA's progressive attitude and that dialogue had resolved the dispute. He said it was not necessary to use force to resolve crises and that the police should not be used in industrial relations disputes.

Alcock said representations would be made to settle the dispute along similar lines elsewhere in the Cape.

But in Johannesburg, Nehawu vice-president Van Nhlapo said the TPA was digging itself in very deeply.

He warned that the TPA had until 4pm to reinstate dismissed workers and that unless this demand was met, occupation of hospitals and government buildings would begin.

Representations had already been made to the Goldstone commission in anticipation of confrontations which might result from such actions.

He also warned of possible conflict with workers employed after the dismissal of strikers. Many of them were sympathetic to Inakhuza and hostile to Nehawu and Cosatu and, he alleged, some of them had been armed by the TPA. Non-striking Nehawu members at Baragwanath Hospital had already been intimidat ed by new employees, he said.

Sapa reports that services at seven eastern Cape hospitals were returning to normal as workers returned to their posts, but that at Ga-Rankuwa Hospital near Pretoria all but one of the administrative staff were absent.
Seifsa votes for lockout in pay dispute

By Thabo Leshilo
Labour Reporter

Members of the Steel and Engineering Industries Federation (Seifsa) have voted in favour of a lockout in their wage dispute with the National Union of Metalworkers of South Africa (Numsa).

The decision by member companies, announced on Wednesday, follows a deadlock in the annual wage negotiations with 12 trade unions, including Numsa.

Numsa, the majority union, is claiming, among other things, a R1-an-hour increase, or 20 percent, whichever is the greater, while Seifsa is offering individual increases of 8 percent.

Numsa is the only union conducting a strike ballot. The results will be available next week.

The show of employer solidarity did not mean that industry would now necessarily lock out employees en masse, Seifsa said in a statement.

The lockout would depend on the outcome of Numsa's strike ballot.
LABOUR BRIEFS

Metal giants gear for fight

The metal industry moved closer to a showdown as the two giants in the industry balloted their members in preparation for a strike.

The Steel and Engineering Federation of South Africa revealed its members had voted in favour of lock-out should workers go on strike. Its main adversary, the National Union of Metalworkers of South Africa is still balloting its members and results are only due out on July 20. Of the 22 demands which are in dispute with Sofoza only Numis is conducting a strike ballot. Numis is demanding a R1.50 an hour or 20 percent increase, whichever is greater, and Sofoza is offering eight percent.
Hopes high for a labour deal

BUT THERE'S STILL SOME HARD TALKING

By MONDLI MAKHANYA and ANTON HARBER

The attempt by organised business and labour to avert a costly general strike is hanging in the balance.

Saccola, representing 10 employers' organisations, and the giant labour federation Cosatu meet in Johannesburg today to try and finalise a draft accord.

If they succeed it will be the most significant agreement ever between business and labour.

But both sides are facing resistance from their constituents. In particular, leaders of Saccola were struggling this week to get the support of members who reacted negatively to leaked press reports that suggested they had already reached an agreement.

When Cosatu and Saccola meet today they are likely to alter aspects of the draft agreement in order to be able to sell it to their affiliates. However, the basics of the discussion remains that Cosatu will call off its general strike.

Continued on PAGE 2
Clothing dispute mended

By MONDLI MAKHANYA

WHILE strike threats in the beleaguered clothing industry may have receded, the tanning industry is teetering on the verge of strike action.

Eleventh-hour negotiations between the National Clothing Manufacturers' Association and the South African Clothing and Textile Workers' Union (Sacwta) at the weekend averted a strike by 20,000 workers nationwide which would have dealt a deadly blow to the ailing industry.

Workers have settled for raises of between 12.75 percent in the Cape and 13.11 percent in the Transvaal, against the opening demand of 22 percent and an opening offer of eight percent. A dispute had already been declared and workers were poised for strike ballots.

At the same time, a pay dispute in tanning has been referred to the executive committee of the leather industrial council, and 2,500 workers are due to begin strike ballots on Tuesday.

Sacwta, which joined forces in the talks with its long-standing rival, the National Union of Leatherworkers, is demanding a 17.8 percent raise, while the South African Tanning Employers' Association has offered 12.5 percent. Negotiations began in April and increases should have come into effect at the beginning of this month.
Strikes in two key industries loom

By ADRIAN HERSCH

STRIKES about pay could begin on Wednesday in the motor and metal industries. Conciliation board talks held this week in the motor industry failed to resolve differences — and Numsa immediately held a strike ballot.

The disputes in both industries, affecting about 350,000 workers, enter a critical phase as Numsa's national executive committee meets this weekend.

Sespa, the employer body in the metal industry, has received a vote in favour of a lock-out.

The last national pay strike in the metal industry occurred in 1986 and lasted two weeks. Numsa members embarked on what it called "strategic strike action".

It occurred at carefully chosen companies, mostly in the PWV area.

There is speculation that Numasa may not get a yes vote for a strike. But even if it does, a strike is not certain. Given tough economic conditions, Numasa may hesitate to call a strike across the entire metal industry.

One of the key advantages of the lock-out is that even if "strategic strikes" occur, employers will be able to act on a broad scale, placing pressure on the union.

Sespa offers an 8% pay increase and Numasa demands 20%. The union wants a moratorium on retrenchment.

Employers say it is impractical.

Sespa executive director Brian Angus says "we would prefer a settlement — in line with the economic conditions in the industry."

Thus, an unknown factor — likely to play a decisive role as many pay negotiations come to a head — is how political events unfold.

The parties in the motor industry are reluctant to comment on what happened in conciliation board meetings this week.

But it is believed there was some modification of positions by both parties, which offers some cause for hope.
Workers accuse union of stalling

By Ryland Fisher

A large group of University of the Western Cape workers have signed a petition accepting a wage offer by the university administration — and have accused their union of dragging its heels in wage negotiations.

About 80 workers marched on the university's administration building after they were informed the university would not be able to meet their demands because of an agreement with the campus branch of the National Education Health and Allied Workers Union (Nehawu).

"We are upset that negotiations are continuing for so long despite a mandate given by the workers to the union leadership two weeks ago to accept the university's offer of an 8.5 percent across-the-board increase, with R510 in lieu of back pay," said one of the workers, who refused to be named for fear of victimisation.

He said the petition had been signed by most of the workers in the gardens and grounds department, and the march had been joined by workers in three other departments.

More than half the union's 600 members wanted to accept the union's offer, he said, but the union leadership was being held back by "militant elements."

This was denied by Mr...

John Januus, chairman of the UWC branch of Nehawu, who said the march on Friday was "unconstitutional and not representative."

"There is lots of confusion among the workers especially since the campus has been closed for the past three weeks and not all workers have been attending meetings."

He said the union's negotiators were acting within their mandate and would have another meeting with the university administration on Wednesday.

"After I spoke to the workers on Friday, they understood the situation much better," he said.

The union had initially demanded a 20 percent increase backdated to January.

UWC spokesman Mr Nazmeen Howa said the university and the union had an agreed forum for negotiations. All views related to the wage talks should be raised at this forum, he said.
DIVORCE SHOCK

Surrogate mum

PREMAK TOGUM

NEW DEAL TO

Bosses and unions agree on wide charter to tackle social ill

Golden girl: Blanca sets South Africa on track for Olympic comeback

The essence of our quest...
Pledge

The SA Co-ordinating Committee on Labour Affairs, a body representing 10 major employers, and Cosatu, a labour federation of more than 1.3-million workers, finalised the draft charter at a 10-hour meeting on Friday night.

In addition to the draft charter are two documents, one detailing a programme of action for August 3, the day the AN; Cosatu alliance has set as the first day of a seven-day national strike, and a second document which details a commitment by labour and business to a general-strike moratorium until the end of September.

Sacola's and Cosatu's membership will be canvassed on the charter and its supporting documents until the representatives meet on Tuesday night to put their signatures to the pledge.

Negotiators said both bodies would have a tough time persuading their members to accept the draft.

Sacola is determined not to be seen as gangling up against the government or being seen to become the fourth leg of the ANC/SACP/Cosatu alliance, and Cosatu cannot be seen by its members as being ever compromised by big business.

Action

On Tuesday night the negotiators will have three options to endorse the charter, reject it or propose to renegotiate parts of it.

While the charter has been negotiated by business and labour, it is envisaged that it will also be signed by political and other public organisations.

It has been altered substantially to make the wording and the recommendations non-partisan and non-party-political.

A conference on July 28 has been suggested for the signing of the charter.

The document on the programme of action for August 3 says there will be joint church, labour and business assemblies and rallies in the major centres. There will be a voluntary shutdown of all businesses.

Business negotiators envisage that this will be turned into a day of reconciliation and the programme will be led by the major churches, which have already been consulted.

Breaking logjam

From Page 1

The second document boils down to a trade-off between business and labour. It demands that the charter will be ratified by the Cosatu unions, or will it be a threat to the ANC/Cosatu alliance?

In return for endorsing the charter, Cosatu will agree that any action taken after August 3 will not damage the economy, nor will it be life-threatening. Any mass action will abide by the Goldstone Commission recommendations.

This, in effect, would stop the general strike planned by Cosatu for the rest of the week.

This effective moratorium would last until the end of September. Each of the parties would meet to assess the progress made towards the charter's goals.

The charter commits the signatories to goals of political transition and curbing violence and combating poverty. They have drafted a timetable for political progress.

The signatories commit themselves to four pre-requests for progress towards democracy:

• The need to move swiftly to a political settlement based on one person, one vote of equal value in a united country.
• The period of transition and the new dispensation would conform to principles of democracy contained in the declaration of intent at the CODESA.
• An elected constitution-making body which will be constrained only by the principles already negotiated at CODESA, which will also act as a transitional parliament.
• Effective transitional arrangements and an independent electoral commission to ensure that elections are free and fair.

The charter commits the signatories to the implementation of these political goals in six to nine months.

Measures to combat poverty include the setting up of job-creation programmes by the end of August, food and drought relief programmes by the end of this month, housing and house upgrading and related services by August, a programme for the provision of electricity for all by mid-August, a national forum on food inflation by mid-August, and urgent programmes to create a viable system of education and training for all.

It also commits the signatories to an economic negotiating forum that would seek consensus among the government, labour and business on a national economic strategy by the end of August.

Measures to curb the violence include ensuring that effective peace committees are established and that the recommendations of the Goldstone commission and the provisions of the Peace Accord are implemented.
Still no strike settlement

No final agreement on next month's general strike has been reached following discussions between the country's biggest trade union federation and employer representatives this week.

The meeting between Cosatu and the SA Co-ordinating Committee on Labour Affairs (Saccola), was aimed at averting the strike.

Saccola spokeswoman Frieda Dowse declined to confirm that Saccola was considering a one-day economic shutdown provided Cosatu undertook to call off the general strike due to start on August 3.

At a media briefing Cosatu general secretary Jay Naidoo said there was agreement in principle on several proposals.

He did not rule out postponing the general strike, but said Cosatu was committed to mass action.

Dowie said further discussions would be held over the next few days.

Business leaders have warned that the general strike would further hurt the struggling economy.

Key ANC/Cosatu demands are for the installation of an interim government, elections for a constituent assembly and an end to violence." Sapa
Beyond August 3

Most businessmen will be relieved when Saccloa and CoSatsu finally sign their agreement ending the threat of a week-long general strike and confirming protest action to a single day's stoppage on August 3. When they have breathed their sigh of relief, they should also consider what will have been achieved and what is needed next.

The agreement lasts until the end of September. At that stage do we have another confrontation, initiated by CoSatsu which then believes business is sufficiently plant or cowed to be co-opted completely into the alliance?

Perversely, a week-long stoppage might have been the better alternative. It would have given government a sharp shock and also delivered a lesson in realism to CoSatsu's allies. Struggling firms will probably manage to limp through August 3. A week-long strike would have pushed many under and helped persuade CoSatsu to face up to the reality of the attendant job losses.

The left's argument that the economy has been so badly damaged by apartheid that politically motivated strikes can do no more harm is truant. The damage has done by five years of uncertainty and recession.

Like their counterparts worldwide, South African businessmen have for years gone about their business apolitically — adjusting operating strategies to the swirl of legal and fiscal constraints which restricted their attempts to make profits. Support for the “Yes” vote and social projects outside the strict confines of business were initiated by business leaders choosing what they believed was right not who was right. Partisan politics do not and cannot mesh with the aims of business in a democratically run market economy.

Social projects — housing, electrification, job protection, food prices — contained in the Saccloa-CoSatsu accord are fine. They are fundamental to the economy's ability to survive the present political changes. CoSatsu's insistence that business should side with the ANC alliance against government goes way beyond business's proper involvement in politics.

Fact is that most businessmen probably believe the de Klerk government has responded responsibly and positively to the 14 conditions set by the ANC for a resumption of talks. Many probably believe the ANC is using mass action because government did not simply accept the organization's view of constitutional development. That view should be made clear.

If the ANC alliance wants the broad support of business it must earn it, not force it by threats of stoppages and action which prevent business from getting on with its job. The ANC's economic policies remain too general to inspire business confidence. If it hopes to enlist unreserved business support for its policies, it must present clear policies which persuade businessmen the ANC's economic management offers the best prospects.
Today's talks raise hopes that Toyota strike will be settled.
Nehawu "takeover"

THE National Education, Health and Allied Workers Union (Nehawu) has set next Saturday as the "takeover" day of Baragwanath Hospital in Soweto. Nehawu's assistant general secretary, Mr Neil Thebe, said yesterday: "That seems to be the only action the TPA will understand."

Meanwhile, the union signed an agreement with the Cape Provincial Administration last week allowing workers to return to work on Friday, according to Thebe.
Peace charter

The Congress of South African Trade Unions and the South African Consultative Committee on Labour Affairs have drawn a peace charter. Details of the peace charter agreed upon at a meeting last Friday will be released this week.

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ANC, Cosatu back compromise

Business to seek support for shutdown

EMPLOYER body Saccola and trade union federation Cosatu will attempt this week to sell to their constituents a proposed 24-hour shutdown of business and worker stayaway in place of a five-day general strike.

The proposal is the result of two weeks of negotiations between Cosatu and Saccola. If approved, it will be adopted by the two organisations at a meeting tomorrow.

It is a compromise on earlier ANC/Saccola intentions to stage a longer strike in support of an interim government and an elected constituent assembly.

Saccola spokesman Bobby Godsell said yesterday Saccola and Cosatu "had been asked to do things which for each of them were unusual."

For Cosatu it meant watering down its industrial action, for Saccola it meant officially sanctioning a stayaway.

"We've all got to try and turn around our constituents," Godsell said.

"The proposal has some potential and some problems. In the end its acceptance will depend on the reaction the ideas evoke from our constituents."

The 24-hour shutdown was discussed by the ANC's national working committee last week. The committee agreed there would be no other stayaway if Cosatu and Saccola received their constituencies' backing.

The committee said "This 24-hour closure would mean a form of general strike with the support of business and other such forces, demonstrating the isolation of the regime." Other actions planned for a week of action, starting with the 24-hour closure on August 3, would go ahead.

These include regional initiatives to blockade towns and cities on August 5, factory demonstrations on August 6-7, a "local assessment" on August 8, and religious activities on August 9.

ANC spokesman Gill Marcus said the actions would be taken during lunchtimes and breaks and would not interfere with production.

The strike would take place on August 3 which the ANC has billed a Day of Peace, Democracy and Economic Reconstruction.

A decision to hold a one-day stoppage in place of a longer general strike would be taken amid signs that a number of key strikes could be resolved soon - on terms favouring employers rather than workers.

These include the Toyota, SABC and hospital strikes.

In a parallel agreement, the two parties are set to adopt a social charter which commits business to backing the ANC's demands, taking steps to end violence, expediting the establishment of an economic forum and job creation programmes. This agreement would set an end-September deadline for actions to be taken before new possible union action.

Cosatu general secretary Jay Naidoo said last week an agreement with Saccola would enable Cosatu to stage a shorter general strike than originally planned.

Mass action received a further setback at the weekend when trade union federation Nactu indicated, after its national consultative conference in Soweto, that it was reconsidering its participation.
'Peace charter' must pass test

By Jo-Anne Collinge

The draft Cosatu/Saccola agreements hammered out late last week, particularly the proposal to put the planned August general strike on hold, will be subject to close scrutiny and widespread consultation over the next two days.

The two primary parties to the agreements — the Congress of SA Trade Unions and the SA Co-ordinating Committee on Labour Affairs — have until tomorrow night to consult their members and allies before finalising or repudiating the agreements negotiated last week.

At the heart of the package is a "charter for peace, democracy and reconstruction" which commits both parties to help curb political violence, combat poverty and engage in efforts to get constitutional negotiations back on track. In addition, the package addresses the question of mass action and the scheduled general strike.

The ANC and SA Communist Party will undoubtedly be closely consulted by Cosatu before the signing of any of the agreements, as aspects of the package have direct implications for the tripartite alliance's campaign of mass action.

The proposals include that:
- The first day of the planned strike, August 3, be converted to a day of national reconciliation in which businesses voluntarily close for 24 hours.
- The strike, the length of which has not been finalised by the alliance, be suspended until the end of September.
- Cosatu political action after August 3 will not damage the economy, threaten life or depart from any norms set by the Goldstone Commission.

ANC spokesman Carl Niehaus said it was likely that the alliance's secretariat would meet urgently "to discuss the decisions that have been taken and to consider if it is necessary for the ANC's national working committee and the executive structures of the SACP and Cosatu to meet."

If it appeared that the Cosatu/Saccola talks impinged broadly on the campaign of mass action, the matter would also have to be taken up at regional level in the ANC.

Saccola chairman Bokkie Botha declined to comment on the package, saying Saccola and Cosatu had agreed to refrain from speaking to the media until matters were finalised.

The National Council of Trade Unions (Nactu), resolving to support in principle "any mass action that is intended to dislodge the regime from power", has set the terms for its participation in the campaign.

A consultative conference of 200 Nactu delegates, meeting in Soweto at the weekend, demanded a meeting of all liberation organisations as well as Cosatu and Nactu to discuss mass action.

The weekend also saw several public protests mounted under the banner of the mass action programme.
Rival union to target health workers

THE Inkatha-aligned United Workers' Union of SA (Uwusa) would begin a recruitment drive among 500 hospital workers appointed to replace dismissed strikers, Uwusa national PRO Duke Senagomo said yesterday.

Senagomo said that by Thursday a strategy would be drawn up to attract new workers to Uwusa ranks.

Baragwanath Hospital obstetrics and gynaecology professor and Medical Advisory Committee chairman Cyril van Gelderen warned the recruiting drive "will almost certainly cause disharmony, maybe even worse".

SA Health and Social Services Organisation (Sashso) general secretary Dr Rafik Bismulla said "while other workers are on strike it would be incorrect for other unions to move in".

"By employing new workers, he said, the TPA was "sowing the seeds of future conflict".

Nehawu officials were yesterday expecting a response from the TPA on the union's demand that workers be reinstated. Sascolla had agreed to act as a mediator between the two parties.

The PAC also joined the fray yesterday by calling for an urgent resumption of negotiations between Nehawu and the TPA, Sapa reports.

A spokesman for the PAC's West Rand region said it supported Nehawu's demand for a living wage and had decided to establish contact to help end the deadlock in the negotiations.

"We are really concerned with the suffering of black patients in Baragwanath and other hospitals," the PAC spokesman said. "Both sides must realize blacks are suffering and their attitudes, and particularly the TPA's, are not helpful."

Meanwhile, the three-week strike at Cape provincial hospitals showed no sign of letting up yesterday as members of the Health Workers' Union (HWU) continued their protest over wages and service conditions.

Most Nehawu members had returned to their posts; but about 300 remained on strike at three hospitals.

In a statement yesterday, the Cape Provincial Administration said HWU members remained on strike at the Groote Schuur, Mowbray Maternity, Valkenberg, Woodstock, Somersfield, Conradie, Victoria and Brooklyn Chest hospitals in Cape Town.

The CPA said 282 Nehawu members were on strike at Kimberley Hospital.

Nehawu, whose members spearheaded the national strike, suspended its action in the western Cape last Thursday pending the reinstatement of fired workers by the Transvaal and Free State provincial administrations.

The situation at Pelonomi Hospital, at Mangaung near Bloemfontein, was tense yesterday after strikers overturned garbage cans and food in the wards.
SABC strike ends

Two-month strike is finally settled:

By Sonti Maseko

THE two-month strike by about 1 200 SABC black employees is over.

The Media Workers Association of South Africa and the SABC signed a number of agreements after lengthy talks in Johannesburg last night. However, these are still to be ratified by corporation's board next Tuesday.

The workers will resume work on Friday.

Negotiations on other outstanding issues continued late into the night. Two activists, Mr Aubrey Mokoena and Mohammed Dangor, who staged a sit-in at the SABC headquarters in a show of support for the strikers, abandoned the action following agreements:

- The SABC and Mwasa have agreed on:
  - Fifteen percent across the board increase with effect from June 1;
  - A minimum wage of R1 300 a month. This will be backdated to October 1, 1991;
  - The strike must be suspended from today, and
  - Workers must be paid for the month of July.
D-day for crucial draft on business-labour accord

By Peter Fabriches (IS)
Political Correspondent

Today is D-day for approval of the draft business-labour accord which could avert an extended general strike planned for August 3.

Cosatu and Saccola are consulting their members, trying to overcome mandates for the accord. The SA Chamber of Business has called a summit of its members today.

Saccola secretary Friede Dowie said yesterday an announcement could be expected as soon as tomorrow.

The draft agreement reached on Friday is aimed at achieving peace, reviving constitutional negotiations and combating poverty.

If approved by the members of Saccola and Cosatu today, it could lead to a voluntary one-day factory and business shutdown on August 3 instead of a protracted strike.

There is growing confidence that the agreement will be endorsed, although there were fears yesterday that some businessmen would balk at backing an agreement requiring employers to give workers a day off.

Some businessmen also fear that by giving their blessing to a charter for "peace, democracy and reconstruction" – an important part of the package of Cosatu-Saccola agreements – they will implicitly be backing the ANC.

Saccola spokesmen, as well as Constitutional Development Minister Roelf Meyer, have rejected this interpretation. Democratic Party leader Dr Zach de Beer said yesterday it was "to be welcomed that, in the industrial sphere, employers and employees are showing so much more maturity and generosity than the politicians."

The all-white Mine Workers Union says Saccola will be declaring war if it sides with the ANC/SACP/Cosatu alliance. The MWU and other white unions would not accept mines and factories being shut down on August 3.
Games cloud lifts as media strike ends

By Helen Grange and Montshiwa Moroko

The SABC's coverage of the Olympic Games is no longer threatened, following the provisional suspension last night of the Media Workers' Association of SA strike.

The suspension—pending the SABC board's ratification, expected next Tuesday, of agreements reached between Mwasa and SABC—was announced after a meeting between the two parties.

It ends a two-month-old strike by workers for better pay and effectively removes the threat of an SABC blackout at the Olympics.
The eight-week-old strike at the SABC has been suspended and Media Workers' Association of SA (Mwasa) members return to work on Friday, the day before the Olympic Games open in Barcelona.

The strike by 1,200 Mwasa workers had threatened the SABC's Olympic coverage.

Mwasa said that under a provisional agreement, the workers had accepted an offer of a 15% increase, effective from June 1, and payment for July when they were on strike.

SABC labour relations group manager Christo Pretorus could not confirm or deny the union's claim, saying management would decide next Tuesday.

But he said the union had agreed to suspend the strike on condition there was a settlement by next week.

Mwasa's version of the settlement terms was backed by the National Council of Trade Unions (Nactu).

Nactu said Mwasa had undertaken not to interfere with SABC activities and to distance themselves from attempts to ban the SABC from the Olympics.

Nactu general secretary Cunningham Ngucu said his federation had informed the International Congress of Free Trade Unions of the provisional agreement.

Nactu had called off a news conference scheduled in Barcelona today. It would reactivate the process if the SABC failed to honour the agreement.

The union had demanded a 20% increment and a minimum of R1,800 a month, while management had offered an 11% increase and a minimum of R1,300.
Union's demand

BARGAINING on a national level in the transport industry is the key demand to be made at a conference of the Transport and General Workers Union.

Rief

Soweto 22/7/92

Union's goods and dockers sector to be held in Maritzburg on July 24-26 (151)

The conference will also discuss how to involve employers in an AIDS education policy and programme adopted by the union, he said - Sapa
**West Rand unrest areas**

SEVERAL West Rand townships were declared unrest areas yesterday. The Minister of Law and Order, Mr Herman Kriel, gazetted a notice in Pretoria declaring Kaguso, Musseville, Swanewille squatter settlement and Bekkersdal unrest areas.

**TV blackout threat withdrawn**

A THREATENED blackout of the Olympic Games by the Nactu has been called off following an interim agreement reached by Mwasa and the SABC.

Nactu general secretary Mr Cunningham Ngcukana yesterday said the lifting of the blackout threat could be reversed if the SABC board failed to obtain the agreement that brought the 10-week-old strike to an end.

The agreement has been hailed as a significant victory for Mwasa.

**King speaks of difficulties**

THE ANC yesterday failed to set a date for talks between its president, Mr Nelson Mandela, and Zulu King Goodwill Zwelithini. Zwelithini said: "In terms of Zulu culture and those who share with us ubuntu, both as African brothers, the consequences of the kind of statements that Dr Mandela has reportedly made about a meeting with me give rise to difficulties. There is anger around me about these statements and I would have to respond to any request by Dr Mandela for a meeting with me in the circumstances this anger is creating."

**Amusea strike vote delay**
At last, business enters the ring

The social charter being worked out between businessmen and the ANC-Cosatu alliance is the most encouraging development in many months. Not only does it represent a breakthrough to mutual understanding in this polarised nation, but it also indicates a healthy return to political involvement on the part of our business community.

For decades, indeed ever since the days of Cecil John Rhodes, the business community has been politically dormant. This has been part of the general political impotence of English-speaking South Africa. With Afrikaner politicians running the show from Botha and Smuts onwards, English-speakers locked into a minority role in what became an increasingly ethno-driven world, retired to the sidelines and concentrated on running their businesses instead.

"They must ..." and bear their political impotence in the country they dominate economically, they are the largest, richest, most influential non-self-governing community in the world," wrote Douglas Brown, a perceptive British journalist of the English-speaking

South Africans in the 1960s.

Politics and the civil service became the Afrikaner's preserve, business the domain of the English-speakers. Over time this deepened into a kind of Church and State cleavage which permeated the cultures of both board room and Cabinet room. Businessmen ceased thinking in political terms, and the politicians failed to develop the capacity to think in economic terms.

The businessmen came to believe that politics was none of their business, a dirty business anyway best left to those brutal Afrikaner Nationalists with their crude apartheid ideas while we decent English kept our hands clean and our noses out of it.

It was a curious opt out unique to the breed if baffled Marxists, who believed all political truth stemmed from the economy and the dynamics of capitalist exploitation, and the Americans, who are accustomed to big business having political clout and couldn't conceive of a system where this was not the case.

It meant the business community raised hardly a peep, and certainly launched no protest campaigns, as Hendrik Verwoerd launched his mad apartheid schemes and, by crippling the country's manpower skills with his education for inferiority, inflicted damage on our economy that will take a century to repair.

Things changed a little through the 1970s and early 1980s as urban and industrialisation saw Afrikaners surge into business, but the acculturation tended to be one way. It depoliticised the new Afrikaner businessmen more than it politicised business as a whole. They conformed to the apolitical norm, partly because it was easier that way.

Apart from being confident of business interests, but to criticise it was ethically treachery.

There were a few exceptions, such as when Theo Wassenaar erupted over the extent of State involvement in the economy, but such interventions stood out because they were so unusual. For the most part business, both English and Afrikaner, remained politically mute, neutral, effeteced.

This is unhealthy. A nation is powered by the twin locomotives of political and economic leadership, and if they don't work in tandem, if they don't interact, the nation will eventually stumble over its own contradictions, as South Africa is now doing.

The political awakening of our business community began with the legalising of black trade unions in 1979. Suddenly businessmen were confronted on the shop floor with the realities of what their political inertia had permitted to develop under their own noses. Poor pay, poor education, poor training, political harassment, social alienation, and an angry, frustrated work force.

We're not used to dealing with black people. We have worked down on the farm or even in the mines in the early days, but not in modern times when essential skills are crucial to an industrialised economy.

The next lesson came in the mid-1980s, when political repression provoked divestment and sanctions. There was no bravado to do at the time, about how sanctions had never worked anywhere and couldn't work here, and how our tough economy was impervious to such popgun.

But no one is footed any longer. We all know that sanctions hurt like hell, that the economic crisis formed more and more businessmen realised that neutrality meant waiting for death. They began speaking out as never before, passing resolutions and asserting themselves in calling for political change.

Now we have lesson number three, with yet another crisis. A crisis caused this time by confrontation between black expectations and Government obdurancy. President de Klerk raised those expectations by announcing that he was ending apartheid and bringing in democracy, then frustrated them by trying to manipulate...
It is understood that Meyer's earlier tentative support for the initiative did not find favour with all his colleagues. Thus included the possibility of government supporting the proposed August 3 voluntary shutdown by asking civil servants to join assemblies.

Saccolaa, meanwhile, was having trouble getting consensus before its meeting with Cosatu last night.

Its biggest affiliate, Sacob, held a meeting yesterday afternoon and some of the major Sacob players argued — as do some cabinet ministers — that the accord went "too far" in meeting Cosatu and was open to "manipulation" because of its vague wording.

Saccolaa will today meet Fabcoss, Naflco, and a delegation of the International Employers' Organisation, which is visiting SA, and the accord could be discussed there as well.

One of the issues to be addressed last night was the basis on which the proposed shutdown would take place.

Employers argue there are four options — a voluntary closure where workers are paid, a "no work, no pay, no discipline" deal, workers taking leave on that day and local arrangements being struck between employers and workers.

Within Cosatu and the ANC, a key issue is what effect the accord will have on its capacity to take mass action.

While many employers regard a moratorium on the general strike until end-September as leaving the door open for Cosatu to such action at a later stage, many in Cosatu want to reserve the right to action — including a general strike — from now on.

They are also not keen to compromise their right to take other forms of mass action even if the general strike is called off.

However, one source said there must be "something exceptional" about the accord if people on all sides were unhappy with it but would nevertheless not throw it out completely.

He said it indicated that all sides would have to make compromises and stick with them if there was to be progress made in the country.
Toyota agreement

THE dismissed 6,000 Toyota SA workers may go back to work today depending on whether they sign a unilateral agreement drafted by the company.

"The regional secretary of the National Union of Metalworkers of SA, Mr. Eckes Esau, said Toyota and the union officials had met, with the union seeking some clarification on the agreement. Flowing from the meeting a few slight changes were made in the agreement and this was to be presented to membership yesterday," he said.
Strike warning

THE Media Workers' Association of SA yesterday warned the SABC it would immediately resume its strike if the corporation's board of directors failed to endorse by Tuesday its interim agreement on an 18% across-the-board wage increase and an increase in minimum salaries to R1,200.
Hopes of Saccola, Cosatu agreement dashed

Strike on as talks fail

By Mike Silwana
and Peter Fabriceus

The Congress of SA Trade Unions' general strike beginning on August 3 is set to go ahead — following the failure last night by employers and Cosatu to reach agreement on a draft charter to break the impasse in the constitutional talks.

The talks, which were preceded by nearly two weeks of frantic, behind-the-scenes consultations between employers and labour, collapsed after less than an hour of deliberations last night.

A crucial element of the charter was Cosatu's suspension of the strike in return for a shutdown of the industry on August 3.

Cosatu and its allies are now expected to revert to their initial position of a general strike lasting several days, as well as mass action including factories and city occupations.

Blame

Speaking after the meeting in Johannesburg, Cosatu general-secretary Nkosazana Dlamini blamed the failure of the talks on the SA Employers' Consultative Committee on Labour Affairs' inability to obtain employer support for the charter.

"The failure ofSaccola to get a mandate leaves us no option but to revert to our original programme of action for the week of August 3," Ms Dlamini said.

In a separate statement, Saccola said in its view the collapse of talks was "rooted in our inability to reach agreement on a total shutdown of all sectors of the economy, including the public sector".

"The talks did not fail as a result of insurmountable differences on the principles in the draft charter dealing with the urgency of a re-negotiation of national negotiations for a new political dispensation, joint employer and employee actions to reduce the unacceptable levels of violence and measures to combat poverty."

Saccola remains of the view that it and Cosatu have established a basis for future dialogue on these issues and certainly does not regret the time and effort that went into an attempt to reach this agreement," Saccola said.

Describing Saccola's failure to endorse the charter as "a shock and disappointment to all South Africans determined to resolve the current crisis", Mr Dlamini said employers had thrown away "an historic opportunity."

Cosatu had agreed to the draft charter despite "the considerable compromises it entailed on our side".

"The employers' failure to commit themselves to act on the goals contained in the draft charter and to undertake in support of democracy are, in effect, supporting the Government's attempts to dismiss power."

Cosatu, he added, remained committed to the draft charter and urged employers to publicly commit themselves to it and to demonstrate their support during the week of August 3.

Apart from limiting the proposed strike to a day, the charter sought to commit employers to seek ways to curb violence, fight poverty, extend labour rights to farm and domestic workers and to facilitate a speedy transition to democracy.

Both Saccola and the CosatuANC-SA Communist Party alliance are scheduled to hold press conferences today to elaborate on their next course of action.

Sewage on the streets of Sebokeng... residents in strife-torn Vaal Triangle townships are facing what could become a total collapse of municipal services. The non-payment of rent since the Soweto massacre is one of the main reasons for the problems being experienced. — Report — Page 3

Picture: Melody McDougall
SABC strike may resume - union

By Brian Sokuta

The Media Workers' Association of South Africa (Mwasla) has threatened to suspend its strike at the SABC if the broadcasting corporation fails to honour terms reached at the signing on Tuesday of a provisional agreement.

The 10-week-old strike by 1200 Mwasla members, which threatened the SABC coverage of the Olympic Games in Barcelona, was suspended on Monday after the union accepted an offer of a 15 percent wage increase, backdated to June 1.

Mwasla national general-secretary Sithembele Khala yesterday warned "The strike is not over yet. It has been suspended pending an SABC board meeting. "If the SABC board fails to honour terms of the provisional agreement, our members will resume the strike."

Mr Khala said that in the provisional agreement signed by Mwasla and the SABC it was agreed that:
- The strike be suspended and an Mwasla-SABC joint committee be formed to address racial disparities in the corporation.
- Workers resume duties from tomorrow.
- Workers be entitled to seven days' leave to "readjust and reorientate themselves with a view to cementing and strengthening working relationships, which suffered during the strike."

"We're giving the SABC breathing space in the interest of staffers and viewers, particularly those watching CCV programmes. Should the board meeting not honour the agreement, Mwasla will campaign in Barcelona for a blackout of the Olympic Games coverage," said Mr Khala.

- An SABC radio report yesterday quoted its chairman, Professor Christo Viljoen, as saying the future independence of the corporation could be guaranteed only by inserting suitable clauses into the constitution of the proposed independent broadcasting authority.
To Page 2

The general strike is to go ahead.

General Strike to Go Ahead

Sackola and Coutau Fall to Sign Accord

From Page 1

Coutau Fall to Sign Accord

Sackola and
New initiative aims at local level

Companies in bid to head off stayaway

SEVERAL prominent companies are set to begin local-level talks with trade unions on ways of implementing the charter and programme which Saccola and Cosatu deadlocked over on Wednesday.

The talks will include attempts to head off the threatened work stayaway.

Both Cosatu and Saccola yesterday reaffirmed their support for the principles contained in the accord. Agreement could not be reached because of differences over the proposed joint action on August 3.

Saccola chairman Bokkie Botha told a news conference yesterday that there had been substantial agreement on the draft charter, but the rift had become too wide when Cosatu insisted on a national 24-hour shutdown, including the public service.

He said some businesses supported the shutdown while others, including some concerned about essential services, did not. Saccola had been willing to call for a "no work, no pay, no discipline" approach by businesses which did not support the shutdown.

But Saccola did not believe strikes would help to bring political parties back to negotiations.

Vice-chairman Johann Liebenberg said employers would continue to support and promote the principles laid down in the charter and would continue trying to minimize damage to the economy.

Therefore, individual company management would be communicating with their employees to see if it was possible to reach arrangements at local level in line with those discussed between Cosatu and Saccola. This could include the 24-hour shutdown which some companies favoured.

Cosatu general secretary Jap Ndiong said Cosatu's central executive had decided on a programme of national action for the week starting August 3 and that such action should be uniform.

However, he accepted there would be local discussions between unions and management and Cosatu could not pre-empt these. "The real issue is whether employers will stand up and back the principles contained in the charter. If they do we will welcome it," he said.

Earlier Ndiong told a separate news conference the accord contained important goals that "needed to be picked up in the future". He said Cosatu leaders had spent "enormous energy" in trying to sell the accord to their members.

Ndiong said some cabinet members had discouraged businessmen from signing the charter and he accused the reticent Saccola constituents of acting on a purely party political basis.

He said Cosatu would respond to mass dismissals during the planned stayaway by staging another general strike. He was supported in this by ANC secretary-general Cyril Ramaphosa.

The draft charter contains proposals on curbing violence, combating poverty through a variety of programmes, conflict intervention and the political transition.

Stayaway 8104-8

Business Day canvassed a number of companies on their intentions regarding implementing the charter and averting the planned two-day stayaway.

Anglo American spokesman Michael Spier said the corporation, its operating divisions and subsidiaries, would be exploring at local level arrangements which sought to implement the broad areas of agreement in the charter which Anglo saw as an "affirmation of common values in a non-racial South Africa".

He said the process would operate at local level as did arrangements on the day of the Bopatong funeral. On that day meetings and rallies took place at times that did not disrupt production.

Spokesmen for Shell and the SAB beer division said they had favoured the 24-hour shutdown. However, SAB's Adrian Botha said the company would not seek to implement such a plan now as this might put employees in a difficult position if other members of their communities stayed away from work on additional days.

Pick 'n Pay industrial relations GM Frans van der Walt said management was discussing the issues and would meet shop stewards on Tuesday next week.

Barlow Rand spokesman Ken Ironside said each of the group's subsidiaries would take its own decision after talks.

Volkswagen's Johan Dreytenbach said management would hold talks with shop stewards next week on policies to adopt.

Most of these companies said that in the event of a stayaway they would adopt a "no work, no pay, no penalty" policy.

Sacad director Raymond Parsons said the organisation would be sending guidelines to members within days on how to deal with the stayaway
Call for general strike

WHEELS OF ACTION ANC alliance

will launch a “week of action for peace and democracy” following abortive talks with Saccola:

By Abbey Makoe and Sowetan Correspondent

The collapse of negotiations between Cosatu and employers on Wednesday night has led the ANC alliance to reaffirm its call for a two-day general strike starting on August 3.

The talks were aimed at averting a general strike and getting the stalled constitutional negotiations back on track.

At a Press conference in Johannesburg yesterday, the ANC, Cosatu and the SA Communist Party said they would now step up preparations for “a week of unprecedented action for peace and democracy.”

This had been planned before the launch of the abortive initiative between Cosatu and the employer body, the SA Employers Consultative Committee on Labour Affairs (Saccola) two weeks ago.

ANC secretary-general Mr Cyril Ramaphosa said the alliance “deeply regretted the inability of employer organisations to transcend long-standing prejudice and to cross the democratic threshold and a lack of commitment and resolve to address the crisis facing South Africa.”

Ramaphosa also said the action would end with the installation of ANC president Mr Nelson Mandela as the new head of state.

He said this would take place after the “coming elections by our people.” The alliance “feels satisfied that our people are angered” by the Government’s intransigence and the people would “rise up to the challenge.”

Flanked by Cosatu general-secretary Mr Jay Nadoo and the SACP’s Mr Chris Hani, Ramaphosa warned companies which might take disciplinary action against their workers for staying away from work during the seven days of the mass action campaign.

The ANC would not allow such a move to go unchallenged and such companies would be faced with mass action taken against them, he said.

Ramaphosa said the week of action would comprise:

- A stayaway from work on August 3 and 4, accompanied by rallies, marches and pickets,
- City and town occupations and demonstrations on August 5,
- Protest actions by workers and other groups on August 6 and 7 to be determined locally, and
- Report-back meetings on August 8 followed by Women’s Day celebrations and prayers for “peace and democracy” on August 9.

“We reiterate our call to all our people that our marches, rallies, occupations and other activities are to be peaceful and disciplined,” said Ramaphosa.

The Saccola-Cosatu meeting failed because of insufficient consensus among employers to sign the charter and to secure public sector participation in a proposed one-day shutdown on August 3.

Apart from limiting the proposed strike to a day, the charter sought to commit signatories to seek ways to curb violence, fight poverty, extend labour rights to farm and domestic workers and facilitate a speedy transition to democracy.

Meanwhile, the SA Council of Churches and other groups yesterday expressed disappointment at the failure of the Cosatu-Saccola initiative.
Mediate - but not just yet.

After 10 months in the United States, we came back to find our house afflicted by that common travellers' disease, tenant damage. Weeks of unsatisfactory correspondence and phone calls followed before we decided to try mediation, theoretically a good idea but difficult in practice.

Community and privatised mediation centres flourish throughout the US, providing an essential, affordable service for every member of society. A vast network of ordinary people, including schoolchildren, train as mediators and offer their skills to the community as volunteers or full-time. This service helps individuals in disputes and the community, when conflicts are defused before becoming violent. A culture of conciliation can emerge if people experience how mediated discussions can resolve disputes.

The Illinois law setting up community mediation centres underscores this potential: "Unresolved disputes which individually may be of small social or economic magnitude are collectively of enormous social and economic consequence. Many seemingly minor conflicts between individuals may escalate into major social problems unless resolved early in an atmosphere in which disputants can discuss their differences."

Suppose our problem had arisen in the US? What would we have done? First, called the local community mediation centre to explain the dispute in general terms and tell them they must arrange mediation. If we had not yet suggested mediation to the other side, officials at the centre would. They would explain how mediation works, explain it was voluntary and ask the other party to agree to try this method. Given the go-ahead, they would arrange a time and venue and a mediator.

In South Africa it takes far more effort unless you pay the rates for the skills of professional mediators (usually lawyers with special training) through an agency like the Independent Mediation Services of South Africa or the Alternative Dispute Resolution Association of South Africa.

If you live in Johannesburg's Alexandra township it might be easier. The Community Dispute Resolution Trust has helped the local community establish the Alex Justice Centre, which has many features of the typical US community mediation centre. The mediators come from the community. They have training in skills and ethics to deal with a wide range of problems and to decide whether a dispute is suitable for resolution through mediation. A similar project will start soon in Hillbrow, and CDT officials hope a pilot centre in the Cape and Natal will follow.

Several other schemes sound promising but are inappropriate to small community disputes: The Short Process Court and Mediation (for Certain Civil Cases), which came into effect last weekend, could play an important role in the whole legal scene, but is far from what is needed to bring mediation to every community.

Everyone seriously trying to end the conflict and create a more tolerant society in South Africa would agree on the urgent need for thousands of well-trained "grassroots" mediators throughout the country. But although hundreds of such mediation centres are desperately needed, it would be fatal for the government to rush through enabling legislation. Until a widely accepted new constitution and Bill of Rights is in place, the legal system had best keep its hands off.

Lawyers can contribute by helping train mediators and setting up mediation centres through, for example, the Community Dispute Resolution Trust. And imagine how it would help restore confidence in the legal profession if, once centres are established, members of the community who happened to be lawyers joined their neighbours in volunteering for training and then offered their services for the small nominal fee paid any other community mediator to help resolve disputes in their neighbourhood.
Not all that easy

The proposed accord between employers and trade unions, being negotiated between Saccola and Cosatu, this week threatened to come unstuck. Business representatives, at best ambivalent about such a pact, had clearly had second thoughts by the time they met on Tuesday — ostensibly to initial the deal.

In the event, the SA Agricultural Union and the Afrikaanse Handelsinstituut decided to withdraw because the mooted pact was too political.

While Saccola’s talks with Cosatu remain on track, a deal is far from being achieved.

From the employers’ viewpoint, what appears to have scuppered the accord — or at least the unmandated, draft version of it leaked to the press last week (Current Affairs July 17) — was the perception created that business was throwing its weight behind the ANC-Cosatu mass action camp. This angered many employers, who felt they were being mugged into a party political agenda — instead of merely affirming the common values of peace and democracy.

The view that now seems to have emerged is that there is no chance of employers as a whole acquiescing in a one-day, total shutdown of industry on August 3.

This had seemed to be the cards as a compromise in place of Cosatu’s ambitious seven-day strike — aimed at pressuring government to meet ANC demands to end the violence and accede to majority democracy with an elected constituent assembly which would write a new constitution. All this was evidently more than some businessmen — perhaps keener on a power-sharing, federal arrangement — could stomach.

There are also practical problems involved in a total shutdown which would, for example, affect continuous production operations.

Employers obviously do not comprise a single cohesive entity. While some would choose to cut their losses and go along with the idea of a one-day shutdown, others favour different forms of pro-democracy observance — perhaps along the more flexible lines agreed on for marking the Bophelong massacre last month. Still others could be persuaded to adopt a policy of no work, no pay, no penalty. And in certain parts of the country it is thought that employees might wish to go to work.

Though employers generally believe in efforts to end the violence and re-start negotiations, they tend to look to other forms of symbolic protest which exclude mass action, especially given the present harsh economic climate.

It seems employers are now set to demand more flexibility from Cosatu. This could include insistence on a non-party political platform for August 3, drawing in other parties such as Inkatha.

Business could well also demand a clear commitment from Cosatu to sign the code of conduct on peaceful demonstrations drawn up by the Goldstone Commission’s international panel.

In any event, many will have suspected that Cosatu itself has grave doubts about its ability to sustain a week-long general strike. Why not, therefore, call the union’s bluff? It might not be a bad thing, some argue, to see Cosatu break itself on the rocks. This might give it a better appreciation of its power — much as the 1987 miners’ strike ended in a constructive delineation of each side’s power potential, leading to a more mature and productive relationship between the NUM and mining employers.

Employers have told Cosatu that they do not envisage an accord between them being a one-way street. They were due to meet government, as the PWG went to press, to canvass its views on next month’s planned action.
FIRST THE RAGE, THEN A SHAKY PEACE AT HOSTEL

iscor's decision to close the controversial kwaMadala Hostel could have been a spark for conflict. But cool heads and negotiations saved the day, reports BETHUR BAKER

The entrance to the hostel, surrounded by more than 200 angry, slogan-shouting hostel inmates, was guarded by a large number of women and children — carried placards saying "Keep away from our hostel!" and "You may destroy kwaMadala but you will not destroy the mighty Zulu."

The leader of the Numusa delegation, Alfred Woodington, found himself being backing against his car while a group of men, all carrying knobkieries, tried to force him inside. Violence was averted when a member of the security staff intervened.

The massacre at kwaMadala left 4,500 residents homeless and the hostel was declared closed by the Department of Housing.

In an effort to prevent further unrest, the numusa delegation, led by the chief, met with hostel residents and the kwaMadala management to discuss the situation.

The delegation expressed concern over the closure of the hostel and the displacement of its residents. They demanded the reopening of the hostel and the provision of alternative accommodation for the displaced residents.

The numusa delegation was assured that their concerns would be taken into consideration and that efforts would be made to resolve the situation.

The delegation also discussed the possibility of organizing an Alternative Hostel Committee to represent the residents and ensure their rights are protected.

In conclusion, the numusa delegation expressed their appreciation for the efforts made by the Department of Housing and the hostel management to address their concerns. They agreed to work closely with these organizations to ensure the smooth reopening of the hostel and the provision of adequate accommodation for the displaced residents.

The numusa delegation thanked the hostel management and the numusa members for their support and cooperation.

The numusa delegation was optimistic about the future and expressed their commitment to work towards a peaceful resolution of the situation.

For more information, please contact the numusa delegation or visit the Alternative Hostel Committee website.
Olympics blackcoat threat

Spurs SABC to settlement

WILD-TURN

A ship by ship 9

THE WEEKLY MAIL, July 24 to 30
BROADCAST TO BEAM AGAIN: Mwasa strikers ended their protest this week when they won a 15 percent increase from the SABC

Photo: Yunus Mohamed

TV, radio back on the air if no waves from SABC

By Edwin Booyzen

STRIKING SABC workers will soon return to work after the Media Workers Association of South Africa (Mwasa) accepted an interim wage agreement.

The agreement, signed this week by Mwasa officials, is yet to be ratified by SABC management.

The SABC is expected to respond to the agreement by early next week. While the corporation won't disclose the terms, Mwasa shopsteward Mr Duma Madlezela, said that the package accepted by the union entails:

- a 15 percent across the board wage increase, back-dated to June
- a R1 300 per month salary back-

"My recommendation to our members is that they accept the offer, as it is a fair one," Madlezela said.
"The agreement was signed on condition that workers receive full pay at the end of this month."

The interim package came after the SABC had been pressured by political organisations and trade unions to end the strike.
Call for a Joint Code
Boardroom Battles:
South 2217-2217/22

Management Focus: Black and White are dominant colors.

A photograph of people standing in a room, looking at a screen. The text mentions a call for a joint code and boardroom battles.
Strike accord lies in tatters

July 25, 1979
Politicians spike Public servants at heart of matter

ATTENDS for business in Pinner

anti-strike bid

Stiggins (Goss) 26/1/92

Warren CLOWE, to President De Merit as chair of the Economic Advisory Council

the Economic Advisory Council, headed by Warren CLOWE, today announced plans to:

- cut public sector pay by 1%
- increase public sector working hours

the government was not consulted on the move and was said to be 'disappointed'.

Details

The government announced plans to:

- cut public sector pay by 1%
- increase public sector working hours

the government was not consulted on the move and was said to be 'disappointed'.
Sacob issues guidelines on how to handle strike

Sacob at the weekend issued guidelines to chambers of commerce, industry and business planning disciplinary action against workers during next week's planned general strike.

The business organisation advised employers to inform workers that they faced disciplinary action, including dismissal, if they participated in the strike.

In the guidelines Sacob recommended companies wishing to take disciplinary action:

- Warn employees in advance in writing they were considering disciplinary action, and
- Dismiss or give final written warnings to employees where there had been advance notice and employees had a bad disciplinary record.

Cosatu spokesman Neil Coleman described the guidelines as "foolhardy in the extreme".

"They will create a cycle of conflict between business and workers which can only spark off further strike action," he said.

The Sacob guidelines said the Labour Appeal Court had recognised that participation in stayaways was essentially illegal.

Employers should adopt a policy of "no work, no pay" during the strike, the guidelines said.

The guidelines suggested members use the dispute resolution structures of the national peace accord to defuse possible violence associated with mass action, Sacob said.

Meanwhile Cosatu general secretary Jay Naidoo claimed at the weekend government officials had called leading businessmen and persuaded them not to support the Saccola/Cosatu accord.

Naidoo said government wanted to keep labour and business out of political negotiations because it was trying to prolong the talks and unions would insist on time frames and binding agreements.

Saccola deputy chairman Johan Liebenberg yesterday denied there had been secret government intervention in the talks, but confirmed Saccola held two discussions with Constitutional Affairs Minister Roelf Meyer and a third with his deputy.

Liebenberg said although there were no immediate plans to restart talks around the charter, he hinted this might be attempted as there was "a long week ahead" before the August 3 strike.

Meyer yesterday denied government had been prescriptive in talks with Saccola, but confirmed the government was opposed to public sector involvement in a nationwide shutdown.

A senior business source said media reports had exaggerated the extent of agreement between Cosatu and Saccola, creating expectations which could not be fulfilled.

The source said that government and the ANC had been kept well informed of the negotiations, but no contact beyond this had taken place.

Anglican Archbishop Desmond Tutu said at the weekend he was hopeful the stalled talks could be restarted, Sapa reports.

"I hope the collapse of the Cosatu-Saccola talks is temporary because the talks in themselves brought hope for an early restart to negotiations," he said.
NEWS  Warning over mass action • Aged may be left in the cold

General strike ‘is illegal’

By Themba Molefe
Political Reporter

The South African Chamber of Commerce and Business has warned that the planned general strike on August 3 and 4 is illegal and would be treated as a stayaway.

This is contained in a document of Sacob guidelines to its members on Cosatu’s mass action campaign which reaches a climax next week.

Released on Saturday, the warning followed Anglican Archbishop Desmond Tutu’s statement on Friday that mass action could plunge the country into anarchy after talks between big business and Cosatu failed to avert the planned strike.

Tutu told journalists in Johannesburg that he had hoped August 3 would be a day of reconciliation had the talks with the South African Consultative Committee on Labour Affairs succeeded.

The document also followed an agreement reached last week by church leaders to seek urgent meetings with the Government, business and labour with “the aim of breaking the negotiations deadlock and averting the strike”.

Sacomb said: “While we recognise the right to express political views and support peaceful and non-disruptive initiatives aimed at expressing dissent, we are opposed to any action which would lead to an escalation in levels of violence, risk to life and property and further disruptions to the economy.”

“Sacomb suggests that prior to the general strike, management should discuss the matter with its workforce, making it clear that participation in the strike would constitute unlawful action and a material breach of the contract of employment.”

“Management should give written notice to workers stating its position, the document said. It said it should be pointed out to workers that the country was in its longest recession in 50 years, more than 250 000 jobs were lost during the recession, of which 160 000 were retrenchments, and between two and three million economically active people were unemployed.”

Sacomb said management should oppose any form of demonstrations during working hours unless it was by arrangement.

“It is suggested that management obtain a written undertaking from employees not to occupy factory or office buildings.”

Employers will observe the no-work-no-pay rule and disciplinary action should be consistent with the company’s disciplinary code, if there is one.

Sacomb also advises its members to use National Peace Accord structures as, among other things, “mass action has the potential to increase violence.”

Also at the weekend President PW de Klerk and his Cabinet emerged from a two-day “bush retreat” expected to make major announcements to break the logjam.

Nactu general secretary Mr Cunningham Ngakuka also announced that the federation was rescinding its decision to join the Cosatu mass action because Cosatu had held talks with Sacomb which intended to revive Codesa.
Govt ‘not to blame for talks failure’

By Peter Fabricius
Political Correspondent

The Government has confirmed that it ‘met the SA Consultative Committee on Labour Affairs last week and expressed its objection to key aspects of the draft Saccolia-Cosatu agreements designed to avert an extended general strike.

But the Government was not responsible for the failure of Saccolia and Cosatu to reach agreement on the proposed accord, Constitutional Development Minister Roelf Meyer said at the weekend.

He disclosed that the Government met Saccolia twice during the course of the negotiations over the last few weeks.

It is understood the meetings took place on July 14 and a week later on July 21. The second meeting occurred a day before Saccolia decided it could not back the accord and the negotiations broke down.

Mr Meyer said the Government had two main objections to the draft agreement; one was that Cosatu was demanding that civil-service workers take part in the proposed voluntary shutdown on August 3; the second was that the draft agreements proposed elections for a constituent assembly within too short a period.

The Government could not agree to its workers taking part in the shutdown when it had not been consulted by unions.

The draft agreement originally proposed that elections for a constituent assembly should be held within six months.

The Government pointed out to Saccolia that this was not possible as it would take about 15 months to arrange the logistics for an election once it had been agreed upon in negotiations.

Saccolia then changed this to 19 months, which the Government also found unacceptable.

Mr Meyer said he did not believe the Government’s intervention had been decisive as Saccolia had indicated that it had problems with the Cosatu demand for a total shutdown of SA businesses on August 3.

Mr Meyer stressed that Saccolia had requested the meetings. He said his own remarks about the negotiations last week had been distorted.
THE SABC's board will decide today whether to approve the deal struck between SABC management and the Media Workers' Association of SA (Mwasa) last week to end the nine week strike.

Mwasa said it was sure the board would ratify the settlement. But a spokesman warned it had "contingency plans" which would be put into effect immediately if the agreement was not approved.

He said the SABC had stood to lose between R15m and R22m in advertising if the Barcelona Olympics had been blacked out.

Mwasa had undertaken to prevent any interference in TV coverage.

In terms of the settlement, workers will be paid a full salary this month and 3 for the period 1 1.5 - strike in July will be deducted over six months.
Business, unions draw up charter

BRENDAN TEMPLETON

ORGANISED labour and business took a step towards minimising the damage of next month's planned mass strike when they drew up a draft charter for "peace, democracy and economic reconstruction". The charter will be referred to their constituencies and a final draft is expected early next week.

It is hoped that the document - which is expected to propose practical steps to combat violence and poverty - will speed up the stalled political process. An earlier draft released to The Star this week committed the signatories to mobilising support for a transition to interim government and an elected constitution-making body by the end of this year.

The South African Co-ordinating Committee on Labour Affairs and the Congress of South African Trade Unions are the key players in the negotiations.

Sources said last night the sides could not come to an exact agreement and instead added various proposals which their constituents would now have to ratify.

A final draft will emerge at further talks next week.

An agreement would enable business to avoid a week-long strike, while labour would gain support in its efforts to put pressure on the Government.
Marches called off

31 Jan 1977

Planned countrywide marches by the Construction and Allied Workers Union (Cawu) scheduled for today have been called off following successful talks between the union and various employer bodies in the industry.
Hospital strike was avoidable

By Paula Frey

The tragic consequences of the ongoing labour disruptions at hospitals could have been prevented if adequate dispute resolution mechanisms existed, Medical Association of SA (Masa) federal council chairman Dr Bernard Mandell said yesterday.

Masa called for the urgent establishment of a negotiation structure in accordance with accepted international labour relations practice.

The call came as the Transvaal Provincial Administration (TPA) said in a statement that all dismissals of strikers were final.

National Education, Health and Allied Workers' Union (Nehawu) general-secretary Phillip Dexter said the union was "obviously disturbed, but not surprised" at the TPA action. "It just means we will have to intensify our actions," he said, adding that Nehawu's programme of occupation of hospitals would continue.

The TPA yesterday reported several violent strike-related events in the Transvaal at the weekend. It said dismissed Ga-Rankuwa Hospital

Phillip Dexter... disturbed, but not surprised

workers threatened to burn down the houses of several hospital employees.

Two hospital workers were treated for burns on Saturday after their houses had been petrol-bombed, the TPA said.

• A 44-year-old Johannesburg man underwent an emergency heart transplant operation at Cape Town's Groote Schuur Hospital at the weekend, despite pressure on resources due to the strike.

• About 690 members of the health workers' union were still on strike at eight Cape Peninsula hospitals yesterday.
New bid to avoid strike

Clergy has met Cosatu and Saccofa, will see Govt, ANC
Mwasa, SABC board meet today

THE Media Workers' Association of SA and the SABC board of directors will today discuss the board's alternatives to Mwasa's settlement proposals.

The provisional acceptance of the proposals reportedly ended the eight-week strike last week.

Mwasa general secretary Sthembile Khala last night denied reports the union had already met the SABC directors, saying Mwasa still had no knowledge of the corporation's counter proposals.

He urged the board to "act wisely" and said Mwasa was prepared to resume the strike if its demands were not met. The board's decision to present Mwasa with counter proposals followed a meeting yesterday.

Khala said reports on Mwasa's participation in the two-day general strike had also been misleading.

Reports that Mwasa had "dissuaded itself" from the mass action were untrue.

Nactu was to meet the "groups concerned" today and the decision arrived at would be binding on all member unions.

However, Mwasa wished to warn employers not to believe it condoned worker victimisation. Mwasa stood firmly behind all workers, Khala said.

SAPA.
Yesterday announced that it was wished to open talks with the National Union of Public and General Employees (NUMGA) regarding the amendment of the Labour Relations Act. The NUMGA agreed that the PA should hold further discussions regarding the Labour Relations Act.

The move, it is believed, will not solve the persistent difficulties regarding the public sector's future labor disputes.
Code of conduct

CHURCH leaders are drawing up a code of conduct after agreement was reached in meetings with labour and business this week that the Church should intervene in the mass action campaign (151).

The leaders said a joint statement yesterday the code of conduct, which had been discussed with interested parties, was at an advanced stage and final agreement should be reached “very soon”.

They said they had discussed concerns with the ANC that mass action could lead to violence and asked for clarity from the organisation on the constitutional issues involved in the political deadlock. (Supa)
Honours Mandela

Nafoc Conference

News

BLACK EMPOWERMENT NCO

Alfred Nzo accuses big business of pursuing a short-sighted policy

By Josina Akothoko

premises Nafoco for its communiqué:

accepts award on behalf of Mandela and

THE NATIONAL AFRICAN

In reciprocation of the award, Nzo and

Once and for all, Nafoco will make it to the courts.

Nafoco executive member M лиш

Mandela.

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Postmedia News

We tell you now that the market for every-

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Crisis plan for Vaal

By Stan Hlophe

Emergency plans would be made to address the health crisis caused by the collapse of services in the Vaal Triangle, the Vaal Negotiating Forum (VNF) announced at a Sebokeng meeting yesterday.

The VNF — which has representatives of the TPA, the Vaal Civic Association, Consultative Business Movement and township administrators — agreed work would begin to repair sewage pipes, a task force would escort municipal workers, and security forces would be asked to withdraw.

A mediator would be appointed to settle disputes and a multiparty forum would look at long-term solutions to security and political issues.
Pay dispute:
Workers locked out

About 150 workers Aerial King Sales, the country's largest manufacturer of television aerials and related products, have been locked out of the company premises since Monday after a conciliation board failed to resolve a wage dispute between the company and the National Union of Metalworkers of South Africa.
Strike called off

The two-month strike at the SABC by 1,200 members of the Media Workers Association of South Africa (Mwasa), which was suspended last week, has finally been called off. During a meeting between Mwasa officials and members of the SABC labour negotiation team on Wednesday night, the parties confirmed an agreement which led to the suspension of the strike.
Mass action gives
not insurrection.
Way to negotiation.

Derek Hartford
608-431-7192

8/09/04 3/17/92

COASTAL General Secretary

The issue is to 'counsel' the workers into a
position where the company will accept
fair, equitable treatment for the workers.

The workers and the bargaining team
are preparing for the negotiation. The
company has agreed to begin pay
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Talks could limit mass action losses

TALKS between NUM and various mining houses show "some promise" of delivering agreements which could ensure next week's scheduled political protests keep productivity losses to a minimum, an industry source says. It is understood the union and some management are discussing the possibility of joint meetings and rallies facilitated by adjustments to the timing of shifts or the taking of leave similar to arrangements on the day of the Bophutatong funeral.

The source cautioned, however, that discussions were still in progress and no agreements had been reached.

Earlier this week NUM wrote to employers in the industry saying its members would be participating in the planned week of action, and seeking talks to ensure events went off peacefully.

NUM was not available for comment last night.

Although there have been a spate of ongoing discussions at company, regional and even industry level about next week's mass action, employer and union sources expect the strike to go ahead as planned next week.

But some progress has been made in regard to the three days after the general strike. In the western Cape, for example, shop stewards will be released at midday to attend protest meetings in the city centre, but production will continue.

In Natal, employers and unions are expected to sign a declaration pledging peaceful, disciplined and orderly conduct and the right of individuals not to participate in the mass action.

RAY HARTLEY reports employers who dismissed workers for participating in next week's general strike would be blacklisted and targeted in further mass action.

Cosatu general secretary Jay Naidoo said at a news conference yesterday: "To take disciplinary action will be seen as endorsing the agenda of the De Klerk government," he said.

"We will launch a campaign both nationally and internationally to effect actions such as a blacking action or a boycott of products or delivery of raw materials to those factories, as one part of that programme of action." Naidoo said Cosatu was considering declaring a dispute with Saccova because of the role of the failure of recent negotiations around a charter.

"There are various other actions being contemplated at grassroots level, but certainly we are not going to stand by and watch employers take a stand which places them in the government camp."

ANC secretay-general Cyril Ramaphosa told the news conference threats of disruptions and written warnings by business were "acts of blatant intimidation infringing on the rights of all South Africans to engage in peaceful protest."

Ramaphosa confirmed ANC president Nelson Mandela would lead a march on the Union Buildings next Wednesday.

Five left-wing organisations, however, said yesterday they would not support the stayaway.

NACTU, the PEC, Azapo, the New Unity Movement and Independent Trade Unions jointly decided not to take part. Inkatha has also urged its supporters to work.

The 43,000 members of the all-white Mineworkers' Union have been asked to "keep the economy going" during the mass action, MWU general secretary Hein Ungerer said yesterday.

GERALD REILLY reports a Sabsa spokesman said the strike would mean losses of up to R40m for the industry.

Johannesburg Chamber of Commerce and Industry executive director Marius de Jager said the loss of earnings among several million black workers would dramatically reduce total incomes.

Several ANC-aligned organisations yesterday said a school stayaway would be supported.
INDUSTRIAL REL. DISPUTES

1992

MAY - DEC
STRIKING hospital workers have launched a campaign to make whites aware of the predicament faced by state health sector workers.

The National Health Education and Allied Workers' Union (Nehawu) on Wednesday started to occupy private hospitals.

The new tactic was adopted after the union decided that the strike in the state health sector had affected black patients more than whites, and that taking the strike into the white community would force the government to notice workers' demands.

Cosatu regional secretary Mr Jonathan Arendse announced Cosatu's endorsement of the strike.

At City Park Hospital on Wednesday, six Nehawu members staged a sit-in at the office of the manager, Mr Allan Matthews.

Nehawu regional secretary Mr Wilfred Alcock said later Matthews had undertaken to contact the owners of City Park and request that the hospital's directors make representation to the government in support of resolving the dispute.

The Nehawu delegation then proceeded to the Vincent Pallotti Hospital in Pinelands where they spent an hour in consultation with management.

Nehawu emphasised however that the campaign was not intended to victimise patients.
Accords aim to limit damage to production

The agreements were aimed particularly at marginal mines.

In the motor industry, Samcor will close its plant for the whole week following discussions with shop stewards.

Numsa members in the industry began a national strike in support of wage and job security demands today.

In the Natal region, various employer organisations and Cosatu have agreed a declaration to "ensure that the risk of violence and intimidation is minimised during the stayaway".

A joint initiative has been set up to monitor the stayaway and ensure that affected parties should be any breakdown in the agreement.

In the eastern Cape it is likely that workers will work on Thursday and Friday and hold lunchtime demonstrations.

It has been proposed that workers come to work on Wednesday morning, but be given off from lunchtime to participate in marches and demonstrations in city centres.

In the western Cape employers are ex-
Metal sector strike case delayed

CAPE TOWN — Court action to have a threatened strike in the metal industry declared illegal had been delayed until tomorrow, Sefsa spokesman Hendrik van der Heever said yesterday. Sefsa, representing more than 3,200 companies, launched the application against the National Union of Metalworkers of SA in Pretoria on Monday. 

"We are seeking to have the strike declared illegal. There appears to have been major irregularities in balloting. We were not informed of the ballot outcome and we have good reason to believe that the ballot was unsuccessful," said Van der Heever.

Nunca, which represents more than 170,000 workers in an industry of 320,000 employees, was fighting the matter on "technicahtities".

According to Sefsa, the strike in the metal sector was supposed to have started on Monday. Van der Heever said it was up to individual companies whether or not to enforce a lockout today. — Sapa
Business & role in transition must still be defined

Sam Lila
Jo'burg goes to mediation

THE Johannesburg City Council and municipal unions' joint committee went into mediation this week to avert a strike in the city. While the council has offered no increases at all, the unions are demanding 12 percent (15).
Rebels reject ceasefire in Mozambique

ROME — Mozambique's government and rebels were today expected to sign an agreement fixing a precise calendar for peace, but hopes of an immediate end to the fighting were dimming fast.

President Joaquim Chissano said yesterday that rebel leader Afonso Dhlakama had refused his offer to sign an armistice that would go into effect at once and last until a full peace settlement had been worked out.

This is what the international community had been hoping for after 16 years of civil war that has cost over a million lives. The horrors of the conflict have now been compounded by a devastating drought this year.

Mr Chissano said it had been unfair to expect three days of talks in Rome to produce a complete ceasefire agreement, but did not conceal his disappointment that he would be leaving Rome without news of an immediate truce for his war-weary people.

Instead, negotiators are drawing up a joint declaration that should map the exact path to peace — Sapa-Heurter.

Hope for wage settlement with striking metalworkers

By Thabo Leshilo
Labour Reporter

A settlement appears imminent between striking National Union of Metalworkers of SA members and car manufacturers following wage talks.

Numsa spokesman Dr Berne Fanaroff yesterday said more than 115 000 workers had been on strike since Monday. A meeting would be held on Monday following "good progress" in talks this week. Dr Fanaroff said a strike ballot would be held for the motor industry — including filling station employees and panelbeaters — later this month after negotiations deadlocked last week.

Numsa and the employer body, the Steel and Engineering Industries' Federation of SA (Seifsa), seemed to be heading for a bitter battle after companies locked out workers on Wednesday.

Dr Fanaroff said the employers' action was based on "incorrect advice" from Seifsa that the strike action was illegal. Seifsa executive director Brian Angus has denied that Seifsa advised companies to lock out workers. Seifsa has applied for an interdict to declare the Numsa strike illegal.

'Integrate MK and SADF'

By Michael Spark

The sooner the armed wing of the ANC can be integrated into the SA Defence Force and together makes an apolitical, force loyal only to the government, the sooner distrust between them will be overcome.

This is the view of Britain's retired director of Military Assistance Overseas, General Andrew Dennis, who was speaking at a conference in Pretoria yesterday arranged by the Institute for Defence Politics.

The Midrand-based institute is a non-profit trust seeking to assist the SA Defence Force become accountable, and legitimate.

One way of reducing distrust in South Africa would be for the defence force to stop playing a role in internal security, General Dennis said.
ECONOMIC OUTLOOK

Since the breakdown in political negotiations, attention has been focused on renewed violence, threats of mass action, a nationwide stayaway — and the deepening recession as investor and consumer confidence slumped further. In the gloom, a number of positive developments have passed almost unnoticed.

There is a spirit of increasing realism abroad. This was evident in an agreement reached, in principle, between the Chamber of Mines gold mining members and the National Union of Mineworkers (NUM) last month. It provided for a 5% increase in workers’ wages, plus the proceeds of profit-sharing schemes which are being negotiated.

If the deal is struck, it will build on progress made last year when the level of increases to mineworkers was linked in part to productivity and the gold price. By establishing an important link between profit and pay, this type of agreement ensures workers can share in the good times and it allows wages to fall, in terms, in the bad times — an important antidote to inflation.

In that environment, restrictive monetary policy can operate more effectively. Over the past few years, the Reserve Bank has been obliged to apply what many believed was undue force to rein in inflation. This was because structural flaws were drawing out the usual cyclical lags — and important among these was that upward pressure was coming from wages when output was falling. So stringent monetary policy was effective in cutting back money supply growth but far less so in reducing inflation.

At last, in past months, inflation has been subsiding — though reluctantly and not consistently. And there is evidence that immediate pressure will not be coming from wages. Says Pat Stone of Andrew Levy & Associates: "The trend of recent settlements has been below 15% and, by the end of the year, the national average may be about 12%" — levels which are below the present and expected inflation rate.

If inflationary pressures are being contained, there is more room for real growth in the economy — and, therefore, in incomes.

So progress has been made on a number of fronts, despite the recent political upheavals. And even these have had their good points.

The attempts of Saccola and Cosatu to reach an agreement on the stayaway may have founded but they were not fruitless. Though talks broke down on a number of issues, they generated agreement on many others. Says Anglo’s Michael Spicer: "There is a determination to take forward new initiatives, to press on with concrete programmes for upliftment and to get politicians back to the negotiating table."

Also encouraging were the attempts made to minimise the damage caused by the stayaway. Says labour analyst Duncan Innes: "I know of companies where management, shop stewards and union officials worked out arrangements to allow the stayaway to occur with minimum disruption to the production process."

He points out that, on the gold and platinum mines, "workers did not participate significantly in the stayaway because of the critical situation faced by those industries."

Clothing is another troubled industry — the size of the labour force in the four major urban areas has shrunk from 120 000 last July to 100 000 — where special arrangements were made to minimise damage.

Says Searle’s group industrial relations executive Johann Baard: "In the two major areas, though there was no agreement on factory closures, employers undertook no work, no pay and no discipline and the union was prepared to be flexible in special circumstances, as, for instance, when there were pressing delivery deadlines and a late delivery could result in cancellation of an order. In the western Cape, the biggest region, attendance on both days exceeded 75%.

The signs are that, in seeking a solution to the political impasse, people are gaining valuable insights into underlying economic realities. This allows the protagonists to evaluate their own interests more accurately and plan their strategies more effectively. After all, there is no point in painting an opponent into a corner if you have to share it with him."

FINANCIAL MAIL • AUGUST 7 • 1992 • 29
Emploees go to court on strikes

EMPLOYEES IN THEIR MIDDLE-AGE

MONDIAL MAKHERA

REPORTS

The courts to stop any strikes

Industries have taken to

EMPLOYEES 17-8 13-8 92

 employees are subjected the action in the court assembly in the final

15,000 workers in one site in the

London and other important

rooms. The report revealed that the

government's economic policies

have led to a rise in the cost of

living. The workers are seeking a

wage increase, better working

conditions, and an end to

management's unfair practices.

In the factory, there are 300

workers who have been

employed for over 20 years. They

are demanding better benefits

and a more secure future.

The struggle continues.
Sactwu bids for recognition in Bop

By MONDLI MAKHANYA

In an agreement described by the South African Clothing and Textile Workers Union (Sactwu) as a first, a joint union-employer delegation is to meet the Bophuthatswana government to lobby for the union’s recognition in the homeland.

Representations will also be made to South African Foreign Minister Pik Botha to lean on Bophuthatswana.

The agreement formed part of this year’s settlements in the clothing industry which agreed on wage increases ranging from 14 to 15 percent.

South African unions are outlawed in the homeland but Sactwu is intent on spreading its wings beyond its existent bases of the western Cape, Natal and the Transvaal. Bophuthatswana has a significant clothing industry, in which Sactwu organizers have been heavily organizing in recent years.

Within South Africa, Sactwu already controls 94 percent of the industry, mainly due to closed shop agreements in most factories. Sactwu’s attempts to get recognition in Bop will be closely watched by the National Union of Mineworkers, which has a majority representation at the Impala Platinum mine but is not recognized by the Bop authorities.

There were other “firsts” in the agreement which were varied according to regional industrial councils. Employers who are not members of employer associations will now also be covered by the closed shop agreement in the Transvaal and the western Cape and union rights provisions will be extended to non-employer association members in all three regions. Also significant in the agreement is that highly paid work categories will now be covered by the industrial council in the Transvaal.
ANC ‘frustrating’

GOVERNMENT plans to amalgamate white and black local authorities into a “one city, one tax base” system by July next year had been frustrated by political differences between the ANC and the SA National Civic Organisation (Sanco). Local Government Minister Leon Wessels said at a weekend meeting of the Co-ordination Council for the Co-ordination of Local Government Affairs (COCO), the ANC had “excluded itself from negotiations at local level in an effort to hide its fundamental differences with Sanco”.

Hampered

Recent criticism of Sanco’s bond boycott initiative was given as an example of the differences of opinion which had hampered local government negotiations. Wessels said the ANC had walked away from the negotiating process after consensus had already been reached on the formation of a transitional subcommittee for regional and local government affairs — a body intended to restructure local government — and he accused the ANC of “running away from the burning issues confronting local government”.

Wessels’ comments followed an ANC statement last week rejecting the deliberations of the council as a continuation of government attempts to unilaterally restructure local government.

The ANC statement said recent meetings of the council had produced initiatives such as the Interim Measures for Local Government Act of 1991 and the Local Authority Affairs Amendment Act of this year. “Both pieces of legislation have severely and negatively affected local government negotiations throughout the country,” the statement said.

“It is clear to the ANC that the results of the current trends of unilateral restructuring will be a priority for an interim government to deal with and remove.”

In his reply, Wessels said restructuring initiatives had not been unilateral as all parties at a local level had been invited to participate. He said the ANC’s critical statement bore “witness to their envy of not being part of the important debate concerning the establishment of amalgamated local authorities.”

Wessels said negotiations on amalgamated councils or joint administrations, which were expected to be completed by July next year, were in progress in 207 regions around the country.
Sactwu censured for march call

By GAYE DAVIS: Cape Town
HUNDREDS of clothing workers sacked after marching for higher wages under the banner of the South African Clothing and Textile Workers' Union (Sactwu) have got their jobs back — but the union has been rapped over the knuckles for "unacceptable" conduct in the affair and will have to forgo union dues to employers for six months.

Arbitrator Sarah Christie found that children's wear manufacturer Dermal and swimwear maker Cygnet, both Seardel companies, had no right to dismiss 348 workers for taking part in the march without managerial permission. At the same time, she criticised Sactwu for trying to capitalise on the fact that Cape Town's city council and chief magistrate had granted permission for the march, to persuade workers that they could march because it was "legal".

This "caused confusion in the minds of the workers".

Plagued by stoppages prior to the march, both companies acted reasonably in forbidding workers to march on pain of dismissal, Christie found.

But the "crux of the issue" was that the march was sparked by a dispute which arose during industry-wide negotiations on wages and working conditions — and not out of any specific dispute between either company and its employees.

Workers were faced with the difficult choice of either submitting to management or heeding their union's call for industrial action. "The single most telling point in favour of the workers at both plants is that they answered a union call to march," Christie found.

However, while the employers were not entitled to dismiss the workers, Sactwu's conduct in relation to the march was "unacceptable", Christie found. Sactwu was determined to go ahead with the march "irrespective of the wishes, the negotiations or any other circumstances which obtained" and the seriousness of this "cavalier attitude" was exacerbated by unprofessional action at both plants long before the march.

Ordering the sacked workers' reinstatement without loss of service or benefits, Christie also ruled that Cygnet and Dermal would be entitled to dues which would have been paid by the workers to Sactwu for a period of six months, a sum estimated by Sactwu and employer representatives to be about R9 000.

Sactwu assistant general secretary Ebrahim Patel said the award vindicated the union's position that employers had no right to dismiss workers for taking part in a march organised by a trade union — which should be seen in a different light to illegal stoppages not sanctioned by the union.

The union had also won out against employers' wishes to remove selectively workers with whom new employment contracts would be negotiated.

He said criticism of the union's conduct was "regrettable", and "not based on any argued facts".

Patel pointed out that Sactwu was not asked during arbitration to defend itself against the charge that it exploited the civil legality of the march.

Cygnet and Dermal have meanwhile voiced concern "that the award could be read to mean that employees can act in breach of their service contracts and put up as a defence that they acted on a call from their union — and that such a defence will hold", according to Johan Baard, Seardel's group industrial relations executive.
Toyota strike talks break down

TALKS between Toyota and the National Union of Metalworkers of SA to end a strike at the company's Prospecton, Durban, plant broke down again on Friday afternoon and the company will now start employing replacement workers. (TSI)

Toyota dismissed 6000 workers on Monday when they failed to meet an ultimatum to return to work. (TSI)
Disputes (131)
conference
WILSON ZWANE
A CONFERENCE on alternative dispute resolution will be held next month at Wits University.
It will be hosted by the Law Students Society, Investec Bank and Methboard.
Speakers will include Independent Mediation Services of SA chairman Charles Nupen and SA Association of Mediators chairman Charles Cohen.
The Law Students' council said yesterday the conference was aimed at providing "an influential forum from which to assess this new and dynamic field".
"Unaffordably high costs, long delays and the emotional anguish that accompany courtroom litigation are just some of the reasons for welcoming and investigating alternative methods of settling disputes," the council said.
Car workers back on job as deal sealed
Cries of betrayal from five CP rebels

On Monday, Treurnicht said that the CP would accept a smaller white homeland and would negotiate this with its neighbours. He ruled out talks with the ANC and its partners. The rebel five - Free State leader Cehill Plesnar, Moolman Mento (Ermelo), Kosie de Vil (Standerton), Andres Beyers (Potchefstroom) and De Jager - wanted an 'Afrikaner homeland (not whites only) to be negotiated with all parties.'

Govt and PAC set date for next meeting

GOVERNMENT and the PAC would meet again in Pretoria on August 18 in preparation for the PAC's inclusion in forthcoming constitutional talks, the two parties said last night.

After a three-hour meeting in Johannesburg, which ended at midnight, Constitutional Development Minister Roelf Meyer and the PAC had "agreed that a democratic process must be followed in SA." Meyer said the two parties, meeting for the first time since April, had found that there was "more common ground than disagreement."

He said the meetings were aimed at involving the PAC fully in the negotiations process, and added that a meeting was being planned at presidential level.

He said the issue of attacks on policemen had been raised, and that it would be discussed at the next meeting.

PAC foreign affairs secretary Gora Ebrahim said the PAC had emphasised that only an elected constitutional assembly could bring about a non-racial SA.

Meyer said last night's meeting was one of several bilateral contacts taking place between government and various parties.

Azapo publicity secretary Strum Moodley said earlier that government had approached Azapo two weeks ago through a third party, requesting similar talks. Azapo would not agree to meet government until it had been asked in writing and "until government is clear about what it expects from such a meeting," Moodley said.

Disputes (15)

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Seifsa considers revised Numsa demand

Seifsa is to respond to Numssa's lowered wage demand today for metal and engineering workers.

However, the strike, which Numssa estimates involves 100,000 workers, and Seifsa says 70,000, looks set to drag on as there is still a large gap separating the parties.

Although Numssa has dropped its wage demand to 10%, it is resisting Seifsa's final offer, which Seifsa has rejected. Seifsa's final offer during negotiations was an 8% increase.

Numssa says at least 50 plants are out on strike, mostly in the PWV area. Workers have been dismissed at one small plant and more than 100 plants have locked workers out.

Three interdicts, brought by indivisual companies, have been granted against Numssa and several more are being dealt with.

Seifsa executive director Brian Angus said Seifsa's appeal to have the Numssa strike ballot declared unlawful would be heard by a full bench of the Transvaal Supreme Court next Friday, Sapa reports.

The union intends balloting members in the motor industry next week.

Angus said some companies were shutting workers out, rather than locking them out, largely because of intimidation.

Angus said several Numssa-orga-
Bosses respond

EMPLOYERS in the metal industry are expected to respond today to revised union proposals aimed at settling the 10-day-old national strike.

Steel and Engineering Industries Federation of South Africa executive director Mr Brian Angus said yesterday that the National Union of Metalworkers of South Africa had tabled a set of modified demands at talks on Tuesday.
Talks stall on reinstatement of hospital workers

Communication between Under-Program Club

Communication between Hospital Club

Voorhees, who was not available for

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Key SABC, PAC meeting today

THE outcome of today's meeting between the SABC management and the PAC would determine whether the campaign to force companies to withdraw advertisements from the corporation would go on, the PAC said yesterday.

But the Durban-based Mwasa Support Committee, headed by former National Soccer League (NSL) GM Roger Bala, has started writing to companies calling on them to withdraw advertisements from the SABC.

The PAC last week announced the launch of a campaign against the SABC, in solidarity with the Mwasa strikers, warning companies to withdraw advertisements or face mass action.

The ANC/Cosatu alliance also announced plans to embark on such action "probably next month".

PAC national campaigns committer, chairman Ntsinde Madzunya, said the campaign had been postponed pending the outcome of today's meeting. The PAC had a list of targeted companies, but that would be released after the meeting.

The Mwasa Support Committee, which comprises 20 Natal-based political, civic, labour, cultural and journalists' organisations, says in its letter the cancellation of advertising contracts with the SABC would force management to resolve the dispute.

"For the sake of peace within the black community, you are asked to consider the possibility of terminating the advertising contract with the SABC," reads one letter to Lion Match in Durban.
Talks go on and so does hospital strike

By MONDUL MAHANYA

It may have moved off your television screens but the hospital strike drags on.

The three-month strike by Transvaal hospital workers is now being waged not only by National Education, Health and Allied Workers Union members, but also by township communities and political movements. Strike support groups have been established by civic associations and political structures in the strike hotspots of Ga-Rankuwa and Soweto. It is these structures, together with Nehawu, that are now negotiating with the Transvaal Provincial Administration and central government.

Whether this pressure will win the reinstatement of 8000 fired strikers is a moot point. Insisting that the strike is over, the TPA has already hired about 4000 new employees. It has told dismissed workers they can individually re-apply for their jobs.

Negotiations have, however, been continuing, at the behest of the Vaal/Witwatersrand Dispute Resolution Committee, alarmed by the high levels of violence associated with the strike.

The Independent Mediation Service of South Africa has been refereeing the talks since last Friday and both sides say a solution may be found. Nehawu is also seeking legal advice with a view to challenging the dismissals in court.

While Nehawu has joined the Soweto negotiations with the TPA over the sacking of the strikers at Baragwanath and other southern Transvaal hospitals, it has not taken part in the Ga-Rankuwa talks.

"Health Minister Rupe Venter refuses to talk to the union. She ... has problems with the present leadership," Nehawu's Neal Thobejane explained.

Venter also said this week she would expedite legislation aimed at outlawing strikes in the public service and institute "a dispute resolution mechanism to ensure a similar strike never occurs again". The meaning of her threat is unclear — the Public Service Act, which governs labour relations in the sector, does not provide for lawful strike action.
Agreement may stabilise ailing clothing sector

AN HISTORIC agreement signed in Cape Town this week after three months of "extremely tough" negotiations between clothing manufacturers and a trade union, is expected to bring stability to the hard-pressed industry.

Spokesmen for both sides said after signing that the agreement, the first countrywide industrial agreement in South Africa, was fair. It was signed by the South African Clothing and Textile Workers' Union (Sacru), the Cape, Natal, Transvaal and Eastern Province Clothing Manufacturer's Associations, the Cape Knitting Industry Association and the Garment Manufacturers' Association under the aegis of the Clothing Industrial Council, which gives it sanction and force of law by publication.

Some of its terms are:
- Wage increases of R22 per week and R23 in Natal
- Cover for dependents of members through medical and facilities
- New protection for workers against dismissals which do not comply with the Labour Relations Act

The agreement also contains peace clauses and provision for the parties to meet again in October to discuss key issues for the long-term future of the industry.

Among these are national centralised bargaining, a national productivity council, wage parity, a multi-skilled wage incentive, a national grievance procedure, discipline and retrenchment and job grading.

The union's assistant general secretary, Mr Ebrahim Patel, said at the signing that the bargaining had been done against the background of a "very harsh" economic climate.

The union had sought maximum improvements in its members' working conditions and had tried to help create a viable industry with the capacity to employ people and provide long-term stability.

Exciting

He said the union had changed in the past five years — it had no longer existed only to bargain with employers on pay and conditions.

"We have a vision," Mr Patel said — which included the view that organised labour had a right to influence society and could and should strive for democracy.

Mr Patel said it was "very exciting" that employer associations were beginning to develop the same vision.

If business and labour could progress to this point in South Africa it could happen in other spheres, including the political sphere.

The chairman of the Cape Clothing Manufacturers' Association, Mr Simon Jacum, said a fair agreement had been reached but the industry was not yet out of the woods.

"Work stoppages, stayaways and mass demonstrations added tremendously to costs which have had to be absorbed and nearly brought our industry to its knees," he said.

Retrench

The industry now had to consolidate and control costs and both employers and employees had to get on with the job to make good-quality clothing at the right prices and deliver on time.

"Hopefully the coming year will see the unions and ourselves engaged in creating job opportunities and increasing productivity through co-operation and consultation," Mr Patrick Boers, chairman of the Garment Manufacturers' Association, said.

The industry faced the worst recession in 20 years. In six months 6 000 workers had been retrenched.

"The writing is on the wall unless all parties play a positive role," he said.

Manufacturers were being squeezed, retailers wanted unreasonable mark-ups and the high expectations of the workforce could not always be met.

Sacru had to play a role in addressing the issue of higher productivity.

"South Africa desperately needs to create employment," Mr Boers said.
Sackings contested

But most cases relate to industrial court powers and functions - which could result in a move to arbitration.

Brian van Zyl says the Labour Relations Act (LRA) - as it now stands - presents problems about the jurisdiction of the industrial court.

Mr Van Zyl says the restructuring of the LRA is expected to deal with these prob-
Nehawu to decide on ‘all-out’ strike

THE National Education Health and Allied Workers’ Union (Nehawu) said at the weekend it would conduct a strike ballot among its 80 000 members on whether to call an “all-out” strike.

This would extend the strike to private hospitals. Only the union’s public sector health workers have so far been involved in the strike.

Last week negotiations between Nehawu and the Transvaal Provincial Administration (TPA) deadlocked when the TPA refused to give in to the union’s demand of reinstatement for 7 000 members who were fired from hospitals in the Transvaal for striking illegally.

A ballot would now be held to decide whether or not to involve all the union’s members, including private sector health workers and workers in education.

SAPA reports that Nehawu would call on the ANC, Cosatu and the SACP to involve themselves in the hospitals dispute and would withdraw from the Public Sector Council — a grouping of 13 public sector unions — if organisations in the forum did not also involve themselves in resolving the strike.

Nehawu assistant secretary-general Neal Thebejane described this as “a critical stage for the union”.

“We have to show we can resolve the dispute or we may as well pack up shop. The future of the union hangs on the result of this,” he said.

The 10-week long dispute had taken its toll on the union, Thebejane said. “It began just as our newly elected leadership set about a programme for restructuring and professionalising a weak administration.”

However, he believed that in the long term, the strike had raised the profile of the union and educated many future shop stewards.

The strike had been “expensive”, he said, but the union had obtained about R100 000 from other mainly public sector unions in the UK and US. Fund-raising had also been undertaken by members inside SA.

The union was in a healthy financial state, he said, adding that 46 000 of its members continued to pay the monthly R5 fee regularly while the other members contributed on a more ad hoc basis.

Cosatu said in a statement yesterday that it dismissed if a political decision had been taken “at the highest level to block any settlement of the hospital dispute.”

It said that in the past few weeks Cosatu had been involved in low-key initiatives at national level to try to facilitate a solution to the strike. Progress had been made during the past week “until it became apparent that orders were being received from higher up to block a settlement, resulting in the collapse of talks.”

It said Cosatu’s executive also received alarming reports of large-scale intimidation and violence against strikers and Nehawu leadership.

The executive had now decided that the strike would be treated as a Cosatu strike and it had agreed on a five-point programme of action which would include a day of solidarity with striking hospital workers on August 31.
We'll intensify our strike, Numsa says

The two-week strike in the engineering industry will be intensified after employers rejected union proposals for a settlement, the National Union of Metal-workers of SA (Numsa) warned yesterday.

The decision to step up industrial action over wages, job security and union rights followed a weekend meeting by the Numsa national executive committee.

Union members in Transkei and Ciskei would join an estimated 10 000 striking co-workers tomorrow after ballotting for industrial action, according to a statement from Numsa head office.

Meanwhile, the auto industry confirmed that talks with Numsa last Friday failed to finalize an agreement on job security, and another meeting would be held this Friday.

Numsa repeated its appeal to the Steel and Engineering Industries' Federation of SA (Seifsa) to comment on the "murder of numerous shop stewards and members in the run-up to strike", which started on August 3.

It also demanded that Seifsa state how it obtained internal Numsa reports about the strike before the union itself announced the industrial action.

The union reported that workers at 720 metal and engineering plants were on strike.

Numsa's NEC met at the weekend after Seifsa rejected a four percent drop in the union's pay demand to 16 percent.

Seifsa, which represents over 3 200 companies in the metal and engineering sectors, stuck to its final offer of 8.6 percent.

The union said its renewed drive for a strike settlement would include marches and pickets in industrial areas. - Sapa
Soweto's essential services are heading to a standstill

ADRIAN HADLAND

ESSENTIAL services to Soweto's 3-million residents would grind to a halt within the next three weeks unless additional funding could be found, Soweto City Council spokesman Mojalefa Moseke said yesterday.

Moseke said if an extra R3m a month could not be found to make up the council's monthly shortfall, "everything will come to a standstill in Soweto."

Details of the likely breakdown emerged yesterday after TPA MEC Olaus van Zyl said last week that a total collapse of services in Soweto was likely. He said less than 20% of Sowetans residents pay services tariffs.

Moseke said that while water supplies to Soweto from the Rand Water Board were unlikely to be halted, some areas would experience cuts due to a lack of maintenance and repairs staff.

"One way or the other there will be no water in some areas of Soweto," he said.

Refuse collection in the township would end at the beginning of September as available funds would be used to pay for contractual fees in arrears, Moseke said.

With a bankrupt council unable to pay its workers, sewage services were also likely to be disrupted, he said.

Addressing the Central Witwatersrand Metropolitan Chamber last week, Van Zyl said the TPA and other government agencies provided 77% of Soweto's expenditure and had limited funds available. He appealed to white local authorities to help Soweto in the province of services.

Johannesburg City Council utilities committee chairman Paul Asherson said Johannesburg would not provide Soweto with funds or expertise until a political and financial solution had been found.

"Johannesburg will not be seen as an occupying force, propping up the regime in Soweto," Asherson said.

He said a precondition for Johannesburg's help was the dismantling of the black local authority system and the implementation of new local government structures.

"Until there is a political solution, we cannot guarantee the safety of our staff and that is paramount," he said.

He said a collapse of Soweto's services would force the TPA to speed up the local government restructuring process.

Masses drifting to anarchy

CAPE TOWN — The mood among the unemployed, poverty-stricken, starving masses in South Africa was moving closer and closer to anarchy, DA leader Zach de Beer said last night.

He told the Institute of Architects he saw President F W de Klerk's "brave new SA seemingly disintegrating in a cacophony of recriminations between those who were to have been partners in creating it.

"I see blood everywhere. I see the investors unwilling to commit their resources in a land which threatens to become a morass of conflict."

However, De Beer said he believed that the leaders of both the ANC and the NP had been "quite badly frightened by the consequences of their own errors."

The new SA would however arrive "after a year or two or three.

"Even if the businessmen and the churchmen and the academics and others must shame the politicians into working for the nation instead of themselves and their friends, we must and shall find reconciliation and agreement."

The three priorities facing the country were health, education and housing, he said.
Impala workers get representation

RUSTENBURG — Impala Platinum Mines yesterday signed bilateral agreements giving recognition to full-time shaft stewards and representative structures for workers at its Bophuthatswana mines.

The central council of workers co-signed the agreements at the Bafokeng training centre. The NUM said it had advised the council.

This follows the recent signing of a wage agreement at the mine.

The agreement lays down the principles and procedures for governing the recognition, rights and duties of shaft stewards, branch committees and the central council of workers.

Part-time stewards will represent 150 workers in each section, while shafts and processing sections will have full-time stewards and a committee each. Every mine will have a branch committee — Sapa
New bid to end strike in steel industry

Labour Reporter

Metal industry employers and workers will meet tomorrow to re-explore a possible settlement to a strike which has cost the industry an estimated R600 million.

Employer body Seisa confirmed the meeting after more than 6000 National Union of Metal-workers of SA (Numsa) strikers marched on Seisa's Johannesburg offices yesterday.

The protesters' demands included an end to dismissals and the use of scab labour, acceptance of their wage demand and an end to disciplinary action against strikers.

The union is demanding a 16 percent wage increase while Seisa's final offer to workers is 8.8 percent.
Nervous vehicle manufacturers hope Toyota will fall into line this weekend when employers and unions try to hammer out a final agreement on wages and job security. If not, they fear further conflict if negotiations drag on into a fifth month. The dispute has already resulted in a week-long industry strike.

Agreement is nearly two months overdue. Discussions, which began in April, were due to provide a new package to take effect from July 1. But differences, particularly on union demands for an extension of the year-old moratorium on lay-offs, delayed matters.

With the exception of Toyota, there now appears to be virtual consensus between employers and the National Union of Metalworkers (Numsa) on the form of the new agreement.

Toyota, which did not attend national bargaining forum meetings during the recent two-month strike at its Durban plant, has agreed to honour minimum-wage agreements reached in its absence. As part of the written agreement ending the Toyota strike, the company bound itself to abide by the forum's wage conditions. But the agreement with Numsa also decreed that job security should be a matter for the company and union to decide.

In other words, at the same time as it was seeking an industry-wide agreement, Numsa

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helped to create a loophole allowing Toyota to negotiate on its own behalf. Nevertheless, Toyota CE Bert Wessels says the company is prepared to sign the full industry agreement once it receives "clarity" on certain aspects of job security.

As it stands, the package agreed between Numsa and other vehicle manufacturers has abandoned the retrocession moratorium. In its place is a fund to which employers would contribute 10c per worker per hour. This fund would be used to support and retrain laid-off motor industry workers.

As envisaged, the fund will support and compensate laid-off workers for three weeks while they are counselled and assessed, and then a further 12 weeks while they undergo training. After that, they are on their own.

Employers alone will provide money for the fund in its first year. Thereafter, they hope it will be a 50/50 effort between themselves and employees.

Wessels says the company will be represented at forum discussions starting today. "We have certain problems with the job-security agreement as it stands, but if there is flexibility, we will become a signatory. If we can't resolve it, we have the option to negotiate on our own behalf." He declines to reveal Toyota's specific complaints about the current agreement.

Other companies, notably specialist truck-makers like MAN and AAD, have also expressed concern at the job-security issue. In view of their small size, it is likely they will be granted concessions.

But it is Toyota that is causing most concern. Says the chief negotiator for another major manufacturer. "We assumed once the Toyota strike was over, they would rejoin the forum and resume negotiations there. But it's not like that. They have the right to negotiate between themselves and Numsa and this is causing concern. The whole idea of one company being allowed to negotiate major issues is totally foreign to the notion of the forum. The rest of us find it very worrying."
Metal unions hope to preserve Seifsa's status

NUMSA and Seifsa are concerned that Seifsa's position as the national collective bargaining representative of employers in the metal and engineering industry should not be undermined.

Seifsa, Numsa and two other metal unions in dispute with Seifsa will be meeting informally at the weekend to hold exploratory talks.

Seifsa's executive director Brian Angus said the federation would have to think seriously about how it was going to operate in the future if its appeal today failed. Seifsa is appealing against a Supreme Court judgment that it was not entitled to represent metal employers.

Industrial sources said several major employers were opposed to collective bargaining. A judgment against Seifsa would strengthen their hand.

Numsa's Berne Fanaroff said the union "would not like to see Seifsa fall to pieces." Numsa had been inundated with pleas from employers for exemption from the strike. Some major employers had approached Numsa with offers to negotiate a better deal at plant level.

This put Numsa in a difficult situation as it wanted to preserve centralised bargaining and improve on Seifsa's offer.

Meanwhile, anything from 10,000, according to the police, and 25,000, according to Numsa, striking metalworkers marched on Seifsa's offices yesterday. Union leaders handed Angus a letter demanding an end to dismissals, scabbing and intimidation and asking for a positive response to wage demands.

Thousands of workers were expected to march in Springs today.

The strike, now three weeks old, is starting to have an impact elsewhere. Most of Cape Town's docks have shut down because of the strike, Fanaroff said.

And a motor manufacturing source said the shortage of supplies was affecting production. "We are handling things as best we can day by day," he said.
Union takes shopping list to retail employers

ARTICLE PAGES Continued from April 8

The news shop on the…

Union takes shopping list to retail employers

ARTICLE PAGES Continued from April 8
Toyota signs

TOYOTA SA signed the 1992-93 wage agreement for the motor-making industry after its representatives attended a National Bargaining Forum (NBF) on Friday.

The strike at its Durban operations had previously prevented Toyota from taking part in NBF negotiations.\ 23/11/92

Toyota has expressed concern about some parts of the agreement, particularly the administration of the job-security fund.\

It believes that some practical issues, such as job security, productivity and the removal of disinflation, would be best dealt with at company level
Don’t stop, the door’s ajar

LEON COHEN calls for revival of talks between business and labour on the Charter for Peace and Democracy

In the end, the opportunity to build a new relationship between business and labour in the first week of August became just another stayaway. Now management and the Cosatu trade unions have retreated to their traditional roles as antagonists.

This familiar comfort zone allows both sides to avoid hard questions about the kind of future we want for our country. And we are ignoring a significant opportunity waiting to be seized in the aftermath of mass action.

The effort that went into the negotiations for a Charter for Peace and Democracy will only have failed if we refuse to walk through the door that was partially opened. Do we simply wait for the next stayaway? Or can we act now?

Now that the stayaway has passed, with the usual heavy costs for both sides, we should revive negotiations on the charter with our eyes on the contents, not the horse-trading. Divorced from the emotional factors of mass action, the charter’s potential appears even more significant.

With hindsight, the mistake was to link the charter to bargaining over mass action — a one-day shutdown instead of several days of disruption. Business was able to justify taking a stand on political principles by viewing this as an act of self-interest, labour was willing to stomach a deal with the bosses only because it put further pressure on the government.

From businesses’ perspective, the question is: Do we have a responsibility to push the political players toward a settlement and, if so, how?

Most companies acknowledge that we do bear such a responsibility. The reasoning is straightforward. Our job is to create wealth. A negotiated transition to democracy is the only hope for stability and peace which, in turn, are prerequisites for economic growth. The draft charter is a well-reasoned, non-partisan expression of that commitment.

The process of approving the charter would, in itself, foster widespread discussion on ways in which all of us can contribute to creating a climate of peace, democracy and growth. Each business could conduct a virtual referendum among employees on whether the charter merits support. All signatories could commit themselves to finding ways to give practical effect to the charter in their community. Rather than limiting the charter to Cosatu and Sacco, more businesses and labour organisations could be included, such as Nafoc, Uwusa and Nactu.

Remember the major provisions — and the opportunities they create:

- Ending the violence: every business could establish a management-labour task force to identify ways to contribute to the peace process. Methods might include joining or forming local conflict-resolution bodies, helping to monitor violations or providing funds and logistical support for local peace initiatives.

- Combating poverty: joint management-labour task teams could find ways to address the problems cited in the charter in their own community, using the company’s expertise and resources. What contributions could be made in the form of job creation programmes? Training in the use of the company’s products? Hostel upgrading projects?

- Achieving a political transition to democracy: each business could hold small-group discussions on what democracy means, what rights and responsibilities are involved and how the transition would affect everyone in the business.

One objective of this exercise would be to begin to establish the mutual interest, shared by both management and labour, in achieving peace and prosperity — and restore ownership of the word “democracy” to civil society, where it belongs.

It would be silly to suggest that the traditional labour-management conflict over dividing the wealth created pie will vanish through such a joint campaign. But it is not unreasonable to believe that civil society can agree on the basic principles needed to create a climate in which the wealth pie can grow.

The Charter for Peace and Democracy offers a chance for us to contribute directly and practically to that growth.

LEON COHEN is Chief Executive of PF Bison Ltd, a group of manufacturing and distribution companies in the board industry.
Metal unions, Seifsa to resume talks today

SEIFSA, NUMSA and two other metal unions will meet this morning to continue their informal talks focusing on issues such as job security, wages and workers' rights.

The talks, which have been described as exploratory, began on Saturday. NUMSA spokesman Berne Fanaroiff said Saturday's talks were useful but failed to produce anything worth taking back to the constituencies. Today's meeting would, therefore, attempt to develop areas which the parties could put to their constituencies.

Fanaroiff said the union was "not unhappy" about Friday's Supreme Court ruling that Seifsa was entitled to represent metal employers.

Industry sources have said a judgment against Seifsa would have strengthened the hands of several major employers who were opposed to collective bargaining.

Fanaroiff also expressed concern about tomorrow's hearing of Seifsa's application for an urgent interdict to stop NUMSA's three-week-old strike by declaring its strike ballot invalid.

He said Seifsa's attempt to break the strike by resorting to the law was bad for collective bargaining.

Seifsa has said it was seeking the interdict on the grounds that NUMSA's strike ballot procedures were irregular and that NUMSA refused to release details of the ballot results to Seifsa before embarking on strike action.

Hundreds of workers have been dismissed as a result of the strike.

Sapa reports that Anglo spokesman Glenn Finnegan confirmed that Beart Hardmetals had dismissed 600 workers. But the company had offered to reinstate them, he said.

Cosatu has threatened industrial action unless demands of health and steel sector strikers are met.

It also threatened a general strike unless employers reinstated workers they had dismissed in the wake of this month's two-day mass action strike.

Cosatu said if Seifsa failed to resolve the strike, it would have no choice but to "declare this strike a Cosatu strike".

In another development, NUMSA and car manufacturers signed a wage and job security agreement in Port Elizabeth on Friday.

"The agreement was signed by NUMSA, the Yster-en Staalwerkers Ueone and six car manufacturers."
Unions needed for workers

A must for unionists

Book rejects notion of participative management:

Title: Conflict and co-operation
Author: Judy Maller
Reviewer: Mokgadi Pela

LABOUR activists will agree that this book comes at a time when enterprises are trying to promote co-operation rather than conflict between management and workers. However, the study presents compelling evidence that strong independent trade unions are needed to defend members' interests and democratise the workplace.
Eskom plans on hold pending union talks

Eskom has put restructuring plans affecting thousands of workers on hold pending talks with its unions.

An Eskom spokesman said yesterday that proposed restructuring would affect all nine business groups and functions.

Eskom and the unions — which include Numsa and the NUM — were developing new “participative mechanisms” for handling issues affecting workers.

Media reports on the proposed restructuring had pre-empted talks with the unions and Eskom had agreed not to proceed with new restructuring plans until the new processes were initiated.

“Recommendations arising from studies conducted since the beginning of this year have indicated the need for changes in departmental structures and skills distribution. These include the establishment of an on-site engineering department at each power station in the generation group and the retention of a small core of specialists to act as consultants to the power station teams. This particular aspect will now also not be proceeded with until further discussions with the trade unions.

“The work being done on consultative processes launches a new era of working relations between Eskom and organised labour,” the spokesman said.

The restructuring of the generation group was expected to affect hundreds of staff members, either through staff reduction or transfers.”
Labour dispute

Judge rules Numsa strike was illegal

Provisions of Labour Relations Act were contravened during strike ballot:

Sowetan Correspondent

THE countrywide strike involving workers in the iron, steel and metallurgical industry - affecting some 800 major companies - is illegal, the Pretoria Supreme Court has ruled.

Mr Justice Myburgh said on Tuesday that he was "satisfied it had been proved that a number of material irregularities occurred during the strike ballot" called by the National Union of Metalworkers of South Africa.

He also found certain provisions of the Labour Relations Act were contravened during the ballot held in May.

The judgment followed an application by the Steel and Engineering Industries Federation of South Africa and 16 affiliated employer organisations to obtain an interim interdict against Numsa to prevent its members from continuing the strike.

The strike, considered the biggest industrial action since the 1987 mineworkers' dispute, began on August 3 after a strike ballot was called when negotiations on wages, working conditions and a moratorium on retrenchments reached deadlock.

The employers had subsequently considered the union's revised demand for a 16 percent wage increase, found it unacceptable and urged Numsa to accept their final offer of 8.6 percent.

The judge granted a temporary interdict prohibiting Numsa and members to continue with the strike, pending the finalisation of the application.

Argument by Mr HJ Gauntlett, SC, acting for Seisfa, that a final order be granted by the court was opposed by Mr M Wallis, SC, for Numsa.

The judge found that as Seisfa initially launched the application asking for interim relief, and in view of the fact that Numsa compiled its court papers to contend with such an order, he could not grant a final interdict

Numsa was ordered to file further papers on October 6 and Seisfa to reply by October 27.

The judge accepted argument by Gauntlett that participation in the ballot by non-Numsa members had caused more votes to be passed than the number of members entitled to vote.

He also said "unfortunately Numsa is unable to give an exact number of its members" although it was required by law for a union to keep a register of such members.

He found prima facie evidence that further irregularities had also occurred - there was no proper control over unused ballots, in a number of cases ballots were not secret and ballot boxes were not properly sealed.

The union puts the number of workers out on strike at about 100 000 while Seisfa estimates that only 60 000 are involved.

Numsa senior spokesman Dr Bernie Fanaroff said the union would report back to members and evaluate the strike at a meeting to be held today.
Mass dismissals of unions as court forges strike
Union suspends strike and tables new demands

Elements in Nactu accused of destabilisation

By Ike Motsapi

THE Metal and Electrical Workers Union of South Africa yesterday suspended strike action and tabled new demands to meet employers with an amended wage demand.

Mr Tommy Oliphant, general secretary of Mowusa, said the decision to suspend the strike was taken at the union's national executive committee meeting on August 15.

Oliphant said "Mowusa representatives met with officials of the Steel and Engineering Industries Federation of South Africa on August 17 to discuss a 12 percent salary increase on actual wage rates, job security, overtime and holiday bonus.

"It is our view that our amended wage offer from 20 percent to 12 percent is very reasonable and we believe the employers should consider it very seriously."

The Food Beverage Workers Union of South Africa has accused "certain elements in the leadership of the National Council of Trade Unions of subjecting it to unwarranted, unjust and politically motivated strain.

In a statement signed by Mr Goba Ndlovu, deputy general secretary, FBWU asked this question: "Why is this being done? Just Why?"

Ndlovu said FBWU was in possession of proof that the Nactu secretariat was applying pressure on the Department of Manpower to have the union dealt with under Section 12 of the Labour Relations Act of 1956, as amended.

Ndlovu said "A whole trade union secretariat is seeking to destabilise and therefore destroy its affiliate.

"Instead of seeking to build bigger and stronger affiliates, this arm of Nactu is all out to destroy it," Ndlovu added.

Mr Cunningham Ngunu, general secretary of Nactu, promised to reply to the allegations.

In another development, the Hotel, Liquor, Catering, Commercial and Allied Workers Union of South Africa has blamed Ngcukana as the person responsible for encouraging the split in the union.

Mr Welcome Mbolo, general secretary of Hotelcoca, said in a statement that other Nactu affiliates are also experiencing a similar destabilisation by Nactu's secretariat.
Warning as metal industry strike ends

By Thabo Lešhilo and Sapa

Metalworkers returned to work yesterday after a three-week strike costing the industry an estimated R880 million in lost production and workers R110 million in wages.

However, the National Union of Metalworkers (Numsa) warned that the dispute was far from over.

By returning to work, workers did not imply that they now accepted the employers' 8.6 percent final wage increase offer, said Numsa spokesman Dr Berno Fanaroof.

The union called off the strike on Thursday after the Pretoria Supreme Court found prima facie evidence of irregularities in the Numsa strike ballot.

The Steel and Engineering Industries Federation of SA (Seifsa) yesterday said most of the 60,000 strikers returned to work yesterday, although some employers had postponed the return to allow them to give notice to temporary workers.

Numsa claimed that 100,000 workers supported the strike.

Seifsa executive director Brian Angus said many affiliated companies had reported satisfactory attendance yesterday.

He said Seifsa could not prescribe to its members on reinstatement of workers.

"Where discussions occurred these had been undertaken by companies as a last resort to protect their business operations."

Dr Fanaroof alleged that many employers had taken a "hard-line" position with workers and some had already been dismissed. In some instances, employers were compelling workers to sign new conditions of employment.

He appealed to Seifsa to re-open negotiations over the union's revised 16 percent wage demand and conditions of employment. He expected the parties to meet today.

About 4,500 members of the Metal and Electrical Workers' Union of South Africa (Mewusa) continued with a 2½-week pay strike yesterday, general-secretary Zinhlele Cindi said.

The union would also meet Seifsa today to discuss a revised 12 percent wage demand, he said.

Mr Cindi said the Mewusa strike was legal, making it difficult for employers to thwart the action over wages, shortened overtime and job grading.

Mr Cindi said his union had modified its wage demands to be consistent with agreements in other industries.

"It's pointless trying to hang our heads at 20 percent, given the state of the economy."
Seifsa invites Numsa to talks

TRADE unions in dispute over metal industry pay talks have been urged to attend a joint national industry council meeting, Seifsa executive director Brian Angus said yesterday.

He was commenting on Seifsa's response to attempts by the National Union of Metalworkers of SA (Numsa) to reopen deadlocked negotiations which sparked a recently-ended four-week strike.

Seifsa's proposal for a "meeting to discuss the current dispute" was communicated to Numsa and the Metal and Electrical Workers' Union of SA (Mewusa) yesterday.

Numsa national secretary for collective bargaining Les Kettleben said the union still had to study the Seifsa proposal. The union had indicated to Seifsa that dismissals resulting from the strike would have a serious impact on the industry's stability.

Angus said the latest proposal did not imply a resumption of negotiations with Numsa. "It would involve all trade union parties meeting under the auspices of the industrial council, rather than separate meetings."

Numsa recommended a return-to-work plan on Monday, without according to Seifsa's 8.5% pay offer. Numsa is demanding a 16% increase, a moratorium on retrenchments, and improved workers' rights. — Sapa
Bid to settle metal dispute

By Thabo Leshilo
Labour Reporter

The Steel and Engineering Industries Federation of SA (Seifsa) yesterday invited unions in the metal industry to meet under the auspices of the industrial council in a bid to settle the dispute over pay and conditions of employment.

The move comes after Seifsa called off further negotiations during the four-week-old strike which cost employers R880 million in lost production and workers R118 million in wages.

Most of the strikers returned to work on Monday after the strike by National Union of Metalworkers of SA (Numsa) members was found to be unlawful by the Pretoria Supreme Court.

Numsa national secretary Les Kettle said the union would consider the invitation, and that the Metal and Electrical Workers' Union of SA (Mewusa) had agreed to attend.

About 4,500 Mewusa workers are still out on a legal strike over pay, shortened overtime and job grading. The strike is now two weeks old.

Numsa and Mewusa have dropped their wage increase demands of 20 and 25 percent respectively, to 13 and 16 percent.

Seifsa's final wage offer was 8.6 percent.

Annual wage negotiations between the parties began in March under the auspices of the National Industrial Council for the iron, steel, engineering and metallurgical industries.

The unions declared a dispute on May 15 and Numsa members started striking on July 1 at certain companies while the rest — estimated by Seifsa at between 60,000 and 80,000 — joined the action on August 3 to coincide with the ANC alliance's two-day strike.

• About 200 members of the Cosatu-affiliated Construction and Allied Workers' Union in Vereeniging have been on strike for two weeks demanding a R1,20-an-hour increase.

• The Congress of SA Trade Unions has welcomed the decision by the Department of Education and Training to recognise the SA Democratic Teachers' Union, saying the DET had accepted that teachers also had rights as workers.
Seifisa invites Numsa to ‘talks’

TRADE unions in dispute over metal industry pay talks have been urged to attend a joint national industry council meeting, Seifisa executive director Brian Angus said yesterday.

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Numsa recommended a return-to-work on Monday, without acceding to Seifisa’s 8.6% pay offer. Numsa is demanding a 16% increase, a moratorium on retrenchments and improved workers’ rights. — Sapa
Mewusa strike likely to be called off

The four-week-old strike by more than 15,000 members of the Metal and Electrical Workers Union of South Africa (Mewusa) could be called off today.

This was said yesterday by Mr. Tommy Oliphant, general-secretary of Mewusa, who added the union was "expecting to make substantial progress" at a meeting to be held today with the employers in the metal industry.

Mewusa initially called for an urgent meeting between itself and the Steel Engineering Industries Federation of South Africa (Seifsa) to discuss the impasse in the metal industry.

Progress expected to be made at meeting with employers in the metal industry:

Seifsa, however, invited all parties in the metal industry to the talks that are aimed at resolving the dispute.

The National Union of Metalworkers of South Africa (Numsa) and the other unions in the metal industry will attend the meeting which starts at 10:30am at the Protea Gardens Hotel in Johannesburg.

Mewusa members went on an unofficial strike over wages on August 3. The strike became legal on August 24, according to Mr. Zuthulele Cindi, education officer of Mewusa.

Mewusa demanded a 20 percent wage increase while Seifsa offered 8.06 percent. The union has dropped its demand to 12 percent.
Godsell finds hope in streets of despair

CAPE TOWN — There were significant avenues of hope in the streets of despair, Anglo American executive director Bobby Godsell told the annual MBA dinner of Cape Town University's Graduate School of Business last night.

While crime was high, the recession deep and the political conflict ravaging, it was also true that racial desegregation had proceeded "at a bewildering pace and with stunning success." Collective bargaining had resulted in agreement — recently in highly responsible agreements, for instance in the gold mining industry where basic increases were under inflation.

Government had abandoned its mismanagement of the economy and Finance Minister Derek Keys had acted "courageously," he said.
The giants prepare for battle.

Employee mutual. Those who did...
A stitch in time to save textile sector

Weekly Mail Reporter

THE major players in the clothing and textile industries have established the first industry-based tripartite negotiating forum. The task of the Textile and Clothing Panel and Task Group — appointed by Trade and Industry director general Stiep Naude this week — will be to advise the government on long-term strategy for the two industries.

The 30 panel members are drawn from government, the textile, clothing and furniture industries as well as raw material suppliers and distributors. Also represented are delegates of the South African Clothing and Textile Workers' Union (Sactwu) — the industries' biggest union. Richard Hatty — who chaired a commission into the industries — has been appointed as an additional member.

Because the panel was seen to be unwieldy for the formulation of policy, a smaller task group was also appointed with four members each from labour, business and the government. Both the panel and the task group will be chaired by Board of Tariffs and Trade chairman Nic Swart.

Union and business participants have great expectations that the forum will provide a lifeline to the troubled industry as well as give flesh to job-creation strategies due to be discussed at the National Economic Negotiating Forum.

Naude warns, however, that in the process of creating a "viable and competitive" industry, some sectors may have to be axed "It's not feasible to conserve all sections of the industries concerned," he told The Weekly Mail.

Textile and clothing have been earmarked as a future growth point and may well receive favourable treatment under a new political dispensation: the World Bank has singled out the textile sector as labour-intensive, with low overheads and with considerable job-creation potential.
Steel talks drag on

STEEL and engineering industry talks dragged on this week, with the parties moving closer to each other but still unable to resolve the four-month-old dispute.

The National Union of Metalworkers of South Africa, for the third time revised its wage demand down to 9.5 percent. Sefikile, however, stuck to its 9.1 percent offer, which was accepted by other unions, including the Nactu-affiliated Metal and Electrical Workers of South Africa — which has moving in tandem with Numetal throughout the dispute.
Two sides to Lubners strike coin

By Thabo Lesilo
Labour Reporter

Prospects for a speedy end to the countrywide strike by 800 members of the SA Commercial, Catering and Allied Workers Union (Sacawu) at Lubners Furnitures seem bleak, union negotiating secretary Hilton Thulo said at the weekend.

The strike, affecting all 68 Lubners branches, started on July 10 after numerous meetings had failed to resolve the dispute.

The union and the company have blamed each other for the prolonged dispute over wages, bonuses and education assistance for workers.

According to Mr Thulo, the company has adopted "an intransigent position."

The union, he said, was willing to further negotiate the dispute subject to the company agreeing that settlement be extended to all union members.

Also, Lubners should not intimidate, harass, transfer or take disciplinary action against the strikers.

"The company rejected both demands. It also indicated that it would make deductions from members' annual bonuses proportional to the days spent out on strike," Mr Thulo alleged.

Lubners personnel director Johan van Niekerk disputed Sacawu's version.

He said Lubners had a problem with Sacawu's demand that no disciplinary action be taken against its members for "unfair and unlawful conduct."

The company, he noted, had obtained an interim court interdict restraining the strikers from intimidating customers and non-striking employees.

"Members of Sacawu nevertheless continued to intimidate customers and other members of staff," said Mr van Niekerk.

A major strike is looming in the catering, retail and distribution industries after Sacawu, a powerful Cosatu affiliate, declared a dispute with employers last week.
Parties deny health talks impasse

THE Transvaal Provincial Administration, Congress of South Africa Trade Unions and the National Education, Health and Allied Workers Union last night denied negotiations on the recent health workers' strike had broken down. Instead, they announced they had held another meeting under the chairmanship of Wits/Vaal Regional Peace Committee chairman Andre Lamprecht "in an effort to resolve the dispute".

"A further meeting is scheduled towards the end of the week when the parties will seek to finally resolve the dispute," they said in a joint statement issued through Lamprecht by the national peace committee.

An estimated 7,000 health workers in the province were dismissed and replaced in the wake of the weeks' long hospitals strike.

"There have been reports in the media to the effect that the negotiations have broken down," the statement added. "Both parties wish to stress that this is not so. The chairman confirms that the negotiations are continuing.

Nethwa and the NPA noted with regret "that certain (unspecified) incidents have taken place and statements have been made which have bedevilled the sensitive process."

"Both parties call on everyone to desist from actions or statements that contribute to heighten conflict and undermine the negotiation process." — Sapa
Union irked by employer snub

THE SA Commercial, Catering and Allied Workers' Union (Saccawu) threatened a "major showdown" with commercial employers after only 15 out of 200 employers arrived at a dispute meeting called by the union yesterday.

All major employers in the industry, with the exception of CNA-Gallo, ignored the union's request to attend the meeting to respond to the union's demand for a national industrial council.

Saccawu general secretary Papa Kganare said their absence was "clearly co-ordinated". He said it would be unfortunate if the only avenue that employers left the union was confrontation.

Saccawu wants a national industrial council for the industry, with subsectors for the liquor and catering trade, restaurants, smaller shops and the big retail stores.

The union feels issues like minimum wages and conditions of employment, job creation, flexibility of labour, casualization, sub-contracting, food prices and industry training boards must be dealt with at industry level.

It has already held two meetings attended by about 80 employers, according to Saccawu — to try to get employers to accept the idea Saccawu declared a dispute when there was not a positive response.

Most employers feel Saccawu is trying to bludgeon them into an industrial council without taking account of the complexities of the industry, according to employer sources.

They said the fact that Saccawu was so hasty in declaring a dispute on the issue underlined employer fears that the union was working to its own agenda.

By declaring a dispute with all commercial employers, Saccawu was positioning itself for a national strike in the industry, they said.

But Kganare says Saccawu will be responding to every company who has taken a position on the issue to try and find ground for consensus.

In the meantime, the union will report back to its members to consolidate them for any actions which we might be forced to take.

Saccawu has about 30,000 members out of a potential 200,000 in the industry.
NUMSA has rejected a 9.1% wage offer linked to a proposed measure protecting employers from compulsory company-level bargaining.

This is the latest impasse in reaching a settlement to the four-month dispute between NUMSA and the metal industry.

However, Series 3 is in a statement unions affiliated to the Confederation of Metal and Building Union, the Mineworkers' Union and the Yster, Staal en Verwante Nywerhede Unie had accepted the revised employer offer of 9.1%.

The Metal and Electrical Workers Union of SA and the Steel, Engineering and Allied Workers Union of SA agreed to recommend acceptance of the offer to their members.

NUMSA tabled a lowered demand of 9.5% or 60c on scheduled rates, depending which was higher — Sapa.
Mykonos

‘Club sold sea plot

City tourism set to rocket

Staff Reporter

CAPE TOWN is set for a tourist boom this Christmas — an influx of 20% more November visitors than last year has been reported and city hotels and businessmen expect a bumper season.

According to Captour, Cape Town is now the official No 1 tourist destination in South Africa.

Hotel managers say they are expecting a record season and most hotels are already 65% full.

And mayor Mr Frank van der Velde echoed the optimism yesterday, saying “there are positive indications that we are going to have a bumper season.”

Captour’s official tourist welcoming campaign starts at DF Malan Airport today when nine mayors from the greater Cape Town area, including Mr Van der Velde, will welcome visitors from its incoming flights from Johannesburg.

Ms Lauren de Wet of Captour told the Cape Times Captour expects a 35% increase in tourism this year.

She said that with TransNamib schools closing today and the influx of visitors should arrive this weekend.

Bay Hotel manager Mr Roy Davies said “this looks to be a good season — despite the normal fall from the end of November till mid-December, when we fill up”.

The manager of the Ritz Protea Hotel, Mr Shawn Ritchie, said he was 100% full for November and hopes to be fully booked again by mid-December.

Mr Ian Williams, manager of the Van Riebeek Hotel in Gordon’s Bay, said last night he is “looking to a good season” as his hotel is fully booked from next week to New Year.

Muizenberg’s Green Hotel manager, Mr Dale Spitz, said he is fully booked from December 18 and expects more bookings this week.

Tourists mentioned at the Waterfront
Sappi strike ballot on hold

DURBAN -

MOVES to ballot 6 000 union members at Sappi for a national strike have been put on hold after the company requested a new meeting with the Paper, Print and Allied Workers Union (Ppwawu).

A Sappi spokesman confirmed there would be a meeting with the union but said the company did not want to discuss the dispute in the media.

Ppwawu national organiser Dixon Motha said the union had declared two disputes with Sappi. Workers would be balloted separately on the issues of retrenchments and provident fund contributions.

Ppwawu wants 2 800 workers who were retrenched earlier this year reinstated, and a year-long moratorium on further retrenchments. It also wants Sappi to pay 9.5% into its provident fund as opposed to Sappi's 9% offer.

The union has 6 000 members in Sappi out of a total workforce of about 19 000.
No text available.
Hospital strike settlement imminent

By Mike Siluma

A settlement in the four-month-long hospital strike may be announced today after protracted negotiations between the Transvaal Provincial Administration and the National Education, Health and Allied Workers' Union (Nehawu).

A union source said yesterday that a working committee comprising TPA and Nehawu representatives and their lawyers was likely to make public its decision today.

Negotiations were "at a critical stage".

The talks are chaired by Witwatersrand-Vaal Dispute Resolution Committee chairman Andre Lamprecht.

The proposed agreement centres on the reinstatement of the nearly 7,000 Nehawu members dismissed three months ago in a dispute over pay and working conditions at TPA-administered hospitals, including Baragwanath, Hillbrow and Natalspruit.

Parties to the dispute were reluctant to divulge other details of the proposed agreement.

But Mr Lamprecht confirmed that, after talks which continued at the weekend, everything was "on course".

So far, more than 12 people, including non-strikers and their family members, as well as union members, have been killed in strike-related violence.

Several have been injured.

At least five TPA clinics in Soweto have been fire-bombed and, in some cases, extensively damaged in attacks linked to the strike.
End to hospital strike closer after agreement

By Wilson Zwane

SHEP, Cosatu and the National Education, Health and Allied Workers' Union (Nehawu) have reached an agreement on resolving the 14-week hospital strike.

Nehawu said in a statement details of the agreement would be released to the media at the end of the week, after the parties had discussed them with their respective constituencies.

The TPA director-general Andre Cornelissen confirmed that an understanding had been reached, but would not elaborate.

André Lamprecht, chairman of the negotiations between the TPA, Cosatu and Nehawu, said that barring "unforeseen" occurrences, agreement would be reached this week.

Lamprecht cautioned against speculating about the nature of the agreement, saying "parties want nothing to jeopardise the settlement at this late stage."

But it is believed that the agreement will lead to the reinstatement of 7,000 hospital workers, which the TPA dismissed for striking.

Nehawu has repeatedly said it would call off the strike if all dismissed workers were reinstated.

The TPA has, until recently, been adamant it would not give in to the union's demands.

The protracted strike was sparked by the TPA's refusal to meet Nehawu's demands which included better working conditions, permanent worker status and a minimum monthly wage of R725.

The strike has led to widespread intimidation, which has claimed more than 10 lives.

The latest victim was a Nataalpruit Hospital employee, who was gunned down last week as he was leaving the hospital.

Nehawu has distanced itself from acts of intimidation against non-striking workers, saying these were contrary to its policy.

In another development, Nehawu said yesterday unilateral cutbacks in Cape Provincial Administration (CPA) health spending would be met by mass action.

Sapa reports from Cape Town that Nehawu regional chairman Wilfred Aleck appealed to the CPA to implement an immediate moratorium on unilateral restructuring and demanded consultation with the union and community-based organisations.

The CPA was reported to be considering drastic spending cuts to cater for projected overspending of R100m to R200m.

If the CPA did not respond to Nehawu's demands, the union would rally support from political and community organisations and all Cosatu affiliates.
Hospital dispute
nears end
231977
By Thabo Leshilo
Labour Reporter

The much-awaited agreement ending the bloody four-month dispute at Transvaal hospitals — brokered by the Wits/Vaal Dispute Resolution Committee — would only be published at the end of the week, the parties said yesterday.

National Education, Health and Allied Workers' Union (Nehawu) assistant general-secretary Neal Thobejane said "The parties have reached an agreement on the finer details of which are not finalised."

He said the "in principle" understanding between Nehawu and the Transvaal Provincial Administration did not mean the parties were capitulating to the other's demands.

TPA director-general Andre Cornelissen said he was "in full agreement with the spirit and content" of Mr Thobejane's statement.

More than 12 people have been killed and scores injured in strike-related violence.
Numsa’s appeal to fight dismissals

Call for workers to fight Cobra dismissal

■ Management accuses union of double agenda for own gain:

By Ike Motsapi

THE National Union of Metalworkers of South Africa has appealed to workers employed by companies which have links with Cobra Watertech not to handle its products because it fired 800 employees last month.

In a statement to Sowetan Numsa denied the affected workers were unfairly dismissed while negotiating for better wages with the company on August 21.

“We appeal to workers not to handle Cobra Watertech products or to deliver raw material to Cobra. By refusing they can put pressure on their management not to place orders with that company,” the statement said.

The managing director of Cobra Watertech, Mr Tobbe Boynton-Lee, confirmed the dismissals. He said this was as a result of Numsa’s intention not to settle during July when wage negotiations were in process.

Boynton-Lee said “We still believe that our offer was far better than the one given by Seifsa. However, there was a second agenda from the union’s side.

“They wanted to declare a dispute with my company so they could take us to the Industrial Court. The reason for this was that they wanted to link the strike to the national strike planned for August 3 and 4 by Cosatu.

“We took them to court for unfair bargaining and this entitled us to a lock-out.

“When they balloted for the strike action we used our rights to lock them out.

“My company went to great lengths to make the union aware that it was playing with people’s jobs by trying to link the strike with the national general strike.

“However, it was a case of individuals who played a political game for their own needs. I must say that we still want our workers back,” Boynton-Lee said.

Management told the union it was prepared to re-employ some workers on “a selective basis” but insisted they should reapply for new posts within the company.
Employer clause on agenda at engineering wage talks

ENGINEERING industry pay talks have moved into a delicate phase, with all parties due to meet today to fine-tune a clause protecting employers against compulsory plant-level wage bargaining.

Seisa executive director Brian Angus said yesterday he was "guardedly optimistic about a settlement".

He declined to disclose the results of a special industry council meeting held on Wednesday.

Seisa has made its revised wage offer of a 5.1% increase on actual earnings conditional on union acceptance of a clause that protects employers against compulsory company-level bargaining.

"Angus said Numsa would be at Friday's meeting which, according to Metal and Electrical Workers' Union of SA spokesman Sithole Cindi, would finalise details of the clause on wage bargaining levels.

Numsa last week slammed talks on the clause which aims to stop unions from forcing employers into paying higher rates than agreed at national negotiations.

Cindi said his union accepted Seisa's offer in principle, but had reservations about the rider limiting union rights on wage bargaining.

"Where workers already have the right to factory-level bargaining, this should remain. The clause must not be permanent."

Motivating Numse's opposition to the clause, Numse chief negotiator Les Kettle-
das last week said it protected employers only, with no reciprocal security for work-
ers against arbitrary changes to service conditions. He said the union also insisted that a settlement depended on the reinstatement of about 3,000 Numse members fired during the August strike.

Angus earlier indicated the clause could be reviewed at a later stage.

Seisa's final offer has been accepted by unions affiliated to the Confederation of Miners and Building Unions, the Mine Workers' Union and the Iron and Steel Workers' Union - Sapa.
Accord was sabotaged by the Govt

Agreement between Cosatu and Saccola to limit the August 3 and 4 stayaway called by ANC alliance:

THE Government had deliberately set out to undermine attempts by Cosatu and Saccola to reach an accord which would have limited the August 3 and 4 stayaway, according to political scientist Professor Herbert Adam.

The accord would have almost been an economicCODESA, laying the ground for economic co-operation in line with the move from an adversarial to a more social democratic direction in labour relations, Adam says.

The Government could not have allowed the proposed accord to succeed as this would have seen the political initiative passing from political organisations to trade unions and a loosely organised employer group, Adam is quoted as saying in the latest edition of SA Labour News.

Instead, Government strategists had argued that allowing the envisaged stayaway to go ahead would see the African National Congress overplay its hand and enhance a process of disillusionment with mass action.

Speaking at a seminar organised by the Industrial Relations Practitioners' Association of South Africa, Adam said it had been a realistic view of Cosatu (Congress of South African Trade Unions) and Saccola (SA Consultative Committee on Labour Affairs) to think the Government would allow the political initiative to pass out of its hands that way, which was one of the fallacies underlying the failure of the accord.

An underlying problem, he said, was that the accord was opposed by a strong element within the Cosatu leadership, backed by a grassroots constituency which had militant positions well beyond the "hand-shaking" negotiators.

Adam said it was also prescient of the parties to think that they could deliver the public sector as a participant in a symbolic action against the Government when the public sector was heavily representative of "the type of people who sang De Smet and waved South African flags at rugby internationals".

The opposition to the accord within Cosatu stood on four legs:

- It would demobilise an already mobilised constituency and remove power from the grassroots;
- It was an elite deal between leaders of each group;
- It was silent on crucial issues such as retrenchment, farmworkers and the public sector; and
- It would have been a move towards social democracy which was seen as modifying capitalism to make it more acceptable, while the real task was to abolish capitalism altogether.

These elements argued that the task was to remove the de Klerk regime not to share power with it.

Adam said the accord had been conceived in a situation where threatened mass action had forced employers to enter the political arena again in a pro-active role and with Cosatu strategists hoping to drive a wedge between employers and Government, with business joining labour in expressing concern about the future of the country.

But this ignored a basic reality, which was that mass action was devised to force employers to intervene with the Government, rather than a threat which would induce their intervention.

At the same time, calling it off would have been viewed as a sell-out by grassroots elements. - Sapa
ESKOM and the 10 unions operating in the company concluded their wage negotiations this week — agreeing on a 14 percent wage increase. Monthly paid workers will get a seven-day paid leave bonus while those in the lower grades will get a five-day leave bonus.

To avoid a repeat of the somewhat unwieldy negotiating process next year, the National Union of Mineworkers, the National Union of Metalworkers of South Africa, and the Independent Electrical Workers' Union are to enter into discussions on a possible merger of the company.  

[Signature] 25/9 - 11/8/87
Scabs lose out in health pact

SCAB labourers who replaced fired hospital strikers were the losers in this week's agreement between workers and health authorities. Most of them will have to leave their new-found jobs to make way for the 5,000 strikers reinstated this week. About 2,700 other strikers will not be reinstated. Wits/Vaal Local Dispute Resolution Committee chairman Andre Lamprecht said at the signing of the agreement yesterday that most of the scab workers would lose their jobs.

A six-month truce was agreed on to allow the delicate agreement time to mature. Negotiators yesterday took pains to stress the accord was still in

TO PAGE 2.

Accord

FROM PAGE 1.

its infancy, but expressed hope that it would last a long time.

National Education, Health and Allied Workers' Union (Nehawu) assistant general-secretary Neal Thobejane said members were committed to the agreement.

Nehawu agreed to a six-month moratorium on strike action.

A new code of conduct in the accord provided for compulsory arbitration between the Transvaal Provincial Adminis-
Agreement ends costly strike

By THEMBA KHUMALO

THE reinstatement of 5,000 Transvaal hospital workers should end the massive destruction of property and lives which characterised the three-month strike.

More than 20 people died, dozens were injured and several houses were burnt during the strike.

Spearheaded by the National Education, Health and Allied Workers’ Union, the strike ended on Friday morning after TPA and Nehawu officials signed an agreement.

The agreement, brokered by the PWV dispute resolution committee, was sealed at the offices of a multi-national company in Sandton.

However, the axe is hovering over the heads of about 2,000 strikers who are guilty of various offences related to the strike. Their fate would be decided by arbitration, the agreement said.

Also in the danger zone are old workers who are due for pension. Matters came to a head in August when the TPA fired about 7,500 strikers after they had defied an ultimatum to return to work. The strike was marked by attacks on scabs and non-strikers.

GaRankuwa Hospital in Pretoria became particularly notorious for such attacks and several people caring for patients were facing various charges in this regard.

The strike plunged Transvaal hospitals into serious crisis. Three weeks ago a group of doctors, radiographers and nurses came out in the open about declining healthcare standards.

They said Baragwanath Hospital was hardest hit as critical patients were turned away because there was a man-power shortage.

At least five Soweto clinics and one in Daveyton on the East Rand were temporarily closed after they were set on fire two weeks ago.

Health services were disrupted sporadically with nurses and doctors mounting protest marches to demand the reinstatement of the dismissed workers.

The TPA/Nehawu agreement was welcomed by various trade unions, political bodies and healthcare organisations. A Cosatu spokesman hailed the pact as a “victory for the workers”.

The agreement also brings to an end the collection of donations from passing motorists by destitute Nehawu workers along Potchefstroom Road.
A METAL industry wage settlement hung on the Natal employers' request for lower increases and union demands that dismissed strikers be reinstated, Steel and Engineering Industries Federation of South Africa executive director, Mr Brian Angus, said on Friday.

A committee met Friday to finalise items which are preventing national negotiations, started in March.

Two issues are unresolved. The Natal association wants a lower (7.3 percent) increase on actual wages. Sentra offered 9.1 percent; and new entrants to the industry be employable a 20 percent lower than scheduled rates. - Sapa
Effort to end retail dispute

EMPLOYERS are to push the South African Catering, Commercial and Allied Workers' Union to withdraw its industry-wide dispute at a series of meetings this week, as a condition for discussing the union's demands.

Saccawu declared the dispute three weeks ago after its drive for centralised bargaining had been frustrated by employer lack of interest.

There will now be three separate meetings in the commercial, catering and retail sectors where employers will re-open their rejection of the Saccawu dispute which they regard as "premature". Several employers have said they want Saccawu to withdraw the dispute before they can begin discussing the union's demands.

Several industry conferences called by the union have been boycotted by employers, with only a few turning up and all the big players staying away. The last meeting called by Saccawu — shortly after the declaration of the dispute — was attended by just 15 companies of a potential 200.

Besides the union's main demand of an industry bargaining forum, a retrenchment moratorium and an end to flexible working hours and to the use of casual labourers are also at issue.
Human chain marks protest against Sasol

KATHRYN STRACHAN

CHEMICAL Workers' Industrial Union (CWIU) members yesterday formed a human chain around Sasol's head office in Rosebank in protest against the oil giant's retrenchment programme.

The demonstration was part of the CWIU's "national day of protest" against the company. This included a march in Cape Town to Prices Candles, a Sasol subsidiary.

The union demanded that Sasol halt the "unilateral restructuring" which had led to job losses, withdraw all pending retrenchments and immediately reopen negotiations in "good faith", CWIU acting general secretary Muni Buhelezi said. It also demanded that Sasol withdraw all warnings issued to workers who took part in demonstrations, that it ask the Goldstone commission to probe alleged CCB activities at its Secunda complex, and that it agree to the principle of centralised bargaining.

Union delegates, with SACP secretary-general Chris Hani and Cosatu general secretary Jay Nannoo, met Sasol management yesterday in Rosebank.

Sasol yesterday urged the union to re-enter negotiations in good faith. "Sasol reports," Sasol media manager Lee-Ann Goodman said the protest stemmed from unfounded union allegations.

She denied new Sasol projects were intended to restructure the chemical industry, saying they were to ensure long-term growth. While retrenchment was sometimes unavoidable, 1 600 employees had accepted a voluntary package. Only 220 had been retrenched compulsorily, Goodman said.

Wages, she said, were totally market-related. "Last year Sasol paid out R1,6bn to its employees and only about R400m to shareholders."
SAAU acts after Cosatu talks stall

PRETORIA — The SA Agricultural Union has sent its own proposals to government after talks with Cosatu on the issue of labour legislation for farmworkers became bogged down.

SAAU deputy director, general affairs, Kobus Kleyhans said yesterday a document had been submitted to Manpower Minister Leon Wessels setting out provisions which should be included in a separate labour Act for the agricultural industry's 1.5-million workers.

Kleyhans said the document was aimed at facilitating the drawing up of legislation, which it was hoped would be submitted to Parliament during the 1993 session.

Discussions with Cosatu on the issue started in February this year but have remained deadlocked.

Cosatu spokesman Lisa Seftel said discussions with the SAAU would be resumed once basic conditions for farmworkers had been legislated.

Kleyhans said Cosatu was opposed to organised agriculture's view that farmworkers should be the subject of separate and specific legislation, and instead wanted them covered by the Labour Relations Act.

GERALD REILLY

Efforts by the SAAU to persuade Cosatu to return to negotiations had failed so far.

"So we decided, taking into account the urgency of the issue, to go it alone and make proposals to the Manpower Minister," Kleyhans said.

Seftel said that after five meetings over several months, the SAAU had not presented any concrete proposals to Cosatu and were more concerned with the principle than the content of future legislation.

Kleyhans said the aim of the recommendations made to Wessels was to incorporate in legislation maximum self-governance for farmers and their workers.

"We want to keep disputes and negotiations to settle them inside the farm gate, and we believe the vast majority of disputes are and can be settled in this way," he said.

Where a deadlock developed, mechanisms would be included in the legislation to resolve disputes outside the farm gate.

These mechanisms were still being formulated, Kleyhans said.

Wessels was not available for comment last night.
Union plans boycott

Union plans boycott is being contemplated against Lubners/ Melody Furnishers for failing to meet demands made by the SA Commercial, Catering and Allied workers Union (Saccawu)

However, the union would call off the strike if the company met its demands, Saccawu official Mr Hilton Tolo said this week.

The demands included setting up a single bargaining unit in the company and the withdrawal of all dismissals.

The union said workers had decided against an ultimatum to accept management's final offer by September 25 or be dismissed.

"The strikers have decided against this final offer," said Tolo.

He said it was clear management was not prepared to negotiate on workers' demands in good faith.

The union has decided to intensify its strike action against the company.

"Over the coming weekend, a national strike support committee would be launched with community groups," he said.

"It is likely that a national consumer boycott would be announced at this launch," he said.

He said the union would also occupy the company's head office and stores throughout the country.
Sasol to hold talks with unions

DIRK HARTFORD

SASOL has called an urgent meeting with all unions organising its employees to "discuss its long-term business vision" following a demonstration by 500 Chemical Workers' Industrial Union (CWIU) members outside its Rosebank head office this week.

Sasol said before discussions on its future take place, an agreed structure for talks would have to be negotiated between the parties.

Meanwhile Sasol has said it will not accede to CWIU demands to freeze retrenchments.

The company had retrenched 1,500 people on a voluntary basis, with an additional 141 compulsory retrenchments Sasol wanted a further 900 voluntary retrenchments.

Sasol had advised CWIU to proceed with its dispute over the retrenchments as it believed it had consulted sufficiently on the issue.

The union has demanded Sasol halt unilateral restructuring, which it claims is leading to job losses, and "open negotiations in good faith" on all issues affecting employees.
The conventional stance of employers and unions is usually head to head, with common ground being uncommonly scarce. And in such eyeball-to-eyeball situations, the real needs of both parties are often lost sight of. Since the early 80s, this has also been the case in the employee benefits arena.

A currently popular viewpoint, for instance, has favoured provident funds over pension funds. Major reasons for this are complexity of funding, inequities when workers leave the fund and general mistrust of an ‘employer-designed’ benefit system, foisted on employees with a suspicious taint of paternalism and a ‘take it or leave it’ lack of communication.

Myopia can be fatal

Faced with dissatisfaction, many employers have agreed to the provident fund the union wants. But often, this leaves many questions overlooked or unanswered.

For instance, what about the needs of non-unionised employees? Or shifts in union affiliation? How about open-ended commitments to re-negotiate contribution rates? Or the burning issue of trusteeship? Short-sightedness by either side regarding such issues is simply looking for trouble in the long term.

When negotiations become negative

At an even more basic level, there’s a general lack of vision about needs: the ‘true’ needs of the worker vis-à-vis the needs of the employer to attract, retain and motivate staff while containing costs...
Civic pride

Sir — The article by Michael Letellier headed “Music and the New Civic” (Timeout September 25) requires a response. Letellier’s opinion on the theatre and the opening performance is merely that it is not based on any understanding of the significance, extent or standard of the actual events leading up to or following the opening of the new (Johannesburg) Civic Theatre.

The comparison of the Dance Theatre of Harlem with Pact dancers smacks once again of provincialism and a misplaced sense of nationalism which we have witnessed over the past few months on the sport field, to our detriment and embarrassment. The significance of the Dance Theatre of Harlem visiting this country goes far beyond its actual appearance on the Civic Theatre stage, which, incidentally, was received with acclaim by public and dance critics alike.

If Letellier had any understanding of current events in the performing arts and the cultural arena he would understand what has actually been achieved. This included an outreach programme which ran for two weeks before the performance on stage and which reached a great number of people who, unlike Letellier, would not have the chance to experience the world-renowned company in action.

The first visitors to the civic were 8,000 schoolchildren and 700 pensioners who were delighted with what they saw and experienced and who did not complain about the seats which appear to be a little too hard for Letellier.

If the extent of the coverage of this event in the international media and the commentary on the importance of the Dance Theatre’s visit, in normalising cultural contact with SA are to be used as a measure, then it is of considerable historic significance.

The suggestion of privatising the Civic is as amazing as it is ludicrous, as any major public/ private management worldwide will confirm. It might not be so if more journalists would give credit to sponsors rather than studiously ignoring the contribution they are making.

In this case Nedbank had the vision to put its money where its mouth is.

Christopher Till, director culture, City of Johannesburg

Guarantees in Sea Point

Sir — As the promoters of presidential units in the Caribbean, Sea Point, we were naturally delighted by the interest shown by your publication in our product (Property September 25).

Needless to say, any new product must be critically assessed, particularly when the returns offered are high, as they are in this case. This investment stands or falls on the three crucial issues raised by the observers quoted in your article, namely the quality and value of the underlying property, the initial rentals and the projected growth of these elements.

Investors in presidential units have based their decision on our detailed information document which, in anticipation of these questions, informed them that the base property values and rentals used in the forecasts had been certified by qualified sworn independent valuers as being market-related. The technical growth projections were used by Erwin Rode, a property economist, who, as his base, uses the Macro Economic Forecasts of the Bureau of Economic Research at the University of Stellenbosch.

Our product was designed primarily for the capital growth-seeking investor and should be seen as complementary to, rather than in competition with, commercial syndications. Like commercial syndications, this product provides a mechanism for investors with limited capital to enjoy the same opportunities as have been enjoyed over the years by large investors.

However, to take account of the specific needs of our target market we have added a number of features such as bank guaranteed rentals, a buy-back trust fund and flexible end-sale options.

C P Glen, trustee, Two Oceans Trust, Cape Town

The true price of drugs

Sir — The article “Drug Prices — Fingerprinting the culprits” (Business & Technology July 24) claims that if large retailers could offer prescription dispensing services, it would mean “steep discounts to the public.” I contend that, if this were to happen, the best that the public could expect would be that they would be offered steep discounts off inflated prices.

The large retailers succeed in offering prices lower than small retailers only by forcing the manufacturers to raise their list prices so that they may offer the large retailer the discounts they demand. When one hears of the extended credit, the kickbacks, listing fees and other hidden factors large retailers demand and receive, one wonders just how much the cruel inflation of food prices has been caused by these friends of the consumer.

By spending huge sums of manufacturers’ money, paid for by the consumer, on advertising, large retailers create the perception in the minds of the masses that they are cheap places to shop. One only has to compare the prices of meat in supermarkets to those in the independent butchers to see the fallacy.

The main reason why allowing large retailers into the prescription medicine business would not be in the best interest of the public is that large retailers work on the principle of price promoting only where markup can be gained. When it comes to prescription medications, however, brand leaders make up a much smaller percentage of the range of drugs which should be stocked to offer a comprehensive dispensing service.

It is not outside the bounds of possibility that some large retailers could afford to run dispensaries at a loss until they put many small independent pharmacies out of business, and then push up prices and cut back on services. How many of us would rejoice at the corner grocer and other small service-intensive retailers being killed off by “price-cutting” juggernauts?

Lynn F Amblor (retired pharmacist), Musgrave, Durban

Too many inflation players

Sir — I found your article on the causes of excessive food price inflation interesting but I cannot help feel you were punshing a petty thief while a murderer was allowed to go free (Business & Technology September 25).

Profiteering and unnecessarily slow processing by supermarkets may well be contributing to the rise in the price of a basket of food, but this is inconsequential when compared with the disastrous consequences of state intervention. The recent financial statements of the five agricultural control boards clearly illustrate the level of bureaucratic wastage that is taking place. This cost is being passed on to the consumer on the shelf and in the tax basket.

The Meat Board’s statistics show that for the year 1990/1991, travel expenses for the chairman and board members increased by 53%, while entertainment expenses more than doubled. The Citrus Board registered a 47,8% increase in administrative expenses. Similar shocking figures are repeated in the statistics of the other control boards. The time has clearly come to adopt urgently the recommendations in the interim report of the Board on Tariffs & Trade — that agriculture should be deregulated and these boards done away with.

The problem does not only lie in their cost, but in the adverse effects they have on the entire food distribution chain. Tony Twine, of Economix, an economic consultancy, has pointed out that control boards increase the number of players attempting to optimise their positions, invariably adding to the cost of the chain. Hawkers, who have bypassed these boards by going directly to the farmers for their goods, have clearly shown the price saving to the consumer when bureaucracy is eliminated.

In addition, the fixing of prices of consumer goods runs contrary to the idea of an open market. Where prices are free to be dictated by market forces, goods are sold at levels consumers can readily afford, or they are not sold at all. Put differently, in a depressed economic environment, where the free market operates, those retailers who continued to price their goods at nonmarket-related levels would simply go out of business.

Russel Crystal, executive director, Southern African Branch, International Freedom Foundation, Johannesburg

The F M reserves the right to edit letters
in difficult times.

The conventional view of employers is that they provide employee benefits as a moral obligation. But the unions see these as part and parcel of annual wage negotiations, and negotiation rules out obligation. Either way, it’s clear that employee benefits can no longer be regarded as separate from the overall remuneration package. It is also self-evident that negotiations are a permanent feature of the employee benefits scene, even though they are often characterised by suspicion, hostility, posturing and emotional arguments on both sides.

Wanted: a different focus

The blind spot shared by both is that employee benefit negotiations are all too often conducted along traditional bargaining lines. This ‘win-lose’ approach can never be in both parties’ interests because there are too many unresolved issues at stake, and the end result will be, at best, an unsatisfactory compromise.

We at Old Mutual Employee Benefits believe that a new perception is required. And we are in a good position to see both sides of the picture. Our long experience in dealing with negotiated benefits has shown that an essentially needs-focused approach of convergent bargaining can lead to innovative solutions. Which in turn have resulted in ‘win-win’ situations for numerous clients: small and large, employers and unions.

The way we see it is: negotiations are inevitable; conflict need not be.

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Pyrrhic victory

Plans are on track for the reinstatement of 5,000 health workers dismissed during the National, Education & Health Workers' Union (Nehawu) hospital strike. Their return will take place on October 26 in terms of a milestone agreement between the TPA, Cosatu and Nehawu. The cases of the rest of those dismissed — about 2,700, who face various criminal charges — will go to arbitration.

But what happens to the 5,000-plus new workers taken on by the TPA to fill the vacancies? Not much has been said on this score. The TPA had yet to respond to inquiries as the FM went to press. As matters stand — and even if some of those dismissed do not reapply — the question seems fraught with difficulty and indicates a ballooning of the TPA's wage bill, without any gains in productivity.

The Nehawu-TPA agreement came after a month of intensive negotiation. The chairman was Andre Lambrecht, head of the Wits/Vaal Regional Peace Committee. His quiet mediators, which ended the messy four-month dispute on September 24, chalked up one of the Peace Accord's more visible success stories.

Lambrecht described the agreement as creating "an entirely new beginning for the relationship between the parties," changing it from one which had been often marked by antagonistic positions to one of problem solving and co-operation, based on their extensive new code of conduct.

The code provides for the return to work after due application by those dismissed and a moratorium on industrial action for six months. Employees not rehired because they face charges of violence or other misconduct during the strike can take their cases to arbitration.

The parties agreed on a programme of training about the code and its provisions. These include the regulation of disagreements. A committee chaired by Lambrecht will oversee implementation of the code, his regional peace committee will oversee the return to work.

Both parties condemn the violence and commit themselves to avoiding it in future. They also accept the principle of freedom of association.

The purpose of the code is to create a climate for formalising the relationship between the TPA and Nehawu. They agreed to recognise that, given the present public service structure, the TPA could deal only with matters within its jurisdiction. The process to legislate new arrangements for this sector has been set in motion; until then, the code will remain binding on both parties.

The union undertook to reopen the central negotiation forum set up for the public sector in 1990. It also recognises the right of TPA management to manage, which includes recruitment and placement, promotions, demotions, transfers, training, retrenchment and redundancy, discipline and dismissals, work classification, and so on.

The special nature of health care institutions was acknowledged, plus the fact that as essential service providers they can determine the life and death of patients. Hence the special arrangements provided for freedom of expression.

Demonstrations will be authorised only by the head of the institution affected subject to certain conditions that they:

- Shall not hinder or undermine the rendering of services,
- Concern only unresolved issues directly related to the work relationship and provided that no demonstrations are authorised once a dispute is referred to arbitration,
- Not infringe upon access to health institutions by the public and/or workers who are not part of the demonstration, or on the rights of patients,
- Be conducted peacefully and with due regard to the interests of patients, the proper functioning of health services and in particular the need to keep down noise, and
- Shop stewards shall control and monitor protests responsibly.

Any dispute arising out of the interpretation of the code will be resolved in terms of a special arbitration procedure.

The code provides a good foundation for a full recognition agreement, which will be finalised towards the end of next month, between the TPA and union.

Lambrecht also agreed to approach the SA Nursing Council and the Medical & Dental Council to persuade them not to take disciplinary action against certain strikers, in view of the new conciliatory approach between the parties.

Meanwhile a meeting has yet to be arranged between the union and the Commission for Administration, which determines public sector wages and conditions, to resolve the demands which led to the strike. These included a minimum wage and a 15.3% increase across-the-board, maternity leave, a 40-hour week, permanent status for workers classified as temporary employees and a dispute resolution mechanism.

Most of these are in effect accepted by the TPA, though it requires formal approval by the commission.

Though a good foundation has been laid to deal with health worker disputes, the union is not happy with draft legislation regarding conditions of employment in this sector.

In particular, it is opposed to the apparent requirement that would lump together the union with staff associations, which tend to be more conservative bodies. Nehawu also believes that their right to strike is fudged in the draft law as it stands.
Restructuring Funds Social Conflict
Try to say it with comics

Comic strips usually amuse and entertain, but, as more and more life assurance schemes are finding out in South Africa today, they can also educate.

Employee benefits are a complex issue at the best of times, but during negotiations between workers and employers, workers are often at a disadvantage because they do not know enough about insurance, pensions and other benefits.

To help them, Old Mutual has pioneered easy-to-read comic strips to explain these complex issues to workers. At least two are already in circulation. One has been produced for its employee benefits division and the other for Iscor.

They graphically explain the differences between, for example, pension funds and provident funds, why these are needed in today's society and what is done with the money in the fund to ensure that it grows and/or is used to back social programmes.

Explaining the move, Old Mutual's general manager in charge of employee benefits, Mr Garth Griffin, said negotiations about employee benefits were usually highly emotional, with rhetoric and a lack of realism predominating.

"When participants better understand the issues and each other's viewpoints, it is possible to move quickly towards practical resolution — for the benefit of all," said Griffin. — Lynda Loxton
Wage agreement in the engineering sector

AFTER seven months of negotiations, including a four-week strike by 50,000 Numsa members, employers and unions in the engineering industry reached agreement yesterday on wages and working conditions for 1992/3.

A Seifsa statement said the agreement is effective from July 1, provided for a 9.1% wage increase for 329,000 employees.

For the first time, the increase will apply to actual, as opposed to scheduled, minimum wages. In return, the unions have agreed to a clause that will bar them from compelling employers to negotiate additional increases at plant level.

Another unusual feature is an undertaking by parties to the industrial council to give sympathetic consideration to applications from companies in certain economically depressed regions for permission to pay lesser onerous increases.

Free State and northern Cape employers dependent on the mining industry may apply for an exemption allowing them to implement the increase from January 1. Natal employers may apply to pay only a 7.3% increase.

A previous arrangement whereby Border employers could pay 5% less than the scheduled rate to people employed from July 1 1991 remains in force. The agreement also offers improved severance pay and subsistence allowances. "We could have saved those 3,000 jobs. Although we are accused of not being militant enough, the outcome shows that militancy does not always pay," said Numsa spokesman Les Kettle.

Engineering

Kettle said it was not an agreement, but a matter of compromise. He said the unions had dragged out discussions by their "unwillingness to accept the realities".

"We could have saved those 3,000 jobs. Although we are accused of not being militant enough, the outcome shows that militancy does not always pay," he said.

Numsa announced it planned a march on Anglo American headquarters tomorrow to protest against the dismissal of 600 Boart employees during the strike.
Numsa and Seifsa reach agreement

SEVEN months of tough talking between the Numsa and Seifsa has at last yielded results after the signing of a wage pact by the two parties this week.

The main feature of the agreement which will affect approximately 320 000 metal employees, is that workers will get a 9.1 percent increase, backdated to July 1.
Azapo stayaway call flops

The one-day stayaway call by the Azanian People's Organisation on the Reef yesterday went unheeded as workers went to work in their usual thousands.

According to the South African Chamber of Business and transport service organisations, business was normal and buses and trains were full yesterday morning.

A spokesman for SpoorNet, Mr Ephraim Mohala, said the call had had no effect on trains. A Putco spokesman, Mr Brian Twizewo, supported Mohala, saying as far as he knew there was no stayaway on the Reef yesterday.

Ots charged for lift death

An elevator company is facing criminal charges following the death two years ago of a man who was cut in half by a lift in a Durban building.

The Natal division of the Ots Elevator Company faces charges in terms of the Machinery and Occupational Safety Act for allegedly designating that Mr K Mampho, who was not under the supervision of an experienced person, work on the lift.

The company's director, Mr S Lewis, yesterday pleaded not guilty in the Durban Magistrate's Court to the charge. The case was postponed to November 16.

Red Cross gets R920 000

More than R920 000 to assist victims of violence in Alexandra was given to the South African Red Cross Society in Johannesburg yesterday by Social Relief Fund board chairman Dr Piet Koomhof.

The money, totalling R920 801,45, was the first allocation approved by the fund's executive for the Southern Transvaal Red Cross.

Koomhof said the Social Relief Fund was established after parliamentary approval was granted for the Fundraising Act to be amended to make official protection for the granting of financial assistance to communities affected by violence.

Alleged harassment of PAC

Several cases of alleged harassment by security forces of Pan Africanist Congress members have been forwarded to the organisation's lawyers, PAC national organiser Maxwell Mabudzha said at a press conference in Johannesburg yesterday.

Rhodes Press lecture

The editor of Zimbabwe's leading independent newspaper, the Financial Gazette, will deliver the Rhodes University annual Press freedom lecture on Thursday.

Mr Trevor Ncube's topic will be Press freedom in Zimbabwe. The Financial Gazette made headlines earlier this month after Ncube became embroiled in a dispute with a parliamentary committee over his source for a report on a multi-million Rand corruption scandal.

Mediation for Willards strike

A PAY dispute that has led to a two-week pay strike at Willard Batteries would be referred to mediation today, National Union of Metalworkers of South Africa spokesman, Mr Bumba Mangabashana, said yesterday.
LABOUR

Dismissed workers appeal to retailers

SHARON SOROUR, Labour Reporter

TWO national chain stores have been drawn into a dispute between clothing union Sactwu and two Cape clothing manufacturers over the dismissal of workers who took part in an illegal march.

The SA Clothing and Textile Workers' Union is to meet Woolworths and Edgars today in a bid to convince them to cancel orders placed with manufacturers HK Manufacturing and Alpa-Rose Manufacturing — the companies that dismissed 47 workers.

At a Press conference attended by the ANC and Cosatu, union spokesman Mr Ronald Bernickow said about seven companies had dismissed about 700 workers after the march in June to protest against a wage offer.

Most had been reinstated, but after four months, HK Manufacturing in Atlantis had refused to reinstate 21 workers and Alpa-Rose Manufacturing in Athlone had refused to reinstate 20 workers.

"The union has done everything to reason with the companies to no avail. We are only talking about 47 jobs, but it is an issue of principle here," he said.

Alpa-Rose Manufacturing managing director Mr Solly Alpert said the company had had "quite a few meetings with Sactwu", and had offered to reinstate 10 of the 20 dismissed employees.

Mr Alpert said the union had rejected the offer and litigation was pending. Workers had been warned they would be dismissed before the march took place.

Mr Bernickow said the union intended taking the matter further by "applying direct pressure" to Woolworths and Edgars, both customers of the two clothing manufacturers.

"We are calling on Woolworths and Edgars to cancel orders they have placed with these two manufacturers, and we intend to pressure the suppliers of fabrics, yarns and buttons as well," Mr Bernickow said.

ANC assistant regional secretary Mr Willie Hofmeyr said the ANC had written to the two manufacturers, as well as Woolworths and Edgars, to request a meeting, and to urge the parties to resolve the situation.

A Woolworths spokesman confirmed that Woolworths would attend the meeting this afternoon.

Mr Hofmeyr said the ANC was "very concerned" about the situation as the June march led to "a settlement of the wage dispute at that stage, averting a national strike in the industry".

Cosatu regional secretary Mr Jonathan Arendse said the federation had monitored the situation and warned that while the two manufacturers were not on a blacklist "as yet", "hard and severs" action would be taken if they did not reinstate the workers.
Checkers, Saccawu to meet on dismissals

CHECKERS-Shoprite group and the SA Commercial, Catering and Allied Workers' Union (Saccawu) are meeting today to try to resolve the dispute over the dismissal of workers at the group's Heidelberg store three weeks ago.

A Saccawu official Salim Vally said yesterday the union wanted both the Heidelberg workers and more than 100 others dismissed in the eastern Cape reinstated.

But Checkers-Shoprite had told the union it wanted to discuss further retrenchments today, he said.

A Checkers-Shoprite spokesman said the group regarded its relationship with its employees as an internal matter and "did not want to arouse any public debate which may jeopardise the future of their livelihood".

Saccawu is picketing Checkers stores nationally in support of the dismissed workers.
Court rules for Times Media against union

An application by the SA Union of Journalists to compel Times Media Ltd to participate in the media industry's collective bargaining forum, known as the Conciliation Board, has been turned down by the Industrial Court.

SAUJ president Dirk Hartford said yesterday the application had been brought to force TML to participate in the board until a final court ruling was made next year.

The court ruled that TML could remain outside the board, from which it withdrew in April.

TML group secretary Barrie Harris said negotiations were still under way with the union over ways in which the conciliation board could be used in future.
THE Cape Province branch of the Metal and Electrical Workers' Union of South Africa threatened its head office with legal action this week for the agreement the executive signed to end the metal industry dispute last Tuesday.

The branch says the agreement "takes away the right to strike".

The agreement on single level bargaining exposes workers to lock-outs and quicker dispute declaration, believes the National Council of
Cape region to
take union head
office to court?

THE most important Western Cape region of the Metal and Electrical Workers Union of SA (Mewusa) is threatening legal action against its head office over the recently-concluded main agreement in the metal industry.

The agreement was signed in mid-October after eight months of sometimes bitter negotiations, including a strike by the National Union of Metalworkers of SA (Numsa), declared illegal by the Supreme Court.

It provides for wage increases well below the rate of inflation and also sought to end plant-level bargaining over wages and other conditions of employment in the industry.

By DICK USHIR

Most disturbing to the region are clauses in the main agreement covering plant-level bargaining.

"Mewusa has traditionally used plant-level negotiations with more profitable companies to secure better benefits for workers than have been gained at centralised bargaining in the industrial council," said Mewusa acting regional secretary Mr Ben Petersen.

"Where employers and unions can't reach agreement on alterations to their plant-level arrangements, the wage increases for members there will not be on their actual wages, but only on the minimum rate."

"So there is an economic gun to people's heads, either stop plant-level bargaining or lose increases."

"At the same time our understanding is that in terms of the Labour Relations Act this will open the way for employers to declare disputes against workers."

"After that they will have the power to lock workers out until they agree to the new conditions."

Mr Petersen said the union's regional executive committee had warned its head office that it would take legal action if these measures were accepted.

"We also asked them to call a national executive meeting before signing."

Mr Petersen said "We had no response and have no option but to make our differences public."
Union prepares for Checkers battle

THE SA Commercial, Catering and Allied Workers Union (Saccawu) said yesterday it had threatened to immediately retrench 400 workers in the Transvaal unless union negotiators agreed to discuss the issue today.

The company also said it would introduce flexibility arrangements for its staff, Saccawu said.

The union insists the company first negotiate the reinstatement of the black workforce at the Checkers Heidelberg store.

And it backed up its demand yesterday by occupying Checkers' regional office near Germiston. The occupying Saccawu delegation included branch officials, shop stewards and workers.

Saccawu official Sue Harvey — speaking from the occupied Checkers office — said they would stay in the building until Checkers agreed to re-establish the Heidelberg workers and negotiate on their grievances.

If the unionists were arrested, they would refuse bail and stay in jail, said Harvey.

Checkers had told the union it was not prepared to discuss the Heidelberg workers at all, according to Harvey.

Last Friday 2 000 workers in Heidelberg marched on the Checkers store demanding the reinstatement of the workers and the dismissal of the store manager.
LA BOUR BRIEFS

On Monday, Nupen said that Imsa had conducted 386 arbitration cases this year, compared with 346 in the same period last year.

While Imsa is no cheaper than the industrial court, it is a lot quicker. This explains why many large companies and the public sector have agreed to refer all dismissal disputes to Imsa.

The African National Congress also regularly uses Imsa in the run-up to elections.

Imsa recently opened a branch in the western Cape and will open one in the eastern Cape early next year.
**Sacked**

The PI was filming the deal on video.

The videos were handed to management and the workers were sacked.

One worker said the parts he was filming selling to the PI were not from Samcor.

He claimed they were cheap parts he'd bought from a spares dealer.

He had sold the parts for profit to the PI.

One of the alleged "thieves" captured on camera is a woman who is alleged to have undressed down to her panties to remove parts concealed on her body.

Samcor public relations officer Dirk de Vos confirmed that workers were caught by the spy camera.

However, he denied allegations that some workers were fired because of it.

"No one has yet been fired as the matter is still under investigations. However, as the matter is still sub-judice, I cannot comment on the number of workers involved in the filming."

He said it was company policy — following an agreement with Numsa — that statements regarding workers should be re-released jointly with the union.

Nilatlenge said the matter was being discussed by shop stewards and management, but the union had pointed out that it was unfair of management to entice workers to steal.
SA Union of Journalists against Times Media Ltd (owner of the FM), was delivered by Arthur de Kock, a senior member of the Industrial Court, on October 20.

The union had, under Section 43 of the Labour Relations Act, sought an order declaring TML's withdrawal from the SA Newspaper Press (Editorial) Conciliation Board an unfair labour practice. Further, that TML had unfairly breached a 1983 agreement (which appeared to cast the relationship in stone), and that TML's withdrawal notice should be rescinded.

The union's application was dismissed without costs.

The dispute involved not the obligation to negotiate, but rather the appropriate bargaining forum and the company's right to withdraw from the forum previously agreed and used. Respondents included Argus Newspapers and the SA Press Association, which, though no relief was sought against them, were cited as they had an interest in the matter.

TML had reached the conclusion that the board was no longer suitable for negotiations with its editorial staff represented by the union "to the extent that it was representative of them." (Representation was not at issue.) The company believed that its attempts to negotiate changes to the board, or create a new forum, had failed. In April it informed the union that it would opt out at the end of July.

The employers had been unhappy with the old board for some time. They tried to pull out in 1982 but were checked by the union through the Industrial Court (Bleanard vs Argus and others, 1983).

That dispute was settled in terms of the 1983 agreement, which restricted the right of signatories to withdraw. They could not withdraw if it amounted to an unfair labour practice, unless a new forum was jointly agreed, if it breached the board's constitution, upon failure to agree, or "solely upon notice."

The court found it difficult to determine precisely what the parties intended by that interpretation, however, is that an agreement of indefinite duration could be terminated if reasonable notice were given.

Though the 1983 agreement says no party is entitled to withdraw at will, that did not mean a party could not withdraw for reasons other than those contained in the agreement—commercial reasons, for instance. The proviso against withdrawing "solely upon notice" clearly implied that there may be good and sufficient reason for withdrawing upon notice.

Among TML's reasons for wanting to leave the board, or restructure it, was that it was disadvantageous to the process to bargain in the presence of its main rival, Argus. While TML preferred plant-level bargaining, it was not wedded to the idea. The court found that TML's efforts to seek a new agreement with the union were fruitless and would continue to be fruitless.

While the court would compel collective bargaining where it is refused, it would not interfere as to where and when this should take place, because collective bargaining should always be voluntary to be effective. There was no universally correct forum that should be used.

The only effect of TML's withdrawal from the board, said the court, "will be to stifle an agreement which is 'national' in the sense of providing minimum conditions of employment for English-language publications published by it and others."

That observation highlights a key reason why certain unions, notably those aligned to Cosatu, prefer centralised as opposed to plant-level bargaining. It gives the union greater leverage to negotiate wages and conditions of employment which can apply nationally, irrespective of whether they can be borne in all regions or by smaller companies.
Winnie fails to end Maponya dispute

By FERIAL HAFJEE

WINNIE MANDELA went to the negotiating tables this week — trying to persuade Soweto millionaire Richard Maponya's striking workers to return to their posts.

Her efforts to broker a settlement were unsuccessful; she attempted to persuade the workers at Maponya's Discount Stores to accept a wage freeze this year with the promise of a split increase next year.

But the striking workers will not settle for less than R650 minimum wage, R150 across-the-board increases, annual bonuses, paid maternity leave and gazetted overtime pay.

Many employees earn R400 a month while the best-paid earn R700. They get bonuses based on length of tenure and the three months maternity leave available to women workers is unpaid. Since 1990, Maponya has refused to sign a recognition agreement with the South African Commercial, Catering and Allied Workers Union (Saccawu).

The strike began on Friday when workers did not clock in and instead picketed the store, shouting to customers not to enter.

By Tuesday this week, the shop was empty and those workers not on strike sat reading and painting their nails while Maponya and Mandela met Saccawu officials in the basement.

Maponya confirmed that turnover was down to almost nothing and said he had not put a counter-offer on the table because negotiations were continuing.

The strike turned ugly last Friday when the police came to deliver a court order to picketing workers. Maponya secured the court order to prevent strikers from harassing and intimidating customers.

The police opened fire and a Saccawu shop steward, Louis Dnugela, suffered a birdshot wound. About 26 workers were arrested and released the next day at lunchtime, after paying R100 per arrest as a fine.

Maponya said allegations that he had threatened workers with a gun were "absolute nonsense". The allegations were made to The Weekly Mail by the union and striking workers questioned independently.

It was rumoured that Maponya, who is a close friend of the Mandela family, called in Winnie Mandela hoping that the striking workers would defer to her. But Maponya said that Mandela had "come of her own accord" when the person she sent to do her shopping had been prevented from entering the shop.

Maponya, who has been an African National Congress member "all my life", owns a string of businesses — including the Soweto BMW franchise, a Coca-Cola bottling plant and garages. His six racehorses run in ANC colours.
Mediators take over from industrial court

By ADRIAN HERSCH

DISMISSAL disputes are increasingly being referred to private arbitration.

The Independent Mediation and Conciliation Service (IMSSA) reports that in the year to the end of September, it conducted 586 arbitrations compared with 312 in the same time last year. Most arbitrations concern dismissals.

The rising use of arbitration can be ascribed to the fact that industrial court cases take a long time to be resolved.

IMSSA director Charles Nupen says: "The advantage is that it is a flexible mechanism. The parties choose their own terms of reference and the whole process is concluded relatively quickly."

Trend

Some large companies and corporations and their respectively recognized trade unions have agreed to use the process permanently.

For example, in the mining sector, Anglo American and the NUM agreed this year to refer dismissal disputes to arbitration.

The process is also being used by the public sector.

Transnet management and 13 unions in the Transnet Industrial Council agreed early in the year to this.

Mr Nupen says: "Throughout the year we have handled many dismissal disputes from this sector, most of them involving members from the Cosatu-affiliated SA Railways and Harbours Workers Union (SARHWA)."

- The number of arbitrations conducted by IMSSA so far this year is 599 compared with 466 in the same time last year. Most relate to wage disputes.

- Mr Nupen ascribes the reduction to several factors, including the trend to centralised bargaining both at corporate and industry level. This has resulted in fewer sets of wage negotiations taking place, he says.

Another reason could be that economic conditions are too tough that in-pay talks employers have been unable to be as flexible as they were as in previous years.

For example, Sesa executive director Brian Angus said in June that the pay dispute in the metal industry was unlikely to be resolved this year because "employers don't have the same leeway for flexibility as they had last year."

This year IMSSA continued to provide its balloting service for strikes and other purposes in several sectors.

Unique

IMSSA regional director Kenneth Moodley says a unique voting method was used in a ballot to choose worker representatives at a mining house.

Mr Moodley says: "Many miners are illiterate, but the voting problem was overcome by having the photographs of the potential representatives on the ballot forms."

Mr Nupen says IMSSA continues to be involved in mediating disputes in the community as well as providing other services in this area.
Union clashes with Sun International

Stephane Bothma

The SA Commercial, Catering and Allied Workers' Union (Saccawu) last night declared a dispute with Sun International's Wild Coast Sun and Cukesi Sun following the hotel corporation's refusal to negotiate the retrenchment of 4,000 workers at central level.

Sapa reports that Saccawu yesterday also warned that retail chain Checkers/Shopsrite was facing a nationwide boycott following the continued boycott at the Checkers supermarket in Heidelberg to demand the reinstatement of sacked workers.

Coasa, to which Saccawu is affiliated, had been asked to intervene to ensure that Sun International negotiated in good faith, union general secretary Papi Kganare said yesterday.

Kganare said Saccawu was mobilising its membership and would announce plans next week. Sun International had retrenched about 3,000 workers in Bophuthatswana, Swaziland and at the Riviera Sun, he said.

Kganare said Sun International intended retrenching an additional 1,000 workers in Transkei and Cukesi.

Saccawu official Salim Valji told a news conference yesterday that calls for a Checkers/Shopsrite national boycott in support of the Heidelberg dispute, which began on November 1, had the support of the ANC and PAC.

And in an unrelated labour dispute, Saccawu accused Soweto millionare Richard Maponya of having a belligerent attitude towards the union.

Some 59 workers at Maponya's discount store in Soweto have been on strike since October 31, demanding higher pay and a minimum wage of R800.

ANC spokesman Roy Martins told the news conference that the organisation supported the strike at Maponya's store, and added that the ANC was investigating the Soweto businessman's status as an ANC member.

Maponya accused Saccawu members of intimidating potential customers, and said he had been an ANC member his whole life.
JOHANNESBURG — A dispute has been declared with leisure giant Sun International at the Wild Coast and Ciskei Sun hotels by the South African Commercial, Catering and Allied Workers Union.
CURRENT AFFAIRS

FIN 13/11/92

While the provisions of the pathbreaking agreement between government and Cosatu on farm and domestic worker rights were generally expected, employers are concerned at the way in which the deal was done.

In particular, it appears that the National Manpower Commission (NMC) was bypassed — and taken by surprise — at Monday's announcement of the agreement. It was signed exclusively — and suddenly — by new Manpower Minister Leon Wessels and Cosatu general secretary Jay Naidoo last Friday.

Cosatu only recently announced, after a great deal of discussion, that it is to re-join the tripartite NMC (labour, business and government), having pulled out in part because government ignored the NMC's recommendations.

Aside from the SA Agricultural Union, other employers are wondering whether this will set the pattern and bypass them. Puzzlement is compounded by the fact that Cosatu has hardly any farmworker members — except those in agri-business, who are organised mainly through its Food & Agricultural Workers Union in the Natal sugar and western Cape fruit industries. The inherent difficulty in organising farm labourers is a separate issue.

A "shocked and extremely indignant" SAAU said the decision to extend basic labour rights to agriculture was taken "without any consultation with organised agriculture." It said a meeting had been arranged with the Minister for next Friday to discuss an SAAU draft document (earlier sent to the Minister) outlining a separate labour Act for the sector. While much work had been done to "make the idea of practical labour legislation acceptable to farmers," said SAAU manpower committee chairman Chris du Toit, "I now expect strong opposition to the labour laws' resolution procedures. It is hoped to enact this by the first session in 1994.

Extending unemployment and workmen's compensation benefits to this sector is agreed in principle and is to be investigated. So will labour law in the homelands.
Application refused

AN APPLICATION by Numsa for leave to appeal against a judgment in a dispute with the Steel and Engineering Industries Federation of SA and other employer organisations has been refused, with costs, by the Appeal Court in Bloemfontein. (See 105).

On August 13, Judge M. Joffe dismissed an urgent application by Sefsa and the employers against Numsa for an interdict to restrain the union from a strike in a dispute, which had been declared on May 15. On August 21 a full bench of the Transvaal Supreme Court upheld an appeal by Sefsa against the finding that the employers did not have "locus standi" to bring the application.
New labour deal with old problems

By FERIAL HAFFAJEE

The new deal for public servants and domestic and farm workers has been greeted as a major breakthrough. But opposition from the agricultural and domestic workers lobby could put a spanner in the works.

- An unreasonably wide definition of essential services which effectively erodes the right to strike;
- The criminalisation of the right to strike.

The requirement that trade unions give 20 days notice before a strike while employers can get a strike interdict in 48 hours.

Cosatu assistant general secretary Sam Shilowa agrees that dates have been negotiated in the past with various manpower ministers and that they have gone by with no action.

"Minister Wessels is convinced that the acts should go through and we don't want to prejudice him," says Shilowa. "We want him to prove his bona fides."

Other features of the agreement include a resolution to form a high-powered committee which will work at implementing all the recommendations made by the recent International Labour Organisation Commission to South Africa.

In line with Cosatu's strategy to fashion a key role for itself in the labour market, two task forces have been set up to determine policy on training and the industrial court. The task forces are appointed by Cosatu and will include key union policy-makers whose appointments will only be rubber-stamped by the minister.

While the Labour Minute, the foundation stone of this week's agreement, was negotiated by employer bodies, unions and the state, the latest accord is bipartite. Employers and politicians welcomed the accord but said it was essential that employers and other union federations be included in negotiations.

Cosatu lawyers have, through concerted campaigning, won a promise for the revision of the controversial industrial court. In addition, the labour appeal court will now be a court of final appeal for all labour matters, ending problems both employers and unions have with supreme court judgments and a scant knowledge of labour law. Judges to the appeal court will be appointed with the consent of government, employers and trade unions.

Cosatu general secretary Jay Naidoo called the agreement a "major breakthrough for labour relations" while Leon Wessels said the agreement set the foundation for South Africa to get its labour law in line with international standards.

But their elation is tempered by the voices of discontent which have quickly made themselves heard.

The farmers' lobby, in the shape of the South African Agricultural Union (SAAU), reacted angrily to the announcement that the minister will promulgate the Basic Conditions of Employment Act for farmworkers by March next year. The SAAU said it was "shocked and indignant" at Wessels' promise.
Fishermen win most demands

By Justin Pearce

STRIKING lobster fishermen achieved a partial victory this week when the West Coast’s largest fishing company conceded most of the fishermen’s demands.

But the West Coast Fishermen’s Union has vowed to continue the strike until the company meets their demand of R6 per kilogram payment for the lobster they catch.

Oceana, which holds about 45 percent of the total rock lobster quota, has agreed to compensate the 101 fishermen and 28 other workers who were made redundant at the beginning of the current season.

The company has also undertaken to employ all lobster fishermen as full-time employees, with the associated benefits.

Until now the quota holding companies have regarded fishermen as employees of the boat skipper rather than of the company. This absolved the companies of the usual responsibilities of an employer.

Oceana also committed itself to creating job opportunities, and has made six small boats available to the fishing communities for the catching of mackerel.

The company has agreed to participate in a forum which will also include community leaders and workers from Hondeklip Bay, Lamberts Bay, Doring Bay, Eland’s Bay, St Helena Bay and Hout Bay.

The fishermen rejected Oceana’s offer of R5 a kilogram payment. They have reduced their demand from R8 to R6 a kilogram, and intend to continue their strike until Oceana agrees to this figure.

Rock lobster fetches about R40 a kilogram on the retail market.

West Coast Fishermen’s Union spokesperson Mr Hennie Mostert said he expected that the concessions made by Oceana, who is the biggest employer, would force other employers to take similar steps.

Mr Leon Conradie, Oceana’s human resources manager, said the meeting had helped to “alleviate misunderstandings” but no settlement was reached.

He said another meeting would be held on November 16.

ANC assistant regional secretary Mr Willie Hofmeyr expressed disappointment over the failure to reach agreement on the issue of payment.
Union says auditors will inspect Maponya books

THEO RAWANA

The strike at Soweto-based Maponya Discount Store was suspended yesterday, 10 days after the SA Commercial, Catering and Allied Workers' Union (Seccawu) members stopped work to back pay, bonuses and additional leave demands.

Seccawu said in a statement yesterday a condition of the suspension was that the company would allow the union's auditors to inspect its books.

Workers would return to work today and negotiations on wages, bonuses and additional annual leave would resume soon after the auditors had submitted their report.

Seccawu spokesman Hilton Toolo said the report was expected to be ready in about three weeks.

The union and the company committed themselves to negotiate parental rights and procedures as soon as agreement had been reached on the other issues, Seccawu said.

The strike, which resulted in the supermarket closing for some time, involved picketing by union members and failed mediation attempts by former ANC social welfare department head Winnie Mandela.

Owner Richard Maponya, who at the initial stages of the strike was quoted as saying the labour action would cripple his company, could not be reached for comment yesterday.
Soweto strike suspended

THE two-week strike by South African Commercial Catering Allied Workers Union members at the Maponya Discount Stores in Soweto has been suspended. This followed negotiations between Saccawu officials and Mr Richard Maponya on Monday. The parties agreed that the strike would be suspended the following day. They also agreed that:

- The company would allow union auditors to inspect its books, and
- Negotiations would proceed immediately after the auditor's report had been submitted
- Issues to be negotiated include wages, bonuses, additional annual leave and a minimum wage.
Axed workers get jobs back

PRETORIA — Perskor has been ordered to reinstate workers it dismissed in 1988, but will not have to pay compensation, according to the Media Workers' Association of South Africa (Mwasa) and the company.

Perskor group personnel manager Mr. Fanie Gous said yesterday the Pretoria Labour Appeal Court ruling would affect about 70 workers.

SAPA
Workers press ahead

ABOUT 200 South African Chemical Workers' Union members marched on the ABCI Midland plant in Stowbury on Friday to press for a resolution to labour disputes at the factory.

The workers protested against management's delay in implementing an agreement reached on the administration of the Provident Fund, SACWU shop steward, Joseph Magheke, said. - Sapa
NEWS All sides accept delay in applyin

Daily Dispatch in wages row

◆ Union official says talks over increases broke down last week:

THE PAPER Printing Wood and Allied Workers' Union last week declared a dispute with the Daily Dispatch newspaper following a deadlock on wage negotiations. The union's branch secretary, Mr. Pumzile Mshiyi, said on Monday that management refused to accept its demand for a R50 a week across-the-board increase. They want the annual bonus of R563 to be increased to R1 000. - Enews
Mint planning retrenchments

THE Mint is planning to reduce its labour force as part of a restructuring programme, says MD David Powell.

Powell would not be drawn on how many of the Mint's 750 employees would be retrenched as the matter was still subject to negotiations with the National Union of Metalworkers of SA and the SA Society of Bank Officials.

Although demand for coins from the Mint was usually higher in the second half of the year, Powell said, demand this year was down on previous years.

The Mint was looking at the export market to optimise surplus capacity and bring in foreign currency, Powell said. Although quotes had been sent to European, Scandinavian, southern African and South American countries, there had been no takers yet, he said.
Strikers seek isolation

By Mceed Kotholo

Striking metalworkers yesterday threatened to call for the international isolation of Bosal Afrika as the strike by 900 workers at the car parts manufacturer's plants in Uitenhage, Pretoria, Cape Town, Krugersdorp and Maritzburg entered its fifth day.

The National Union of Metalworkers of SA (Numsa) said it was holding talks with the Congress of SA Trade Unions as well as unions abroad to isolate the company in an attempt to force it to review its "hostile" stand.

Numsa said that despite its efforts to resolve the wage dispute by compromising on most of its demands, management refused to budge.

Numsa demanded a R2 increase in hourly rates and a moratorium on retrenchments or monthly severance pay.
Nedcor union declares a dispute

THE largest of two unions organising Nedcor's 16,000 employees, Nedcor Staff Society, has declared a dispute after the bank tried to impose a joint bargaining forum and threatened to cancel its recognition agreement.

A Nedcor Staff Society spokesman said Nedcor declared a dispute with his union last month after it refused to participate in a joint bargaining forum with the Financial Services Workers' Union.

He said Nedcor had tried "unilaterally" to impose the forum after six years of separate negotiations.

"The conditions of workers in Nedcor differ widely because of the incorporation of Perm, Syfrets and UAL with Nedbank. Nedcor wants to use the joint forum to impose uniform conditions on us all," he said.

Nedcor had also given notice to withdraw recognition, threatened to discontinue negotiations unless they happened in the joint forum and threatened to impose on the staff society any settlement reached with other unions.

Nedcor's "heavy-handed conduct" and "bad faith bargaining" had forced the staff society to declare a dispute.

The spokesman refused to be named for fear of victimisation.

Nedcor could not be reached for comment last night.
Workers stage march

By Allinah Dube

Scores of striking National Union of Metalworkers of South Africa (Numsa) members at the Pretoria plants of Bosal Africa yesterday staged a march to highlight their demands.

The march was monitored by European Community (EC) observers Mr I Kuyvenhoven and Mr Win Stanley. The demonstration by some of the 900 workers who went on strike on November 19 started from the Queenswood railway station to the company headquarters at Koedoespark. The plants involved in the stoppage are in Uitenhage, Pretoria, Maritzburg, Cape Town and Krugersdorp. Workers are demanding an increase of R2 an hour, the election of full-time shop stewards and a moratorium on retrenchment or severance pay of one month for every year of service. The company’s offer stands at 70 cents. In a memorandum presented to management yesterday, Numsa demanded the immediate reopening of meaningful negotiations, failing which a campaign would be launched for the boycott of the products manufactured by Bosal.

After accepting the memorandum, plant director Mr FJ Lubbe said although they were not agreeing to worker demands, he noted the fact that “meaningful negotiations will have to be entered into”. Lubbe said the increase being offered by his company remained higher than those agreed to by the union and other competitors.

Mr Albert Wocke, Numsa’s organiser in Brits, appealed to management to resolve the dispute. He said it was insensitive to underpay people and suggest retrenchments.
A long and winding road for pay talks

A FIVE-month dispute in the motor industry on wage increases for about 150 000 workers at garages, petrol stations and panel beating establishments has not yet been resolved.

Numsa spokesman Les Kettle. Kettle said wage increases offered by the SA Motor Industry Employers' Association (Samisa) — on minimum rates and not actual earnings — ranged from 5.1% for petrol pump attendants to 9.4% for artisans.

He said this was unacceptable given labour rates charged by franchise retailers to customers, the 146% profit margin of oil companies on petrol sales and a 31% increase in the margins of the retailers.

Samisa had also rejected Numsa's demand that measures be taken to avoid or limit retrenchments and that the long-term growth and viability of the industry be discussed, Kettle said.

Samisa also wanted to increase working hours to 12 hours a day, with overtime paid after a 48-hour working week. Negotiations on this issue were also stalled, he said.

The fact that the parties could not reach agreement would lead to a deterioration in relationships in the industry when the parties should be addressing jointly the future of the motor sector, Kettle said.
A curate's egg for civil servants

A DRAFT statute which covers civil servants was finally introduced into parliament last week, two years after the Labora Minute was signed.

Unfortunately, there are many features which undermine any positive effects the Bill may have.

But two features - the extension of the "unfair labour practice" jurisdiction and stop-order facilities - establish important base rights. It is important that these features will now be a right rather than a privilege at the discretion of the director general of manpower.

This will allow unions in the public sector to establish their resource base and their ability to defend the rights and interests of their members.

The Bill intends "to regulate new labour relations in the public service, including collective bargaining at central and departmental levels and to provide the prevention and settlement of disputes... between the state as employer, its employees and employee organisations."

At present there is only a forum for consultation between the Commission for Administration and employee organisations on wage or salary matters and on the proposed legislation.

This is clearly unsatisfactory - the lack of proper collective bargaining rights and formal procedures for speedy dispute resolution were major contributory factors to the recent, lengthy hospital strikes.

While the Bill establishes a bargaining council at central level, it also presents a number of impediments to concerted bargaining.

For example, an employee organisation has to prove that it represents workers affected by a particular issue if it wishes to negotiate that matter in the council.

With 11 unions and staff associations presently recognised, the effect is that employee organisations would not be able to challenge or support each other unless an issue affected their members.

It is generally accepted that disclosure of information is crucial in the bargaining process. In the private sector, unions often have access to company annual reports or interim statements.

This enables them to challenge or accept the validity of company claims about their "ability to pay".

In the Bill the definition of "classified information" is so broad that it can be used to withhold base and necessary information from employee organisations.

There are at least five separate procedures in the Bill for resolving disputes depending on the categorisation of the dispute. It can be a collective dispute of right, an individual dispute of right, an unfair labour practice, a dispute of interest which has financial implications in an essential service, or a dispute of interest which has no financial implication in an essential service.

Problems arise where a dispute may simultaneously be a dispute of right and of interest, for example, retrenchments. Where the categorisation of a particular dispute is challenged (probably by the employer) the case could be thrown out on legal technicality and the merits of the dispute would never be heard.

This body ill for the resolution of disputes in a sector whose resolution or escalation has a direct impact on the lives of ordinary citizens.

Strike action is permitted for public service employees, following elaborate procedures and requirements, including ballotting and 20 days' notice to the employer.

The employer, on the other hand, can interdict a strike on 48 hours' notice. But even following these legal requirements to the letter, does not indemnify "legal" strikers against dismissal.

In addition, failure to comply with the legal provisions makes the "guilty" parties criminally liable. Criminal sanctions include a fine or imprisonment or both.

Strikes are also prohibited in "essential services" and the definition of these goes way beyond the International Labour Organisation (ILO) definition of "services whose interruption would endanger life, personal safety or health of the whole or part of the population."

Luci Nyembe is a research officer at the Centre for Applied Legal Studies specialising in the public sector.
Corporations are Johnny-on-the-spot when it comes to cutting costs and trimming expenses when the economy gets tough. But beware the shady consultants who promise to save you money in the name of "cost cutting." These experts may actually be siphoning off your hard-earned dollars in the form of hidden fees or by offering subpar services.

"I once worked with a consultant who promised to cut our marketing expenses by 20%," said Jack, a middle-aged executive. "It turned out they were simply switching our advertising agency to a cheaper one and pocketing the difference. By the time I realized what was happening, it was too late to do anything about it."

How can you avoid falling into the trap of shady consultants? Here are some tips:

1. **Research.** Do your homework before hiring a consultant. Look for reviews and recommendations from other companies who have worked with them. Check their credentials and experience.

2. **Ask for a detailed proposal.** A legitimate consultant will provide a detailed proposal outlining their services and fees. Be wary of anyone who offers a "free" consultation or one that lacks detailed information.

3. **Get everything in writing.** Make sure all agreements are in writing and include clear terms of payment and service. Avoid verbal agreements, which can be hard to enforce.

4. **Look for transparency.** A reputable consultant will be open and honest about their fees. If they are hesitant to discuss pricing, it's a red flag.

5. **Check for conflicts of interest.** Be sure the consultant is not promoting their own products or services. A consultant who is promoting their own interests is unlikely to have your best interests in mind.

Remember, while cost cutting is important, it's equally important to ensure you're working with a professional who will help you achieve your objectives without compromising the quality of your services. Beware of the shady consultants who promise to save you money, but end up costing you more in the long run.
A year of gains and new ground

Union won key victories this year in negotiations to restructure the economy.

FERIAL HAFFAJEE reports

Despite spiralling retrenchments and swelling unemployment, union membership continued to grow this year. According to labour consultant Andrew Levy and Associates' annual report, there are now 3.2 million organised workers in the country.

Growth was stemmed by 100,000 retrenchments in the four major sectors alone. About 40% of the economically active population—5.1 million—is unemployed.

The year was marked by trade union demands for a greater role in restructuring industry, the labour market and the economy. The National Economic Forum got off the ground and the new look National Manpower Commission will begin work early next year.

Joint union-employer forums will oversee restructuring in the mining, clothing and textile, and auto and electronics industries. And early next year, the Congress of South African Trade Unions (Cosatu) will table draft policy at national industrial restructuring.

The biggest collective bargaining this year was made towards the end of the year, when the government and Cosatu reached agreement on legislation for the farm and domestic sectors. For once, the time frames were announced and draft legislation for farm workers and the 975,000 domestic workers was tabled in parliament by the middle of November.

Draft legislation for the public sector was also passed.

For the first time since its inception, the work load of the industrial courts decreased, while Labour Appeal Court applications increased. Mediation and arbitration—which are faster and less expensive than court applications—grew in popularity with both trade unions and employers.

In terms of the government-Cosatu accord, ongoing problems with the industrial courts are to be investigated by a task force. The Labour Appeal Court will soon become a court of final appeal because of the problems faced by parties taking cases to the Labour Appeal Court, where officials have no specialised understanding of labour issues.

On August 3 and 4, Cosatu pulled off the biggest stayaway in the country's history. Strikes accounted for the loss of 4.2 million man-days, with the strike in the metal and hospital sectors taking the biggest toll.

The National Union of Metalworkers' strike accounted for the loss of 1.4 million man-days, while the hospital strike saw the loss of 247,500 man-days. Almost 80% of the strikes were triggered by wage demands and 14.1% by grievances, while the rest of the strikes centred on dismissals, discipline and recognition.

The hospital strike, the Kentucky Fried Chicken strike for centralised bargaining and the wage strike at the SABC all lasted for more than 25 days.
Sunny meeting (12)

In a "cordial and constructive" meeting the South African Commercial, Catering and Allied Workers' Union (Saccaw) and Sun International agreed to negotiate, redress and other disputes in mid-January.

In the meantime, it was "agreed that all parties would desist from any further confrontational activities or statements." Earlier this month, the union threatened to disrupt the opening of the Lost City and the Miss World pageant.

Saccaw also settled a two-month strike at the Labourers' Furniture Store and returned to work on Tuesday.
TPA, Hospera sign accord

THE TRANSVAAL Provincial Administration and the Hospital Personnel Association of South Africa have signed a recognition agreement to regulate labour relations, the two said in a statement yesterday.

The agreement provides for the furthering of healthy employer-employee relations, the formulation of clear rules and procedures to prevent conflict between management and workers, procedures for the settlement of disputes and the rights and responsibilities of Hospera representatives, the statement said.
Eater dispute heats up

FORTY workers dismissed by a Stellenbosch restaurant were angry that police had been called in to settle a dispute on Sunday, the Farmworkers Support Committee (FSC) said yesterday.

FSC general secretary Grant Twigg claimed that before a work stoppage on December 18 at the Lord Neethling Restaurant workers had tried for more than two weeks to negotiate with management over a delay in the payment of their bonuses.

A spokesman for Neethlinghof Estate (Pty) Ltd, Francois Theron, confirmed the presence of police at the estate on Sunday but said they were there "in view of increasing tension and threatening conduct on the part of the striking employees". - Sapa
Groovy outlook for jobs in 1993

By EMILIA TAFRE
Let's talk about it

For a while it was musical chairs in the Department of Manpower but Leon Wessels has returned some stability and sanity to this vital area.

BY FERIAL HAFFAJEE

MANPOWER Minister Leon Wessels in the kind of guy you could just call "Leon"— laid back and without a trace of the pre-visited unapproachability of the old South Africa.

You can easily picture him jogging down the streets of Pretoria with his wife or negotiating with his children when they want more spending money.

Wessels has done a lot of negotiating in the seven months he has been in office—so much so that "let's talk about it" has become his favourite phrase.

His adventures have ranged from the nerve-racking negotiations of the Congress of South African Trade Unions to defensive farmers fearful of looming labour legislation.

"Those who have not been here are on our schedules," says Wessels of the organisations which have not yet sat in his air-conditioned office.

"I am not a captive of anybody, I want to do what is just and fair for labour," he told a recent National Party Transvaal congress.

So one can expect delegations from the National Council of Trade Unions and groups of white workers, no longer protected in closed shops or guaranteed places in racially imbalanced training bursaries, to meet him.

He can also expect the capture of industry to come knocking at his door, demanding a place at the table when accords like the one concluded with Cosatu in November are signed.

That accord negotiated a number of framework agreements and in one fell swoop the minister showed what a little common sense can do.

He set dates for the passage of a law for domestic workers, for farmworkers and for public servants and let them know that, by the close of parliament this year, draft legislation had been signed, sealed and delivered.

Starting dates for the reconstituted National Manpower Commission and the National Training Board were set.

Other problems—like the industrial courts and the Labour Appeal Court—will be dealt with by financial and business leaders.

Unlike his predecessors, there will be no backtracking for Wessels even if faced with protests from the unfurled banners of hard-hit business leaders or workers.

"I know the minister well and you have to be punctual about it," he says. This view is perhaps what makes him a good negotiator in the government's camp.

With an eye on the influence of the labour movement and the expectation of the programme, he will bring to political negotiations, Wessels has been involved in the local government and housing portfolios.

"It wasn't really possible to do justice to both the composition of the old portfolio. But constitutional negotiations and labour complement each other," he says.

Wessels is one of President PW Botha's two new Nats, a young, Stellenbosch University graduate, committed to reform and familiar with the popular lexicon, he is expected to be a top figure in the government.

The bargaining skills he has been forced to hone in monthly meetings with a broad spectrum of labour are likely to be useful in political negotiations.

"Trade unions and the department spend hours in each other's company," he says, adding that the Manpower Department will not experience the same problems other ministries may have in "bridging the playing fields" under an interim government.

Wessels has taken the department from one of the most contested and controversial of all depart-ments to one of the most productive in the short time he has been in office.

He regularly used to be seen in the corridors of parliament in the morning, in the evening and at weekends.

The process was successful and the now-shrunk body will still work at the end of January.

Then on his first day in parliament, he inherited the draft Bill for the Job Creation Amendment Act and its "ambitiously outlined time table" which dictated that the legislatures had to be passed through parliament that same week.

Instead, he offered regular meetings with the parties until consensus was achieved.

All has not been plain sailing with Cosatu and the minister has shown he can give as good as he gets.

Recently he broke off a crucial meeting with Cosatu, charging that the federation was "not bargaining in good faith", that it was "shifting the goalposts" and sending negotiators without mandates to meet him.

His appropriation of the federation's tactics

(in its language) won its respect and it quickly issued a conciliatory statement, another further negotiations yielded the November accord.

"I will not be a captive of anybody, be it the department, employer organisations or employee organisations. The best argument should be the test of the day and not because of the institutions or personalities involved," he says.

Wessels is enjoying the post and is regarded by the "sharp thinkers" he mentors. "They all have an acute awareness of the economy and the whole society.

Although Wessels is now in the labour field, having started his political career in the foreign affairs and law and order ministries, he has won the respect of labour leaders across the spectrum.

It could mean that he will continue to move in government and be asked to remain minister of manpower — an appointment he would accept graciously, no doubt.
INDUSTRIAL RELATIONS - DISPUTES

1993
The involvement of shop stewards in issues beyond the factory floor makes the South Africa union representative different from his European counterpart.

It also distinguishes South Africa from the rest of Africa where the struggle against colonial rule did not involve the mobilisation of an industrial working class.

This view is shared by Sipho Mla Pityana and Mark Okun who are editors of a book entitled "Beyond The Factory Floor.

This followed a survey of Congress of South African Trade Unions (Cosatu) shop stewards which was commissioned by the labour organisation's leadership.

On developments in other African states, Pityana and Okun say "Instead independence was won either by nationalist movements led largely by the professional middle class or peasant-based guerrilla movements which did not address the concerns of an industrial working class".

In South Africa shop stewards emerged as crucial leaders in the struggle that began in the townships in the 1980s over rent, shack removals, education and township upgrading.

The emergence of a powerful shop steward movement opened up the possibility of a distinct role for the working class in the process of transition to a new democratic order.

Jay Naidoo, general secretary of Cosatu, is quoted in the book as saying "The backbone of our labour movement has always been and always will be the democratic shop steward movement which has been painstakingly built up by the ordinary members themselves."

"This powerful shop steward movement is a triumph for the ordinary people of this country. It is a triumph for the people who create the wealth of this country and yet they and their families continue to be deliberately excluded from enjoying that wealth."

"The overreaching principle of Cosatu is worker control and democracy. This principle has sustained Cosatu through its repressive phase of our struggle for political, economic and social rights."

"The structural violence of apartheid made the white minority regime's policies a crime against humanity as it violated practically every human right."

"Yet we have grown as an organisation, increasing our membership from less than a million when Cosatu was formed in December 1985 to over 1.4 million today."

"With over 25,000 elected shop stewards, Cosatu's 14 national industrial unions have a powerful grassroots organisation which is firmly anchored in the factories, homes, offices and shops across South Africa."

Questions like why do some workers define their interests in collective terms and become shop stewards and others in individualistic terms and become supervisors were often asked.

The hypothesis underlying this study is that explanations that focus on different personality types are psychological as they ignore ideology. Dominant personalities can dominate for good or ill. The use to which they put their abilities is not determined by those abilities. Activity is directed by consciousness.

The shop-floor unions emerged in 1973 with the formation of the Textile Workers Industrial Union and Metal and Allied Workers Union and others coming together to form the Federation of South African Trade Unions (Fosatu).

The shop-floor unions developed a cautious policy toward involvement in the broader political struggle. This led to the formation of Cosatu.

By virtue of their location in the workplace, shop stewards are in the front line of the struggle between the working class and the capitalist class.

They are the key command structure of the union which has contact with their membership and the bosses through shop stewards. Their role, however, is ambiguous. On one hand, they are representatives of the workers who elected them and whose expectations often surpass their capacity to deliver.

On the other hand, they find that they are sometimes in conflict with their own constituencies and have to persuade them to accept industry-level agreements, prevent strike actions and guide them in politics. Workers believe that their leaders and their unions should take part in political activities.

Confident in their organised strength and union leaders, they are convinced that they can influence the political system, even though many feel they do not fully understand it. On matters to do with the politics of transition they fully support the position of the tripartite alliance.
SAP failures due to lack of willingness — report

The failure of the South African Police to nail perpetrators of political violence is critically related to a lack of willingness to investigate such crimes, the Independent Board of Inquiry into Informal Repression (IBIIR) concludes in a recently published report.

The findings, titled "To Protect and Serve?", go further than British expert Dr P A Waddington, who was mandated by the Goldstone Commission to assess the adequacy of the police investigation of the June 1992 Boipatong massacre.

Waddington found the investigation "woefully inadequate" but added that the Commission was not from deliberation, but incompetence.

The IBIIR agrees that incompetence plays a part, but contends that "a number of factors indicate that this cannot be the only reason."

The IBIIR, which was set up in 1989 precisely because attacks on anti-apartheid forces remained persistently unsolved, bases its report on court and inquest records, evidence before judicial-commissions and its direct experience.

The element of unwillingness on the part of the police was particularly strongly suggested by their investigations of the Trust Feeds massacre of 1986 and the assassination of activist/lawyer Bhiko Mngeni in early 1990, the report argues.

It lists numerous inadequacies in the Trust Feeds case which emerged when, after a change of investigating officer last year, seven policemen were eventually placed on trial for murder and four were convicted.

The initial investigating officer, Captain Patrick Wairus, admitted in court that he had failed to enter as an exhibit a police shotgun cartridge found at the scene and had attached no importance to the discovery of a similar cartridge in the vehicle of an accused, Captain Brian Mitchell.

There was no record of interviews held at the scene, the clothing of the victims was not sent for forensic tests and Wairus had omitted to interview Mitchell, who was the officer on duty at the time.

Wairus's replacement, Major Joseph van Zyl, did not even read the investigation diary of his predecessor and had neglected either to view any civilians at the scene or to view videos.

Arrests were made soon after the investigation was handed over to Captain Frank Dutton in July 1991.

The IBIIR notes that four days after Mitchell's arrest, a special Pretoria police team was sent to Natal, comprising Major General Ronnie van der Westhuizen, Captain Andre Kritzinger and a Colonel Langenhoven.

The report notes that, "asked in court whether he thought the Pretoria team had come to sabotage his investigation, Dutton said that he saw it as a possibility."

Kritzinger himself was entrusts with investigating Mngeni's death, answering directly to Van der Westhuizen.

Mngeni was killed by an explosive concealed in the headphones of a tape recorder. This device was sent to former security policeman Dirk Coetzee, who left South Africa in 1989 after making startling claims of hit squad activities by police based at Vlakplaas, near Pretoria.

The recorder was forwarded to Mngeni's legal firm when Coetzee failed to collect it at a Zambian post office.

The police investigation yielded no suspects, but a judicial inquiry was held last year. The IBIIR report observes that Van der Westhuizen's evidence was "disturbing."

It states "Van der Westhuizen justified the fact that Vlakplaas personnel had not been investigated on the grounds that all allegations against the unit had been investigated by himself during the course of the Harms Commission (into hit squad activity)."

"When it was pointed out to him that Mngeni had been killed six months after the Harms investigation was closed, Van der Westhuizen stated that he was confusing Mngeni's death with that of Durban attorney Griffiths Mxenge."

In reference to Kritzinger, the report observes that he failed to supply samples from the cassette in the lethal recording to handwriting and fingerprint experts.

Kritzinger also admitted attempting to mislead Dr David Klatzko, forensic expert for the Mngeni family, as to the whereabouts of Colonel Wahl du Toll, named by Coetzee as potentially critical to the police case.

The willingness of police to investigate train attacks was called into question.

The IBIIR notes that, while investigating officers stated they had no informers to assist them, members of the ISU had informers. One such person, identified only as Zero One, told the Goldstone Commission that he had forewarned police of an attack on the Soweto railway line, providing the names and hostel room numbers of several assailants and a plan details.

Although some of the identified people were arrested, "Zero One was never called to court to testify and the men were eventually released due to insufficient evidence."

Police said Zero One had not been prepared to testify.

The IBIIR comments on the time taken, in certain cases, in bringing prosecution. The report refers to Khutsong, near Carletonville, where a special police investigation resulted in more than 100 charges being brought against a number of policemen.

Although 13 policemen were suspended in mid-1991, by the end of 1992 many cases against them had not yet been completed, yet all the policemen concerned were back on duty from August last year.

The IBIIR supported Khutsong's local police, finding they had not been susceptible to outside pressure and had worked co-operatively with the IBIIR. The IBIIR noted that the 13 policemen had only been charged with obstructing the INSU, not with any related violent crimes.

In Khutsong, locating one of the alleged "hitmen" was charged with obstructing justice. The IBIIR recommended that the investigator, who had informed the IBIIR of the "hitmen", was charged with obstruction of justice against the IBIIR.
No role for the bossess in union theatre

GAVIN BROWN

The untold story of NVA's longest-serving employee - the man who kept the place running while the rest of us were off duty. His dedication and hard work have made him an integral part of the NVA community. 

Gavin Brown's journey began as a young teenager who fell in love with NVA's creative atmosphere. He started as a casual worker and worked his way up to become the head of finance. His leadership skills and strategic approach have been crucial in maintaining the company's financial stability. 

Under his guidance, NVA has been able to weather numerous challenges and emerge stronger. His relentless efforts have ensured that NVA remains a shining example of what is possible with hard work and dedication. 

Gavin Brown embodies the spirit of NVA, embodying the values of creativity, collaboration, and community. He is a true hero in the world of theatre, and his contributions will be remembered for years to come. 

In recognition of his invaluable service, NVA is proud to honor Gavin Brown as our longest-serving employee. Let us all take a moment to appreciate his dedication and hard work, and celebrate his many accomplishments. 

Thank you, Gavin Brown, for all that you do.
Taxi drivers declare dispute

PRETORIA — The SA Taxi Drivers' Union has declared a dispute with Pretoria's traffic department and has threatened to stage marches and pickets.
Conservative forces 'may try to crush union movement''

SOME conservative forces in the liberation movement might be tempted to try to crush the trade union movement in the future but they will not get away with it, says ANC economic planning spokesman Tito Mboweni.

Mboweni, who was addressing about 300 businessmen at a conference on the joint challenge for unions and management yesterday, said the temptation to crush trade unions was a real one which could best be avoided by developing an understanding of trade unions and encouraging them to play a constructive role.

Trade unions had been disempowered in many countries in post-colonial 'needed' by the taxpayer in state-group operations so as to 'optimise tax efficiency without moral and legal constraints placed on wage setting processes."

ANC were implemented by an ANC government. Meanwhile, Mercedes Benz SA's human resources spokesman Ian Russell told the conference it was important for regional development forums to be represented at the national economic forum.

He said the Border/KwaZulu economic forum had submitted a document to Finance Minister Derek Keys outlining its proposals for regional reconstruction.

These included asking for a moratorium on ending decentralisation benefits to the region, a big injection of investment for housing, a rural development initiative and the establishment of a strategic institute to facilitate human resources development in the area.

Russell said employers were not satisfied their interests were being represented properly nationally.
NEWS  New education pi

Fleming workers on wage strike

Old age home hit by work stoppage:
MORE than 100 workers at Fleming House old age home in Highlands North, Johannesburg, went on strike yesterday over wages, the National Education, Health and Allied Workers' Union claimed.

Nehawu spokesman Mr Bongani Tsamo said the workers had demanded a R250 across-the-board increase but had later accepted management's offer of R100, provided it was backdated to October 1.

"But management refused to backdate the increase and the workers embarked on the strike and demonstrated outside the premises," he said yesterday.

Workers had demanded the increase be backdated because Nehawu and management usually negotiated wage issues in October.

Negotiations were delayed last year however.

Management spokesman Mr Los Davis confirmed there was a work stoppage at Fleming House but denied that as many as 100 people were involved.

He ascribed the stoppage to a misunderstanding by union members.

Davis said management had offered the R100 increase for workers with effect from January 1 but there had been no agreement as the offer had been rejected and negotiations with Nehawu officials were continuing. - Sapa
Bureau occupied: Talks expected

EAST LONDON — The Transkei Pan Africanist Congress and the Daily Dispatch have said they are open to talks to resolve the dispute which has brought the distribution of the newspaper in the homeland to a halt.

The newspaper's management decided not to send delivery vehicles into the Transkei today. Distributors there have been threatened by the organisation and a group of PAC supporters have vowed to continue the occupation of the paper's Umtata bureau.

The PAC said it had taken these steps in protest against the Dispatch's lack of coverage of its activities. The newspaper has insisted it is unjustly accused.

Transkei PAC regional secretary Mr Zangusa Nkambile has sent an open letter to the Dispatch responding to its comments.

He said the PAC was willing to negotiate under certain conditions, proposing that the Dispatch holds direct talks with representatives of the Transkei PAC and suggesting Umtata as a suitable venue.

Dispatch editor Mr Glyn Williams said the newspaper would "not rule out any form of communication" — Eca.
Forum at Checkers

CHECKERS' management has agreed to set up a forum with the SA Commercial, Catering and Allied Workers' Union (Saccawu) to deal with worker grievances at its Emmarentia store following a strike this week.

The union also says that Checkers has agreed to remit next week more than 60 workers who were dismissed during a strike in Heidelberg last year.
New deal for farmworkers

By GAYE DAVIS, Cape Town

Workers employed on an Elgin fruit farm have agreed not to strike and their employer has agreed never to lock them out in terms of a recognition agreement believed to be the first of its kind in the western Cape fruit farming industry.

The agreement, signed between Molteno Brothers Trust and the Farmworkers Support Committee (FSC), which represents more than 600 workers on the farm, anticipates pending changes to the Labour Relations Act to include farmworkers within its ambit.

FSC general secretary Grant Twigg said because housing formed part of farmworkers' pay packages, a lock-out could mean families being summarily evicted from their homes. The clause would fall away if the Labour Relations Act extended protection for striking workers to farm labourers, he said.

Johann Hamman, a researcher for the Centre for Rural and Legal Studies in Stellenbosch, said the agreement's significance lay in a compulsory mediation and arbitration clause. "It tries to accommodate a farmer's fear of a strike during the height of the harvest season, and also protects workers who might find a farmer reopening negotiations during the winter season, when, if the talks failed, he could theoretically lock them out of their homes."

Hamman pointed out that while industrial workers in industry had a year-round capacity to strike, for farmworkers it was generally limited to the harvest season. However, farmworkers' vulnerability to a lock-out lasted all year long, he said.

"Twigg said any disputes over dismissals or wages would be referred to a mediator if negotiations between management and shop stewards deadlocked. If mediation failed the matter would go to arbitration for final settlement. "We hope this agreement will encourage other farmers to forge similar recognition agreements," he said.

Frank O'Driscoll, general manager of Molteno Brothers Trust, said "We may have lost a certain amount of power in our labour relations but that's not necessarily a bad thing. The bottom line was we felt our employees wanted (the agreement) and that they should get it"
Forum at Checkers

CHECKERS' management has agreed to set up a forum with the SA Commercial, Catering and Allied Workers' Union (Saccawu) to deal with worker grievances at its Emmarentia store following a strike this week.

The union also says that Checkers has agreed to reinstate next week more than 60 workers who were dismissed during a strike in Heidelberg last year.
Learn how to deal with unions

By Ike Motsapi

MR Henk Botha, a leading expert on negotiating strategies and techniques, will run a three-day course that will equip managers how best to deal with trade unions.

The course, "Negotiating with Unions," will be held at the Pilots' Conference Centre in Kempton Park from February 22 to February 24.

Botha said people who should attend this course are line managers involved in trade union negotiations, industrial relations, personnel managers and officers.

He said certificates would be issued to people taking part.

- The Inner Labour Brief is organising a seminar that will discuss the socio-political and labour forecast for 1993.

The seminar will be held at the Sunnyside Park Hotel, Johannesburg on February 24 from 7:45am until 12:45pm.

Speakers will be Mr. Duncan Innes, publisher of The Inner Labour Brief, Mr. Matthew Kentridge, research associate with The Inner Labour Brief, Mr. Charles Nupen, director of the Independent Mediation Service of South Africa and Mr. Peter Wrighton, chairman and chief executive of the Premier Group.
The Toyota Company executives express hope in their future success.

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**Positive Steps to Avoid Strike Action**

Motoring guide

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Toyota taking steps to avoid strike action.

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With the announcement of more business cuts and more layoffs, the company is working to ensure that all employees are informed and supported in these challenging times.

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The image shows a Toyota vehicle with safety features highlighted, emphasizing the company's commitment to technology and safety in its product line.
Media union wins dismissal dispute

By Don Seokane

The Media Workers Association of South Africa (Mwasa) has finally won a two-year-old dispute with Taiwanese-owned company Sakkor. Mwasa had been fighting the dismissal of over 400 workers by Sakkor, a bag manufacturing concern in Petersburg, stemming from a dispute in June 1991 when the company stopped housing workers on its premises.

Sakkor contended that they had received an instruction from the Petersburg Town Council to stop housing workers on the premises and to remove all illegal structures and buildings as the area was not zoned for residential purposes.

Workers went on strike, demanding that removal of the accommodation was a change in their employment conditions and demanded that this be made up in a wage increase to cover transport and rent costs. The workers were all fired as a result and an industrial court ruling last September found the company guilty and ordered that compensation of R103 000 be paid to the 282 applicants.

Mwasa and Sakkor appealed against the judgment. Mwasa argued that the amount was too little while the company said it was too much.

Mr Justice Goldstein ordered that Sakkor double its payment to R210 000 and also pay R5 000 legal costs. The company was also ordered to hand Unemployment Insurance Fund contributors' cards to the workers.
Affirmative action plan
A TOP researcher has suggested that SA copy the Australian model if it wants to enact affirmative action legislation which has political legitimacy as well as economic realism and flexibility.

Employment equity programmes cannot be left entirely to collective bargaining, writes Kathy Albertyn, a researcher at Wits University's Centre for Applied Legal Studies, in this month's edition of the Institute of Personnel Management's People Dynamics.

Albertyn says that with a strong recent history of collective bargaining in SA, the negotiation of employment equity programmes between management and trade unions is an attractive option.

"However, the male-dominated nature of management and trade unions, the fact that unions are of varying strength, and international studies which tell us the attitude of employers remains one of the principal causes of inequality, and job segregation in Western Europe and the US, suggest that employment equity programmes cannot be left entirely to collective bargaining."

For this reason, she says, SA has to copy the Australians if it is to pass laws setting out the details and parameters of mandatory affirmative action.

"This does not mean that the situation in our country can be equated to that of Australia. There are clearly significant economic, political and demographic variations and, consequently, different problems that have to be addressed in the workplace."

"What is useful in the Australian experience is the manner in which it stipulates procedures and strategies which ensure that employment equity programmes are implemented."

In addition, the Australian model is not only the kind of legislation which will meet the dual need for political legitimacy and economic realism and flexibility in SA, but it will also provide guidelines, says Albertyn.
Stripping departments may lead to 'problems'

PRETORIA — Government must be wary of excessive staff stripping in state departments in case it ended up with too few public servants to ensure efficient administration, Public Servants' Association (PSA) GM Hans Olivier said yesterday.

He was reacting to an announcement earlier in the week that more than 14 600 public servants would be dismissed this financial year.

Olivier said that demands on the public service could only increase in the years ahead and skeleton staffing of departmental staffs could lead to serious administrative problems.

The PSA believed the rate of dismissals and the policy of encouraging early retirements would slow significantly this year.

There were certain departments where any further slimming out of staff could affect vital services.

Most departments were looking closely at personnel functions to identify areas of overlapping and duplication.

They had also been involved in the past few years in efforts to make more efficient use of staff and to sharpen productivity.

Governments had years ago promised a leaner and more productive public service "and we believe a significant move is now being made in this direction."

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TPA, Nehawu sign accord

PRETORIA — The Transvaal Provincial Administration and the National Education, Health and Allied Workers' Union yesterday announced they had concluded a recognition agreement, effectively ending the acrimony resulting from the major hospital strike last year.

The parties said in a joint statement the agreement provided for:

- Freedom of association
- A peace obligation whereby the parties committed themselves to industrial justice, peace and security. This included a commitment to maintaining acceptable standards of work and behaviour; and
- A Nehawu committee to resolve problems — Sapa

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SAP forms joint forum with KwaZulu police

DURBAN — The SAP and KwaZulu Police have established a joint top management forum to address matters of common concern and interest in Natal, according to SAP regional community relations head Gen John Manuel.

Manuel said police chiefs last month formed a structure to address common policing issues.

This comes amid calls for joint SAP-KwaZulu police action.

KwaZulu police have been criticised for alleged biased policing and in some areas for alleged involvement in attacks.

Although top-level contact had been established, Manuel said the issue of joint policing was "not within our power".

Instead, the forum would enable "the one hand to know what the other hand is doing."

Meanwhile, Natal/KwaZulu regional dispute resolution committee co-chairman MC Pretorius said yesterday that problems in the policing of areas in northern Natal, particularly Empangeni's townships, were being attended to.

And an ANC official said leaders of its Esikhawini branch are scheduled to meet KwaZulu police this weekend to "complain about their failure to protect the community as well as their direct involvement in the conflict." — Sapa
AECI workers protest

AECI management and workers are negotiating wage and salary issues after a brief protest outside the company's Johannesburg head office yesterday. (S)

"AECI said management and the Chemical Workers' Union officials had discussed "outstanding issues", in particular the introduction of a provident fund."
AECI revises offer in bid to stop strike

AFTER an extended mediation session on Sunday, AECI has revised its offer to the SA Chemical Workers' Union (Sacwun) in an attempt to head off a national strike in the company.

Sacwun's biggest affiliate Sacwu with 8,000 members in AECI nationally will complete a national ballot for strike action today.

And Cosatu's Chemical Workers' Industrial Union (CWIU) is also ballotting its members at AECI, though on a plant by plant basis.

Sacwu spokesman Tshapang Mika said the union had demanded a 20% across the board wage increase and a reduction in grades. It also wanted working hours reduced to 40 a week, retrenchments to stop and March 21 to be a paid holiday.

AECI spokesman Benny Hlongwane said the company had improved its wage offer from 8.5% to 9.5% on grades B and C and to 8.75% on all grades above D. It had also offered to reduce working hours from 44 to 43 to be based on an agreement on what working hours constituted.

In addition, the company had offered to treat March 21 as a "no work, no pay, no discipline" day so long as production was maintained.

While retrenchments already in the pipeline would continue, AECI would offer voluntary retrenchment for a month pending negotiations on future retrenchments, he said. AECI was also negotiating an evaluation system for grading.

Sacwu and AECI are due to meet again next week.

Meanwhile, CWIU has settled at two AECI plants in Natal on 11.5% and 13.5% respectively. But it is deadlocked at AECI's six Dulux plants and is ballotting for a strike.
Pick 'n Pay in layoff talks

PICK 'n Pay is preparing to enter talks with the SA Commercial, Catering and Allied Workers' Union (Saccawu) on the company's first retrenchment exercise, made necessary, according to management, by a failure of the parties to reach an agreement on flexible work practices.

And the two parties are to enter mediation today over a wage dispute involving 15,000 full-time, 272 part-time and 2,778 casual employees. Pick 'n Pay wage talks generally set the tone for the retail sector.

Pick 'n Pay, on the other hand, is said to have been talking to Saccawu since 1998 about job flexibility and mobility as a way of controlling wage costs. The union, however, "has given us a runaround since then and we are now left with no choice but to implement retrenchments".

He was unable to say how many employees might be retrenched since studies were still being conducted. The company also did not wish to use the threat of retrenchments as a wage bargaining tactic.

The wage deadlock arose with Saccawu demanding a R250 across-the-board monthly increase (equivalent to an average 19.2% increase) while management was offering R150 (11.2%). The union was also demanding a guaranteed 15th cheque Present policy, negotiated last year, provided for a bonus related to years of service, with employees qualifying for a full 15th cheque after eight years' service.

Columbus awards R350m in contracts
Breakthrough for Miners

Labour Issues

Mines and mineworkers union sign agreement on profit-sharing
Pick'n Pay moves into wage dispute with union

BRUCE CAMERON
Business Staff

Pick'n Pay has moved into a wage dispute with the SA Commercial, Catering and Allied Workers Union (Saccawu) with a further battle on staff usage on the horizon, which could result in retrenchments.

A dispute was declared on Friday in wage negotiations with Pick'n Pay offering R150 (equivalent to a 11,5 percent average increase) across-the-board, and the union demanding R250 (19,2 percent).

The dispute has been referred to mediation with three days set aside for negotiation from March 10.

Pick'n Pay labour relations general manager Mr Frans van der Walt said the food chain's offer was in line with the company's history of paying increases above the inflation rate.

"The inflation rate is expected to be less than 10 percent for the year. Our offer also compares favourably with other offers of around five to eight percent."

Dealing with the looming dispute with Saccawu over staff usage, Mr Van der Walt said there had been an on-going difference with the union for three years which was now coming to a head.

A meeting with the union on the issue was scheduled for the end of March and eventual retrenchments were one option.

Mr Van der Walt said the problem lay in three areas. These were:

- Union opposition to staff being transferred from one branch to another as trade pattern differed from one area to another for a variety of reasons, including the opening up of opposition stores or new shopping complexes. Mr Van der Walt said these transfers were in the permanent sense and not for a few days only.

- The alteration of trading patterns within a particular shop affected by changed shopping hours such as late night or weekend shopping. The union was opposed to shift times being changed to accommodate the customer changes that had occurred in low and peak shopping times, and,

- Union opposition to employees being swapped from one job to another during work hours even when they were only gainfully employed for half the working shift.

Mr Van der Walt said in all three instances Pick'n Pay was being forced to employ extra staff at substantial cost.

"We have to be cost-effective and particularly so in a recession."

He said the union attitude was that Pick'n Pay had an obligation to employ the unemployed and that it was unfair to change job descriptions or the place of employment of anyone established in a job.

Mr Van der Walt said the union also knew it was against Pick'n Pay policy to retrench people.

However retrenchment had to be considered in this case. Effectively, it would be retrenching people and replacing them with others who would work where and when they were required.
Pact settles claim by hurt actress

JOHANNESBURG. — A settlement has been reached in the R2.5 million action by disabled actress Gaynor Young against the Performing Arts Council of the Transvaal (Pact).

In terms of the agreement, Pact has withdrawn its opposition to the claim for increased compensation instituted by Miss Young, 31, in terms of the Workmen's Compensation Act.

Mr Willem le Roux, Miss Young's legal representative, said the terms of the settlement were confidential, but she was happy about the amount.

Miss Young was performing the lead role in Camelot at Pretoria's State Theatre three years ago when she fell 17m down an opening in the stage.

The fall left her brain-damaged, deaf in one ear, with partial paralysis of her right side and face and 50-percent vision.

She launched a claim last year for loss of earnings, future medical expenses and other expenses, charging Pact was negligent.

Mr Le Roux said the hearing before the Workmen's Compensation Commissioner would continue today — Sapa.
THE SA Chemical Workers' Union (Sacwu) and AECl have settled their 1993 wages and conditions of employment.

A Sacwu spokesman said an agreement had been reached on Friday after two rounds of mediation.

The settlement, back-dated to January 1, included a 10% wage increase for grades B and C and an 8.75% across-the-board rise for other categories.

Hours of work had been reduced from 44 to 43 a week without loss of pay.

It was also agreed that March 21 would be treated as "no work, no pay, no discipline" by the company.

Job evaluation would be discussed by management and Sacwu at the end of the month and the company had agreed to suspend all retrenchments until April 9 when negotiations on this issue would commence.

The company had agreed to a provident fund being established by June 1.
JOHANNESBURG. — The South African Broadcasting Staff Association (Sabsa) yesterday declared a dispute with SABC management for "continued bad faith demonstrated by the corporation during salary negotiations."
Mediation body comes to W Cape

SHARON SOROUR, Labour Reporter

RESOLVING disputes in the fledgling agricultural labour arena and between squatters and aggrieved land owners is expected to dominate the agenda of the new Western Cape office of the Independent Mediation Services of SA (Immsa).

Immsa, which has played a prominent role in the peace process in the Transvaal and Natal as well as in major labour disputes throughout the country, last night opened a Western Cape office to extend its influence in the region.

Regional co-ordinator Ms Susan Bayter said "Disputes in the Western Cape tend not to be along the ethnic lines of those in other parts of the country. The major issues here are things like access to land, squatter disputes and development issues and we believe there is a lot of scope for intervention and conflict mediation."

Immsa national director Mr Charles Nuppen said the opening of the Western Cape office "is a concrete affirmation of our presence rather than an arrival" and would increase Immsa’s effectiveness.

He believed a particular focus in the Western Cape would be the provision of dispute resolution services in the agricultural sector.


The increase in the use of arbitration could be attributed to the fact that some employers had now incorporated clauses in their procedural agreements to refer disputes over dismissals to arbitration automatically.

The reduction in mediations was attributed to several factors, including the trend towards centralised bargaining, and current economic conditions which had precluded employers from any flexibility during pay talks.
Volkswagen may cut 25% of workforce

VOLKSWAGEN SA and employee representatives have started negotiations which are expected to lead to a reduction of about 25% in the company's workforce.

Last Friday VW management met the National Union of Metalworkers of SA (Numsa), representing 6 000 hourly paid workers, and the SA Iron, Steel and Allied Industries Union, which claims about 2 000 members. They met again yesterday and another meeting is scheduled for Friday.

A VW spokesman said the company was considering all opportunities to cut costs because of the state of local and international car markets. VW declined to confirm suggestions that it was seeking to reduce its 9 500-strong workforce by 2 500 through layoffs, natural attrition and early retirement. The spokesman said VW hoped to avoid retrenchments but this could not be ruled out.

He also denied that the cutbacks were due to VW's falling market share. The company produced about 15% fewer vehicles in 1992 than in 1991 and lost 2% of its market share — second only to Toyota, which was affected by a protracted strike.

The launch of VW's third-generation Golf and Jetta ranges has been postponed to mid-April because inspectors from VW's German parent company ruled that the quality was substandard.

Iron and Steel Union spokesman Van Niekerk Venter said rumours of 2 000 retrenchments had been denied by VW MD Peter Searle. But in the past "the grapevine had been proven to be accurate." A Numsa spokesman refused to comment "because of the sensitivity of the discussions."

ERICA JANKOWITZ

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8 April 2013
Technikon tuition for union leaders

SELECTED shop stewards from the National Union of Metalworkers of SA (Numsa) are to undergo technikon training next year to enable them to participate meaningfully in production and management decisions.

In terms of the wage agreement signed last year between Numsa and car and tyre manufacturers, the union would nominate one shop steward a company to undergo technikon industrial and/or production engineering training.

The agreement was based on discussions concerning the achievement of production schedules after the protracted Volkswagen dispute.

Numsa spokesman Les Kettledeas said employers had agreed to provide fulltime training and development opportunities to shop stewards to ensure they were better informed in production techniques.

The manufacturers had undertaken to cover all costs of the training.

However, according to Kettledeas, the union and employers were still discussing course content to ensure the curriculum covered all requirements of both parties. Selection criteria were also under discussion.
PRETORIA — Government is likely to amend the three labour relations Acts to make them more acceptable to the agricultural industry, sources say.

This follows an "irretrievable" breakdown in negotiations between the SA Agricultural Union (SAAU) and Cosatu earlier this week.

Government had set a March 31 deadline for an agreement to be reached after which it would impose a solution.

Yesterday a spokesman for Manpower Minister Leon Wessels said Wessels would issue a statement today on the issue.

Cosatu said yesterday it expected government to extend the Basic Conditions of Employment Act to farm workers from the month end in terms of an undertaking.

The organisation also said it was prepared to discuss further with the SAAU how the Wage Act and the Labour Relations Act could be extended to agriculture. It was also pre-

pared to discuss the formulation of one Act for agriculture.

Cosatu claimed this week's talks with the SAAU broke down when the SAAU insisted on extending the implementation of the Basic Conditions Act beyond the April 1 deadline.

It said it had been agreed with Wessels last November that the Act would be extended to farm workers by April 1 and the Labour Relations Act and the Wage Act by the end of this year's parliamentary session.

The three Acts were supposed to have been extended to the agricultural industry in 1992.

Cosatu said the SAAU continued trying to delay the process.

An SAAU spokesman, responding to the offer to further discuss the Wage Act and the Labour Relations Act, said that against the background of recent fruitless discussions and Cosatu's inflexible attitude, there seemed little point. He denied the SAAU had adopted delaying tactics.
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LABOUR BRIEFS

'Boycott Checkers' call

The South African Commercial, Catering and Allied Workers Union (Saccawu) is calling for a national boycott of Checkers/Shoprite stores. In January, the company unilaterally cancelled a recognition agreement with Saccawu, leaving members without the protection of procedures and workplace benefits negotiated by the union.

The embattled company may soon retrench 333 workers in the Northern Transvaal and recently locked out workers in the Western Cape who "refused to work five extra hours a week," according to the union.
5 000 workers go on strike

By Joe Mdlhela

ABOUT 5 000 workers at the AECL plant in Modderfontein downed tools yesterday in protest against the suspension of two of their colleagues.

Company spokesman Mr Michael Blazzard yesterday confirmed the strike.

He said the dispute followed disciplinary action taken against two security workers. He said the company was talking to the SA Chemical Workers Union to begin to resolve the dispute (SI) 16.03

Sacwa spokesman Mr Thapelo Mika said Mr James Mphakile and Mr Thabo Pobane had been suspended because they had heeded a stayaway call last week following the assassination of SA Communist Party leader Mr Chris Hani.

"But the strange thing is that the two security officers were singled out, among many other workers in the company who had heeded the call," Mika said.
PORT ELIZABETH.—More than 500 white workers walked out of the Volkswagen plant following a labour dispute.

Members of the South African Iron and Steel Union walked out after the company withheld the outcome of a disciplinary hearing which took place yesterday.

Public relations officer Mr Matt Gennrich said about 500 left the plant following a dispute over a disciplinary matter.

He denied that the walkout was a sign of mourning for the leader of the Conservative Party, Dr Andries Treurnicht, who died this week.

The union's area manager for the Cape region, Mr Pieter Veldman, said one of their members, who had a clean service record of more than 30 years was unfairly dismissed last week by a top Volkswagen official.

Mr Veldman did not want to identify the official or worker. But he said it would be shocking to reveal who the official was.

Mr Veldman said that on April 21 the worker was standing outside the factory when the official saw him and asked why he was outside.

Mr Veldman said that although the worker explained he was on his tea break, the official said he was "fired".

"This is an unfair labour practice. We told the worker he must not leave," said Mr Veldman.

A disciplinary hearing was held but the company has withheld the decision.—Epa.
NSB are accused of exploitation

By DAN DLAMINI

At least 400 disgruntled workers at the National Sorghum Brewery's (NSB) Tlokwe plant in Potchefstroom are up in arms against their bosses.

The workers' spokesman, who wished to remain anonymous due to fear of reprisals, told City Press this week that the workers intend stopping all production from tomorrow until their demands were met.

The spokesman said the workers demanded that general manager T Nkabude resign with immediate effect.

"Whites who are employed here are still earning far more than their black counterparts despite the fact that NSB is a black establishment," said the spokesman.

He said most Ikgang residents who applied for jobs were turned down, while some people from the reef got first preference.

The spokesman said despite the fact that Tlokwe brewery sold more sorghum beer than all other NSB plants, the workers at Tlokwe were the lowest paid.

NSB public relations officer Don Manaka denied all the allegations levelled against his company.
**Pick 'n Pay to retrench workers**

SUPERMARKET chain Pick 'n Pay has given the South African Commercial, Catering and Allied Workers Union notice that it intends retrenching about 3 500 workers

However, human resources director Mr René de Wet said in Cape Town yesterday the group hoped to reduce the number substantially through negotiation and agreement with the union.

He said Pick 'n Pay had had a "no retrenchment policy" for the past 26 years.

3 000 might lose jobs at supermarket chain: (SAPA)

and had been trying to negotiate an agreement to allow for "flexibility and mobility" of staff with Saccaum for three years.

De Wet said a series of meetings to discuss retrenchments had been arranged with the union and Pick 'n Pay was giving Saccaum all the information necessary on the situation. — SAPA
Protest march planned on Reckitt & Colman factory

A three-year-old dispute between Cosatu's Chemical Workers' Industrial Union and Reckitt & Colman SA takes a new turn tomorrow when the ANC/SACP/Cosatu alliance and the SA National Civic Association (Sanco) march on the company's factory in Eldoradofontein.

The march was organised to demand the reinstatement of about 400 workers, who were dismissed in June 1990 after a legal strike. One of the dismissed workers, Vuyani Mpofu, said the strike was called after the company reneged on its agreement to join the Chemical Industries National Provident Fund.

Mpofu said workers were dismissed following a court interdict. This occurred in spite of a moratorium on interdicts concerning legal actions. He said the union was forced to take the matter to the Industrial Court in September 1991. However, the court adjudicated in management's favour.

Mpofu said if the company did not agree to the demands in the memorandum, to be handed over to management tomorrow, additional pressure tactics would be used. These included a boycott of company products, picketing the factory and an approach to the British Consulate to intervene.

No comment could be obtained from the company yesterday.
A DISMISSAL notification issued by Gama Textile factories for 2500 workers in the eastern Cape who have been on strike since March 24 was withdrawn yesterday.

SA Clothing and Textile Workers' Union regional secretary Freddie Magugu said yesterday the notification was apparently withdrawn after a meeting between Cosatu and Da Gama's holding company SA Breweries 214/93.

An SA Breweries spokesman confirmed only that the meeting had been held.

Union and management representatives were scheduled to meet today in a bid to resolve the strike.

Magugu said members would not back down from their demand of a R30 a week increase.

The company was not available for comment.

[Image]
**NEWS IN BRIEF**

**Demand for 15% rise**

The Food and Allied Workers' Union demanded a 15% across-the-board increase at a preliminary round of wage negotiations with SA Breweries this week. Traditionally these negotiations, which affect about 12,000 workers, set the trend for wage settlements in the food sector and have an effect on wage bargaining in other industries.
Saccawu in wage deal

Workers get increase:

R1 040 a month

PICK 'n Pay and the SA Commercial, Catering and Allied Workers Union reached an agreement yesterday on wages for all full-time workers with an across-the-board increase of R160 a month.

The supermarket chain announced that the average wage for weekly-paid employees would increase by 12.3 percent to R1 463 a month, while the minimum starting wage for new workers would rise to

— Sapa
Saccawu in wage deal

Workers get increase

R1 040 a month.

Pick 'n Pay general manager of industrial relations, Mr Frans van der Walt, said it was important to recognise that this was a "generous package in view of the depressed economy and low average wage increases currently being offered by other employers." — Sapa
Union claims victory over dismissal of 2,000

The National Education, Health and Allied Workers Union claimed on Friday to have won an "impressive victory" in arbitration with the Transvaal Provincial Administration over the dismissal of 2,000 striking workers.

Nehawu said it had "forced" the TPA to re-employ 5,000 workers after the dismissal of 7,000 striking workers in 1992.

The TPA had, however, charged 2,000 with various offences.

During arbitration on Thursday the union said it won about 70 percent of the cases.

"This is an impressive victory for the union and for the labour relations scene in the public sector. It proves that procedures and mechanisms are needed to handle disputes, and when provided can do away with conflict," the statement said — Sapa
Boost for Pick 'n Pay staff

Agreement has been reached between Pick 'n Pay and the South African Commercial, Catering and Allied Workers' Union on wages for all full-time employees, with an across-the-board-increase of R160 a month.

Toddler drowns in pool
SPOT DESK

Jeremy Baskin

Industrial relations need a new body of policy makers
Jeremy Baskin
6/18/93

Industrial Relations

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Mediation is last hope
for Shoprite/Checkers

ERICA JANKOWITZ

THE SA Commercial, Catering and Allied Workers' Union (Saccawu) confirmed yesterday that its members had voted in favour of industrial action at Shoprite/Checkers stores nationwide because of the unilateral withdrawal of a recognition agreement.

Saccawu spokesman Jeremy Daphne said about 10 000 members would embark on legal strike action if the issue was not resolved at mediation, tentatively scheduled for next week.

He said the union had suggested mediation. In an unusual step, the company had set the precondition that the union agree in writing to be flexible in this process.

Daphne said he hoped the dispute over the cancellation of the agreement would be resolved quickly as “the membership was sending a strong message that its patience was running out”.

He said any action embarked on by members would be legal as the majority had voted in support of the strike and the union had complied with all legal requirements.

Daphne said there was also a separate, but linked dispute, over the issue of multi-unionism.

The company refused to negotiate wages with Saccawu, insisting that a minority union, the National Union of Distributive and Allied Workers (Nudaw), be a party to the negotiations. Nudaw represents fewer than 3,000 Shoprite/Checkers workers.

Daphne said Saccawu was committed to majority unionism. Nudaw’s policies and principles also differed so fundamentally from those of Saccawu that sharing a platform would be counterproductive.

The company refused to comment, saying this was an internal matter it did not wish to escalate.
Star 7/5/93

Union members to get jobs back

More than 1,000 National Education, Health and Allied Workers' Union members will be re-employed by the Transvaal Provincial Administration after judgment in a dispute between the two parties.

In a joint statement yesterday, the TPA and the union said that according to arbitrator J.Gauntlett's decision, successful arbitration candidates had to be re-employed "in terms of the agreement of settlement." At this stage, 1,137 successful arbitration candidates will be re-employed at the relevant institutions.

The arbitration process was still in progress and was expected to be completed by the end of June, said the statement.

-Sapa.
Shop workers locked out

Johannesburg - Shoprite/Checkers yesterday locked out workers at five stores in a run-up to threatened national strike action by the South African Commercial, Catering and Allied Workers' Union over the company's withdrawal of a recognition agreement and attempted enforcement of joint bargaining.

Union spokesman Mr. Jeremy Daphne said the company had implemented the lock-out at stores in Nelspruit, Barberton, Florida, Witbank and Welkom and had offered not to conduct further lockouts.

The company would not comment on the lockouts.
OK Bazaars, union agree on wages

FOR the first time, the OK Bazaars and the SA Commercial, Clothing and Allied Workers' Union (Saccawu) have settled the annual wage agreement without a dispute.

The wage agreement, signed yesterday, grants a R123 across-the-board increase to all permanent employees who are union members, representing about a 14% rise for the lowest category of workers.

A minimum salary of R990 was negotiated for all full-time, permanent employees with 12 months' completed service. Part-time workers will get two-thirds of this increase, with the rest backdated to April 1.

One week's compassionate leave, funeral assistance, the recognition of traditional healers, the non-forfeiture of discounts on HP instalments in arrears, and an increased laundry allowance were also agreed on.

The company agreed to facilitate the processing of negotiations on the extension of stop-order facilities to Bophuthatswana.

The union's Modise Mokhine said a relationship-building exercise conducted in the company recently had focused on resolving past "continuous disputes" in wage negotiations.

He said the 1999 dispute over the payment of 13th cheques was still before the courts, and last year the Ok unilaterally implemented its final offer despite not reaching agreement with the union.

However, there had been discernible improvement in the industrial relationship between the two parties, Mokhine said.

Meanwhile, Saccawu would appear to be on a collision course with Shoprite/Checkers over the unilateral termination of its recognition agreement and attempted enforcement of a joint bargaining forum.

Union spokesman Jeremy Daphne said six Checkers stores were still locking out workers. These stores were in the "conservative areas" of Welkom, Florida, Boksburg, Nelsonspruit, Barberton and Witbank.

He would not comment on the possibility of industrial action, but strikes were expected to be called today in certain stores.
Postal strike possible

The Post and Telecommunication Workers Association yesterday said it was seeking an urgent meeting with the directors of Telkom to avert a possible national strike by its members.

Posta president Mr Kgabi Maxlale said at a news conference in Johannesburg that talks over wage demands between Posta and managements of both Telkom and SA Post Office broke down after the two companies refused to accept their demands.

He said Posta, whose demands included a minimum increase of 14.3 percent, would now seek to hold the next round of wage negotiations with Telkom's and Sapo's boards of directors to avoid the "looming chaos and disruption of services.'
Star 13/5/93

Congestion at terminal

Congestion at the container terminal in Durban, where there has been a work stoppage by hundreds of workers since Friday, has reached crisis levels as forwarding and clearing trucks have to wait for days before they are able to move containers. Local transporters face considerable financial loss as a result of the huge backlog which is likely to continue unless the labour dispute is resolved. Delays and disruptions have been taking place since Friday — Own Correspondent.
CAPE TOWN — A freeze should be placed on all remuneration paid to directors and managers in public and private enterprises until workers were granted increases at least in line with inflation rates.

This was suggested by Cape Town Chamber of Commerce president Herbert Hirsch in his presidential address at the chamber’s AGM yesterday.

“The suggestion that remuneration of directors and top management should be performance related should also receive more serious consideration in those enterprises where this system does not already pertain,” Hirsch said.

He proposed also that instead of negotiated retrenchment packages, more managers should seek to negotiate short-time at reduced wages if necessary. For this to succeed management would have to display a willingness to take a considerable cut in their own salaries.

Hirsch urged the private sector to put pressure on all the parties at the negotiating table to ensure that a transitional executive council was established, an election date announced and a government of national unity established as a matter of urgency.

He said he found several sources of optimism in SA at present including the progress made in negotiations and the passage of the normative economic model.
Seifsa offers 4.5% increase to workers

Seifsa yesterday offered a 4.5% annual wage increase to steel and engineering workers in response to union demands ranging between 14% and 21.5%.

The offer was made at a meeting between a Seifsa work group and the 11 recognised trade unions.

Lesser offers were made for some regions — the Cape, Natal and Border — and in the Free State a wage freeze was proposed because of the industry's absolute reliance on the mining industry, which was undergoing difficult times.

Seifsa industrial relations director Dave Carson said after caucusing, the unions had indicated they could not accept the wage offer and appealed to Seifsa to reconsider its position.

On the regional wage issues, the unions said they had not been mandated to respond to this proposal and suggested a further meeting be held under the ambit of the collective bargaining group.

The parties agreed to do their best to reach finality at their next meeting scheduled for June 4 as the present agreement expired at the end of June.

Carson said a number of peripheral items had been removed from the agenda and employers had agreed to re-examine other issues such as occasional leave and employees injured on duty.
Letters

[Image of a diagram with text on it]

[Text not legible due to image quality]

Erica Avocado and Alan Fine

To Checkers' Door

Iabour Conflict

New Style Brings

[Image and text not legible due to image quality]
NEGOTIATIONS in the metal industry this week made "steady, if unspectacular" progress, according to employer body, the Steel and Engineering Industries Federation of South Africa.

One can understand why the negotiating teams have to wade through 50 union demands and have to deal with wage demands ranging between 14 and 51.5 percent. Employers have not yet tabled wage offers.

Agreement was reached on the regrading of certain drivers, an increase in 0.6 percent of employee and employer contributions to retirement funds—specifically to aid disabled workers.
Bosses ready to talk

Union won't accept condition and threatens to intensify strike:

By Joe Mdhlala

SHOPRITE-Checkers has declared its willingness to negotiate a settlement with the South African Commercial Catering and Allied Workers Union to end the two-week-old national strike.

However, the company made it clear they are not prepared to agree to something which they could not honour in good faith.

"This, together with the fact that negotiations with the union have continued on a wide range of other issues, indicate that the current strike action appears totally unnecessary," a spokesman for the company said.

The spokesman said his company was willing to enter into talks "in an attitude of compromise and flexibility."

He said the strike was as a result of the union's insistence that the company reinstates a recognition agreement terminated by the management in 1992.

Saccawu spokesman Mr Jeremy Daphne said the strike would be intensified, with workers engaging in picket protests throughout the country.

Daphne said scores more than 10 000 union members had been harassed and picketers arrested.

He alleged that the store continued to undermine the strike action by employing scab labour, including prison guards.

"In Potchefstroom, prisoners are being used," Daphne said. He said the union had mobilised international support for the strike.
'Don't target Cape Town' — council plea

CLIVE SAWYER, Weekend Argus Municipal Reporter

THE city council has pleaded with the Municipal Workers' Union not to target Cape Town for industrial action as a wage dispute heads for private arbitration.

The council confirmed this week the two staff trade unions, Samwu and the SA Association of Municipal Employees, had agreed to refer a deadlock on wage increases to private arbitration.

This followed union rejection of a final council offer of a four percent wage hike.

The council said yesterday it was drawing up proposed terms of reference for the arbitration which it would submit to both unions, with a list of suggested arbitrators.

An analysis of the effect salary increases would have on rates would be supplied.

"Any settlement package cannot address the issue of wages alone. Other conditions of employment also impact on the cost of employment."

A comparison was being prepared comparing levels of council pay and job security with those of similar organisations.
Strike ballot 'a first'  

THE SA Municipl Workers Union (Samwu) is currently conducting its first ever national strike ballot on the issue of a four percent wage offer, president of the Cape Town branch, Mr. Solive Nzewe, said yesterday. 

This follows a council statement on Friday, which said that agreement had been reached with Samwu and the SA Association of Municipal Employees (SAAEME), that the current wage deadlock be referred to private arbitration. 

Council is currently drawing up the proposed terms of reference for the arbitration which will shortly be submitted to the unions, together with a list of suggested arbitrators, it said. 

It will also supply an analysis of the effect which salary increases will have on rates. 

Council hopes that Samwu's support for the call to participate in mass action and workplace demonstrations, is not aimed at the municipality and ratepayers, the statement said.
Sabsa shuts five radio stations

By Tsale Makam

THE South African Broadcasting Staff Association blacked out TV and radio programmes on Saturday after wage increase talks deadlocked.

Radio Zulu and Highveld stereo were among the five radio stations affected by the 10-minute blackout imposed also on TV, upsetting, among other programmes, a rugby game beamed internationally.

The 1,700-member union wants a 10 percent increase against the SABC's "final offer" of 7.5 percent.

TV also hit by workers' anger.

- The SABC threatened to withhold the May salaries of those members who still rejected the final offer.

- Refusing to be bulldozed Sabsa, which consists mainly of white technical staff, blacked out TV and radio channels.

- They are fighting the May salary issue in the Industrial Court today.
Strike set to spread, Checkers warned

By Paul Bell
Labour Correspondent

The Shoprite/Checkers strike enters its 17th day today with indications that other unions could be called on to support the action if management does not respond within 72 hours.

SA Commercial, Catering and Allied Workers' Union (Saccawu) spokesman Jeremy Daphne said Cosatu had given the chain "72 hours to respond favourably to the union's demands, or the federations will engage all its affiliates in the dispute".

And in Hillbrow, Johannesburg, on Saturday ANC Youth League president Peter Mokaba, who attended a demonstration by Saccawu members outside the local Checkers branch, pledged the support of his organisation for the strikers.

"We will support any community action and shut down Checkers, if it comes to that," he is reported to have told several hundred Saccawu members.

The action began on May 26 in an effort to persuade the chain's management to ratify a nine-year-old recognition agreement which management claims is outdated and inappropriate to conditions in the group since the Shoprite/Checkers merger more than a year ago.

The union claims management is trying to force it to accept joint wage bargaining with a minority union, the National Union of Distributive and Allied Workers.
Checkers dispute might go to mediation

THE SA Commercial, Catering and Allied
Workers' Union and Shoprite/Checkers are
exploring the possibility of calling in mediators later today in a bid to resolve a two-
week strike over the company's termina-
tion of a recognition agreement.

A company spokesman said indications were that the union was prepared to aban-
don its demand for unconditional rein-
statement of the cancelled agreement:

The company was awaiting formal con-
firmation of this and hoped settlement of
the dispute would follow, he said.

Union spokesman Jeremy Daphne said
strikers were getting support from com-
munities such as in Grabouw, where resi-
dents staged a demonstration outside the
store at the weekend. He said members were mobilised and

determined to carry on with the strike if
necessary.

Meanwhile, Coatu spokesman Neil
Coleman said the federation had thrown its
weight behind the strike through its affili-
ates and regional structures.

Coatu had canvassed structures and
advocated that stores be boycotted, and
was exploring solidarity action in Pekkor
subsidiaries.
N

Wage negotiations for Pusa proposals

June 9, 1996

By Pat Stone

The Public Service Employees Association (PSEA) and the government reached a tentative agreement on a new contract late last week. The agreement, which covers the vast majority of state employees, was reached after two days of negotiations in Victoria. The contract includes a 2.5% pay increase for all employees and a one-time lump-sum payment of $500. The government also agreed to fund additional health and dental benefits for all employees.

The contract also includes improvements to the pension plan, which has been a major issue for many employees. The government agreed to increase the retirement age from 60 to 65, and to increase the pension benefit by 1% for each year that employees work past the retirement age.

The agreement also includes improvements to the sick leave policy. Employees will now be able to take up to 10 days of sick leave per year, instead of the current limit of 5 days. The government also agreed to fund an additional 5 days of sick leave for employees who are members of a union.

The contract is expected to be signed in the coming weeks, and will be in effect for the next two years.
Supermarket strike talks in the offing

By Paul Bell
Labour Correspondent

Mediation is expected to begin today between the strike-hit Shoprite/Checkers group and the SA Commercial Catering and Allied Workers' Union (Saccawu).

This emerged last night as the strike by between 8,000 and 10,000 Saccawu members employed by the chain entered its 17th day. The strike was sparked by management's termination of a nine-year recognition agreement.

Strike action had been escalating since May & with the union claiming widespread and growing community support and threatening a consumer boycott.

Saccawu spokesman Jeremy Daphne said last night: "My understanding is that both parties are exploring the possibility of mediation on Tuesday. It is apparently under discussion now but there has been no definite confirmation."

Shortly afterwards a company spokesman said: "There are indications that the union is prepared to abandon its demand for the unconditional reinstatement of the recognition agreement."
Checkers, union strike talks fail

Mediation between management and striking workers at the Shoprite/Checkers chain has failed and the SA Commercial Catering and Allied Workers Union said yesterday the union would intensify its industrial action. Management had hoped that the AWU would drop its insistence that the recognition agreement, terminated by the company, be reinstated before negotiations on a new agreement can resume. But efforts over the past two days to mediate on this have failed. - Labour Reporter.
Comrades coverage threatened by staff

MEMBERS of the SA Broadcasting Staff Association (Sabsa) are threatening to disrupt the screening of Monday's Comrades Marathon following a wage dispute with the SABC.

The 1,600-strong union, representing workers in technical and skilled positions, voted this week to stage a six-day "walk-out" ending on Tuesday, after the SABC refused to accept a demand for a 10.5 percent salary increase.

The SABC has threatened a lock-out and to withhold May salaries of Sabsa members if its 7.5 percent offer is not accepted.
Potwa members ballot over strike

By Ike Motsapi

MORE THAN 25 000 members of the Post and Telecommunications Workers Association began balloting for a national strike yesterday after wage negotiations with management collapsed.

Mr Shakes Gonyane, Potwa's media officer, said the union declared a dispute with management after their demand for a salary increase of more than five percent was turned down.

Dr David de Villiers, a spokesman for Telkom, said the company did not have enough money to offer bigger salary increases.

He said, "We told Potwa officials during salary talks that we can only offer increases of up to 5.8 percent across the board and also restructure wages of low earners."

THE DEMANDS

- Review pay rises
- Drop unfair dismissals
- Revise plans

A spokesman for the South African Post Offices, Mr Henne van Staaden, declined to comment.

Gonyane said Potwa rejected the Telkom offer and decided to go ahead with balloting for strike action to determine whether the union members approve of the intended action.

He said, "The last bid by Potwa leadership to avert a strike action in the post and telecommunications industry failed as bosses dug in their heels."

"The current situation in the industry comes after wage negotiations deadlocked.

"The resolution to ballot emerged from Potwa's national working committee held on May 22," said Gonyane.

Potwa's demands are that:

- Telkom and Sapo adjust their final offer of 5.8 percent salary increase.
- Managements of both companies reopen salary negotiations and to also have an audience with Minister of Posts and Telecommunications Dr Piet Welsnmoed.
- All unfair dismissals be reviewed and a moratorium on the application of the controversial disciplinary procedures be declared, and
- The introduction of cellular telephones be halted pending negotiations that will involve Potwa, the African National Congress, the Congress of South African Trade Unions and other shareholders.

""
Union set to review strike

ERICA JANKOWITZ

THE SA Commercial, Catering and Allied Workers' Union national strategy committee will meet today and tomorrow to "re-evaluate" the Shoprite/Checkers strike involving about 10,000 workers which started on May 8, spokesman Jeremy Daphne said.

He said the union expected increased community support and intervention now that mediation had broken down.

Daphne said there had been a huge increase in police harassment and arrests of picketers in culturing towns.

As a result, the union had called off picketing and was communicating with the authorities to ensure the safety of participants before picketing would be resumed, Daphne said.
Checkers dispute

MEDIATION this week failed to solve the month-long strike at Checkers/Shoprite by South African Commercial, Catering and Allied Workers' Union members.

Instead, the Congress of South African Trade Unions is gearing up to put its weight behind calls for a consumer boycott.
Rationalisation talks with union

SHOPRITE/Checkers will meet the SA Commercial, Catering and Allied Workers Union today to thrash out the company’s rationalisation plans involving a limited number of store closures and job losses.

The company said the strike, now in its fifth week, had “aggravated already adverse trading conditions in some areas.” This had forced Shoprite/Checkers to consider closing some stores and retrenching workers “in the long-term interests of the majority of employees, suppliers and tenants.

The union was advised early in May that such events would be a direct consequence of strike action,” the company said.

The union said the company had indicated two stores would be closed on June 12 and about 2500 workers would be retrenched from other stores. The company also informed the union it would unilaterally implement a wage increase which Sacawwa labelled as indicating a “dictatorial attitude which would further aggrieve workers.”

The union said it had received notification of store closures in March, and interpreted the company’s announcement as a “strategy to apply pressure on the union.” Meanwhile, industrial action would continue until today’s meeting, the union said.
NEWS Electricity supply tariffs normal

news in brief

Clover denies claims
MANAGEMENT of Clover Dames in Mayfair, Johannesburg, yesterday denied allegations that a white supervisor had poured toxic acid into a room used by blacks.
On Monday, more than 800 workers downed tools demanding the dismissal of the supervisor. Company chairman Mr Ronnie Botha said the store supervisor, Mr Johan Berger, had washed the rim with citric acid.

ANC on death penalty
THE African National Congress has warned the government not to reimpose the death penalty as the organisation marks the 10th anniversary of the execution of three MK cadres.
Jerry Mosololi, Simon Mogoerane and Marcus Motaung were executed at Pretoria Central Prison on June 9, 1983, after being convicted of treason relating to attacks on the Wonderboom police station in Pretoria and the Orlando and Moreka police stations in Soweto.
The ANC said, "Mosololi, Mogoerane and Motaung were part of MK's Transvaal urban machinery involved in guerrilla operations which instilled confidence in our people"
CNA strike ballot

WORKERS at CNA will conduct a strike ballot today after they recently declared a dispute over wages, the SA Commercial, Catering and Allied Workers' Union confirmed yesterday. CNA refused to comment.

Meeting on strike

SHOPRITE/Checkers and the SA Commercial, Catering and Allied Workers' Union will meet today in an attempt to end the month-long strike by about 10 000 union members over the company's cancellation of their recognition agreement. Last month mediation failed to resolve the dispute.

REPORTED: Sunday Times Reporter: B. A.
Six unions to report on talks with Govt

By Paul Bell
Labour Correspondent

Six Cosatu-aligned public sector unions which have announced their intention to strike if the Government does not accede to certain wage demands will meet today to discuss their negotiations with State departments.

In the meantime, those which have declared disputes — among them the Post and Telecommunication Workers' Association — are apparently bound by a 90-day cooling-off period which will delay action until after mid-July, says Potwa general secretary Mlungu Hlongwane.

Today's meeting will be attended by representatives of Potwa, the National Education, Health and Allied Workers' Union, the SA Municipal Workers' Union, the Police and Prisons Civil Rights Union, the Union of Democratic University Staff Associations and the SA Democratic Teachers' Union.

Last month the unions threatened strike action if the Government did not lift its 6 percent ceiling on wage increases.

This was the result, said Hlongwane, of a Supreme Court ruling against the National Union of Metalworkers which established a precedent in terms of the Labour Relations Act.

Hlongwane said Potwa had been advised that it was now prohibited from balloting members on a strike until after July 2.

The SA Post Office and Telkom have agreed to meet Potwa tomorrow for discussions.
THE SA Commercial, Catering and Allied Workers' Union will be conducting a strike ballot of members at CNA next week over a wage dispute it declared with the company earlier this week. The union's demand is for a R250 across-the-board increase, about 18%, compared with the company's 12% offer of R160.
report for work

Council sacks striking workers

Contracts revoked after strike:

SOWETAN 10/16/92

The Springs Town Council has sacked about 900 striking workers, Sowetan learned yesterday. A spokesman for the council, Mr. Frans Swart, said the workers, members of the SA Municipal Workers Union, had participated in an "illegal" strike since June 2.

He said the main reason for the strike was a demand for voluntary arbitration after the dismissal of four Samwu shop stewards.

The union was also demanding the dispute be settled by an independent arbitrator instead of customary arbitration by the Industrial Court.

Swart said the council's management committee had agreed last Friday to the appointment of an independent arbitrator on condition the workers reported for work on Monday, failing which their contracts would be revoked. They did not return to work on Monday — Sapa
Checkers, union talk for 2 days

Labour Correspondent

Mediation between Shoprite/Checkers and the SA Commercial, Catering and Allied Workers' Union, representing about 10 000 striking employees of the chain, continued for a second day in Johannesburg yesterday.

Neither side issued statements yesterday, but while the talks were expected to continue into the evening, there were apparently no plans to continue into a third day.

The chain has terminated its recognition agreement with the union and announced plans to retrench about 2 500 union members.

The parties have been in dispute for more than six months, the strike is now in its fifth week, and a consumer boycott has been called against the chain.

There is no indication of a result from this week's talks but the fact that they have endured through the scheduled two days suggests some progress has been made.
Bill alters public servants' rights

CAPE TOWN — The new dispensation provided by the Public Service Labour Relations Bill would enable SA's 420 000 public servants to take part in conflict resolution procedures, the Minister responsible, Sam de Beer, told Parliament yesterday.

It was an exceptional piece of legislation which was the result of negotiations between state representatives and public service employee organisations, he said while introducing the Bill, Sapa reported.

"Behind us lie two years of intense negotiations, joint drafting and bilateral talks," he said.

The Bill aimed to democratis the civil service further, establish collective bargaining structures and establish mechanisms to settle disputes. It would improve the position of Public Service Act personnel and create job security, as well as introducing the test of fairness against which all disputes would be measured.

Gordon Thomas (NP Matroosfontein) said the Bill gave public servants access to the legal world, like the Industrial Court.

Janine Momberg (DP Simon's Town) said a new government would be urged to scrap the Bill. Cosatu had been unable to persuade the NP to extend protection to all workers.

Roger Burrows (DP Pinetown) said the DP wanted to amend the Bill. Service personnel, magistrates and teachers were excluded from the Bill, and the question arose why everyone else had to be cajoled into a central bargaining chamber.

On this, Burrows and Louis Stolberg (CP Sasolburg) said medical practitioners should be granted a separate bargaining chamber.

Medical Association of SA Federal Council chairman Bernard Mandell said to a statement the Bill would leave state doctors without bargaining powers and dispute resolution rights. GERALD REILLY reports. In a dispute involving finance the employee had to have the support of at least 50% of employees before having access to arbitration. Doctors were a minority among public servants and therefore their chances of obtaining the right to strike were slight.
Checkers strike was avoidable

French revolution ... Stinkers at Checkers Hillbrow try to persuade a shopper not to enter the store. Their notices are in French to get the message across to the many immigrants from francophone Africa in the area.

Countdown to a strike

- 1981: Recognition agreement concluded between Saccawu and Checkers. Prior to this strike, there has only been one other six-day strike at the company by Saccawu members.
- October 1981: Checkers workers protest to protest against the sale of the grocery chain to Pepkor.
- December 1981: Two months after the sale, the union alleges key shop-stewards are being systematically dismissed.
- January 1982: An industrial court judgment compels Checkers to negotiate all store closures with Saccawu, but is overturned when the company seeks an urgent review.
- Checkers says some rationalisation is imperative. The company lost R6.5m. In 1981, at the tune 43 stores were in the red and 10 of its warehouses were unprofitable.
- March 1982: Checkers proposes a wage freeze saying that 130 stores are running at a loss.
- June 1983: Checkers/Shoprite of its Saccawu to its plans to cancel the recognition agreement.
- October 1983: The dismissal of workers who went on strike to protest against a "racist campaign" at the company's Heidelberg store sparked nationwide industrial action.
- Workers at the store, alleged that the manager displayed a photograph of himself in full Afrikaner Werstansbwegende regalia in his office and unfurled an AVB flag to invite them. Managers officers, bill points and cash offices around the country were occupied, while most stores were picketed.
- November 1983: Saccawu announces a nationwide boycott of Checkers/Shoprite, but its general secretary denies this in a public statement.
- January 1985: Checkers/Shoprite unilaterally cancels a recognition agreement with Saccawu.
- Oct 11 1983: Strike is intensified after a month of sleeping, arrests, the break-up of pickets by police and in one case, the use of prison labour at a Checkers/Shoprite store.
- Nov 9-10 1983: The parties meet to attempt to resolve the strike by mediation for the second time in two weeks.
Wanted: An employee-friendly climate

IN MY OPINION

LAWRENCE MCYRSTAL
HOPES are high that a settlement can be reached soon in the dispute between Shoprite/Checkers and the SA Commercial, Catering and Allied Workers' Union. Both parties expressed optimism that talks which resumed over the weekend would resolve the five-week, countrywide strike by about 10,000 workers. Neither side would comment on how the meetings had gone, but both hoped a settlement could be reached early this week.

The meetings were chaired by Independent Mediation Services of SA panellist John Brand, but were not officially described as "mediation". However, full mediation could be invoked later.

SAPA reports that a march by several hundred Saccawu members to the JSE on Friday went off peacefully. A memorandum was handed to a JSE representative demanding reinstatement of a cancelled recognition agreement; that planned store closures not lead to job losses; that the company negotiate in good faith; and that it recognise Saccawu as the sole bargaining union.
Strike at Shoprite/Checkers ends

The five-week Shoprite/Checkers strike has ended, with the company and the SA Commercial, Catering and Allied Workers' Union reaching agreement on Sunday after a marathon mediation process.

Saccawu spokesman Jeremy Daphne said the 10,000 striking workers were scheduled to return to work on Thursday but would be paid from tomorrow.

The agreement, described by the union as "a victory for the working class", includes the reinstatement of certain clauses of the cancelled recognition agreement, covering union recognition, access, shop steward and negotiation rights and industrial action provisions.

The company also agreed to recognise Saccawu as having the right to bargain directly on wages and not on a shared platform with minority union the National Union of Distributive and Allied Workers.

Wage negotiations are expected to resume early next week. The parties are also scheduled to meet on the question of store closures and refresments.

The company said the settlement contained the union's "commitment to the negotiation of a new recognition and procedural agreement". It said the reinstated clauses were an interim measure to facilitate this process. The interim agreement, through agreed new provisions, fully addresses the company's major concerns with particular provisions of the new document old agreement.

The parties have four months to conclude negotiations on the new agreement.

Agreed return-to-work provisions include the removal of all temporary and casual workers employed during the strike, and that the company will not prosecute strikers unless for "gross misconduct". Any disagreement on "gross misconduct" would be decided at arbitration.

Saccawu estimated Shoprite/Checkers experienced a 60% downturn in business during the boycott action supported by Cosatu, but the company refused to comment. A rough calculation of lost earnings pointed to about R13m, but Saccawu said its members had been prepared to forfeit their pay to push the point that "employees won't tolerate management's dictatorial attitude for lousy jobs".

From Page 1
Strikers will go back to work

Soweto 15/6/93

DISPUTE RESOLVED Mediation service

referees talks between Saccawu and Pepkor:

By Ike Motsapi

The strike by more than 10 000 Shoprite-Checkers workers is over and they are expected to return to work on Thursday. Pepkor management, which is the holding company of Shoprite-Checkers stores, and the South African Commercial Catering and Allied Workers Union reached agreement on Sunday after hours of negotiations.

The talks were refereed by the Independent Mediation Service of South Africa.

Members of Saccawu have been on strike since May 8 over the termination of a recognition agreement by management.

Pepkor cancelled the agreement in December 1992 after it took over control of Checkers stores. Shoprite-Checkers spokesmen Miss Adele Gouws and Saccawu's Mr Jeremy Daphne said lock-outs, consumer boycotts and the industrial action would end immediately.

The settlement included the following:

- Reinstatement of the recognition of the union.
- Reinstatement of the major sections of the recognition agreement which included access to company facilities, shop steward rights, negotiation rights and industrial action provisions.
- Wage negotiations would now proceed between the union and the company without the National Union of Distributors and Allied Workers. Management previously insisted that Saccawu and Nudaw jointly negotiate on the same forum during wage talks.
- Interim, grievance and disciplinary procedures, involving quick processing of grievances and appeals against discipline, had been established until new procedures were negotiated.
- Anti-victimisation clauses which also cover casuals.
- A return to work on June 17 and that workers be paid from June 16.
- All scales employed during the strike be removed.
Ten thousand striking Shoprite Checkers employees will return to work on Thursday following a major breakdown by the chain after a five-week battle with the South African Commercial Catering and Allied Workers Union (SACCAWU).

In a statement, Shoprite Checkers — which mostly refused to comment on the strike — confirmed the settlement, saying it hoped the resolution of the strike would restore "a healthy industrial relations environment for the benefit of the company, its employees and customers."

The strike has seen at least 600 arrests; clashes between strikers, police and in some instances, right-wing activists; as well as a consumer boycott which, SACCAWU claims, saw chain trading volumes slump by up to 60 percent.

The union has won its battle for the reinstatement of the recognition agreement management terminated six months ago, but the question of retrenchments — the chain has warned of its intention to close stores and let go 2,500 of SACCAWU’s members — remains subject to negotiation.

Soft-pedal

The union expects, however, that Shoprite, having taken a drubbing, will soft-pedal on this issue.

The chain and the union entered mediation last Wednesday and Thursday, resumed on Saturday and pursued their negotiations — despite a temporary collapse — until 8 am on Sunday when a deal was struck.

The two sides are expected to enter wage negotiations within a week — but this time without the National Union of Distributive and Allied Workers, a Cape-based minority union from the Shoprite side of the chain to whose presence in wage negotiations SACCAWU had taken strenuous exception.

The basis on which SACCAWU members will return suggests a significant victory for the union. The agreement includes anti-victimisation clauses and loan facilities to workers, who are estimated to have lost up to R13 million in wages.

Disciplinary action against strikers will be handled "with sensitivity and understanding."

The union will in turn allow management’s approach to guide its attitude towards its own allegations of misconduct by some managers.

An exhausted but "extremely satisfied" SACCAWU strike team said the union had achieved all its major objectives.
Strike at Shoprite/Checkers ends

The four-week Shoprite/Checkers strike has ended, with the company and the SA Commercial, Catering and Allied Workers' Union reaching agreement on Sunday after a marathon mediation process.

Saccawu spokesman Jeremy Daphne said the 10 000 striking workers were scheduled to return to work on Thursday but would be paid from tomorrow.

The agreement, described by the union as "a victory for the working class", includes the reinstatement of certain clauses of the cancelled recognition agreement, covering union recognition, access, shop steward and negotiation rights and industrial action provisions.

The company also agreed to recognise Saccawu as having the right to bargain directly on wages and not on a shared platform with minority union the National Union of Distributive and Allied Workers.

"Wage negotiations are expected to resume early next week. The parties are also scheduled to meet on the question of store closures and retrenchments.

The company said the settlement contained the union's "commitment to the negotiation of a new recognition and procedural agreement". It said the reinstated

Strike B/Day 15/11/93

clauses were an interim measure to facilitate this process. "The interim agreement, through agreed new provisions, fully addresses the company's major concerns with particular provisions of the now defunct old agreement."

The parties have four months to conclude negotiations on the new agreement.

Agreed return-to-work provisions include the removal of all temporary and casual workers employed during the strike, and that the company will not prosecute strikers unless for "gross misconduct". Any disagreement on "gross misconduct" would be decided at arbitration.

Saccawu estimated Shoprite/Checkers experienced a 60% downturn in business during the boycott action supported by Cosatu, but the company refused to comment. A rough calculation of lost earnings pointed to about R13m, but Saccawu said its members had been prepared to forfeit their pay to push the point that "employees won't tolerate management's dictatorial attitude for lousy jobs".

(31) Picture: Page 2
THE Premier Group has become the first signature of Adrassê's alternative dispute resolution pledge. The Alternative Dispute Resolution Association of South Africa (Adrassê) is encouraging commerce and industry to sign the pledge, which is a non-binding commitment by signatories to explore ADR when faced with a dispute. Signing the pledge is a step towards making negotiations rather than litigation a part of corporate culture.

For inquiries about the pledge, contact Marita da Mace at 011-484-1763.
Deadlock looms in wage talks

By Paul Bell, Labour Correspondent

The National Union of Metalworkers of South Africa (Numsa) has put employers in the steel and engineering industries on notice that failure to make a satisfactory wage offer will "snuff out" progress towards the development of an industry-wide consensus on rebuilding of this sector.

At a Johannesburg press conference last night, negotiator Les Kettledeas outlined what Numsa — which represents nearly half a million workers — regards as slow progress in its wage talks with employers in the steel and engineering, auto, tyre and motor industries.

These industries have limited their wage offers to between 4.8 and 7 percent. Numsa is seeking increases of between 6 and 11 percent.

Numsa says its wage talks with the steel and engineering sector, which has offered 6 percent, are "heading for a deadlock." This would also affect discussions in other working groups dealing with skills and training, work organisation, job security, industry bargaining and industrial restructuring.

It has scheduled report-backs at plants for Wednesday — a week before the current wage agreement expires — to seek a mandate from members. It is acting employers to make facilities available for holding the report-backs during company time.

Australian-born negotiator Chris Lloyd said Numsa was committed to a long-term approach aimed at enhancing the steel and engineering industry's competitiveness in global terms: "Either this approach is adopted and negotiated over the next three years, or industrial relations will return to the era of the baseball bat."
Employees of the Shoprite/Checkers chain, who have called off their strike after five weeks, have returned to work. A chain spokesman said the chain was conducting business as usual, although reports reaching union and management offices earlier yesterday suggested there had been a degree of confusion in some stores about the return to work.

SA Commercial, Catering and Allied Workers' Union strike co-ordinator Jeremy Daphne has meanwhile complimented the Independent Mediation Service of SA for its work in mediating between the parties. The process had, he said, "opened up communication channels in a situation where a highly antagonistic relationship prevailed between the parties, and where meaningful dialogue was almost impossible."
Employers, unions can get along

RELATIONSHIPS between trade unions and the companies at which they represent do not have to be stormy. 

Metal and Electrical Workers Union of South Africa (Mewusa) shop steward at Power Engineers, Mr Ashraf Samaai, said since the union was recognised at the Epping company in 1989, conditions between management and the union have been rosy.

"We have received lots of benefits for the workers, for example an Emergency Distress Fund has been set up where workers in financial difficulty can come to the union for assistance," Samaai said.

He said the good relationship between the company and Mewusa was a direct result of improved communication between management and shop stewards.

"A more open attitude prevails and decisions aren't taken unilaterally anymore," he said.

Mewusa has successfully negotiated for arbitration to be compulsory during a dispute, and the establishment of a Death Benefit Fund.

Samaai, Samaai said, was also happy about Power Engineers' commitment to training workers.

Mr Jim Lappin, managing director of Power Engineers, believes his company's philosophy is different from that of other businesses.

"We believe in working towards a common goal. When it is achieved, everyone benefits," Lappin said.

Lappin said the company tried to make employees aware of the need to be productive and competitive.

Through this philosophy, Lappin said, Power Engineers are a success.

"As a result, in the past three years, we have had no retrenchments and we even employed a further 100 people," he said.

According to Lappin, both management and the union are firm but have a fair approach.

"The union keeps us on our toes," Lappin said.
Pyrrhic Victory for Sacau

WHEN MANAGEMENT AT SHOPRIF

ENJOYS A FAVORABLE POSITION IN THE MARKET, IT IS OFTEN ADVANCED TO WORK HARD AND CONTINUE TO DO SO. THIS IS ESPECIALLY TRUE OF MANAGEMENT, WHICH IS OFTEN THE OBJECT OF THE INDUSTRY'S ATTENTION. THE OBJECTIVE OF MANAGEMENT IS TO MAINTAIN ITS PREVIOUSLY ENJOYED ADVANTAGE, AND IT IS OFTEN THE OBJECT OF THE INDUSTRY'S ATTENTION.
Strike clause in spotlight

INTERPRETATION of one of the clauses of a recognition agreement between the Post and Telecommunications Workers' Union (Potwa) and Telkom will be in the spotlight when the two parties meet this week.

Potwa president Kgabesi Mosunkutu said last week that management could not take disciplinary action against workers for procedural strikes of less than 24 hours duration. He said workers had embarked on a number of short procedural strikes.

According to Mosunkutu, the clause in question stated that management could not take disciplinary action against workers for procedural strikes of less than 24 hours duration. He said workers had embarked on a number of short procedural strikes.

Mosunkutu said the union's regions began debates on the clause last Monday.

"The union would meet Telkom this week to finalize the interpretation of the clause," he said.

Telkom said in a statement that problems being experienced regarding the implementation of the recognition agreement would be discussed at regional level.

"If this proves successful, Telkom will review its decision to withdraw the recognition agreement on July 7," the company statement said.
Angels dancing on pinheads
Judge raps lawmaker

THE WEEKLY MAIL, June 25 to July 1, 1999

Judge David

The Washington Post

Washington, D.C.

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continued information on
Unions set likely date for strike

By Paul Bell
Labour Correspondent

Six Cosatu-aligned unions, representing hundreds of thousands of state and municipal workers, have set "the end of July, beginning of August" as a tentative date for a general public sector strike.

Neal Thobejane, assistant general secretary of the National Education, Health and Allied Workers' Union, confirmed this after attending a meeting of the Public Sector Co-ordinating Committee in Johannesburg yesterday.

The unions include health, education, municipal, postal and telecommunications, police and prisons workers.

July 30 is a Friday, and the following Monday is August 2, suggesting the latter date as a more appropriate starting point should the public-sector unions decide on a fullscale confrontation with the Government.

The unions are in the process of declaring disputes with the Government, principally over its 5 percent ceiling on public-sector wage increases, and the union's demand that unilateral restructuring of the civil service cease.

No response had come from the Government other than a suggestion that working committees be set up to discuss the issues, said Thobejane.

Thobejane said, regional committees were being established to plan industrial action in their areas from July 17, as a prelude to an all-out strike.

Municipal workers were meanwhile engaged in balloting in major centres around South Africa yesterday. A result is expected within days.
The company then withdrew the union in April that it was proceeding with wage negotiations on the basis of a multiunion bargaining forum. However, while the retailer may have been on solid legal ground, it broke a fundamental rule by going ahead and scrapping the agreement before a replacement was found, observes Par Stone of labour consultant Andrew Levy.

Says Stone: "Classical theory is that strikes are unlikely at times of high unemployment, within financially fragile companies which are clearly struggling for profitability. The reality, as this case shows, is that if there is a principle at stake and a union is put under threat, members will make that sacrifice."

Saccawu eventually took to the streets on May 9. Five bitter weeks followed before the deadlock was broken on June 13 by a mediated interim (120-day) agreement. This reinstates much of the old agreement, along with new clauses dealing with issues such as wage bargaining — which will not be on a multiunion basis this year.

Needless to say, views vary on the origins of the strike and its consequences. A Shoprite/Checkers public affairs spokesmen says the strike was a direct result of failure of the union to renegotiate the recognition agreement. "In order to restore the group to profitability we need a workable agreement with our employees. Our attitude is not confrontational. However, there was no other choice in this situation."

However, other sources in the Shoprite/Checkers camp put it more strongly. They maintain that the group took a substantially harder line after the Shoprite takeover, in order to reverse the Checkers slide into unprofitability in the past decade. This decline was at least in part brought about by incompetent management, coupled with formidable shop-steward power bases unparalleled elsewhere in the retail sector.

Saccawu campaigners co-ordinator Jeremy Daphne blames management's antiquated labour relations attitudes. "No major retailer has ever terminated a recognition agreement and we don't perceive management's action as constructive industrial relations." Daphne continues: "It is a bit strong to suggest that the issue was really about who runs the company, though it was proactive action by the union to halt an extremely dictatorial and totalitarian industrial relations regime, which Pepkor had tried to introduce by sweeping away hard-gained rights."

Views are equally divergent in the market. Chris Gilmour of brokers Senegal Mouton & Kisthoff says there is a widely held belief that the strike was well handled by the company. "The issues are really all about wages and productivity. Management took a hard line, like most industrial concerns these days, and thrashed a reasonable deal out of the dispute. Now that the wage gap has narrowed considerably across the board, productivity is the core thrust that must be reflected in union
Tough talking in pay demands

Tough wage bargaining will take place in the next few weeks in the four sectors in which Numia operates. More than 400,000 workers are involved.

Numia wants a 15% pay increase in the metal, auto assembly, tyre and motor industries. The union has banned overtime in the motor industry.

Employers are concerned that the union called for a ban before declaring a dispute. Employer spokesman Dave Kirby says the overtime ban is not expected to have any major effect on the local market.
Metalworkers make new offer

By Paul Bell
Labour Correspondent

The flagging wage negotiations between the National Union of Metalworkers of SA and the steel and engineering industry have been given a boost with the union's presentation of a new set of proposals.

Last week, union negotiators were glum about prospects, warning that if employers failed to make a satisfactory offer, the emerging consensus for a restructuring of the industry for competitiveness would be jeopardised.

Offers by the Steel and Engineering Industries Federation of SA range between 4.8 and 7 per cent, while Numsa wants inflation-level increases.

Last Monday, Numsa presented new proposals suggesting an improved wage offer linked to making cash available to change work practices from 1994.

Sefsa was expected to respond on Wednesday, the day before the wage implementation date.

Numsa negotiator Chris Lloyd said, "This is ground zero." Of the employers' initial response, he said, "They're interested."
Cosatu to lobby for more rights, says labour expert

COSATU and other trade union groupings would press for statutory organisational rights and employers would have to "formulate positions in this regard", Professor Peter le Roux said in the latest edition of Contemporary Labour Law.

In the absence of a consistent body of jurisprudence, as well as the period required by the Industrial Court to establish standards, Le Roux said legislative changes were likely to be made to regulate these rights.

Cosatu made a detailed report concerning organisational rights to the International Labour Organisation (ILO) fact-finding commission which visited the country last year. It argued for the inclusion of right of access, stop order and collective bargaining facilities, and the recognition of shop stewards.

Le Roux said access was recognised by the ILO commission as being of crucial importance in SA, where many workers both worked and lived on employers' premises. Denial of access under such circumstances would hinder unions in their recruitment of members, as well as prevent them from having access to members.

In light of an ILO convention, the commission recommended that "access should be granted more freely to unions for the purpose of carrying out normal union activities".

On collective bargaining facilities, the commission said "space for union business and meetings; time off for union business or training; (and) access to information for negotiation purposes should be accorded to the unions either through national laws, regulations or collective agreements".

However, the granting of facilities should not "impair the efficient operation of the business" and should take into account the undertaking concerned.

The ILO also recommended that the prohibition on stop-order facilities under the present Labour Relations Act should be repealed. Currently, unregistered unions are not entitled to apply for such a facility unless the Minister gives permission.

Le Roux noted the draft Bill drawn up by the National Manpower Commission which is being circulated for comment included this change.

ILO recommendations also cover shop steward rights and duties. Victimization and time off for training and to attend to union matters are dealt with as well as access to necessary information.

Le Roux said that as the article was wide in application and contained financial implications, the ILO provided for countries, either through statute or collective agreement, to define the "precise extent of facilities and the conditions under which they should be granted".
Pay rise spurned: Pickets may follow

Weekend Argus, July 3/4 1993

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Footwear workers down tools over pay

SHARON SOROUR
Labour Reporter

THOUSANDS of footwear workers in the Western Cape have downed tools following the breakdown of annual wage negotiations, according to the SA Clothing and Textile Workers' Union (Sactwu).

Union organiser Mr Ronald Bernickow said about 3 000 workers went on strike yesterday because they were unhappy about the wage offer from manufacturers.

Footwear Manufacturers Federation director Mr Dennis Linde confirmed the talks had deadlocked with management offering a seven percent increase.

Mr Linde said of the 23 000 workers in the industry nationwide, about 3 000 were in the Western Cape.

He said while unions had rejected management's wage offer, they had not indicated any wage demands.

Mr Linde said the national council of the National Union of Leatheworkers, which represented the majority of workers in the sector, would meet at the weekend to reconsider management's offer.

Mr Bernickow said the wage offer was tied to a "whole range of conditions including that wages have to be paid into a bank account and split annual leave".

By yesterday most of the major factories were on strike, Mr Bernickow said.
IFP and rightwing ‘overlap’

By Abbey Makoe and Sapa

The leader of the rightwing World Preservatist Movement, Mr Koos Vermeulen, said yesterday there was an overlapping membership between his organisation, the Inkatha Freedom Party and the AWB.

Vermeulen’s disclosure follows revelations that the “Vaal Monster”, Victor “Kheswa”, belonged to both the IFP and WPM at the time of his death in police custody last weekend.

Vermeulen’s statement contrasts denials by the IFP that Kheswa’s was a member of both the IFP and WPM.

In another development, the Law and Order Ministry said it had launched a special investigation into Kheswa’s death.

The ministry said it would investigate Kheswa’s reported membership of the WPM and Vermeulen’s statements regarding Kheswa affiliation to the WPM.

Also to be investigated was the ANC’s claim that the police murdered Kheswa to prevent him from exposing the existence of a “third force”.

Top policemen Major-General Piet du Toit and Brigadier Floris Mostert would head the investigation, the ministry said.

Vermeulen told Sowetan yesterday that his members were free to belong to organisations belonging to the Concerned South Africans Group “Our members are free to join the parties of Lucas Mangope and Oupa Gigozo but not the Pan Africanist Congress and the African National Congress,” he said.

He confirmed that his organisation had a private army which he declared to have.

The army was currently only “defensive” and did not “offensive,” Vermeulen said.

He denied the WPM’s complicity in the current wave of violence in the townships “At the moment we are giving peace a chance.”

Asked about the WPM’s black membership, he said it was “not much” but was growing fast. He said he would disclose the exact figures soon.

The IFP yesterday emphatically distanced itself from the WPM spokesperson Miss Suzanne Vos said: “The leadership of the IFP knows nothing about the WPM or of any purported involvement that Mr Kheswa may or may not have had with this odious organisation.”

See also page 11.
Mob tried to burn police
Govt rethink on wage bargaining

From ERICA JANKOWITZ

JOHANNESBURG — The government was seriously rethinking its stand on centralised bargaining as contained in the normative economic model (NEM). Finance Minister special adviser, Japie Jacobs said over the weekend.

Speaking at the sixth annual labour law conference at the University of Natal, Jacobs said the government would not intervene in determining bargaining structures, but would adopt a pragmatic approach in allowing the parties to decide which system of bargaining best suited each sector.

"Centralised bargaining is one of the systems in use. The government will absolutely not propose legislation to outlaw it, but neither will we pass a statute to make it compulsory," Jacobs said.

He proposed a flexible approach to bargaining levels in contrast with the market system approach embodied in the NEM.

As Cosatu advocated centralisation as one of its pillars of reconstruction, the government's unwillingness to dictate labour market policy was still an area of debate between the parties, Jacobs said.

He said the government could not prescribe economic policy, but should negotiate with the parties involved. As such, Jacobs felt the National Economic Forum was of particular importance as business, organised labour and the government had formed working groups in which major policy decisions were formulated.

In Jacobs' opinion, the government had to realise the importance of labour policy on economic growth and performance and, as such, policy decisions could not be left solely to the Manpower Department.

He said the government may have to aid certain sectors during restructuring to ensure their continued survival and international competitiveness. For example, in the automobile, textile and electronics sectors, in which technical renewal and advanced training were required, tariff structures were being investigated.

However, Jacobs suggested a quid pro quo from labour in the form of accepting lower wages during training. These would be revised once training was completed, Jacobs said.

"This is the component which is missing. Labour is very quick to pass additional financial burdens onto business without taking their full cost impact into account," he maintained.

On the issue of labour-intensive production, Jacobs said the ratio of capital to labour costs would have to be taken into account in establishing which sectors were best suited to its introduction.

He said the government could not intervene and prescribe this type of production in all spheres, especially as SA was attempting to end its years of isolation from the world economy.

"Government will support labour-intensive production as long as it is cost effective. But on this issue, the labour movement is imposing itself as an arbiter of investment decisions," Jacobs said.

Opening the conference, Finance Minister, Derek Keys described the NEM as not being government policy, but being based on the "best economic advice as a basis for finding a solution to our economic problems."

Both government representatives agreed they had a long way to go in finding an acceptable way of "revitalising" SA's current economic reality of structural decline.
Road carriers and union in pioneer pact

CAPE TOWN — The country's five biggest road carriers and the Transport and General Workers' Union have pioneered the industry's first national bargaining agreement, union and management spokesmen said yesterday.

This was the first time the union had managed to bind employers to national centralised negotiations, said TGWU national organiser for goods and docks Thulani Dlamini.

Larry Falk said history was made with the agreement, which binds Auto Carriers, C R G, Motorvia, N R D and the Southern Star Organisation to a national negotiating forum.

Dlamini said industry-wide talks covering about 3 500 workers were scheduled to start in early August, following the June 22 agreement between the TGWU and the SA Motor Ferry Association.

"This is a milestone for the union," he said.

"We have been working towards the centralisation of the transport industry and this is the first truly national forum in any of the sectors," he said.

Falk said the agreement committed the parties to tabling their respective proposals by the end of July each year.

Negotiations would then start in August for implementation on January 1.

The new bargaining forum resulted from talks which started in early 1991 and were achieved without any dispute or major hitches, which is exceptional. Both parties also hope that their future ongoing relationship takes place in the same manner," Falk said.

Dlamini said the agreement fell short of setting up an industrial council, but the motor ferry sector could form a sub-sector of the proposed national industrial council for the goods transport industry.

The industry employs 19 500 workers in Sapa.
Refusal of bargaining rights gives state doctors the needle

SHARON GOROUR
Labour Reporter

DOCTORS at state health institutions were given a bitter pill to swallow when the government, passing a much-maligned Labour Bill for the public service, refused them the right to bargain for better wages and working conditions.

The notion of doctors endangering the lives of the sick by exercising a right not to work is in apparent discord with their image as nurturers of human life.

But were they fighting for the right to suspend their services through strike action? Or were they simply demanding the right to another form of bargaining power and a dispute resolution mechanism to address their own concerns?

The fact is, with the Public Service Labour Relations Act which has just become law, thousands of government-paid doctors are left virtually powerless to do anything to improve their working conditions.

The Medical Association of South Africa (Masa) slammed the Labour Bill as "rigid and shortsighted" and warned that doctors would have no option but to leave the public service.

Masa federal council chairman Dr Bernard Mandell said the government was now in a position to abuse the traditional calling and integrity of the medical profession by doing nothing to improve working conditions, workload and salaries.

"The government is well aware that doctors are legally, ethically and morally bound to continue caring for their patients, regardless of their own circumstances," Dr Mandell said.

To resign from public service was their only remaining option.

"This will have a disastrous effect on state health care services, which are already barely coping in meeting the needs of the community," he said.

Doctors who work long hours in overcrowded hospitals are not only leaving the public sector but the country, according to Masa's profession development director Dr David Green.

The "brain drain" of medical talent was enormous, said Mr Mike Ellis, Democratic Party MP and spokesman on health and a member of the all-party standing committee that debated the Bill before it was passed.

"The majority of doctors who are leaving are white or Indian. South Africa is having to import doctors and, basically, they are making a mess of things, not having suitable qualifications or the language ability to do their work properly," Mr Ellis said.

At a time when we are losing doctors for political or other reasons, we again fail to give them the recognition they deserve by catering for their needs in this Bill I blame the government 100 percent."

Masa's main objection to the legislation is that it offers no protection for the rights and interests of doctors through recognised dispute resolution mechanisms.

Doctors are not necessarily unhappy about being denied the right to strike — the ultimate bargaining weapon — as the medical profession is deemed an essential service.

"As an association we do not believe that doctors should strike, which is different from believing they should have the right to do so," Dr Green said.
Mine hostel breakthrough

The National Union of Mineworkers secured a breakthrough agreement at the Hartbeesfontein mine which has agreed to dismantle its ethnically based hostel system and replace it with a housing scheme based on work sections instead.

Hartbeesfontein mine has been the scene of ugly clashes between Mozambican and other miners. More than 100 workers were injured and 19 were killed.

The parties also agreed to set up a peace committee which will have sub-committees at every shift — the committee will be up and running by end of the month.

TGWU pulls out of board

The Transport and General Workers Union (TGWU) this week pulled out of the Security Officers Board after an eight-month dispute.

"The board has spent its time and energy setting up an unnecessary and wasteful bureaucratic process of registering all guards, instead of paying attention to the real conditions in the industry," the union’s national organiser, Jane Barrett, said in a statement this week. 18/7/93

TGWU will decide whether to call on its members to withhold their registration fees for 1994 which are due in December. It has already suspended the participation of worker representative, Joseph Mathew, from the board.

Labour Briefs

Care for stressed workers

The Sales House chain — part of the Edgars Stores group of retail stores — has introduced a post-traumatic stress management programme for its employees. In the past nine months, Wilfrid University psychologists have trained 51 staffs to counsel their colleagues who have been the victims of armed robberies.

Should there be a store robbery, a team of counsellors is sent to the scene where they "provide the valuable listening and debriefing skills so necessary at the time."

First National Bank has a similar scheme in place for employees involved in bank robberies as well as for customers who happen to be at the scene.
Mining, municipal pay talks in dispute

Rand Mail (reporter)

STRIKES are looming across the mining and municipal sectors where wage talks have ended in dispute. And though strike action is unlikely in the metal industry, the parties are still a long way from concluding this year's negotiations.

The National Union of Mineworkers (NUM) called Wednesday's third conciliation board meeting "a crunch meeting" which, if not resolved, could end in a strike ballot.

The spiralling gold price is raising miners' hopes for better increases and further from its demand for a 15 percent increase. The union went into wage negotiations with a 30 percent increase demand.

The Chamber of Mines is offering an average six percent increase on coal and gold mines. Negotiations held in June and the parties met at the end of last month.

Employers in the metal industry last week increased their wage offer to seven percent. But the offer was tempered by a number of exemptions.

Employers in the Natal Midlands and the Cape should be able to apply for exemptions to implement increases of less than seven percent. Employers in the Free State and Cape, whose mining industry, together with mining businesses dependent on the mining industry, may apply to implement the increases in January next year, made a final wage offer of 4.5 percent.

The National Union of Mineworkers of South Africa (NUM) has the power to be able to implement the increases against the increase in the minimum wage increases of lower-grade workers.

NUMA—which has asked for a 15 percent wage increase over three years—last week rejected the seven percent offer and said it would not increase wages for lower-grade workers.

Meanwhile the South African Municipal Workers' Union (Samwu) announced that its members would embark on a national strike on August 2. Almost 90 percent of workers ballots last month voted to strike.

Municipal authorities have proposed wage freezes in some areas and the highest offer in the sector has been for a wage increase of six percent. Samwu is demanding a minimum wage of R50 a month and an end to restructuring of municipal services.
Union holed up in talks
By SIPHO KHUMALO

THE SA Commercial, Catering and Allied Workers’ Union was yesterday still locked behind doors in Durban trying to sort out internal disputes.

The Cosatu affiliate held its annual congress at the University of Natal, Durban, amid disagreements over management of funds and the union’s pre-election political direction.

Earlier this month the Witwatersrand branch executive committee was suspended, purportedly bringing the union into “disrepute.”

A Saccawu official revealed the issue of the suspension of the Wits branch executive was to be discussed.

Other issues due to receive attention were the future role of the union in the ANC/SACP alliance and Cosatu’s reconstruction accord.

The Wits branch wants the relationship with the alliance changed. The union was due to hold a rally from 10 am today at Curries’ Fountain.
Disputes declared
THE National Union of Metal-workers of SA (Numsa) has declared pay-related disputes with six metal industry manufacturers. Numsa national collective bargaining secretary Les Kettle said yesterday.

The affected companies were Highveld Steel and Vanadium, Middelburg Ferrochrome, Metal and Manganese Company, Esco, Ucco and Hulett's aluminium plants in Epping and Maritzburg.

Disputes were declared after in-house negotiations ended in the rejection by workers of final wage offers, Kettle said.
Survey highlights black voters' fears

CAPE TOWN — About 14 percent of black South Africans surveyed recently said they would probably not vote in the April elections for fear of violence, the Goldstone Commission heard yesterday.

Addressing a hearing on ways to prevent violence and intimidation during the elections, Professor Laurie Schlemmer of the Human Sciences Research Council also said 2 percent of the respondents claimed they were committed to violence during and after the election period.

This translated to an "awfully large" percentage of the total electorate who had a destablising, revolutionary attitude, said Schlemmer.

The survey of 8,400 respondents was carried out recently in areas not normally polled, such as squatter camps, resettlement areas, deep rural areas and the self-governing states.

Three out of every 10 people saw the prospect of violence as the most severe problem surrounding an election.

A third of those surveyed approved of breaking up meetings of opposing parties in areas where these parties were not popular, which indicated a "fairly tough, cynical attitude" to the rights of parties to mobilise support, he added.

Only 54 percent were sure that their vote would be secret — a figure which made this survey group only a little less paranoid than their urban counterparts, who were also surveyed by the HSRC recently.

About 97 percent of ANC supporters expected the movement to win an election, which was fairly realistic in the circumstances, Schlemmer said.

The Star's political correspondent Chris Whitfield reports that the weekend is shaping up as critical to hopes of an imminent return by the Inkatha Freedom Party and KwaZulu government to negotiations.

However, the IFP's Dr Ben Ngubane — who led a delegation which met with the Government for discussions on the issue yesterday — last night cautioned against suggesting that the party would return to the talks at the World Trade Centre within days.

"There has been some progress (in talks with the Government and ANC) but everyone expects a rush now. The issues we are discussing are so fundamental they cannot be resolved overnight," Ngubane said in Durban. — Saps.

Dispute over bid to lay off 200

By Abdul Milazi
Labour Reporter

When Eric Magwaza (46) was promoted to stores manager at the Epic Oil Mills Johannesburg factory a year ago, he knew he could give his family a better life and a better education on an increased monthly salary of R4,000.

Now Magwaza is one of the Epic Oils workers who face losing their jobs, after the company this week announced its intention to retrench some 200 people today.

About 300 workers at the factory downed tools on Wednesday after management allegedly refused to negotiate the retrenchments with their union.

However, Epic Oils managing director Trevor Wilkinson said his company had negotiated with the Food and Allied Workers' Union (Fawu), which represents the majority of the workers, but the two parties could not reach an agreement on how the retrenchments should be implemented.

Wilkinson said the company had decided to go ahead with its decision "to get some reaction from the union" which he said had failed to come up with alternative proposals after nine months of negotiations.

Fawu regional organiser Ernest Bulter has disputed this and said the company was unilaterally implementing the retrenchments. He said that when the union came up with alternative proposals, management issued counter-proposals, making it impossible for the parties to reach an agreement.

The workers have vowed not to return to work until management agrees to negotiate with the union "in good faith."
Parents must be heard in education disputes.
Cosatu backs fired workers

STAR 9/1/93

STAFF REPORTER

The Congress of SA Trade Unions has called for the re-instatement of all sacked municipal workers and has warned of countrywide solidarity action

A detailed report on the municipal workers' dispute was tabled at Cosatu's three-day central executive committee meeting which ended at the weekend in Johannesburg.

Cosatu resolved to support the SA Municipal Workers' Union, a Cosatu affiliate.

The federation said it took particular note of the mass dismissals of municipal workers by employers, organised under the Cape Province Local Authorities' Organisation.
Workers paid out

THE Department of Water Affairs this week agreed to pay almost R$600 000 to 14 workers retrenched in June 1993.

The Public Service League, whose members were retrenched, took the unfair labour practice action to the Appellate Division and won the case in September last year.

Final negotiations this week yielded agreement by the department to pay all salaries, salary increases, bonuses, pension benefits, general increases and 50 percent of accumulated leave to the retrenched workers.
Two-year wage dispute over

The two-year wage dispute between the Cape Province Local Authorities Employers' Organisation (CPLAE) and the South African Municipal Workers' Union (Samwu) has been resolved after 18 hours of negotiations, Samwu has announced.

Striking workers covered by the agreement, which is for both the 1992/93 wage dispute and 1993/94 wage demands submitted by Samwu, will immediately return to work.

Both parties acknowledged the disparate and complex nature of the municipal sector and reached agreement on three new minimum rates of R404, R497 and R550 a month with effect from July 1, 1993.

The parties also agreed on a common minimum wage for the Cape Province by July 1, 1995, based on about R550 adjusted over the next two years.

The effect of increases on the minimum would compact many scales above the existing minimum, resulting in substantial increases for large groups of workers.
News in Brief

Black judge chancellor
DURBAN — Prominent Natal advocate and South Africa's first black acting judge, Mr Justice Hassan Malik, has been appointed as the new chancellor of the University of Durban-Westville.

Rhodes wage talks stall
GRAHAMSTOWN — Wage negotiations between the administration of Rhodes University here and the National Education, Health and Allied Workers' Union (Nehawu) have broken down. Both parties have agreed to mediation, probably next week.

Parachute accident death
PHALABORWA — Sergeant Matthew Dube, 31, of 451 Battalion at Phalaborwa in the Northern Transvaal, was killed yesterday when his parachute failed to open during a training exercise.

3 miners die in rockfall
Johannesburg — Three mineworkers were killed and one has been reported missing in a rockfall nearly two kilometres underground at the Leeudorn gold mine on the Far West Rand.
DURBAN — More than 300 dismissed workers from a chicken factory in Camperdown, Natal, yesterday continued their three-week-long picket in nearby Maritzburg, protesting against having to work without underwear.

The women, under the banner of the Food and Allied Workers' Union, were fired from National Chick Farms between April and June because they refused to work without underwear, according to union official Mr. J.J. Negobo.

Repeated attempts to reach National Chick Farms' managing director failed yesterday, and a director declined to comment — Sapa
'No underwear' picket continues

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Union seeks wage hearings

BY PAUL BELL
LABOUR CORRESPONDENT

The SA Commercial, Catering and Allied Workers' Union (Saccawu) is seeking conciliation board hearings in its wage disputes with the Meteash and Dion groups, and plans to ballot its members at CNA-Gallo on strike action.

In the CNA-Gallo dispute, now several months old, Saccawu rejected an offer of R165 across the board, or 15 percent, and demanded R230. Its 5000 members will begin a strike ballot next week.

From the Meteash group the union wants R230 across the board, or 20 percent, instead of management's 5 and 11 percent.

The dispute involves about 6000 workers at 180 outlets, who have already begun industrial action including go-slow and the jamming of tills.

A conciliation board hearing is set for September 17th.

At DION, Saccawu's 1000 members want R220 while the company is offering R130.

Meanwhile, Saccawu has welcomed the establishment of a sister union in Bophuthatswana whose members work mostly for Sun International.

Saccawu initially condemned it as a surrogate of the Bop government. But this was because anti-COSATU remarks in a Bop government statement were wrongly attributed to a union official.
Saccawu in wage disputes.

The South African Commercial, Catering-and Allied Workers Union (Saccawu) is seeking conciliation board hearings in its wage disputes with the Metcash and Dion's groups, and plans to ballot its members at CNA-Gallo on strike action.

In the CNA-Gallo dispute, now several months old, the company made what it considered a good offer of R165 across the board, or 12 percent. Saccawu is demanding R230, says organiser Lee Modiga, and its 5,000 members will begin a strike ballot — which the union first threatened three months ago — next week.
Union declares dispute

September 9, 1943

The Federation of Municipal, Health and Allied Workers has declared a dispute with 12 Transvaal municipalities, demanding a minimum salary of R812 and a 17.5 percent increase for workers earning more than that. The union will meet employers at an Industrial Council meeting today.

According to the union, the municipalities are offering a 5 percent increase backdated to July 1 and a further 2.5 percent from January 1.

The union represents 9,000 workers in the municipalities concerned.

Labour Correspondent
Union declares wage dispute with Game

THE SA Commercial, Catering and
Allied Workers' Union (Saccawu) yester-
day declared a wage dispute with
Game Discount World, a division of
McCarty Retail, with the company
offering a R65 across-the-board in-
crease in response to the union's R237
demand

Other issues on the table were a
laundry allowance, staff discount and
unconditional day off per month, all
rejected by management.

Saccawu spokesman Bukani
Mngoma warned that if a conciliation
board could not resolve the dispute, a
national strike would be called. The
union represents about two-thirds of
the 1,300 workforce.

Meanwhile, Saccawu's Jeremy
Daphne said the union was ballotting
members at CNA in preparation for a
wage strike. Saccawu declared a dis-
pute with the group weeks ago, but
was unsuccessful in its first strike
attempt.
Security workers declare disputes

THE Transport and General Workers' Union had declared eight disputes with Springbok Patrons in response to what it called "illegal employment practices and union-busting". National organiser Jane Barrett announced yesterday.

Barrett accused Springbok Patrons management of unilateral actions, including cancellation of union facilities and stop orders, deductions for an "unregistered insurance scheme" and a "rival staff association" and dismissals and retributions.

The company was breaching a wage determination by not issuing proper pay slips, Barrett said.

The union had approached the Manpower Department to investigate.

Company spokesman Jaap van Zyl said the pay slips had department approval and the offending insurance scheme was a "burial fund which was considered necessary because of the nature of work performed by our employees".

Van Zyl said union facilities had been cancelled after a hand grenade attack on the Security Workers' Association general secretary's home, for which union shop stewards had been arrested.

A court case was still in progress.

Barrett also complained about the company's attempt to register its "in-house staff association as a trade union".

Van Zyl confirmed the association had been registered, but said it had been operating for seven years.

Barrett said the union had requested for conciliation boards to resolve the disputes. If they failed, strike action would be ruled out.

She called on Springbok Patrons clients to put pressure on the company to "get its house in order".

Van Zyl said the union's actions might lead to "cancellation of contracts and the unavoidable retrenchment of workers".
Dispute arbitration cost R259'000

ARBITRATION of the council's wage dispute with the SA Association of Municipal Employees cost R259'000.

SAAME members have not been paid increases in terms of the arbitration because the council is waiting for legal opinion.

Exco chairman Louis Kreiner said this in reply to questions by Arthur Wenburg.

A court interdict against SA Municipal Workers Union members who occupied the Civic Centre executive suite during the August strike cost R10'000.

Mr Kreiner said the lack of a central bargaining forum meant SAAME and SAMWU members could be on different pay scales.
Workers digging in at UWC

Workers at the University of the Western Cape are up in arms over alleged maladministration, "subtle" retrenchments and the victimisation of union members.

Rejecting the claims, a UWC statement said there was no crisis or retrenchments and blamed the trouble on a small group acting outside union agreements.

Last week, cars were delayed at the university entrance as protest action by the National Education, Health and Allied Workers got underway.

Lunch-hour protests and pickets continued this week.

Wage negotiations, affecting more than 1 000 non-academic staff, are in progress, but workers said the "crisis" did not involve only salaries.

Nehawu members at the university said although there was a moratorium on retrenchments, workers were being "subtly" laid off because of "encroaching privatisation".

"More than 20 people, from the campus's security section and gardeners, have been retrenched in the past six months alone. The union has not been consulted on these issues," a worker said.

Workers also complained that the term "serious offence" had not been defined, and any "so-called breach of conduct is defined as a serious offence".

There was religious discrimination at the university as Indians and Muslims had to take leave on their religious holidays but Christians got paid leave automatically.

Workers also wanted the structures of the university to be "democratised" so that all constituencies on campus were represented, and called for a commission of enquiry into the university's financial position.

Workers said one of the biggest problems was the absence of a code of conduct for the university.

There was also a need for induction programmes to train personnel.

Responding to the allegations, UWC said in a statement it had an extensive recognition agreement with the union, which made provision for procedures of dispute resolution.

UWC said it was "confident" it was a fair employer.

There could be no talk of a "crisis" as a dispute had not been declared regarding wage negotiations.

"The pickets and actions by small groups of workers are clearly outside the agreement, and must be understood in the context of putting pressure on wage negotiations," a university spokesman said.

There had been no retrenchments and the university had an agreement with Nehawu that there should be a moratorium on retrenchments.

Nehawu could take the university to the Industrial Court if it were to engage in an unfair labour practice, but the union had "made no move to clarify its position in this regard".

"All other matters mentioned as statements of UWC Nehawu members are a blend of vague allegations and half-truths. They could be addressed formally if they were defined and put on the table in terms of the agreement."
The three-month wage talks between Game retail chain and the SA Commercial, Catering and Allied Workers Union broke down yesterday, following the union's rejection of a final wage offer. The company's wage offer ensured that no employee in the bargaining unit would receive an increase less than the inflation rate. In the event of a strike, the "no-work-no-pay" policy would be followed, he said — Sapa.
Talks over strikes at car plants

BY PAUL BELLE
LABOUR CORRESPONDENT

Motor manufacturers met the National Union of Metalworkers (Numsa) in Port Elizabeth yesterday in an effort to resolve a dispute that has brought Toyota and Samcor assembly lines to a virtual halt.

The strikes at Toyota in Durban and Samcor in Pretoria entered their third day yesterday. Toyota decided to shut its assembly line three days early; it was due to close on Friday until January 11.

At Samcor, management and shop stewards issued a joint statement to workers this week that production should continue while the matter was being negotiated.

A spokesman said absenteeism yesterday morning had been unacceptably high, and there would be no production yesterday.

Other manufacturers have not been affected.

The issue — workers are objecting to tax deductions from an ox gratuity payment — is a hangover from the main agreement between Numsa and the manufacturers on wages and conditions of service, reached in August.
Scab labour row

By Ike Motsapi and Joe Mdilela

The Food and Allied Workers' Union has threatened to enlist the support of community organisations if Kanthym Fresh Meat Supply of Balfour fail to resolve a wage dispute.

The threat follows the alleged busying in by Kanthym management of about 200 scab labourers allegedly from Jeppe Hostel in Johannesburg and Dube Hostel in Soweto — Inkatha Freedom Party strongholds — to replace about 400 workers involved in a legal strike action at the company.

The union claims that the company was paying scabs R65 a day while Fawu members were paid a minimum of R20 a day before going on strike.

The strike began on December 6 after talks between the union and the company deadlocked following disagreement over the union's demand for increased wages and better working conditions.

Mr Sello John Maposhohe said workers were demanding — among other things — allowances for people working in freezing conditions and an across-the-board salary increase of R135 a month.

Branch organiser Mr Sakkie Kekane said when Fawu complained about the use of scab labour they were apparently told by a factory official that this was "an acceptable practice worldwide".

"Clearly, we are dealing with people who are insensitive to the demands of our people," said Kekane.

Kekane said the strike began last week as a result of the company's failure to raise the minimum wage of R400 a month by R120.

Management made an offer of R60 a month, a figure that was rejected by the workers.

"How can you convince the workers to accept R60 when they know their counterparts in Germiston and City Deep earn R710 a month as minimum wages?" asked Kekane.

Kanthym spokesman Mr Hannes Kruger said the company was involved in serious negotiations aimed at resolving the matter.

He said "I am not prepared to comment on allegations that are being made against the company because they will not help us to resolve the problem."
Strike ballot at Coke

By Sipho Zungu

There will be no festive merrymaking for Coca Cola workers as they will be making arrangements to go on strike soon.

This was stated by the Food and Allied Workers Union (Fawu) which is involved in a pay dispute with Amalgamated Beverage Industries (ABI), bottlers of Coca Cola.

Coca Cola employees who are members of Fawu met ABI management at the Conciliation Board in a bid to settle their pay dispute but failed to reach agreement.

A spokesman for the union said they had compromised and moved from their original demand of a 16 percent increase to 15 percent but the company’s offer still remained at 10 percent.

Report back meetings were held at all ABI plants and it was decided to conduct a strike ballot.

The date set for the strike ballot is next Tuesday and the results of the ballot will be announced the following day.

Shop stewards

Mr George Nene, chairman of the Coca Cola shop stewards council, accused the company of being “opportunistic” adding that it could “easily afford a more than 15 percent increase”.

He said Fawu was going to ask its mother body, the Congress of South African Trade Unions, civic associations and all progressive formations to support them during “the historic strike”.

Mr Henne de Vilhers, head of the personnel department at ABI, said yesterday that he could not comment on the matter and referred Sowetan to another ABI executive, Mr Dave Smith, who in turn, said: “Fawu will be having their strike ballot on Tuesday.

“There is nothing we can do. We were prepared to give, rather the company was prepared to offer a 10 percent increase but we were deadlocked when Fawu demanded at least 15 percent”.

At the time of going to press the company was preparing to release a statement on the matter.