



COSATU

Information Digest

Number 8

20 February 1991

LRA VICTORY

More than two years of worker struggle, mass action and negotiations resulted last Thursday 14th February in the scrapping of the 1988 amendments to the Labour Relations Act. The State President has to sign the new Act within ten days of it being passed by parliament. Some of the most important changes contained in the new LRA are:

1. The 1988 definition of the "unfair labour practice" is gone, removing strikes and lockouts from this definition.
2. It will now be easier to use the Conciliation Boards and the Industrial Court to help resolve disputes.
3. It will no longer be presumed that a union is responsible for an illegal strike of its members.
4. An employer can't interdict a strike without giving 48 hours notice or, if shorter notice is given, without informing the union.
5. Unions with public and private sector members can now register.

COSATU will be organising regional workshops for organisers to look at the implications of the Act, and how to apply the new provisions.

COSATU has stated that the scrapping of the amendments are only the first step in the process of creating a workers LRA. Immediately on the agenda, in terms of the

agreement reached with employers and the state last year, is our demand for rights to be extended to farm workers, domestic workers, public sector workers, and workers in the bantustans. June is the deadline which has been set for real progress to be made in these areas. COSATU is also calling for the restructuring of the Labour Appeal Court and the National Manpower Commission.

NATIONAL MANPOWER COMMISSION

COSATU is demanding the restructuring of the National Manpower Commission, the body responsible for submitting proposals to the Department of Manpower on labour legislation. COSATU is participating conditionally in the NMC, in order to ensure that workers views are put forward about labour legislation which is being discussed at the moment e.g for farm and domestic workers. However, COSATU's continued participation on the NMC is subject to certain changes being made. These include: adequate representation for workers on the NMC; the NMC should discuss all laws affecting workers; the NMC should be given real teeth, not only recommending powers; and democratisation of the procedures. This is in line with the "Labour Minute" last year which agreed that no labour legislation would be passed without consultation with workers.

PUBLIC SECTOR TALKS

The deadlock in talks with the Commission for Administration (CFA) was broken on Monday 18th February, when an approach

to resolving disputes was agreed on. The next meeting with the CFA has been set for 4th and 5th of March. COSATU has organised a workshop for the public sector unions on 2nd and 3rd March. In terms of the CEC decision, COSATU is calling for the negotiations with the CFA to be extended to include the entire public sector.

VIOLENCE

Violence is threatening the ANC/INKATHA peace accord of 29th January. In the week following the accord at least thirty people were killed in Southern Natal, most of them ANC supporters. Zulu Police, vigilantes, and criminal elements were reportedly involved in these attacks in six areas. In the Transvaal, vigilantes attacked people on the trains on February 1 and February 13th, killing at least four people and injuring scores of others. People were attacked for wearing ANC T-shirts or singing freedom songs.

On the 9th of February, Inkatha supporters returning from a rally were attacked near Kwa Shange, and 18 people were killed. A dispute has arisen on why the attack took place. Inkatha says it was unprovoked, but residents in nearby areas say that armed men returning from the rally had attacked residents in Gezubuso, killing two, and at Kwa Shange killing one resident. Inkatha and the ANC, in terms of the peace accord, have launched a joint investigation to determine the cause of these killings.

RETRENCHMENTS

A survey by the Labour Research Services (LRS) reveals that the top 100 companies increased their dividends (payment to shareholders) by over 21% in 1990. At the same time many of these companies actually cut employment during this period. On average these companies only increased employment by 0,1%. The LRS observes that, instead of expanding employment opportunities and making economic growth a priority, many of these companies have used cut-backs, retrench-

ments and rationalisation to make large profits. This confirms the view expressed in COSATU's last CEC that many retrenchments are not a result of economic difficulty, but are used as a device to make short-term profit. This has devastating consequences both for the workers who are affected, and for the economy as a whole. The LRS report will be distributed to affiliates and regions.

EDUCATION CRISIS

The education crisis continues to simmer. At the beginning of February over 10 000 teachers in Indian schools embarked on a strike in response to the attempt to cut teaching posts, increase teaching time, and increase pupil:teacher ratios following the R73 million cutback in education spending. Student grievances have also led to school boycotts throughout the Eastern Cape in the last few weeks.

On Monday 25th February a delegation led by ANC Deputy President Nelson Mandela will meet FW De Klerk to discuss the education crisis, and to demand the institution of one non-racial education system. COSATU will be represented by Khetsi Lehoko, COSATU's Education Secretary.

THE STRUGGLE FOR POWER

The cutting off of electricity to townships in many parts of the country is leading to growing confrontation between township residents and the government. The cut-offs were the authorities response to rent boycotts and campaigns against the apartheid councils. Residents on the East Rand and in the Western Transvaal have responded by launching consumer boycotts. A delegation of CAST met the government on Tuesday, 19th February, to demand that the government stop the cut-offs for a month, while the civics negotiated on behalf of residents. This was turned down by the government. CAST has threatened to launch a regional consumer boycott in response to the governments intransigence. A regional council of CAST will meet on

9-10 March, where civics will decide on a co-ordinated response to the crisis.

APARTHEID COUNCILS COLLAPSE

The campaign for the resignation of apartheid councils is taking effect. About 41% of black councillors have resigned in the southern and western Transvaal since CAST started campaigning in September last year. CAST has announced that a national civic association will be formed soon to campaign for non-racial local authorities. In the meantime, civics are demanding that where councils have collapsed, the authorities should negotiate the appointment of administrators with the civics, rather than appointing them unilaterally. However, the government seems determined to prop up black councils. They have announced their intention to introduce legislation providing that councillors terms of office can be extended without elections taking place.

REPRESSION

1. The assassination of Bheki Mlangeni came as a terrible shock to all who knew him. Bheki was well-known to COSATU, having been seconded last year to assist COSATU in dealing with victims of the violence, and to investigate the perpetrators. COSATU has pointed the finger for Bheki's murder at the CCB, and demanded the resignation of Magnus Malan. This call has been highlighted by the Auditor General's report that the CCB continued to operate after Malan claimed it had been disbanded. We have also called for FW DeKlerk to publically dismantle all agencies of apartheid terror, and for an independent commission of enquiry into the death squads, involving international observers.

2. Information Digest 6 reported that Sipho Khubeka, a COSATU leader, and other Alex activists were detained, allegedly for "intimidating" apartheid councillors. They were released after having embarked on a hunger strike. COSATU thanks trade unions and other organisations internation-

ally who responded to our appeal to pressure for their release.

3. Three people were seen attempting to break in to COSATU's printing unit in Durban in the early hours of Saturday 9th February. The entrance to the office was broken, but it seems as if the culprits were interrupted. This is the latest in a long line of attacks on COSATU and affiliates offices.

4. The COSATU "kidnapping trial" has been postponed to June 25th.

NEWS FROM THE AFFILIATES

NEHAWU The decision by the SA Nursing Council (SANC) to discipline nurses involved in last years hospital strikes has provoked countrywide demonstrations. NEHAWU is pressurising the CFA and the Provincial Authorities to put a stop to the disciplinary hearings. NEHAWU will also be meeting the nursing council shortly to discuss the hearings.

Meanwhile, the wave of strikes by health workers continues. Hospital workers in Ciskei have taken strike action because of the refusal of the Ciskei authorities to recognise NEHAWU, in addition to other grievances. Brigadier Gqozo announced this week that he is prepared to meet the union. NEHAWU is negotiating with Venda authorities to stop disciplinary action against hospital workers who embarked on a 8-day strike to protest against unsafe medical practices at Siloam hospital.

Striking NEHAWU members at Natalspruit hospital returned to work this week. The dispute has been referred to mediation.

T&GWU met the Security Employers Association (SANSEA) on Tuesday this week to discuss the creation of a national industrial council for the contract security industry, and the problem of security workers having to register under the Security Officers Act, which would bring them under the ambit of the Department of Law and Order.

There are about 80 000 workers in the industry, of which T&G has organised 13 000.

The threatened strike at Rennies Transport has been called off after an insufficiently high proportion of workers voted for action in the strike ballot.

TGWU and NACTU's transport union joined forces in the pay strike by 1 600 workers at City Tramways since February 7th. Workers demanded a R1 200 minimum monthly wage, as against an offer of R715. Workers returned to work at the end of last week. Further details weren't available at the time of writing.

SARHWU will be holding its National Congress from the 27th February to the 2nd March.

NUMSA will be having its Collective Bargaining Conference this weekend 23-24 February to prepare for the round of negotiations for 1991.

CAWU has joined forces with a white building union (AUBTSWA), NACTU's construction affiliate (BCAWU), and one other union (BIWUSA) to declare a dispute with the Master Builders and Master Mason Associations for refusing to negotiate substantive issues for workers. Employers are attempting to prevent the unions from negotiating any plant-level improvements to minimum conditions set by the industrial council.

NUWCC Met this week with COSATU and our allies to map a way forward for the organisation of the unemployed. The meet-

ing made recommendations, which will go forward to the NEC of NUWCC to discuss. The NUWCC in turn will make recommendations to the COSATU Exco on March 16th.

SACCAWU is involved in two disputes around the issue of centralised bargaining. Over 1000 Metropolitan Life workers around the country have been in dispute with the company, which has refused to accept SACCAWU's proposals over a single bargaining unit. SACCAWU is also involved in a dispute with Defco, owner of the Kentucky Chicken franchise, with 180 outlets. Defco, which is owned by Pepsico in the USA, told SACCAWU last week that any form of centralised bargaining was unacceptable.

NEWS FROM COSATU

COSATU OFFICE BEARERS met on 18th February. They looked at ways of implementing the decisions of the February CEC. They also interviewed people for vacancies in COSATU.

REGIONAL CONGRESSES will be held in most COSATU regions this weekend, the 23rd and 24th of February.

COSATU'S NATIONAL CAMPAIGNS CONFERENCE will be held from 8-10 March. Discussions of the campaigns are taking place in the regions and affiliates to prepare for the conference.

NEDCOM ODT SUBCOMMITTEE will be having a meeting on 21st February to evaluate the COSATU summer school and to plan follow-up activity.