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**CONGRESS OF SOUTH AFRICAN TRADE UNION  
COSATU  
SEMINAR:  
*Mainstreaming Gender Standards in Collective Bargaining***

Comrade chairperson, distinguished guest, and delegates to this seminar. Let me take this opportunity to thank you for inviting COSATU particularly its Gender Unit to be part of this very important discussions.

We were briefed to come and address this gathering regarding **Mainstreaming Gender Standards in Collective Bargaining**, share our approach, experiences and prompt discussions that will lead to common understanding and effective strategies for effective gender sensitive collective bargaining.

The purpose of this paper is therefore to reflect on the South African situation and COSATU ` approach to the achievement of gender equality with specific focus on collective bargaining in the context of the new South African democratic dispensation.

Gender differences between men and women are socially constructed and therefore can be changed through the promotion of gender equality through collective bargaining.

Women make up a greater share of the workforce and therefore are an important parts however often their potential is mostly untapped for their participation, representation, and developmental opportunities. They also make up for the greater number of TU membership and therefore by addressing their needs will be beneficial to the TU and this will it more attractive to them.

Yet their contribution at work is undervalued and in society as a whole is unrecognised as productive labour.

### **Background**

The apartheid system and capitalism used the patriarchal nature of the South African society through the sexual division of labour and divided the labour force on the grounds of class, race and gender to exploit them for cheap labour to maximize their profits. They exploited the notion of men as the head of the family to force men to become migrant labourers and disregarded the reproductive and domestic role of women.

The feminisation of the labour market where women entered the labour force did not automatically result in gender considerations in terms of the sexual division of labour and unequal access to opportunities. As a result women continue to occupy low paying jobs, dominate the vulnerable sector such as the domestic service, casual work and the informal sector. Their reproductive role is (such as child birth, and child care) distinguished from the productive role of man and is therefore unrecognised and unpaid. It is not regarded as a

social responsibility that should be incurred by the social partners but they are ready to access and exploit as the need arises and as they see fit.

It is important to understand the extent to which class, race and gender are used to form a system of oppression and with this understanding and context that gender struggles have biasness towards women. The need therefore to address the class, race and gender question simultaneously and with the same vigour cannot be emphasised enough.

For many years this system had a relative impact on men and women in that it benefited the white minority and indirectly and relatively benefited black man and affected women and black women in particular most grossly and negatively. Hence the notion of triple exploitation of black women.

### **Economic challenges**

Also given the globalisation and its impact on the restructuring the labour market, which manifest itself through the informalisation of the formal economy and the creation of the modern labour force in the form of casual workers and an increase in the informal sector with no vision for development and economic emancipation. All these requires that we change our recruitment strategies and collective bargaining and extend it to the new labour force which is not accidental but a deliberate onslaught to the legislative gains that result in the erosion of the latter.

It is with this understanding and context reflected above that gender struggles have biasness towards women.

The prime purpose for the existence of Trade Union hereafter referred to, as TU is to organise is to organise workers around their conditions of work, represent their needs, interest, aspirations of members and workers in general. Rally them around their collective power, which is mostly undermined by the employers. Rally them to take action to change their conditions. Consciountize them about the class contradictions between the owners of the means of production i.e. the bourgeoisie and those who do not own i.e. the working class in terms of needs and interest.

They bargain for improved terms and conditions of employment, healthy working environment for both men and women.

They need to take into account the sexual identity that makes them different and therefore acknowledge that they their needs and concerns would not be exactly the same. Therefore concerns of women must be understood and be given priority since they are the most previously disadvantaged designated group.

Standards norms

### **What is collective bargaining**

- Collective bargaining is a means and process of negotiations between employers and employees through their representatives concerning issues related to terms and conditions of employment or any matter of

mutual interest. Which takes the form of legislation, policy and agreements.

- It sets to determine working conditions, terms of employment and regulate employer employee relations or their organisations.
- The traditional collective bargaining process and agenda in many instances tends to view general overlook the gender dimension and analysis as a result the concerns and interest of women with perhaps with the exception of maternity leave.
- It is an important means to promoting equality in the labour market and the workplace in particular.

COSATU's commitment to increase the participation of women is unquestionable. This is confirmed through the countless resolutions taken since the inaugural congress to enhance the status of women and the strategies developed to realise this commitment.

#### **Organisational approaches and challenges**

- The participation of women is still a challenge. Their representation in decision-making structures is uneven and is male dominated. However we have recorded some shifts from the male dominated leadership positions and in strategic positions of employment within the TU organisation, with women occupying portfolio and deputy positions. Recently we have seen a major shift with NEHAWU one of our affiliate where the president is a woman. Despite these commitments and shifts we cannot claim to have shifted the mind set of our members and to some extent of our leaders.
- To this end we have adopted a number of strategies, which includes the establishment of gender structures, capacity building, gender mainstreaming, and transforming the workplace through gender sensitive collective bargaining.

A the federation and its affiliates use the following broad areas as sites of struggles change the patriarchal and oppressive gender relations, namely

- Trade Union organisations,
- Labour market and workplace in particular,
- Broader society and
- National and International solidarity.

*Changing gender relations in the Trade Union movement:* these aims to create forums to lead and guide the organization on strategies for gender transformation; systematically remove barriers to women's participation; change patriarchal culture and the mindset of both men and women; develop and empower women and the leadership. Also, by eliminating sexual division of labour in the organization and the workplace; promoting the development of second layer leadership, and monitoring adherence to the strategies that have been adopted, such the establishment of gender structures and the employment of gender coordinators:

*Transformation of the workplace:* The objective is to change gender relations in the workplace by working towards a more equitable working environment.

To that end, target conditions of women in the workplace and ensure gender sensitive collective bargaining. This forms part of COSATU's bargaining agenda to improve the situation of women workers. It also seeks to change the legacy of apartheid in the workplace by ensuring equity and focusing on the implementation of labour codes and other legislation that affect the workplace, and promote solidarity action between men and women

*Social gender transformation:* COSATU seeks to contribute to the overall struggle to change gender relations in broader society with the aim of fighting social exclusion on the basis of gender. While we respect and recognize our varied indigenous culture, by the same token, we should challenge cultural practices that undermines and violate women's rights. Work in this area is predicated on the understanding that workplace and societal inequality do reinforce each other; hence they should be tackled both simultaneously and separately. In this regard COSATU seeks to influence social policy and monitor progress in achieving gender equity.

*Political coalitions:* COSATU works with a number of networks and women organizations in order to form a broader coalition for social justice and gender equity. The principal allies are the ANC Women's' League, SANGOCO, Women's' National Coalition, SHEP, and government departments and institutions. These alliances could be extended to include traditional and community structures, which in turn could form part of the National Women's Movement.

*International and Regional Solidarity:* COSATU is highly active and influential in both the regional and international trade union movement such as the SATUCC, ICFTU and ICFTU-AFRO, UN Special Sessions for Civil Society, etc and has been given premier position in the women committees of the latter.

To achieve its aims, the federation combines a multifaceted approach that includes the establishment of gender structures and the appointment of gender coordinators; including gender sensitive collective bargaining strategies, capacity building through education, campaigns, advocacy and networking with other organizations.

The COSATU Gender Policy sets the framework, within which affiliates should locate their gender policy and programmers as follows,

Enhancing the participation of women through

Organisational framework	Workplace	Social
Eliminating barriers to women participation such as Sexual Harassment, Health and safety, etc,	Eliminating gender division of labour in the workplace,	Challenge tradition and culture that violate women rights
Capacity building,	Influencing and monitoring effective	Promote the recognition of women's rights as

	implementation of legislative gains and agreements on employment Equity, Parental rights, H & Safety, etc.	human's rights
Gender mainstreaming,	Challenge barriers to women participation	Eliminate Gender based violence
Advocacy through Campaigns,	Fight discrimination on the bases of race gender and sexual orientation and disability,	Fight poverty
Influencing workplace transformation	Through gender sensitive collective bargaining.	ETC.

#### **Issue to be covered and that should become standard for gender**

- Equal pay for equal work i.e. same job same salary scale and equal pay for work of equal value i.e. same responsibilities in different jobs same salary and or salary scale,
- Issues and demands should include the following categories
- Principle of equal pay for work of equal value should be the standard and principle.

#### **Challenges for Collective Bargaining**

##### **Wage negotiations**

- Wage demands should not be prioritised at the expense of Gender demands,
- These standards should apply to Benefits such as Pensions Schemes, Medical Aid, Parental Rights, Housing, transport and provision of technical support.
- Negotiating hours of work should apply gender considerations in terms of overtime, flexible working hours, and healthy and safe environments taking into account our sexual difference without using it to prejudice and discriminate for any opportunity available in the labour market.
- Issues pertaining to parental rights refer to legislative framework as indicated earlier in terms of job security for pregnant women, reproductive rights.
- It also involves the issues of employment equity, grievance handling, and development opportunities and women representation in decision making structures and building solidarity among workers.
- Determine the views of women through democratic mandate seeking processes for each round of negotiations,

- Use existing policies and legislative rights, initiate, influence and ensure ongoing review to arrive at fresh mandates for collective bargaining and monitor effective implementation.
- It also tends to leave out the input of women resulting in women specific issues not being addressed. Lack of democratic mandate seeking processes where negotiations have followed democratic mandate seeking process to coordinate mandates and feedback.

### **We need to ensure**

- A systematic integration of gender perspective and concerns in to collective bargaining,
- Promotion of gender equality into the work of trade unions and workplace transformation,
- Equip Shop stewards and negotiators with gender tools of analysis so as to negotiate effectively on behalf of members,
- Initiate, Influence, review and monitor existing legislative frameworks and policies for effective implementation

### **Conclusion**

- The 1994 democratic victory as a historic breakthrough and the character of the National Democratic Revolution (NDR) has as its vision and strategic objective a creation of a non racial, non sexist and democratic society, where women and men participate freely and equally in the socio-economic sphere without prejudice. In essence it means the socio-economic emancipation of the poor the majority of whom are African and female.
- The democratic dispensation has gone a long way in redefining gender relations and has resulted in some milestones and gains for South African women in that,
- Discriminatory laws have been formally removed to enable women to participate in the socio-economic sphere and in shaping the SA economy and society as a whole in terms of the unequal distribution of economic resources and opportunities.
- The constitutionalization of the gender machinery and the establishment of the Commission on Gender Equality (CGE), the Office On the Status of Women (OSW) are some of the milestones that can be counted in the first decade of our democratic dispensation under the leadership of the ANC.
- The legislative framework put in place is now to be translated into concrete benefits for women through effective and gender sensitive collective bargaining process. They are intended to ensure that women are protected, treated with respect and enjoy the same rights and that they work under appreciated working conditions and develop to become independent and self reliant.
- Given this background transformation is therefore inevitable. South African institutions are in the process of change. This includes government institutions, NGO's, CBO's, Government department,

business and labour organisations. The labour movement And COSATU in particular given its power to shape the current and the future workforce is expected to lead this transformation. For this to be realised we need to effectively and proactively influence workplace transformation by establish strategies for implementation and monitoring of collective bargaining by ongoing assessment and review of policies and countering the tend to casualisation.