



Collective Bargaining

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Collective Bargaining, Organising & Campaigns Conference

ENGINEERING RADICAL ECONOMIC TRANSFORMATION

**“The only social power of the
workmen is their number.**

**The force of numbers
however is broken
by dis-union”**

- Karl Marx

Conference Overview

Reflection on Day Two of the Workers' Parliament!



The Conference received an overview of collective bargaining wage achievements and challenges - drawing on the NALEDI workers surveys as well as Labour Research Service (LRS) research into collective bargaining trends, and elements of the May 2012 Central Executive Committee (CEC) Paper

“The socialist system will eventually replace the capitalist system; this is an objective law independent of man’s will. However much the reactionaries try to hold back the wheel of history,

eventually revolution will take place and will inevitably triumph”- Mao Tse Tung

The Strike weapon presentation by Shamima Gaibie of Cheadle Thompson and Haysom Attorneys (CTH) and SWOP amongst other things, dealt with issues such as legal questions relating to strike breaking, picketing, damages claims, essential services, national Key points and violence during strikes.

The conference broke into five commissions dealing with Strategies to reverse workers’ declining share

of profits and narrowing wage gaps, including developing an alternative vision for Bargaining Councils, How do we “value” labour? – the challenge of management-lead grading systems, ensuring democracy and accountability in our collective bargaining, and re-thinking the relationship between company and sectoral bargaining strategies; consolidating common demands and a common campaign across the public sector, including filling of vacancies, and also an end to outsourcing and defending the right to strike. ■



New forms of organizing young workers: What are the workers' strengthen?

SAMA had this to share about the Federation's Collective Bargaining, Organizing and Campaigns Conference at Birchwood Conference Centre, Boksburg.

CDE PHOPHI RAMATHUBA,
SOUTH AFRICAN MEDICAL ASSOCIATION (SAMA)

Recently young doctors held an Annual General Meeting (AGM), what were the issues discussed and the challenges raised?

SAMA has agreed to identify challenges affecting young doctors with distinctive workplace glitches that mostly affect entry level doctors such as being expected to work without supervision; issues relating to support under strenuous working conditions.

We have always campaigned against the late payments of doctors salaries. SAMA has identified all 8 medical schools in the country and we have also associate membership from 4th year as a target, to start inducting them to organised labour and other progressive formations within the medical profession. We have prioritised the building of relationships with both South African Student's Congress (SASCO) and SAMSA, to assist in organising students studying abroad in order to address their challenges. The CUBA student saga is the case in point. In responding to the challenge facing student doctors, we have established a new portfolio called the International Liaison Officer, to deal with issues affecting all students studying abroad.

Is SAMA doing enough to live up to the expectations of young workers?

SAMA has always campaigned with and amongst communities especially on the recent challenges faced by doctors being raped and/or attacked while on night duties. We are trying to lobby other stakeholders, with areas for improvement already registered.

Where to improve and how?

SAMA is currently focusing on issues concerning young workers and new entrants from institutions of higher learning within and outside the country.

The usage of technology to communicate to young workers has been identified as a powerful tool to recruit them.

SAMA has debated on packages for young workers as the age factor is a necessary consideration to attract and retain them.

We have received major concerns on state of student accommodation in various institutions most of which in many instances is decaying.

Investment in infrastructure in all health centres is a bargaining factor. SAMA has also prioritised mentoring young workers in the profession in order to sustain good practices.

How to build a strong COSATU-led-workplace?

SAMA has reiterated its commitment to cooperate with all COSATU affiliates and to exchange good practices to build working class hegemony in the profession. We contend that each affiliate has its own strength and weaknesses and as such we need to build on the strength of each in order to overcome weaknesses

Organizing for SAMA within the profession is important because majority of these workers are mostly uninformed of the need to belong to a union

We contend that if a doctor or a nurse is raped and/or attacked, it undermines the human rights of these workers and it becomes a health and safety risk.

COSATU and all its affiliates must jointly take up the campaigns to protect our members and in return workers will continue to believe in COSATU.

What is SAMA doing to achieve COSATU 2015 Plan in terms of recruitment, quality membership service and consolidation of working class hegemony?

SAMA continues to recruit all doctors and we believe we are enhancing our status as a voice of reason. SAMA looks forward to consolidate working class hegemony within the health sector. ■

Building the union with democracy or sjamboks?



Karl von Holdt, of Wits University's Society, Work and Development Institute, presented the findings of a survey of NEHAWU members involved in the 2007 Public Sector strike, on the question of violence during strikes.

The answers showed that violence is generally accepted as a legitimate weapon during strikes, for example:

"All proper procedures were followed, but they declared the strike illegal, stopped our salaries, served us with dismissal letters. That is where everything broke out of proportion. We decided we were going to

smash everything."

"Violence sends a message to the whole country, those responsible will quickly realise they must resolve things. So the violence assists to wake up the entire country, that the innocent will suffer."

"There's no sweet strike, there is no Christian strike... a strike is a strike. You won't win a strike with a Bible. You do not wear high heels and carry an umbrella and say 1992 it was under apartheid, 2007 is under ANC. You won't win a strike like that."

He summarised the link between violence and power and that:

* Strikes are an unequal battle

* South Africa is one of the most unequal societies

* Violence by workers is an attempt to strengthen labour

* Violence by the police strengthens employers

But he pointed out that violence can weaken organisation, give the police a justification for police action, turn public opinion against labour and have a high personal cost for perpetrators and victims.

Union, he concluded, face a choice – to continue tacitly endorsing violent practices, or to commit ourselves to reducing violence. The conference will have to decide. ■

Wages and profits

Dirk Forsland, of the Alternative Information and Development Centre (AIDC), gave delegates a crushing answer to those who misuse statistics to argue against workers demands for higher wages. He demonstrated that the workers' share of gross domestic product has been steadily falling, from nearly 58% in 1993 to 51% in 2010.

He gave stats to expose the fallacy of the argument that wage increases are outstripping the growth of productivity and condemned the National Development Plan

which used this false argument to justify calling for a further fall in the wage share. This would amount not to "wage moderation" but "wage compression", leading to a further fall in the workers' share of GDP.

He argued for the alternative solution of wage-led growth. At present one of the biggest brakes on increased economic growth is that there is no money circulating in the communities. This low-wage regime breeds unemployment by strangling domestic economic demand. Wage increases therefore can therefore help, to create jobs by putting



more money into pockets and increasing spending on goods and services, which then have to employ more workers to meet the increased demand, which leads to faster growth in GDP.

Forward to a wage-led and sustainable growth path!



George Mthethwa & Trenton Elsley

An overview of collective Bargaining:

An interview with George Mthethwa and Trenton Elsley of the Labour Research Service.

The recent strike action in the mining industry in South Africa and killing of scores of striking workers by police in Marikana is an opportunity to revisit trade union approaches to organizing and representation. The even more recent farm worker protest action in Western Cape must be understood in the least part, in the context of events in the mining industry; even though trade unions are not at all well established in the agricultural sector.

The 2012 COSATU worker survey suggest wages as the dominant strike trigger by a wide margin. Ninety percent of respondents in the survey gave wages as a reason for striking.

The Shop Steward spoke to Trenton Elsley and George Mthethwa from the Labour Research Service, who presented an overview of collective bargaining on the second day of COSATU's Collective Bargaining, organizing and Campaigns conference held at Birchwood Hotel between 12th – 15th March .

“In the study we found that the medium wage is R3 500 at the moment, meaning that half of the collective agreements are less than R3 500. We also looked at a range of benefits because these are very important in collective agreements. We discovered that benefits around women issues are not well developed.” Said Trenton

The presentation dealt with a number of issues concerning collective bargain-

ing agreements including the number of workers covered by bargaining councils, family responsibility benefits by bargaining level and worker security benefits by bargaining level.

These figures painted a depressing picture about the state of bargaining points. Just below 900 000 worker are covered by bargaining councils, 1, 5 million workers are covered by sectoral determination and 570 00 workers are covered by decentralized bargaining points.

The presentation also revealed that Shopstewards are fundamental in the unions as primary contacts for workers. “One of the questions that was asked to workers in the survey was who would they call if they have a grievance in the workplace, and the obvious response was ‘Shopstewards’; and this raised a question that this conference must respond to: are shopstewards capacitated to respond to workplace grievances.” They added

The presentation also included bargaining recommendations that included:

- A wage database to support monitoring and harmonizing minimum and actual wages.
- Long term or multi-year agreements.
- Productivity bargaining.
- Extending the bargaining unit and extending the conditions of employment. ■

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Interviews with delegates

The common agreement amongst delegates was the urgent need to organize workers those who are at risk of having their workplace entitlements denied, and who lack the capacity or means to secure them. The delegates that we spoke to believe that these vulnerable workers are primarily in the catering, textile, agricultural and cleaning industries. And this is what they had to say:



Patrick Belser

We met up with the Chief economist of the International Labour organization under the Conditions of Work and Employment branch, and he gave us a sneak preview of his prepared speech to the conference.

In the speech, he strongly believes that the conference should come up with an income policy that will reduce the wage gap between white collar workers and low income earners. "The conference should come up with a concrete strategy to organize vulnerable workers because they are the most exploited." He added



Carmen Ludwig & Simone Claar

Carmen Ludwig from the German Education Union, who is on a study tour here in South Africa, did not mince her words: "COSATU must start organizing workers, mostly farm workers and migrant workers." She said "From this conference I am hoping to learn from COSATU and apply that knowledge in Germany" She added



Mpho Poee

"This conference must give clarity to the term 'vulnerable worker' because some of us in the medical profession are vulnerable because of the conditions that we work under. We don't have lunch break and other entitlements that workers are enjoying under the Basic Conditions of Employment Act." Mpho Poee, a member of the South African Medical Association (SAMA)



Moerida Kroutz

"COSATU must deal with the issue of farmworkers. In most cases, the workers earn peanuts and they don't have a strong union to represent them." Moerida Kroutz, a member of the Food and Allied Workers Union (FAWU)

GALLERY



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