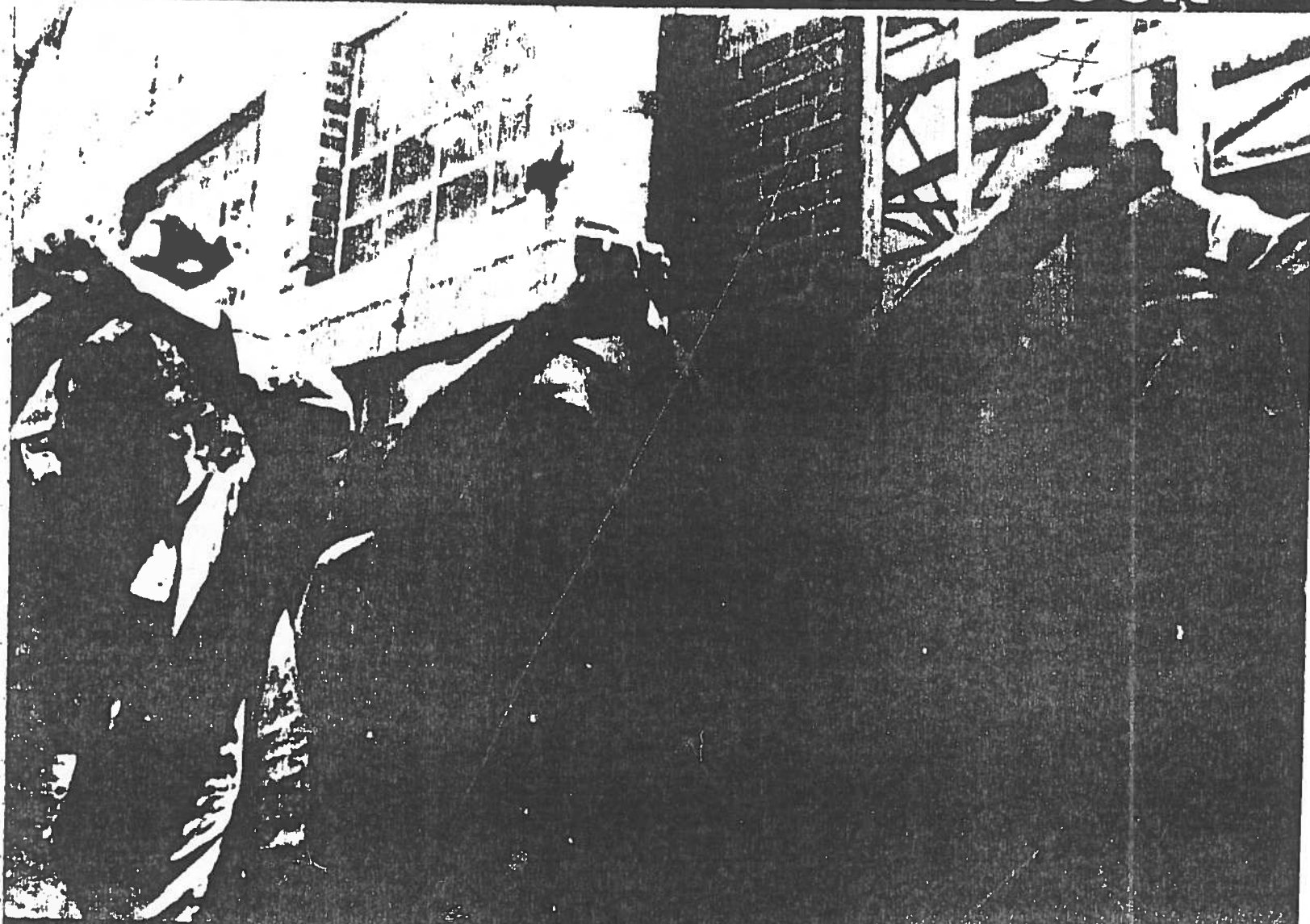


**Organise or Starve!**

# **A TRADE UNION HANDBOOK**



**An Injury to One  
is An Injury to All**

**Organise or Starve!**

## THE IMPORTANCE OF WORKING CLASS THEORY

**WHY** do we put such a stress on the importance of trade union and working class theory and education?

Because it arms the workers with the knowledge and ability to analyse the nature of a problem and give a lead to workers in solving that problem in the working class interests. This applies to opposing dismissal, resisting anti-union laws or any other problems up to the question of production for social use rather than for private profit as well as for struggling for national liberation.

Theory as a generalised summary of past experience and knowledge of the laws of the development of the society determines how we think and act. It helps us to make some predictions about political and economic life.

Our theory belongs to our class – the working class – and it is our weapon and our guiding star.

We have already discussed the source of conflict in our society. The owners of industries want to retain that ownership at all costs and to continue to have workers making profits for them.

The structure of society that flows from the apartheid system and monopolies control of factories includes the indirect control of education through the Pretoria racist regime.

The anti-working class educational process is reinforced by the power of the monopolies owned daily newspapers such as the Argus group and the employer-state owned or influenced radio and TV.

The bosses and their government in Pretoria do not want workers to have or propagate their

theory and their own policies: the working class theory is dubbed as 'foreign ideology' because workers must swallow their teachings hook, line and sinker — teachings such as no politics in trade unions; high wages cause unemployment, sanctions will affect the very people we want to help.

But a typical bourgeois propaganda is the one which says more productivity means more profits, more profit means more investment, which, in turn, means more jobs. And yet there is enough evidence of companies making more and more profit but reducing their work-force.

The endless improvement of modern technology allows sophisticated machinery to pour increased production into an ever shrinking market. This is clearly seen in less and less numbers of workers employed, but the automated plants roll out more and more products that cannot be all sold. This new technology is daily becoming the property of fewer but larger corporations.

Unemployed workers, part-time workers and those "frozen" wages buy less and less goods. The army of unemployed increased, this causes unsold goods to pile up or be dumped into the sea, consumption falls and the vicious sharp edged wheel process speeds up: the result, the anti-union attacks by employers and their political representatives — Botha/Malan clique. This raises the question where does our gold go to?

The distribution of the wealth of South Africa is a key question, hence the Freedom Charter's call for "The national wealth of our country, the heritage of South Africa, shall be restored to the people." No doubt, this clause of the Charter creates problems in the heads of the Anglo-American, Standard Bank, OK

Bazaars and to the rest of the owners of the big monopolies, finance houses who are getting a big chunk of a juicy steak.

Increasingly the state and state corporations have been restructured to meet the needs of the monopolies. The state companies have also become profit makers at the expense of wage workers — mainly Black workers. The state policies which exerts great influence on prices for the benefit of the monopolies has become a new and important factor in price formation. The state does this in the following manner:

- i) It fixes prices of many goods and services by means of legislation with the participation of the monopolies concerned.
- ii) The award of government contracts is an important factor in the establishment of monopoly high prices. In the event, prices are not shaped through market competition, but by agreement between monopolies and government agencies concerned. Here the highest cost of production at enterprises in a particular industry are taken as the basis for the calculation and fixing of prices. Because the monopolies have the lowest costs of production, this method of price fixing guarantees the monopoly high profits.
- iii) the fixing of high prices for the goods of the monopolies is promoted by the policy of the state in field of imports and exports of goods.

The export of goods is one way of limiting the supply on the home market. The state assists in the increase of exports of goods by

special export bonuses, and also by paying special subsidies whenever the goods are exported to external markets at which prices are lower than those on the home markets. At the same time, the state imposes high tariffs on imported goods in order to protect local products.

The class content of all these processes is the fact that monopoly prices are monopolies' instrument for a distribution of profit in the favour of the monopolies and the bourgeois state. Yes, the entire economic and political system is undergoing severe and deepening crisis with the Railways and Harbour workers, and the Mine workers challenging the very fabrics of the apartheid state.

Both the Pretoria regime and monopolies are trying to solve their political and economic problems by freezing wages, high prices, high taxes, rent increase etc. The unemployed and those workers who are underpaid are suffering the most.

When a company boasts of the good profits it has made, no doubt, such a profit must be at the expense of the consumers, of whom the lower and middle wage earners are Black people — mainly Africans. Let us pose a question — where do profits come from? Profits are a result of exploitation. This is the key question. Take it or leave it! Most workers are not aware of the source of the employers' profits. Many workers think that the boss makes his profits from clever methods of marketing or perhaps because the boss owns the factory, shops or farms. Some think profit is made by buying cheap and selling dear. There is a grain of truth in all this, but not the whole truth.

The profit of the employers come from the

seizure of the products made by the workers between for example 7 in the morning and 5 in the evening — shayile time — for which the worker is not fully paid. But if you argue with Jabu he will immediately say "Lale!u trade unionist". I am paid R5 an hour, so what is your story?

The vital question is not the amount of wage paid for the hours worked, but the money not paid for the total products produced during the total hours worked. The question is not how much pay you get for a day's work or a week's work, but how much you produce and how much the boss takes from the sale of those products.

In order to manufacture anything, the employers hire workers to work for him/her; when that worker applies his ability to the machinery and raw materials, then products are created — shoes, shirts, jerseys and so on.

Clearly, the employer does not give Jabu wages that equal the full reward of all goods sold, but just enough to make him report to work the next day. The balance of the reward of the goods sold is kept by the employer as profits, although, in fact, they were created by Jabu's unpaid labour. This is the crux of the matter.

A driver doing, say, five loads a day may well make enough income with the first three loads for Mr Brown to pay wages for the whole day as well as all other expenses. But if Jabu finished up at 12 mid-day after loading the first three loads, where will Mr Brown get his profit from? Obviously, he will not get any. Mr Brown has hired Jabu for eight hours, despite the fact that he has made enough for Mr Brown in the first four hours to meet all Mr Brown's expenses, including wages, for the whole day.

Therefore, employers make their profit from income from goods (or value) created by the worker over and above the income the employer requires to pay the wages and to meet Mr Brown's expenses. This is the very short explanation of the term EXPLOITATION OF WAGE LABOUR.

There can be NO FAIR DAY'S WAGE FOR A FAIR DAY'S JOB under capitalism. NO WAY!

Society must be based on the common ownership of the means of production to avoid class and national conflicts. Production must be for social use and not for private profit.

We regard it as our task, and rightly so, to struggle for unity which will not weaken but strengthen the class character of the trade union organisation, for a unity which will not talk about neutrality and depoliticising of trade unions, but which, concentrating and associating great masses of workers whose political views are not identical, will enable the free propagation of the directives and methods of struggle

- A unity which will give the guarantees and possibilities of waging class struggles and struggles for the demands of the whole working class and facilitate their implementation.

We say with a clear conscience that trade unions should not "limit themselves to a guerilla war against the effects of the existing system but must change it . . ."<sup>3</sup>, but this change can be brought about if the trade unions enter the political arena.

All told, trade union involvement in politics should never make them lose their autonomy if they are to fulfill their historical mission. It is necessary for them to have a clear and independent position and opinions on all fundamental questions of the struggle. They must consciously accept the policy and programme of the political party or organisation which is a leading force in the struggle, but for them to consciously accept the policy and programme, they must actively take part in the drawing and implementation of that policy and faithfully voice interests, demands and opinions of their members and mobilise the membership to fulfill the tasks set up

## UNITY IN ACTION AND THE SHOP STEWARDS' RESPONSIBILITY

The Shop Steward has a responsibility to his or her job and to his or her union. In the case of a job issue, the Shop Steward's responsibility is to the members on the job. In the event of a union issue, the members on the job must conform to the policy of the union, and this places a strong obligation on unions to adopt methods of forming policies that result in membership approval for the required support of industrial action.

The Shop Steward has the responsibility of helping to develop a policy of unity in action in line with the policy of the union or centre/federation. The Shop Stewards must make sure that union members know the union/centre-federation policy and that they stick to it, and not only stick to it but defend it when necessary. The unity in action approach means taking into account the claim and the method of struggle that attracts the support of the majority of workers in the shop floor.

Remember in any union there are roughly three categories of union members:

1. A minority of active union members who consistently support all union activities. Sometimes this group is far ahead of the rest of other members and can therefore be easily isolated from the majority of the members or workers.
  2. There is a majority of the group who feel some loyalty to their colleagues and who are active from time to time on certain issues.
  3. There is a minority who are anti-union and difficult to get into activity on more issues.
- Therefore, the key to unity in action in the factory, union or national centre is for the active

unionists to forward claims and forms of the struggle that will be understood at least by the second category. As for the third category, they will follow in a rather grudging manner once the majority is on the move.

In order to find appropriate form of struggle the best thing to do is to consult in various workers on how they feel about this or that question. The Shop Steward must not put forward claims and methods of struggles that he thinks are correct until he fully canvasses the view of the membership.

In putting forward his views, the Shop Steward should do so in such a way as to encourage others to express their views, and also to rethink those views in the interest of unity.

There is always a form of struggle to suit each condition and it is the duty of a Shop Steward or union official to give leadership in order to realise that form.

A union meeting should not be called unless there is sufficient support, the Shop Steward must encourage a good and orderly discussion, allow different points of views to be expressed without fear and make sure that every view-point is listened to very well on the issue concerned and, consequently, the correct line to be pursued. For example, some workers may want to claim R50 across the board, others may want more 'moderate' demand of R25 and further negotiations, and yet there may be some workers who do not want any action at all.

In this case, the first group of activists may have to compromise on what the claim and action should be in order to win over the large second or middle group. Under no circumstances should the advanced elements become

isolated from the middle group, allowing such a situation will be playing into the hands of an employer, whose dreams always is to divide the workers and strike a hard blow at this most active and advanced section of the union.

Advanced and active union members must mix well with non-union workers, and must always keep a friendly relationship for the sake of exchange of ideas. At meetings, even anti-unionists should be encouraged to express their opinions. Active unions will not win over non-unionists by merely isolating them.

Workers' attitudes and thinking on various issues always changes and therefore, the advanced trade unionists must always try to influence these changes in the right direction. It is a fact that some best trade unionists of today were the worst anti-union members yesterday. On the other hand, some active trade unionists of the past have fallen by the wayside because of not recognising the needs and methods being discussed here, and have, in some cases, become anti-union.

Disputes must be handled carefully. For example, a foreman may instruct a worker to carry out a duty which the worker concerned may think is not his or hers. It is always advisable that, unless it is a safety issue, the worker should not refuse to carry out the instruction, but should carry out the work under protest pending an urgent union meeting.

In all these matters it is the united power of the workers that stand the day. Many silly foremen and managers are not all that silly and aggressive when faced with the decisions of the union meeting, because they know what is in store for them.

Some active trade unionists do not understand the need for changes and even a compro-



mise settlement in a certain period of a particular struggle. For example, if we win new allies in a struggle and strengthen our unity we may change our tactics and advance our demands in a more vigorous fashion.

All factors in life are interconnected and changing so we must be aware that a change in one aspect will result in a change in other aspects. Thus we must face the fact that the union needs to be guided by a correct line and a correct line must be correctly implemented. Incorrect line, or incorrect implementation of the correct line, results in defeat and in much damage to workers' interests and to their organisation.

The most difficult period for Shop Stewards and Union Officials is when they are called upon to make an analysis of any given situation so as to formulate a good lead. A number of serious mistakes have been made by some SACTU activists previously. The lessons of those past mistakes form part of our current theory and knowledge.

It is important not to cover up past mistakes, not to portray defeats as victories or victories as defeats, but to acknowledge that even good activities invariably have negative features. The point is to examine the causes for the mistakes and to take the necessary measures to ensure that similar mistakes are not made in the future.

Tactical leadership in disputes must be related to the actual strength of our forces on the one hand, and the combined anti-union forces on the other.

In the event of a serious weakening of our forces, the question of settling the dispute in the best and quickest possible way becomes the correct thing to do. On the other hand

there are 'compromises' brought forward by weak leadership as a means of ending a dispute at almost any cost. This is a bad compromise-an act of cowardice and a betrayal of the working class.

So there are two types of compromise: one is a principled compromise and the other an unprincipled compromise.

#### Union Rules and Tasks:

All Shop Stewards and active trade unionists should know their trade union rules. Union members have rights and obligations and both are important and complementary. All rules should be democratic and structured so as to encourage the membership to participate and to control the union.

Shop Stewards should know the major aspects of union rules - OUR UNION, not the UNION. The task under which the union is working must be pinned in the lunch room wall and the Shop Steward should have a book copy. All major aspects of the tasks should be known by the Shop Steward.

Under no circumstances should a Shop Steward give a task off the cuff. The task should be studied and the circumstances of the case considered. In the event of the Shop Steward not knowing the answer at that time, he must say that the matter cannot be answered immediately, but that enquiries will be made and a considered reply given later.

Union policy can be formulated by Shop Stewards' recommendations to a meeting - a written policy is helpful. Shop Stewards should have a copy of the policy, familiarise themselves with it and be able to discuss it in a fitting manner. Suggestions and criticisms from members should be encouraged and tolerated, and not resisted. But, if members misuse their

right to criticise as a cover to conduct attacks on the union and the union officials, both the union and officials must be defended in an appropriate manner.

However, union meetings should not be dominated by the union official or Shop Stewards; when the Shop Steward is asked for an opinion on a matter, he or she should not answer immediately but attempt to get the membership to think about the matter at hand. The members are the real power of the union.

The concept of some brilliant leader being followed blindly, without questioning, by a 'loyal' membership is quite untrade unionism. No individual in the trade union movement is entitled to use a good idea to give themselves a build-up. It is the idea, not the person, that is most important.

The contribution of a trade unionist should not be measured by how she or he impresses by fine speeches or big English at meetings or conferences. The real worth of such contributions should be measured by the degree to which the speaker concerned has assisted those present to find ways and means of developing more effective activity to strengthen the whole union movement.

One of the most valuable qualities of leadership on the union is the ability to develop the collective participation and wisdom of the membership.

#### Safety on the Job:

The matter of safety at work is of great importance and South Africa has a bad track record in this area. Safety is the responsibility of every union member, but the shop steward has the major responsibility.

The main principle is to refuse to do any work that seems unsafe. In union matters we talk first and act later, if necessary. But in safety matters we act first so as to be united to talk later.

Various safety authorities ~~can~~ be involved but need not necessarily be obeyed. It is the workers' body at risk and she or he has the most interest in the matter and a decisive say.

The only people who can finally ensure that adequate safety measures are met, and a full safety approach is used are workers themselves. Safety is a money issue between safety itself and what the bosses choose to manage in terms of equipment, training and safety staff wages. As a money issue, it is a union and political issue, a conflict issue between union and management.

To stress the importance of safety on job, the union should even supply their own safety equipment in certain circumstances.

## THE TECHNIQUE OF NEGOTIATION

Negotiation means a meeting between two parties in order to make a bargain or agreement. One of the most vital functions of all trade unions is to improve the conditions of employment of their membership.

In general terms there are two types of negotiations. The first can be referred to as negotiation of grievances and refers to the activity of the worker's delegates and such high related organs in accepting the grievances of workers and negotiating with the bosses for a just solution. Secondly, there is a contract negotiations which refer to the normal and periodical negotiations between union and bosses for the renewal of an old contract (collective agreement) or the formation of a revised or even new contract dealing with wages and general working conditions.

Negotiations can be carried out in many ways, but no negotiation can be effective unless the workers are as organised as the employers are. All those in the trade movement who are concerned with negotiation should remember that:

- a) all members of the union(s) will be affected by them and should have opportunities to express themselves on the matters to be negotiated.
- b) all negotiators are responsible to their membership who elected them for what they do;
- c) reasoned argument based on factual information and statistics should be used and
- d) that while trade unions representatives may give ground to employers for tactical reasons, they should never

give away on matters of principle.

All union delegates need to talk to Management. Discussions could range from informal conversations with the supervisors to formal negotiating committees involving senior management. Whatever the situation, effective negotiations need:

1. member's support
2. well prepared case
3. negotiating skills and tactics

### Members Support

No matter how good your case, strong arguments are not enough for negotiating success. Good union organisation and membership support are vital, otherwise management will be able to ignore your arguments.

In a grievance negotiation, it is very important that members understand and support the principle involved. While in contract negotiation, support for the items of claim is vital and necessary.

Be careful to keep members informed. Give a regular report to the membership, and make sure that every union member understands the importance of the issue you take up. Do not try and bluff management about the feelings of the members – sooner or later your bluff will be exposed if you do not have real support.

### Grievance Negotiation:

In preparing for a grievance negotiation there are certain basic requirements:

When interviewing your members, you should observe the following:

Put your members at ease, by finding a quite place for the interview where you can both sit down and talk. By being sympathetic, try to avoid giving the members the idea that you are cross examining. Your tone must be

relaxed. Get the facts and check them. Ask five key questions in life:

- \* When? date and time of incident
- \* Who? name of person involved
- \* Where? place of incident
- \* What? nature of a problem
- \* Why? reasons why the problem occurred

**NOTE:**

The "why" question is the most difficult one. Everybody will want to give favourable view of his/her case. However, stress that you must get all the facts to present the best case.

- \* Tell your members what you propose to do. Make it clear you will do your best, without making wild promises or raising false hopes. If it is not a grievance tell the member/s so. Some problems need only advice rather than negotiation.

If the union members does not have a case, tell him/her straight – be honest.

**PLAN**

Planning is vital. In deciding on the best way to use the facts and arguments you have collected you need to take a number of steps.

**AIMS**

Decide what you want. Are you going to dispute the case or take a leniency approach. This will depend on the grievance, the facts you have, the information you have about agreements, legal rights etc. It also depends on your member's views. So you must consult them.

**ARGUMENTS**

It is very rare in negotiations to get everything you want. Normally you have to compromise. Therefore, work out the minimum you would accept bearing in mind the case and your members' views.

**WHAT IS COLLECTIVE AGREEMENT**

Collective agreement is a document embodying between the union on behalf of the workers and the employers. It is referred to as Collective Agreement. This agreement not only embodies the terms and conditions for workers whom it purports to cover, but it also seeks to define the relationships between the employers and the employees. Collective agreements should not be restricted to wages and conditions of work.

Collective agreements speak or they should speak to varied questions relating to engagements promotion, dismissal, incentive payments, grievance procedures, safeguards for the protection of union members, their training and a number of other areas.

In South African labour laws there are two types of collective agreements, namely industrial council agreements and conciliation board agreements. These two types are part of the statutory mechanisms created for the settlement of disputes between employees and their employers. The others are status quo orders of the Industrial Court, mediation and arbitration (which is either voluntary or compulsory).

**Industrial Council Agreements:**

Under the African Labour Relations Act, a trade union/s (registered only) and an employers or an employers organisation, may form and register an industrial council by signing a constitution agreed to by them for the government of the council. By so doing they become parties to the council. Once registered, such council becomes a body corporate capable of suing and being sued, and of purchasing or otherwise acquiring, holding and alienating property, movable or immovable, and of doing any other

act which its constitution requires or permit it to do.

The agreements of these industrial councils are legally binding on the parties to the councils. However, they have statutory force only when the Minister of Manpower Development has, by notice in the Government Gazette, declared them to be binding in terms of Labour Relations Act. The South African Supreme Court has held that these Agreements are in effect not agreements or contracts as such, but are a form of permitted domestic legislation which, by the will of a statutory body, is, by a majority vote, imposed upon all members of a designated group of employers and employees. The representatives of the parties to an industrial council do not forge any contractual nexus as such. Under the Labour Relations Act contravention of such an agreement is, unlike in the case of a common law contract, a criminal offence.

There is no time limit to period during which this special type of agreement can be declared binding. The parties themselves usually agree on the period for which they would like an agreement between them to be binding, and the Industrial Council requests the Minister (who is not obliged to comply and has the power to declare an agreement binding for any period he may think fit) to declare it binding for that period. It has legal effect only during such period, beyond which it lapses unless expressly or tacitly renewed by the parties. The parties are free to extend the period, provided that this is done before it lapses and the Minister declares this by notice in the Gazette.

An agreement may, during its currency, be amended by the parties by mutual agreement and such amendments take effect only upon approval by the Minister by publication in the Gazette.

Though the industrial council may be de-registered during the currency of an industrial council agreement, the agreement is not terminated and continues in full force for the duration of its period. Provision is made for this under the Labour Relations Act.

The Minister is also entitled to declare an agreement or any part thereof, to be binding upon some or all the employees engaged in the industry to which it relates, or in a specified section or portion of that industry, in an area additional to that in respect of which an industrial council has been created and registered. In other words an agreement can be made binding by the Minister by notice in the Gazette, not only upon the parties to the industrial council concerned, but upon more persons, according to the Labour Relations Act.

#### **Conciliation Board Agreement:**

Unlike industrial councils, a conciliation board is an ad hoc body established under the Labour Relations Act by the Minister to settle a particular dispute. After it has fulfilled its functions, it is discharged. It therefore lacks the more permanent character of an industrial council. The conciliation board is established only where no industrial council exists to settle a particular dispute, thus preventing the employees or trade unions from taking to industrial action, especially strikes, before meeting and discussing with their employer/s.

This ad hoc body has to comprise an equal number of both employers and employees. There must be a dispute in existence before the Minister may (for he has a discretion to exercise, to decide whether or not in given circumstances he should establish a conciliation board) approve of the establishment of a conciliation board, and only when he deems

it expedient to do so.

Conciliation board agreements, like industrial council agreements, are legally binding only when the Minister, at the request of the parties to a dispute, publishes a notice to that effect in the Gazette. They too can be declared by the Minister to be binding even upon non-parties and over an area additional to that over the conciliation board has jurisdiction. They remain binding and of legal force for the duration of a period fixed by the Minister by notice in the Gazette, but can be extended, renewed or cancelled.

Under the Labour Relations Act, contravention of such an agreement is a criminal offence.

To summarise, both industrial council and conciliation board agreements are binding and have legal force only when they have ministerial approval signified by publication of a notice in the Gazette. In both instances, the Minister is under no obligation to give his consent and may deliberately delay publishing a notice in the Gazette, thus frustrating an agreement.

## UNION'S ROLE AS A WATCHDOG

The role of the Pretoria regime in particular and of a government in general must be watched closely as an attempt is being made to control the earning level of workers in order to maintain and, in some cases, improve monopoly profits.

Unions must be ready to expose any government which attempts to institutionalise their inequities.

A further watchdog role unions is for them to be alert to any and all attempts to derogate from rights already won. One area in which they must be vigilant is the area of the law. From time to time governments with an anti-working class attitude will seek to amend and change laws which benefit the workers. This situation must be watched closely as the passage of pro-worker laws are positive steps in the directions to bring about the change of the society which is originally contemplated by trade unions. With this in mind, it is necessary to protect every small gain that has been made over the past years as it is these gains which will accumulate and eventually change the afore-mentioned worker/manager relationships which now form the security of the capitalist system of socio-economic relations.

The instability of the present system is compounded by the fact that workers who had a gradual raising of their expectations are now having a considerable deterioration in opportunities, pay, conditions and life style. These conditions lead to the state of affairs where unions can recapture their original purpose and regain their leadership in the struggle for change.

It is the role of the trade unions incapitalist