

# THE DUTIES OF SHOP STEWARDS

## BACKGROUND INFORMATION

*The aim of this section of the course is to look at the duties of shop stewards. But before we do this we need to understand why our union has developed democratic structures. Then we can look at the role of shop stewards in building a worker controlled democratic organisation.*

### What does democracy really mean?

The issue of democracy has caused us many headaches. Everyone likes to use this word. The government says it is making the country safe for democracy; the bosses say that they are interested in seeing a democratic South Africa. Many political organisations want us to support them because they say that they are also fighting for democracy.

### What is clear from this is that democracy means different things to different people.

Democracy is about how decisions are made in society. It is also about who is involved in making these decisions. And democracy is about who controls the information that is necessary to make these decisions. We all make decisions everyday - about our own lives or about the lives of our families. We decide what food we can afford to eat. We decide whether we will take part in a strike or not. But there are other kinds of decisions too - decisions which affect the whole of society. And we know that in our country not all people are involved in making these decisions. When we think about democracy, most importantly we must think about two things - ideas of participation and equality.

We say South Africa is undemocratic because not everybody has the right to make political decisions in the country. Also people in South Africa are not treated as equals. The way people are organised to make decisions in society is the key to democracy. This will tell us if all the people's ideas can have equal weight in the decision-making process. It will also tell us if everybody can participate actively in making decisions which affect the whole of society.

### The right to elect representatives

It is clear that all the people in a society cannot come together to make important decisions that affect the whole of the society. Nor can each person elect his or her own personal representative. There must be fewer representatives than all the people who do the electing. The main purpose of electing a representative is that he or she must represent other people's

views and wishes. Representatives should therefore carry out the mandates of the people who elect them.

### **Freedom of Expression**

Good representatives make it possible for everybody to participate in making decisions that affect their lives. For people to decide who should represent them, and on what issues they wish to be represented, they must have all the information they need. In a democratic process there must therefore be FREEDOM OF EXPRESSION.

### **Freedom of Association**

In any society people have different views on issues. When people choose a representative they tend to choose someone who shares their views. This is because people feel that such a representative will be able to represent their views better. So people with similar views will want to come together to increase the chances of them being able to elect a representative who will express and represent their views. In a democratic process there must therefore be FREEDOM OF ASSOCIATION (the right to hold meetings).

### **Mandates, Report-backs, Accountability**

In a democratic process the job of a representative is to represent other people's views and wishes - to carry out the mandate of the people who elected them. For the people to feel that this is happening they must be able to know what their representatives are doing and saying. They can only know this if they get report-backs from their representatives on what they have been doing. The representatives on their own cannot make decisions for the people. People must be able to discipline representatives who don't represent their views. They must be able to hold their representatives accountable. In a democratic process there must therefore be the processes of MANDATES, REPORT-BACKS, AND ACCOUNTABILITY.

**The key points about any democratic process are:-**

- the right to elect representatives*
- the freedom of expression to ensure full information*
- the freedom of association to promote common views*
- the related processes of mandate, report-back, and accountability.*

For an organisation to be democratic, these processes must happen at all levels of decision-making.

Our union is committed to building a democratic worker controlled organisation. We have established structures in the union which can make it possible for all members to participate in making decisions about the union's activities. The representatives in all the decision-making committees are accountable to particular groupings (constituencies) of the membership. Committees can be removed by these groupings at any time. For example, shop stewards are directly accountable to the membership in their workplace and the membership can remove shop stewards at any time.

The Regional Executive Committees are directly accountable to the membership in their locals. The job of these representatives is to carry out policies decided by the members and not to make policy.

Because of the apartheid system, there is no freedom of expression or association in the country. The apartheid education system has also resulted in an unequal distribution of knowledge, information and skills. But as far as is possible the union tries to ensure that there is freedom of association and expression in the union.

**Why does our union have democratic structures?**

Our commitment to democratic structures is based on a belief that democratic organisations can best advance the interests of the working class. Democratic structures increase the strength and participation of the membership. Democratic organisations can also survive state attacks better. In the "What is a Union?" section, we looked very briefly at the history of trade unions. We saw how the concrete battles that the unions in the 70s faced concerning recognition agreements, led them to believe that active shop floor membership led by elected and trained shop stewards, was the key to effective union activity. This in turn led to the belief that unions should be democratically structured and worker controlled.

## Lessons from FOSATU

During the 1970's the unions that emerged tried to deal with these problems. FOSATU, which consisted of a number of unions that emerged in the 70s, was the largest federation which contributed to the formation of COSATU. FOSATU is a good example because in FOSATU shop steward committees were a key structure in the unions.

The policies of worker control and democracy were very important. In the constitution they made sure that there was a majority of worker delegates at all levels where decisions had to be made. FOSATU implemented worker control by establishing democratic practices in all the unions. In practice, this meant that worker leaders were elected and mandated to represent all the workers in the factory. They then had to give regular report backs. This meant that the worker leaders were always accountable to their members. This practice of worker control and democracy was carried out in all the unions that affiliated to FOSATU.

FOSATU also believed very strongly that the strength of the workers was on the shop floor. They believed that this is where the union must begin to have a strong base. This was a new development in trade union organisation and it represented the first serious attempt in South Africa to organise workers from below. This systematic building up of strong organisation in the factories was done for two reasons. Firstly, it was an attempt to find new ways of survival. From our experience today, we know it is much harder to crush a union when it is strong. So FOSATU put a lot of effort into building strong organisation in the factories through the shop stewards committees.

Secondly, FOSATU saw this as a political decision. They wanted to build a political power base in the factories. To do this workers had to be well organised.

FOSATU said that if workers were going to control the unions then they must have power, and that power had to be based on a constituency. This constituency and power came from the factories. So FOSATU decided that the best way to organise was to organise factory by factory, and even department by department. In practice this allowed the members and their elected representatives to participate actively in all meetings. These structures were created for factory level meetings, local area meetings, branch meetings, as well as meetings of the federation.

It was because so much emphasis was put on electing members from the shop floor that FOSATU started to think about shop steward committees. A comrade from FOSATU says:

I think that the most important contribution that FOSATU made was the idea of shop stewards being elected in the factories and those shop stewards from

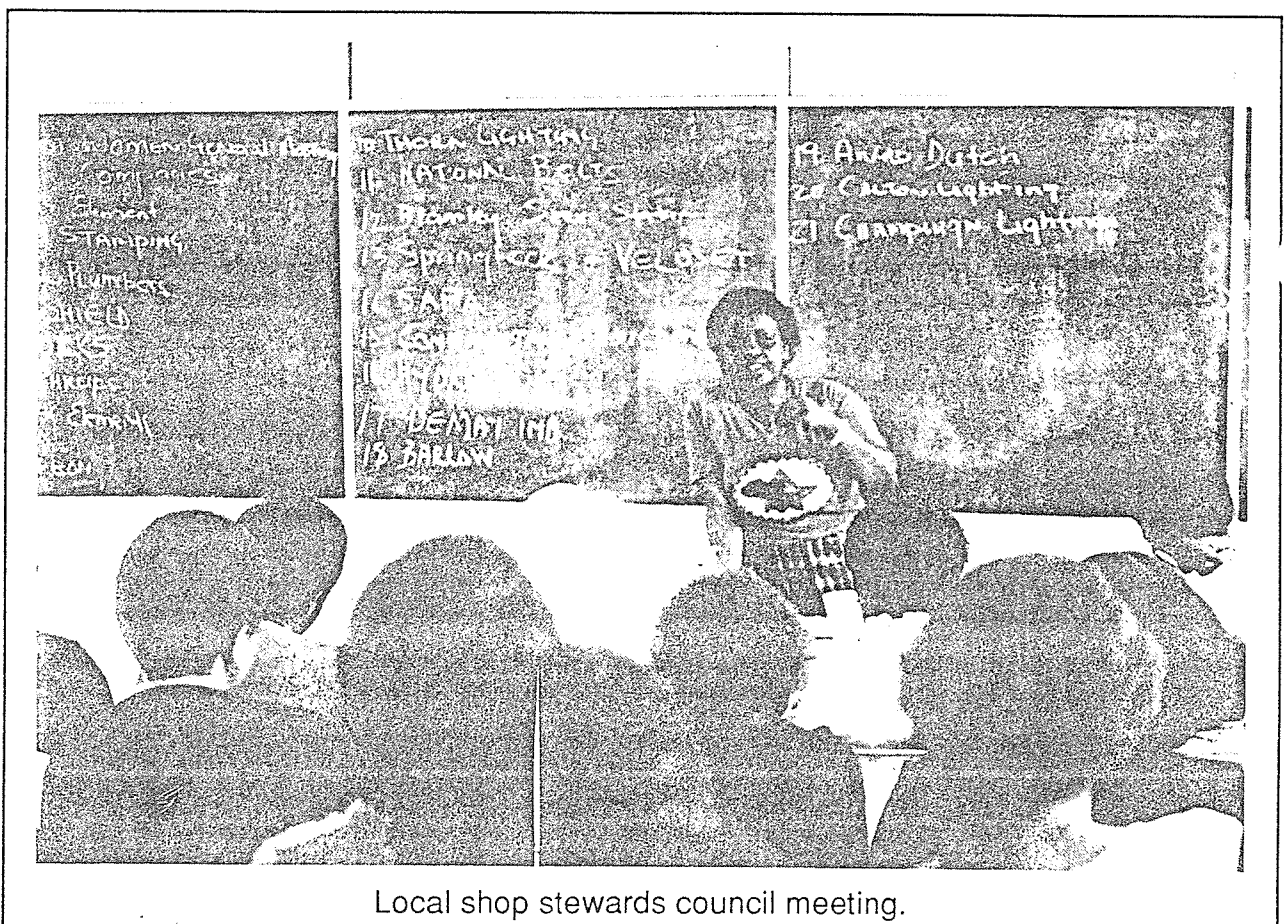
each factory then go to the Branch Executive Committee. Shop stewards were elected as representatives of workers from each factory.

### Shop steward committees

Today the structures of NUMSA and other unions in COSATU are based on strong workplace organisation.

Our NUMSA constitution states that elections for shop stewards must be held every two years. But shop stewards can be removed from office if they don't perform their duties. The shop stewards committees manage the affairs of the union inside the workplaces. These committees must meet as regularly as possible and at least once a month.

As we have said the shop stewards committee is the basis of worker control of our union. It is the union's mobilising force at the workplace. The workplace is also where the battle against capital starts. The shop stewards committee is the link between the members and the other levels of the union. But to work well, the committee must work democratically.



Local shop stewards council meeting.

## Essential elements of a democratic shop stewards committee are:-

- ★ *regular meetings - at least one per week*
- ★ *full attendance*
- ★ *mandates from membership in each constituency*
- ★ *open debate where stewards feel really free to raise problems*
- ★ *participation*
- ★ *teamwork between stewards*
- ★ *consensus as a basis of democratic action*
- ★ *clear decisions*
- ★ *regular report backs to membership in each constituency*
- ★ *taking mandates to and bringing report backs from union and other relevant meetings*
- ★ *good links with the union office*
- ★ *preparation for local meetings - preparing reports*

## Why Union Locals and COSATU are important

As we saw in the background information section of "What is a union", workers need to be organised into strong national industrial unions because capitalists compete with other capitalists in the same industry. Locals are important because workers also need to be able to take up issues that affect them in the areas or regions where they live. NUMSA is part of COSATU because capitalists will move out of any industry where they find organised workers are reducing their profits. So workers will be stronger if they are organised in all industries.

The union has set up democratic structures to take decisions at all levels where workers are struggling against capital. But if organisation in the workplaces is weak, the union will be weak. Strong shop steward committees which are organised and behave democratically are the key to the collective power of organised workers.

## Shop Stewards are Leaders

As we have seen, in a democratic process, members of an organisation elect representatives because it is not possible for all the members to meet together all the time to make decisions. In the union, shop stewards are elected because they are leaders. But they are elected by the members and are accountable to them. Shop stewards are elected for a specific period of time and if workers lose confidence in them they can vote to remove them and elect new shop stewards.

Shop stewards are in the frontline of the workers' struggle. Members look to shop stewards for leadership and guidance. Stewards must therefore, be well informed and interested in all the things happening in the factory and the union. Shop stewards must display confidence in front of workers and management, especially when a whip is being cracked.

Shop stewards must educate workers about the workers' struggle and know how to take up issues which can take the workers' struggle forward. They must have a good feeling for issues that the workers feel strongly about and which shop stewards can take up with management.

### **Most importantly shop stewards must unite workers into the union.**

Some shop stewards think they can make decisions for all workers. They think that stewards can plan campaigns and other activities without discussing these plans with the workers. When this happens shop stewards lose the support of the workers and start speaking only for themselves. Any action shop stewards plan can then easily fail, because they cannot rely on the active support of the workers. Shop stewards can only lead workers if you get mandates for all action.

**We can ask these questions to assess how democratic and strong our union is.**

- 1 *Are all the members in your factory committed to the struggle?*
- 2 *Do all the members in your factory understand the policies of the union?*
- 3 *Do all members participate in union meetings and union discussions?*
- 4 *Are all policies openly discussed at meetings?*
- 5 *Are all members, especially new members, encouraged to participate in meetings?*

## Shop stewards in the Community

Both in NUMSA and COSATU shop stewards meet in locals. Locals are meetings of shop stewards from one area. Because of this the Locals look at the problems of organisation in an area. In doing this they also deal with issues that affect our members in their communities. To do this the Locals must also deal with other political and community organisations. So if the shop stewards are active and attend their Local meetings, they will become actively involved in the community issues in their areas. Shop stewards will represent NUMSA and COSATU in building links with the community.

Shop stewards also play a role, just like any other worker, in the activities of the organisations in their area and community. When they do this they are not acting as shop stewards but are using the experience they have gained in being shop stewards. If we think back to our discussion on democracy earlier in this section, we need to be clear on this point.

Shop stewards are elected by workers in the workplace to represent them as workers. Because of NUMSA's policy on links with other organisations, shop stewards will represent workers in dealing with other organisations. In doing this they would usually act as members of a Local or as representatives of the union. However, in the community shop stewards can only represent people in that community if they are elected by people they live with. To do otherwise would be to go against the kind of democracy we are trying to build.

### SUMMARY

**1. The key points about any democratic process are:-**

- ★ *the right to elect representatives*
- ★ *the freedom of expression to ensure full information*
- ★ *the freedom of association in order to promote common views*
- ★ *the related processes of mandates, report-backs, and accountability.*

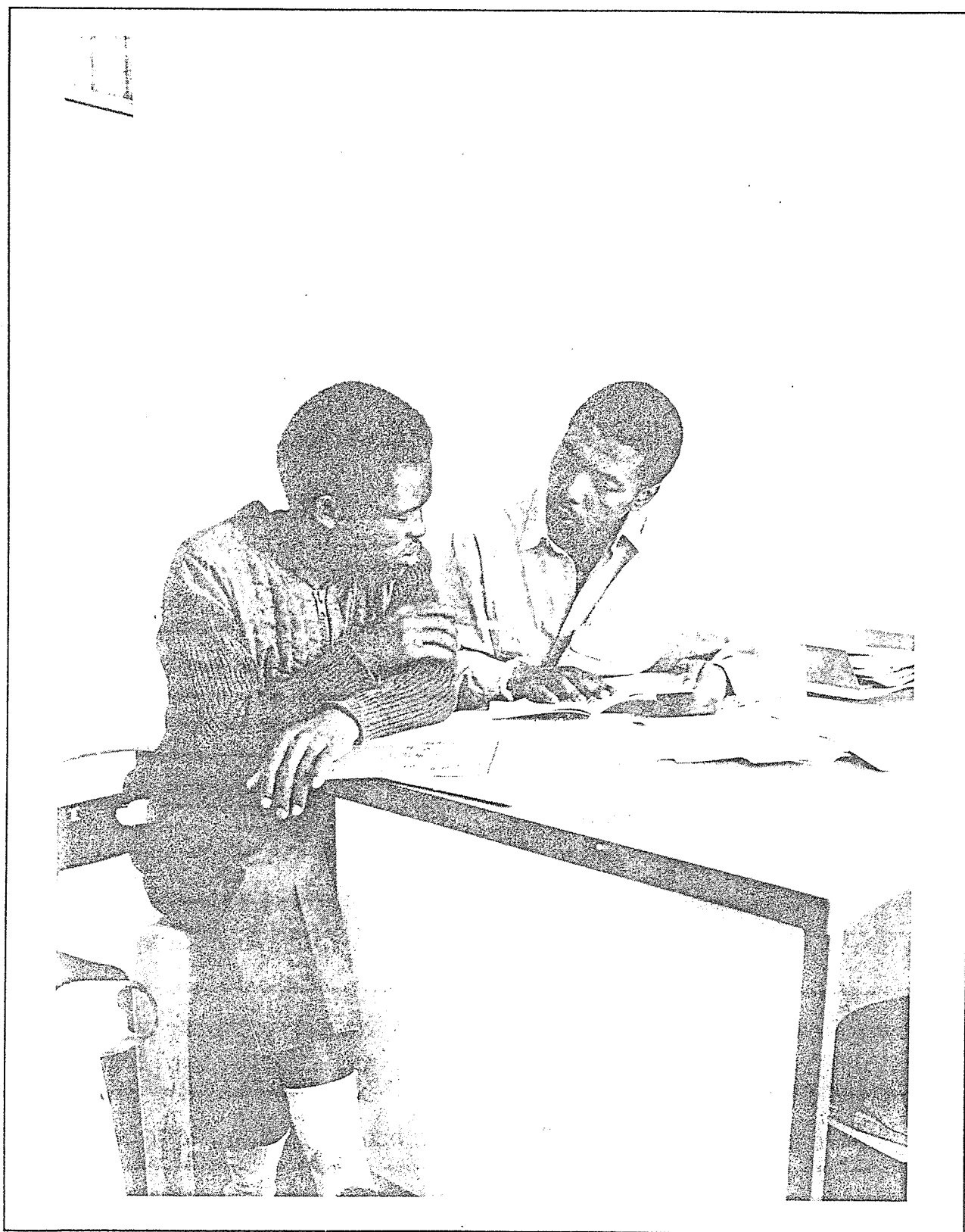
**2. The shop steward committee is the basis of worker control of our union.**

**3. Shop stewards can only lead the workers if they operate on the principles of democracy and worker control.**

**4. Democratic organisations can best advance the cause of the working class.**



# PLANNING

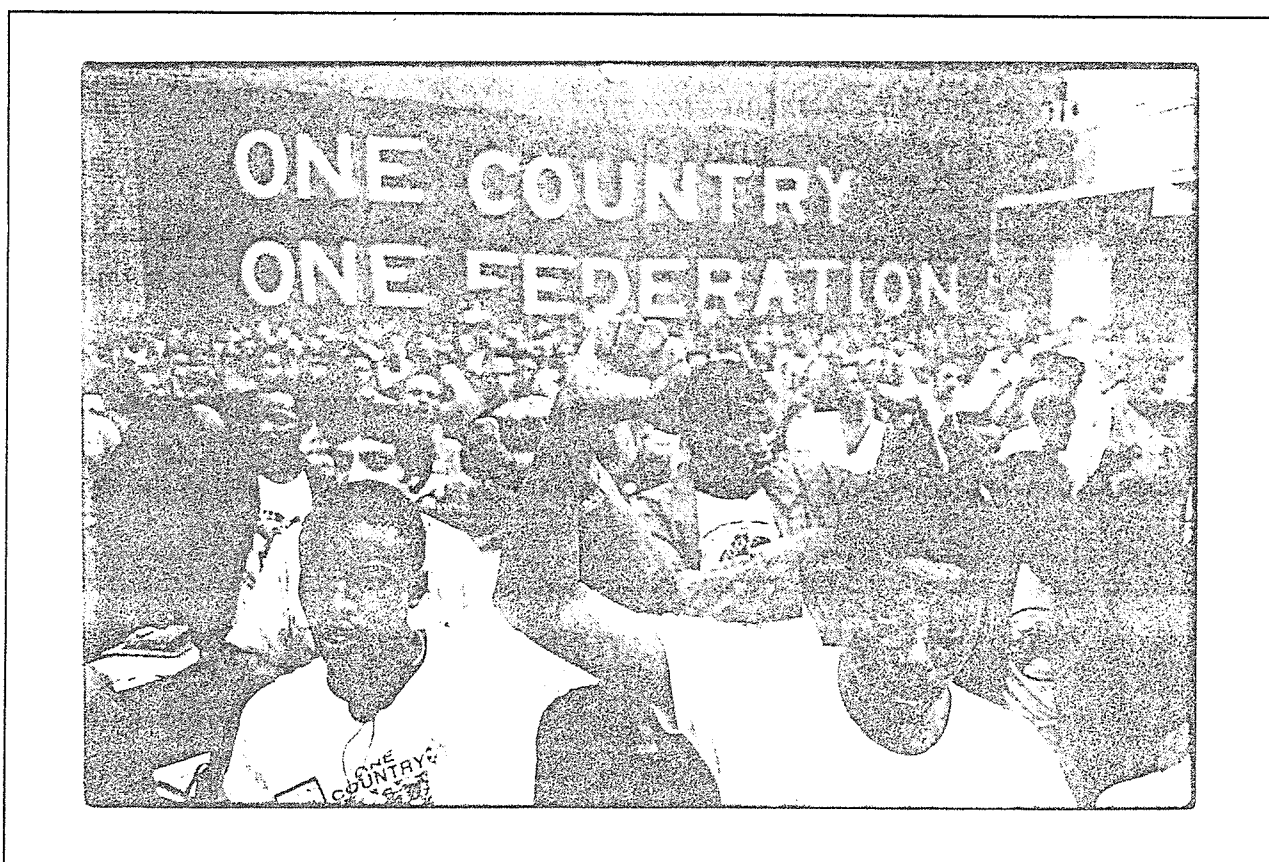


*Shop stewards have many duties. It will not be possible to discuss all the duties in detail in a short session. We therefore suggest that you divide this session of the course into four parts.*

In the first part of the session we suggest that you have a discussion in the large group on what is a shop steward. Through asking questions and discussing the answers our union feels that the following points should be covered:-

- ★ *shop stewards are elected*
- ★ *shop stewards represent a constituency*
- ★ *shop stewards are part of a committee*
- ★ *shop stewards can be removed from office*
- ★ *only workers who do not discipline other workers can be elected as shop stewards*
- ★ *shop stewards can be re-elected*

In the second part of the session we suggest that you get everybody's ideas on the duties of shop stewards. The educator should make a list of all the things that people suggest are duties. Use the board or newsprint. Then the educator should group the list under 5 broad headings - members; union; management; COSATU; and community. We have included a checklist of the duties which the union considers are most important. The educator should ask questions to get people to think about the duties listed in the checklist that have been left out. We have grouped the duties under five headings as we feel that shop stewards need to have a clear idea of the different kinds of duties that they have, e.g. duties in relation to members and duties in relation to COSATU.



## CHECKLIST SHOP STEWARDS DUTIES

### Members

- ★ hold meetings
- ★ mobilise
- ★ recruit
- ★ report back and get mandates
- ★ educate
- ★ solve grievances
- ★ defend members against unfair discipline
- ★ take up members demands with management

### Union

- ★ build a strong shop steward committee
- ★ attend seminars
- ★ get mandates to represent your workplace to the union
- ★ report back union activities to members
- ★ carry out democratic decisions of the union
- ★ mobilise around national campaigns

### Management

- ★ represent workers in dealing with management
- ★ negotiate with management
- ★ make sure management sticks to agreements
- ★ challenge unfair practices of management

### COSATU

- ★ attend COSATU meetings
- ★ educate members about COSATU
- ★ represent your union in COSATU structures
- ★ report on COSATU activities to members

### Community

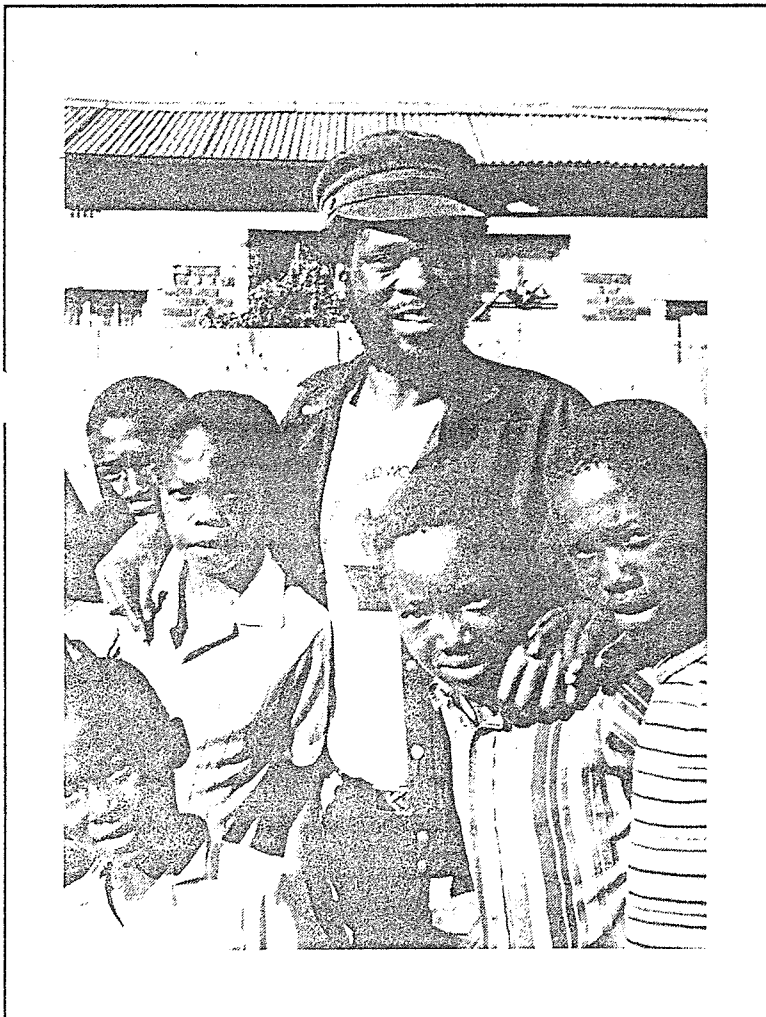
- ★ as a worker leader involve yourself in the community
- ★ as a worker leader assist in building democratic structures in the community

**In the third part of the session** we suggest that you do an activity on shop steward committees. We have included an example of an activity that you can do. (See Model Activity 1)

**In the last part of the session** we suggest that you discuss the information that shop stewards need to perform their duties. (See Model Activity 2)

It is not possible to discuss all the duties of shop stewards in a basic course. The other duties will be covered in other sections of the course. We have however included examples of activities you can do which deal with shop stewards duties in relation to the community and COSATU; how shop stewards should carry out their duties; and how shop stewards can build the union in their workplaces. You may feel that because of the needs and problems of the shop stewards on your course that some of these activities might be better than the structure we have suggested. However we feel that you should still try to cover the first 2 activities before moving on to an examination of particular duties of shop stewards.

We have also included some activities which can be done in the workplace. If you feel that any of these activities may be useful, you will need to discuss how you can do follow-ups during the course. Some of these activities are aimed at developing the skills of report writing, note-taking and reporting back to members after a meeting. We have included hand-outs on these skills which you can give to the shop stewards.



Moses Mayekiso, General Secretary of NUMSA and Chairperson of the Alexandra Action Committee

## Model Activity 1

<b>Activity</b>	<i>Being a member of a shop steward committee</i>
<b>Aim</b>	<i>To discuss ways of making your committee more democratic and effective.</i>
<b>Task</b>	Break into small groups. Give each group one problem or situation to discuss and prepare a report back to the full group.
	<p>1 You are a member of a shop steward committee. The committee does not meet very often. There is one very strong shop steward, who is also the chairperson of the committee. All the workers know that he will take up any case, so they always refer to him. The other shop stewards, yourself included, tend to leave all the cases to him. But he is talking of leaving the company because he gets tired of doing everything himself. What can you do to build the shop stewards committee?</p> <p>2 You are a member of a shop steward committee. Your chairperson represents your committee at your union local but she never reports back to the workers about the local discussions and never asks the committee to discuss any agenda before she goes to the local. What can your shop steward committee do to improve this problem?</p> <p>3 You are a member of a good shop steward committee. The big problem that your committee faces is that the members in the factory do not seem to be interested in attending any union meetings. You are always careful to advertise the meetings on the notice board. Still the attendance is very poor. How can you improve it?</p> <p>4 The union is planning a campaign to organise a day of peaceful protest after the murder of a union activist in Natal. The union is worried that the membership won't participate. How can you solve this problem?</p>

## Model Activity 2

<b>Activity</b>	<i>Identifying useful information</i>
<b>Aim</b>	<i>To discuss the kind of information that shop stewards need to carry out their duties</i>
<b>Task</b>	<i>Look through these lists and discuss other information that you need to carry out your duties as a shop steward.</i>

## **INFORMATION THAT YOU NEED AS A SHOP STEWARD**

### **INFORMATION ABOUT JOBS IN YOUR DEPARTMENT**

- The grading system used in the factory and the industrial council.
- The rate for each job.
- The overtime rates and shift allowances for your company.
- Any length of service awards owing to each worker.
- Any merit scheme or bonus scheme being used.

*Can you think of other things that you must know as a shop steward so that you can decide if each worker is being paid correctly or not?*

### **INFORMATION ABOUT THE FACTORY**

- The jobs done in all the departments in the factory.
- The names of the shop stewards representing each department.
- The problems faced by workers in these departments.

*Can you think of other information you will need so that you will be able to support other shop stewards when necessary?*

### **INFORMATION ABOUT THE UNION AND COSATU**

- union and COSATU constitutions
- union and COSATU policies
- How the union and COSATU work.
- How the union and COSATU policies are made.
- What the union and COSATU need money for.
- How the workers' money is spent in the union and in COSATU.

*Can you think of other information workers need so that they can control their union and federation?*

### **INFORMATION ABOUT LAWS, AGREEMENTS, COMPANY PROCEDURES AND SCHEMES**

- Industrial Council Agreements that cover your company
- Basic Conditions of Employment Act
- Union agreements with your company
- Company and Industrial Council Pension Scheme or Provident Fund
- Disciplinary and Grievance Procedures
- Unemployment Insurance Fund
- Loan schemes, medical aid benefits, pension or provident funds etc
- Minutes of all previous meetings with management

*Can you think of other information you need to know as a shop steward so that you can deal with workers' grievances yourselves rather than rely on union organisers?*

### Model Activity 3.

<b>Activity</b>	<i>Your role as a shop steward in the union</i>
<b>Aims</b>	<i>To help you</i> <ul style="list-style-type: none"><li>★ <i>think about your role in building a strong worker controlled union</i></li><li>★ <i>think about some of your duties as shop stewards</i></li><li>★ <i>look at how you should carry out your duties</i></li></ul>
<b>Task</b>	<i>Discuss the statements on the next page in your small group. Decide as a group if you agree or disagree with the statements and put a tick in the right column. If you think that for some statements it will depend on the situation, you should tick the third column. Make notes of your reasons for each answer and choose one person to report back to the full group.</i>



# Winning and Defending Workers Rights

## BACKGROUND INFORMATION

Dealing with members problems is probably the most important everyday duty of a steward at the factory, shop or mine.

Winning new rights for workers, defending workers against injustices and ill-treatment are the everyday tools that

- keep membership interested and active
- educate membership through these daily struggles
- create unity and direction
- provide the concrete benefits for members of belonging to a union.

There are many problems every day in factories and mines. Some problems can be solved quickly, some will take years of struggle.

Some problems are clear and members will bring them to you. Some problems are not immediately clear and you as a steward will have to look out for them. Grievances may arise when there is some change in the conditions in employment. We can also use a grievance procedure to advance workers' rights. In general, there are 2 major groups of problems:-

- individual (one worker) and small group problems
- collective issues.

### INDIVIDUAL PROBLEMS

These are usually complaints against management brought by an individual worker or a small group of workers.

*They are often problems of unfair treatment. Here are some examples:-*

- racist and abusive language (eg. swearing or insulting) by a foreman;
- refusal to replace or install safety equipment

or

*They could be disciplinary actions against workers-*

- warnings
- dismissals
- victimisation.

## COLLECTIVE ISSUES

A collective issue affects many workers. It may arise out of a complaint or problem, for example 'wages are too low', 'women are fired when they become pregnant';

OR it may be an issue where workers see an opportunity to extend their rights. For example 'the right to full-time shop stewards', 'the right to recognize health and safety representatives'.

There are different ways and different procedures for dealing with different kinds of problems. For example, the issue of women being fired when they become pregnant could be handled as a collective grievance. But a demand for full-time stewards should go through the negotiating procedure. You as a shop steward will have to decide what kind of a problem you are dealing with. Only then can you plan which course of action to take.

### **But is it that simple?**

Clearly it is not simple. Some problems may start with a complaint from an individual worker. When you as a shop steward investigate the matter, you may find that the problem is one which affects many workers. An individual problem may become a collective issue.

*An example:-*

A worker complains that he has been paid only one and a half times the hourly rate for Sunday overtime. You investigate this and find all workers are being paid at this rate. The law says double time must be paid on Sundays. Therefore, this becomes a collective issue. How do we deal with the various kinds of problems?

The general rule is:-

- Individual grievances and small group grievances lead to the  
**GRIEVANCE PROCEDURE.**
- Disciplinary problems lead to the  
**DISCIPLINARY PROCEDURE.**
- Collective issues lead to  
**COLLECTIVE BARGAINING (NEGOTIATIONS).**



Spraying glue is dangerous — this worker has won some protection

**In this section we will only look at the grievance procedure.**

(We will deal with the others in other chapters.)

### **Why do we need a negotiated grievance procedure?**

Management grievance procedures have too many steps and long time limits. Workers are not represented by their shop stewards and management has the final say. These procedures put a lot of pressure on workers and set examples which can be bad for other workers.

1. A union grievance procedure can be used to win new rights. For example, workers' right to work in healthy and safe conditions.
2. A union grievance procedure can limit the powers of management. For example, to stop racist behaviour of supervisors and foremen and other discrimination on the grounds of colour.
3. A union grievance procedure can unite individuals who feel isolated.
4. A union grievance procedure enables the union to identify the problems of workers.
5. A union grievance procedure can be used to ensure that workers are represented when problems arise and help solve problems quickly.

As shop-stewards today, one of our most important duties is to fight unfair disciplinary action. In most factories there are disciplinary procedures that management has to follow. It is our duty to know what is in the procedures and then to make sure that management follows the procedures. These procedures tell us what management can and cannot do.

Shop-stewards represent workers to management. Therefore, our first loyalty is to the workers. When dealing with disciplinary and dismissal procedure, the important thing to remember is that every case is important. As an experienced trade unionist says:

"You will not only be helping individual members but you will be helping the union as well. Because every case won is a precedent for the union. Help a worker to save his job and you will have a friend and loyal member for a long, long time to come!"

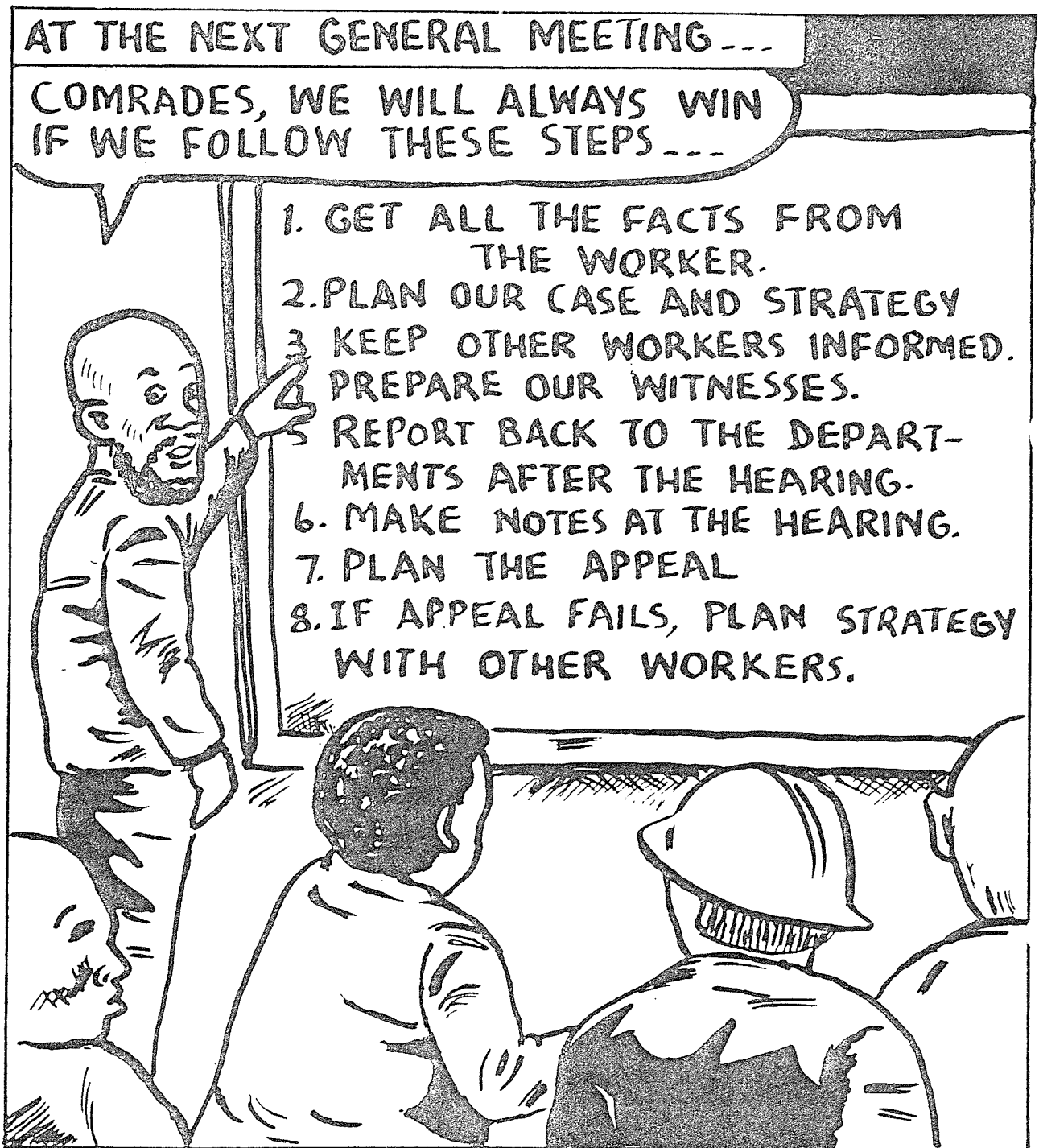
### **Grievance and Discipline Procedures and Building Organisation**

It needs to be pointed out to shop stewards that they can use these procedures to help educate and mobilise members. In handling an individual worker's case the shop stewards should not forget the other members. If shop stewards report and discuss individual grievances with other workers then workers will become aware of their rights and will learn to support each other. If workers are involved from the beginning they will be able to support the complaint as it proceeds up the grievance procedure steps.

Also in discipline by discussing the problem with workers they will be able to assist the shop steward with support and advice. Remember we do not always win cases and if all the facts are placed before members they will understand what has happened. If this does not happen then members will blame shop stewards for any failures.

Remember in these procedures the shop stewards must not behave like lawyers who are representing a client. You are both representing and organising at the same time.

# PLANNING



ONE of the most important jobs of the shop-steward is to follow disciplinary procedures and defend workers against unfair disciplinary action.

The main purpose of this part of the course is to ensure that shop stewards become familiar with the principles of justice. These principles have been clearly outlined in the background section. Equally important in this section, is the need to emphasise that the way in which these principles are implemented is through disciplinary procedures.

We use disciplinary procedures to reduce management's control over us. By the end of this session, shop stewards should feel confident that they know what the basic principles of justice are. They should also know how to challenge management if they act in an unfair and inconsistent way and they should be familiar with their disciplinary procedure so that they can confidently take any disciplinary action in the factory.

We suggest that you divide this section into 2 parts. We have included a third option but we feel that this activity should only be done if you have enough time. In the first section of the session, you can discuss people's ideas on disciplinary procedures and the problems they have. For this section we have included a checklist for you, which will help you to draw out the important points that need to be made when dealing with disciplinary procedure. [See Model Activity One].

The second part of the session will involve doing a case study with the group. The main purpose of this activity is to see if they have understood the importance of following disciplinary procedures. We suggest that for this exercise you break the group up into small groups and then each group can report back on the basis of the questions that are asked. [See Model Activity Two].

If you feel that you have enough time, you can consider doing a role-play with the group. [See Model Activity Three].

This section also contains some teaching resources. You should look through these before you run the seminar because they may give you ideas on other things that you can do. They will also help you to answer some questions that the group may have.

Finally, we have listed material that you can look at if you want to do more reading about disciplinary procedures and dismissal.

# IDEAS FOR TEACHING ACTIVITIES

## Model Activity 1

<b>Activity</b>	<i>Disciplinary Procedure.</i>
<b>Aim</b>	<i>To develop an understanding of the basic principles of justice and to emphasise the importance of following disciplinary procedures.</i>
<b>Task</b>	<i>To get the group to brainstorm the problems that they have.</i>
	<i>Begin by listing the important points on the board.</i>
	<b>Discuss the problems.</b>
	The purpose of this discussion is to make the following points very clear:
	<b>1. Familiarity with the basic principles of justice.</b>
	<i>The right to be heard.</i>
	<i>The right to know what you are accused of.</i>
	<i>The right to be represented.</i>
	<i>The right to call witnesses.</i>
	<i>The right to cross examine your accusers and their witnesses.</i>
	<i>The right to be tried by a person other than your accuser.</i>
	<i>The right to appeal to an independant party.</i>
	(continued on the next page)

## 2. Following Disciplinary Procedures.

Disciplinary procedures exist so that we can implement the principles that we have outlined above. Therefore ask the following questions:

*Was there the right to be heard?*

*Was time given to prepare a case?*

*Was the shop steward allowed to be present?*

*Was the accused allowed to call witnesses?*

*Was the accused given the opportunity to cross examine the accuser and their witnesses?*

*Who tried the accused?*

*Was the right to appeal given?*

### Membership

Shop stewards should refer to the membership if they are not sure how to take up a case or whether the case should be taken up. This is important for three reasons:

1. When you refer to the members, it is a form of trial by your fellow members which is another form of justice. Membership will decide what the best course of action for the shop steward must be, particularly if the member is clearly at fault.
2. If membership is party to the action that has been taken, then the shop steward does not have to shoulder the blame alone if the case fails.
3. If membership are involved in all stages of the process, they are more likely to support action if a dispute is declared.



## Model Activity 2

**Activity**

*Understanding Disciplinary Procedures.*

**Aim**

*To see if shop stewards understand how to use disciplinary procedures.*

**Task**

*Read the case that is given below carefully.  
In groups, briefly discuss the case.  
Then answer the questions that follow.*

**CASE STUDY**

Thomas Ngema worked for BARLOWS for one year. It took him a long time to find a job, so when BARLOWS offered him a job as a packer, he took it even though he lived far away from the factory.

Because he lived so far away, he had difficulty getting to work at 7am. every morning. Most mornings he was on time, but on three occasions he was late. His supervisor warned him that if he was late again, he would be fired.

In the following week, he arrived 5 minutes late for work. The supervisor called him into the office and told him that as he was warned many times before, he was now going to fire him.

Thomas said that he would like to have his shop steward present. The supervisor called in the shop steward and explained the problem to him. However, the supervisor said that the shop steward could only attend the meeting as an observer. He also said that he felt that there was no need to discuss the matter any further because Thomas had been given enough warnings. He then told Thomas to go and collect his pay cheque.

(continued on next page)

# THE DUTIES OF SHOP STEWARDS

## BACKGROUND INFORMATION

*The aim of this section of the course is to look at the duties of shop stewards. But before we do this we need to understand why our union has developed democratic structures. Then we can look at the role of shop stewards in building a worker controlled democratic organisation.*

### **What does democracy really mean?**

The issue of democracy has caused us many headaches. Everyone likes to use this word. The government says it is making the country safe for democracy; the bosses say that they are interested in seeing a democratic South Africa. Many political organisations want us to support them because they say that they are also fighting for democracy.

### **What is clear from this is that democracy means different things to different people.**

Democracy is about how decisions are made in society. It is also about who is involved in making these decisions. And democracy is about who controls the information that is necessary to make these decisions. We all make decisions everyday - about our own lives or about the lives of our families. We decide what food we can afford to eat. We decide whether we will take part in a strike or not. But there are other kinds of decisions too - decisions which affect the whole of society. And we know that in our country not all people are involved in making these decisions. When we think about democracy, most importantly we must think about two things - ideas of participation and equality.

We say South Africa is undemocratic because not everybody has the right to make political decisions in the country. Also people in South Africa are not treated as equals. The way people are organised to make decisions in society is the key to democracy. This will tell us if all the people's ideas can have equal weight in the decision-making process. It will also tell us if everybody can participate actively in making decisions which affect the whole of society.

### **The right to elect representatives**

It is clear that all the people in a society cannot come together to make important decisions that affect the whole of the society. Nor can each person elect his or her own personal representative. There must be fewer representatives than all the people who do the electing. The main purpose of electing a representative is that he or she must represent other people's

views and wishes. Representatives should therefore carry out the mandates of the people who elect them.

### **Freedom of Expression**

Good representatives make it possible for everybody to participate in making decisions that affect their lives. For people to decide who should represent them, and on what issues they wish to be represented, they must have all the information they need. In a democratic process there must therefore be FREEDOM OF EXPRESSION.

### **Freedom of Association**

In any society people have different views on issues. When people choose a representative they tend to choose someone who shares their views. This is because people feel that such a representative will be able to represent their views better. So people with similar views will want to come together to increase the chances of them being able to elect a representative who will express and represent their views. In a democratic process there must therefore be FREEDOM OF ASSOCIATION (the right to hold meetings).

### **Mandates, Report-backs, Accountability**

In a democratic process the job of a representative is to represent other people's views and wishes - to carry out the mandate of the people who elected them. For the people to feel that this is happening they must be able to know what their representatives are doing and saying. They can only know this if they get report-backs from their representatives on what they have been doing. The representatives on their own cannot make decisions for the people. People must be able to discipline representatives who don't represent their views. They must be able to hold their representatives accountable. In a democratic process there must therefore be the processes of MANDATES, REPORT-BACKS, AND ACCOUNTABILITY.

**The key points about any democratic process are:-**

- the right to elect representatives*
- the freedom of expression to ensure full information*
- the freedom of association to promote common views*
- the related processes of mandate, report-back, and accountability.*

For an organisation to be democratic, these processes must happen at all levels of decision-making.

Our union is committed to building a democratic worker controlled organisation. We have established structures in the union which can make it possible for all members to participate in making decisions about the union's activities. The representatives in all the decision-making committees are accountable to particular groupings (constituencies) of the membership. Committees can be removed by these groupings at any time. For example, shop stewards are directly accountable to the membership in their workplace and the membership can remove shop stewards at any time.

The Regional Executive Committees are directly accountable to the membership in their locals. The job of these representatives is to carry out policies decided by the members and not to make policy.

Because of the apartheid system, there is no freedom of expression or association in the country. The apartheid education system has also resulted in an unequal distribution of knowledge, information and skills. But as far as is possible the union tries to ensure that there is freedom of association and expression in the union.

### **Why does our union have democratic structures?**

Our commitment to democratic structures is based on a belief that democratic organisations can best advance the interests of the working class. Democratic structures increase the strength and participation of the membership. Democratic organisations can also survive state attacks better. In the "What is a Union?" section, we looked very briefly at the history of trade unions. We saw how the concrete battles that the unions in the 70s faced concerning recognition agreements, led them to believe that active shop floor membership led by elected and trained shop stewards, was the key to effective union activity. This in turn led to the belief that unions should be democratically structured and worker controlled.

## Lessons from FOSATU

During the 1970's the unions that emerged tried to deal with these problems. FOSATU, which consisted of a number of unions that emerged in the 70s, was the largest federation which contributed to the formation of COSATU. FOSATU is a good example because in FOSATU shop steward committees were a key structure in the unions.

The policies of worker control and democracy were very important. In the constitution they made sure that there was a majority of worker delegates at all levels where decisions had to be made. FOSATU implemented worker control by establishing democratic practices in all the unions. In practice, this meant that worker leaders were elected and mandated to represent all the workers in the factory. They then had to give regular report backs. This meant that the worker leaders were always accountable to their members. This practice of worker control and democracy was carried out in all the unions that affiliated to FOSATU.

FOSATU also believed very strongly that the strength of the workers was on the shop floor. They believed that this is where the union must begin to have a strong base. This was a new development in trade union organisation and it represented the first serious attempt in South Africa to organise workers from below. This systematic building up of strong organisation in the factories was done for two reasons. Firstly, it was an attempt to find new ways of survival. From our experience today, we know it is much harder to crush a union when it is strong. So FOSATU put a lot of effort into building strong organisation in the factories through the shop stewards committees.

Secondly, FOSATU saw this as a political decision. They wanted to build a political power base in the factories. To do this workers had to be well organised.

FOSATU said that if workers were going to control the unions then they must have power, and that power had to be based on a constituency. This constituency and power came from the factories. So FOSATU decided that the best way to organise was to organise factory by factory, and even department by department. In practice this allowed the members and their elected representatives to participate actively in all meetings. These structures were created for factory level meetings, local area meetings, branch meetings, as well as meetings of the federation.

It was because so much emphasis was put on electing members from the shop floor that FOSATU started to think about shop steward committees. A comrade from FOSATU says:

I think that the most important contribution that FOSATU made was the idea of shop stewards being elected in the factories and those shop stewards from

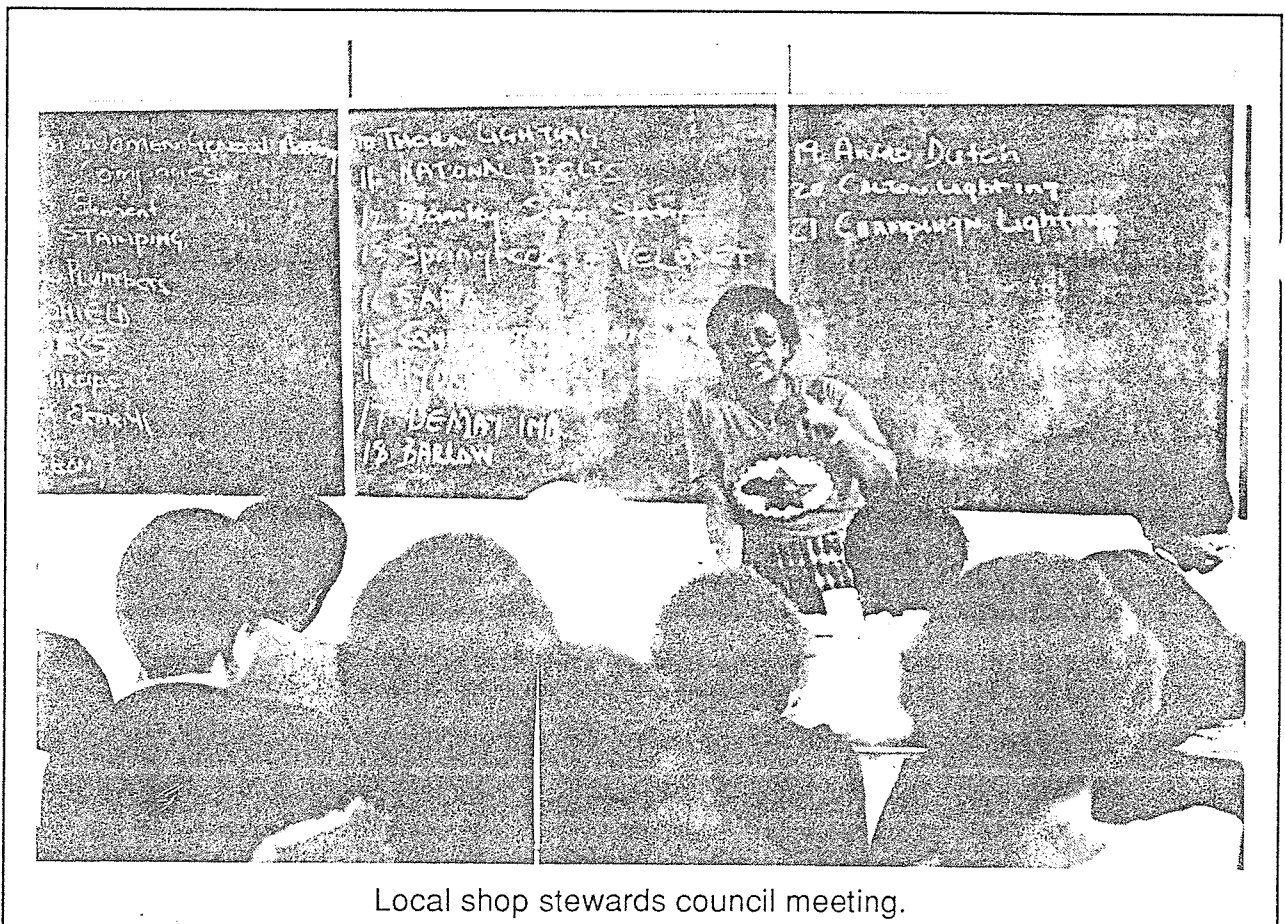
each factory then go to the Branch Executive Committee. Shop stewards were elected as representatives of workers from each factory.

### Shop steward committees

Today the structures of NUMSA and other unions in COSATU are based on strong workplace organisation.

Our NUMSA constitution states that elections for shop stewards must be held every two years. But shop stewards can be removed from office if they don't perform their duties. The shop stewards committees manage the affairs of the union inside the workplaces. These committees must meet as regularly as possible and at least once a month.

As we have said the shop stewards committee is the basis of worker control of our union. It is the union's mobilising force at the workplace. The workplace is also where the battle against capital starts. The shop stewards committee is the link between the members and the other levels of the union. But to work well, the committee must work democratically.



Local shop stewards council meeting.

## Essential elements of a democratic shop stewards committee are:-

- ★ *regular meetings - at least one per week*
- ★ *full attendance*
- ★ *mandates from membership in each constituency*
- ★ *open debate where stewards feel really free to raise problems*
- ★ *participation*
- ★ *teamwork between stewards*
- ★ *consensus as a basis of democratic action*
- ★ *clear decisions*
- ★ *regular report backs to membership in each constituency*
- ★ *taking mandates to and bringing report backs from union and other relevant meetings*
- ★ *good links with the union office*
- ★ *preparation for local meetings - preparing reports*

## Why Union Locals and COSATU are important

As we saw in the background information section of "What is a union", workers need to be organised into strong national industrial unions because capitalists compete with other capitalists in the same industry. Locals are important because workers also need to be able to take up issues that affect them in the areas or regions where they live. NUMSA is part of COSATU because capitalists will move out of any industry where they find organised workers are reducing their profits. So workers will be stronger if they are organised in all industries.

The union has set up democratic structures to take decisions at all levels where workers are struggling against capital. But if organisation in the workplaces is weak, the union will be weak. Strong shop steward committees which are organised and behave democratically are the key to the collective power of organised workers.

## Shop Stewards are Leaders

As we have seen, in a democratic process, members of an organisation elect representatives because it is not possible for all the members to meet together all the time to make decisions. In the union, shop stewards are elected because they are leaders. But they are elected by the members and are accountable to them. Shop stewards are elected for a specific period of time and if workers lose confidence in them they can vote to remove them and elect new shop stewards.

Shop stewards are in the frontline of the workers' struggle. Members look to shop stewards for leadership and guidance. Stewards must therefore, be well informed and interested in all the things happening in the factory and the union. Shop stewards must display confidence in front of workers and management, especially when a whip is being cracked.

Shop stewards must educate workers about the workers' struggle and know how to take up issues which can take the workers' struggle forward. They must have a good feeling for issues that the workers feel strongly about and which shop stewards can take up with management.

### **Most importantly shop stewards must unite workers into the union.**

Some shop stewards think they can make decisions for all workers. They think that stewards can plan campaigns and other activities without discussing these plans with the workers. When this happens shop stewards lose the support of the workers and start speaking only for themselves. Any action shop stewards plan can then easily fail, because they cannot rely on the active support of the workers. Shop stewards can only lead workers if you get mandates for all action.

**We can ask these questions to assess how democratic and strong our union is.**

- 1 *Are all the members in your factory committed to the struggle?*
- 2 *Do all the members in your factory understand the policies of the union?*
- 3 *Do all members participate in union meetings and union discussions?*
- 4 *Are all policies openly discussed at meetings?*
- 5 *Are all members, especially new members, encouraged to participate in meetings?*



## Shop stewards in the Community

Both in NUMSA and COSATU shop stewards meet in locals. Locals are meetings of shop stewards from one area. Because of this the Locals look at the problems of organisation in an area. In doing this they also deal with issues that affect our members in their communities. To do this the Locals must also deal with other political and community organisations. So if the shop stewards are active and attend their Local meetings, they will become actively involved in the community issues in their areas. Shop stewards will represent NUMSA and COSATU in building links with the community.

Shop stewards also play a role, just like any other worker, in the activities of the organisations in their area and community. When they do this they are not acting as shop stewards but are using the experience they have gained in being shop stewards. If we think back to our discussion on democracy earlier in this section, we need to be clear on this point.

Shop stewards are elected by workers in the workplace to represent them as workers. Because of NUMSA's policy on links with other organisations, shop stewards will represent workers in dealing with other organisations. In doing this they would usually act as members of a Local or as representatives of the union. However, in the community shop stewards can only represent people in that community if they are elected by people they live with. To do otherwise would be to go against the kind of democracy we are trying to build.

### SUMMARY

**1. The key points about any democratic process are:-**

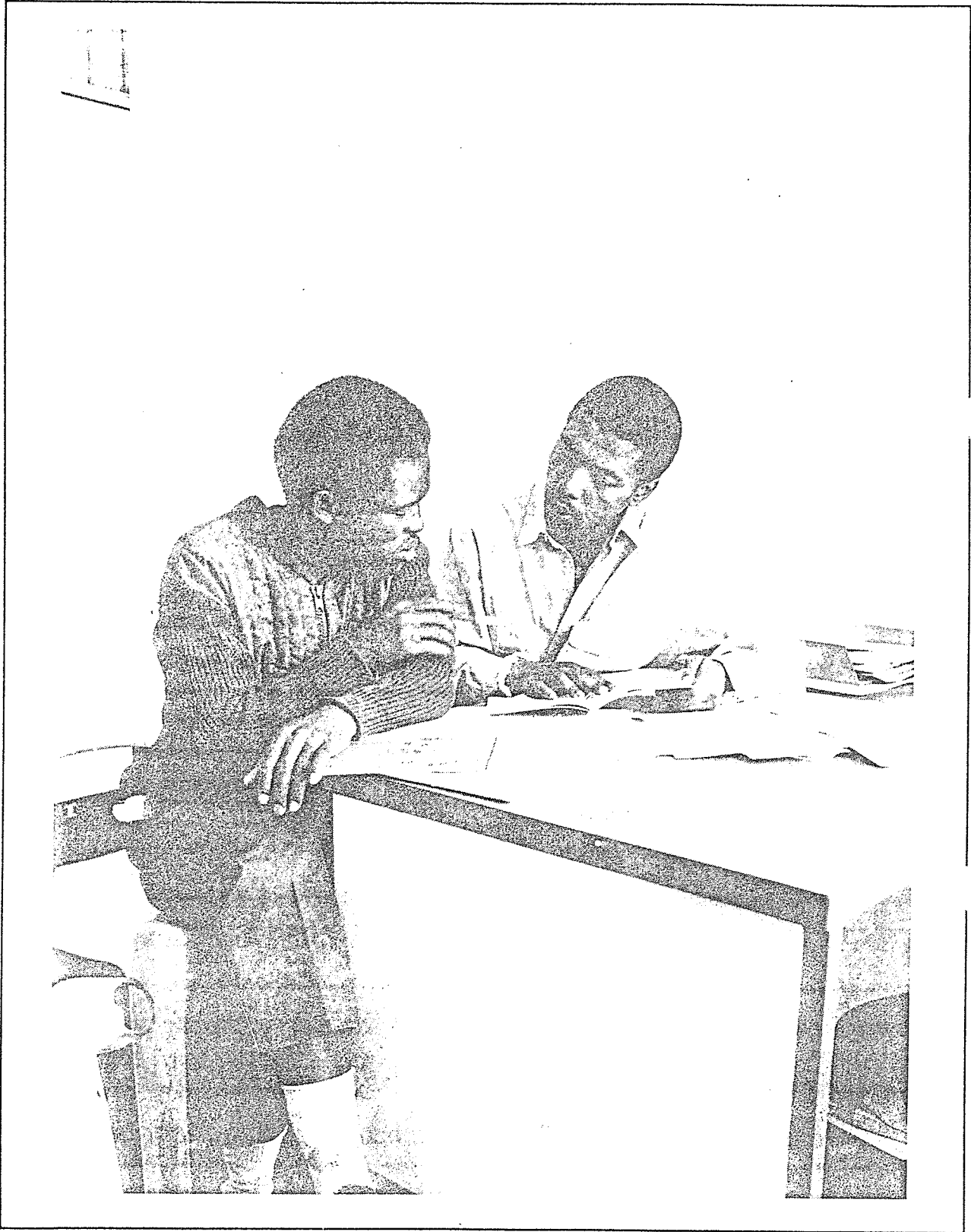
- ★ *the right to elect representatives*
- ★ *the freedom of expression to ensure full information*
- ★ *the freedom of association in order to promote common views*
- ★ *the related processes of mandates, report-backs, and accountability.*

**2. The shop steward committee is the basis of worker control of our union.**

**3. Shop stewards can only lead the workers if they operate on the principles of democracy and worker control.**

**4. Democratic organisations can best advance the cause of the working class.**

# PLANNING

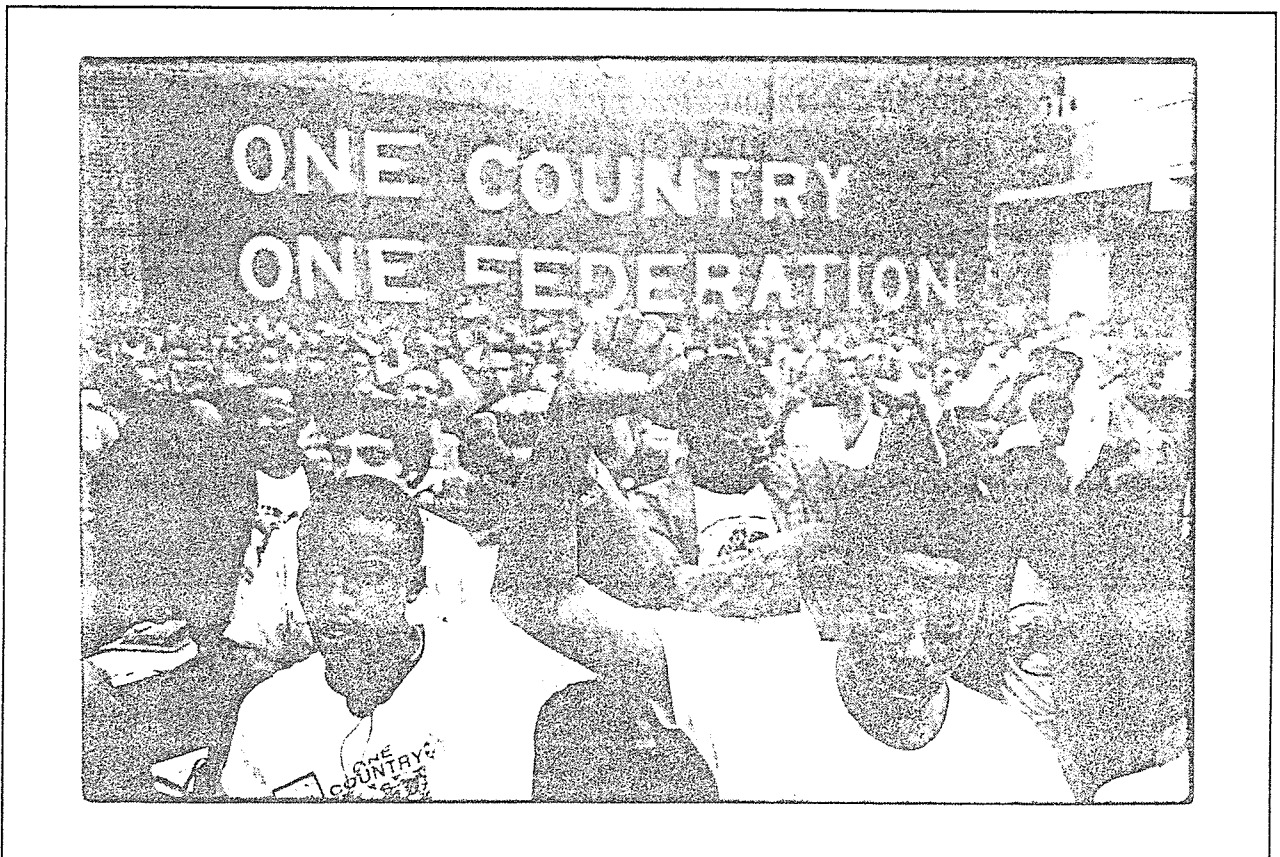


*Shop stewards have many duties. It will not be possible to discuss all the duties in detail in a short session. We therefore suggest that you divide this session of the course into four parts.*

In the first part of the session we suggest that you have a discussion in the large group on what is a shop steward. Through asking questions and discussing the answers our union feels that the following points should be covered:-

- ★ *shop stewards are elected*
- ★ *shop stewards represent a constituency*
- ★ *shop stewards are part of a committee*
- ★ *shop stewards can be removed from office*
- ★ *only workers who do not discipline other workers can be elected as shop stewards*
- ★ *shop stewards can be re-elected*

In the second part of the session we suggest that you get everybody's ideas on the duties of shop stewards. The educator should make a list of all the things that people suggest are duties. Use the board or newsprint. Then the educator should group the list under 5 broad headings - members; union; management; COSATU; and community. We have included a checklist of the duties which the union considers are most important. The educator should ask questions to get people to think about the duties listed in the checklist that have been left out. We have grouped the duties under five headings as we feel that shop stewards need to have a clear idea of the different kinds of duties that they have, e.g. duties in relation to members and duties in relation to COSATU.



## CHECKLIST SHOP STEWARDS DUTIES

### Members

- ★ hold meetings
- ★ mobilise
- ★ recruit
- ★ report back and get mandates
- ★ educate
- ★ solve grievances
- ★ defend members against unfair discipline
- ★ take up members demands with management

### Union

- ★ build a strong shop steward committee
- ★ attend seminars
- ★ get mandates to represent your workplace to the union
- ★ report back union activities to members
- ★ carry out democratic decisions of the union
- ★ mobilise around national campaigns

### Management

- ★ represent workers in dealing with management
- ★ negotiate with management
- ★ make sure management sticks to agreements
- ★ challenge unfair practices of management

### COSATU

- ★ attend COSATU meetings
- ★ educate members about COSATU
- ★ represent your union in COSATU structures
- ★ report on COSATU activities to members

### Community

- ★ as a worker leader involve yourself in the community
- ★ as a worker leader assist in building democratic structures in the community

**In the third part of the session** we suggest that you do an activity on shop steward committees. We have included an example of an activity that you can do. (See Model Activity 1)

**In the last part of the session** we suggest that you discuss the information that shop stewards need to perform their duties. (See Model Activity 2)

It is not possible to discuss all the duties of shop stewards in a basic course. The other duties will be covered in other sections of the course. We have however included examples of activities you can do which deal with shop stewards duties in relation to the community and COSATU; how shop stewards should carry out their duties; and how shop stewards can build the union in their workplaces. You may feel that because of the needs and problems of the shop stewards on your course that some of these activities might be better than the structure we have suggested. However we feel that you should still try to cover the first 2 activities before moving on to an examination of particular duties of shop stewards.

We have also included some activities which can be done in the workplace. If you feel that any of these activities may be useful, you will need to discuss how you can do follow-ups during the course. Some of these activities are aimed at developing the skills of report writing, note-taking and reporting back to members after a meeting. We have included hand-outs on these skills which you can give to the shop stewards.



Moses Mayekiso, General Secretary of NUMSA and Chairperson of the Alexandra Action Committee

## Model Activity 1

<b>Activity</b>	<i>Being a member of a shop steward committee</i>
<b>Aim</b>	<i>To discuss ways of making your committee more democratic and effective.</i>
<b>Task</b>	Break into small groups. Give each group one problem or situation to discuss and prepare a report back to the full group.
	<p>1 You are a member of a shop steward committee. The committee does not meet very often. There is one very strong shop steward, who is also the chairperson of the committee. All the workers know that he will take up any case, so they always refer to him. The other shop stewards, yourself included, tend to leave all the cases to him. But he is talking of leaving the company because he gets tired of doing everything himself. What can you do to build the shop stewards committee?</p> <p>2 You are a member of a shop steward committee. Your chairperson represents your committee at your union local but she never reports back to the workers about the local discussions and never asks the committee to discuss any agenda before she goes to the local. What can your shop steward committee do to improve this problem?</p> <p>3 You are a member of a good shop steward committee. The big problem that your committee faces is that the members in the factory do not seem to be interested in attending any union meetings. You are always careful to advertise the meetings on the notice board. Still the attendance is very poor. How can you improve it?</p> <p>4 The union is planning a campaign to organise a day of peaceful protest after the murder of a union activist in Natal. The union is worried that the membership won't participate. How can you solve this problem?</p>

## Model Activity 2

<b>Activity</b>	<i>Identifying useful information</i>
<b>Aim</b>	<i>To discuss the kind of information that shop stewards need to carry out their duties</i>
<b>Task</b>	<i>Look through these lists and discuss other information that you need to carry out your duties as a shop steward.</i>

## **INFORMATION THAT YOU NEED AS A SHOP STEWARD**

### **INFORMATION ABOUT JOBS IN YOUR DEPARTMENT**

- The grading system used in the factory and the industrial council.
- The rate for each job.
- The overtime rates and shift allowances for your company.
- Any length of service awards owing to each worker.
- Any merit scheme or bonus scheme being used.

*Can you think of other things that you must know as a shop steward so that you can decide if each worker is being paid correctly or not?*

### **INFORMATION ABOUT THE FACTORY**

- The jobs done in all the departments in the factory.
- The names of the shop stewards representing each department.
- The problems faced by workers in these departments.

*Can you think of other information you will need so that you will be able to support other shop stewards when necessary?*

### **INFORMATION ABOUT THE UNION AND COSATU**

- union and COSATU constitutions
- union and COSATU policies
- How the union and COSATU work.
- How the union and COSATU policies are made.
- What the union and COSATU need money for.
- How the workers' money is spent in the union and in COSATU.

*Can you think of other information workers need so that they can control their union and federation?*

### **INFORMATION ABOUT LAWS, AGREEMENTS, COMPANY PROCEDURES AND SCHEMES**

- Industrial Council Agreements that cover your company
- Basic Conditions of Employment Act
- Union agreements with your company
- Company and Industrial Council Pension Scheme or Provident Fund
- Disciplinary and Grievance Procedures
- Unemployment Insurance Fund
- Loan schemes, medical aid benefits, pension or provident funds etc
- Minutes of all previous meetings with management

*Can you think of other information you need to know as a shop steward so that you can deal with workers' grievances yourselves rather than rely on union organisers?*



### Model Activity 3.

<b>Activity</b>	<i>Your role as a shop steward in the union</i>
<b>Aims</b>	<i>To help you</i> <ul style="list-style-type: none"><li>★ <i>think about your role in building a strong worker controlled union</i></li><li>★ <i>think about some of your duties as shop stewards</i></li><li>★ <i>look at how you should carry out your duties</i></li></ul>
<b>Task</b>	<i>Discuss the statements on the next page in your small group. Decide as a group if you agree or disagree with the statements and put a tick in the right column. If you think that for some statements it will depend on the situation, you should tick the third column. Make notes of your reasons for each answer and choose one person to report back to the full group.</i>