



South African Municipal Worker's Union

CAPE TOWN - HEAD OFFICE

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23 February 2001

*Faxed To: 1) COSATU HQ
2) All Affiliates
3) All Provinces
Barred
23/02/01.*

**TO: THE GENERAL SECRETARY
COSATU**

FROM: THE GENERAL SECRETARY

RE: LABOUR LAW AMENDMENTS

Dear Comrade

Our National Executive Committee met on 20/21 February and, amongst others, deliberated on the latest developments around the proposed labour law amendments. After consideration of the document circulated at the recent COSATU CEC and the subsequent CEC resolution on the matter, our NEC resolved as follows:

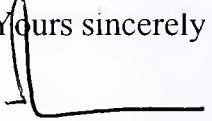
1. SAMWU expresses its concern at the manner in which negotiations on the amendments were conducted and more specifically the lack of a more thoroughgoing consultative process involving workers. Already it would appear, as cautioned previously, that the Millennium Labour Council has usurped NEDLAC as the site of engagement on matters of this nature with the latter simply assuming a rubber-stamping role.
2. Of major concern to the Union is the proposed joint vision that serves as a preamble to the agreement concluded between the negotiators in the Millennium Labour Council. In the view of SAMWU, the vision constitutes the first formal embrace by COSATU, notwithstanding the Federation's vision of socialism, of neo-liberal globalisation viz. economic growth for redistribution. The COSATU view has always been the opposite – growth through redistribution. SAMWU cannot support any agreement with business that acknowledges their right to a 'competitive' profit and secure investments. Profits derive directly from the exploitation of workers.¹
3. If any agreement between business, labour and government on the proposed amendments has to contain a preamble, then SAMWU is of the view that it should simply recognise that notwithstanding fundamental differences on an appropriate macro-economic strategy for the country, the parties have been able to reach agreement on various amendments to labour legislation.

¹ It is noted that the document circulated by the COSATU Head Office to facilitate discussion amongst members does not make any reference to the joint vision.

4. Regarding the proposed amendments themselves, SAMWU is of the view that these must be subjected to extensive debate amongst members and that the period allocated for this process is inadequate. Of specific importance is the need to ensure that our view that legislation must protect the most vulnerable sections of workers is not undermined by the proposed amendments. We are of the view that any final decision on the matter must be deferred to the April CEC.

We trust the above clarifies the SAMWU position on this matter.

Yours sincerely


Roger Ronnie
General Secretary

Copy: All SAMWU Provinces
 All COSATU Affiliates