



Development Institute for Training, Support and Education for Labour

FOUNDATION COURSE FOR NEW UNION STAFF

FACILITATORS NOTES

July 1998

MATERIALS YOU WILL NEED FOR THIS COURSE

- Flip chart paper
- Koki's
- Prestick
- Brown paper
- Colour cards
- TV & video machine
- Videos
 - Hlanganani
 - Dorbyl Video
 - COSATU Recruitment & Negotiations
 - Conciliation
 - The Rise of Labour
- Department of Labour SA History Posters
- Slides
 - Globalisation
 - Organising
 - Strikes
 - Restructuring
- Charts on Nedlac, Parliament and the CCMA
- Copies of the LRA, BCOEA, OHSA, COIDA
- Weekly Planners and Cards
- Handouts X number of participants
 - **For Theme 1**
 - 1.2: The study circle approach
 - 1.3A: Political economy & globalisation
 - **For Theme 2**
 - 2.1: Understanding Union Organisation
 - **For Theme 3**
 - 3.1 The Legal Framework
 - 3.2 A: Solutions to Activity Sheet 3.2 B
 - **For Theme 4**
 - 4.1: What do we Want
 - 4.2 A: The Most Common Time Wasters
 - 4.2 B: The 3 Key Questions in Time Management
 - 4.2 C: Dealing with Common Time Wasters
 - 4.2 D: Tools for Time Management
 - 4.3: Scheduling & Diary Planning Checklist
 - 4.4 A: Key Points about Filing

- 4.4 B: Starting a Filing System
- 4.4 C: Fixing a Filing System
- 4.5 A: Glossary of Internet terms
- 4.5 B: Common Weaknesses in Information and Communications Planning
- 4.5 C: Basic Internet Tools
- 4.5 D: About the World Wide Web
- 4.6 A: Why do Workers Join Unions
- 4.6 B: Organising
- 4.6 C: Role Play
- 4.7: Guidelines for Planning a Meeting
- 4.8 A: Organisational Rights
- 4.8 B: Conciliation
- 4.8 C: The LRA & Strikes
- 4.8 D: Strike Planning
- 4.8 E: Winning Strikes
- 4.8 F: Management Counter Strategies
- 4.9 A: Change at Work
- 4.9 B: Canadian Autoworkers: Position on Workplace Change
- 4.9 C: Restructuring & Industrial Relations
- 4.9 D: Importance of Collective Bargaining
- 4.9 E: Negotiation Tactics
- 4.10 : Evaluation Form

DAY	ITEM	ACTIVITY	TIME	MATERIAL
One	Introduction	Facilitator Introductions Participant Introductions Expectations and Concerns Course Outline	09h00-10h30	Colour Cards Brown Paper

INTRODUCTORY PROCESS

Step 1: Facilitator introduces him/herself as well as co-facilitators and welcomes participants.

Step 2: Participants are asked to work in pairs with someone they do not know. The pairs are to interview each other using the following questions, it is useful to write these down on flip chart:

- Your name?
- Your union?
- Position in the union?
- Length of time in the Union?
- Work experience and prior involvement in the union and labour movement and/or the community before joining the union in your current capacity?
- Interesting information about your family life situation?
- What do you like doing in your spare time?
- In one word describe yourself as a person?

Participants are then required to introduce each other to the plenary session.

Prior to these introductions to the plenary session the facilitator requests that each participant should note and select one or more persons, who they did not know prior to the course and who resembles their profile closest.

Step 3: Facilitator explains the course outline and daily programme, highlighting and motivating the various aspects of the course.

Step 4: The facilitator then co-ordinates participants meeting in pairs or groups of 3 approximately in line with their earlier selections.

Participants are now required to discuss and write down on display cards (using Koki pens) their course expectations and concerns (using different cards for each).

These are then displayed on brown paper and discussed. The facilitator explains that these will be reviewed half way and assessed at the end of the course.

Step 5: Facilitator does some input on the course Including broad aims and learning objectives as well as what is required from the participants. They are also taken through the course

reader and how it relates to the course. Facilitator also explains that certain traditional union policies, principles and practices will be weaved into the course:

- * Gender, race and other areas of discrimination
- * Democratic control and participation

Also explain the course methodology: participatory, drawing on experiences and the use of debates, video discussions and field trips. Further that the entire course has been designed to ensure developing **analytical and communication skills** even though there will be special sessions focussing on these.

Discuss with participants the need for ground rules and facilitate an agreed set of rules. These could include:

- Punctuality
- Listening and not disturbing others who are speaking during discussions
- Sexual harassment not tolerated
- Carrying out of tasks
- No smoking in the seminar room
- Cell phones to be switched off during sessions
- No leaving the course to attend to union work
- Disciplined socialising after hours

BROAD COURSE OUTLINE

Theme 1: Locating the Context of the Union Movement

- 1.1 Introduction to South African Labour History
- 1.2 Our History and the Principles & Politics of Trade Unionism
- 1.3 The Current Context of the Labour Movement: Political and Economic Challenges Facing Workers and Unions

Theme 2: The Union: It's Roles and Functions

- 2.1 What is a Union
- 2.2 Understanding Union Organisation
- 2.3 The Role of Union Staff
 - codes of conduct (optional)

Theme 3: The Legal Framework Within which Unions Work

- 3.1 Institutions and Labour Legislation: An Overview
- 3.2 Legislation relevant to Labour: Case Studies
- 3.3 The Legal Framework – A Conclusion

Theme 4: Organising Skills

- 4.1 Work Practices, Styles & Habits
- 4.2 Time Management
- 4.3 Personal Planning
- 4.4 The Good Union Office
- 4.5 Communications
- 4.6 Recruitment
- 4.7 Building Structures: Meetings
- 4.8 Strikes & Disputes
- 4.9 Negotiations: Strategy & Tactics
- 4.10 Consolidating Organising Skills

Theme 5: Union Values

DAILY PROGRAMME OUTLINE

Day One – Monday 6th

Time	Item
09h00-10h30	<p>Opening/Introductions</p> <ul style="list-style-type: none">• Welcome• Introductions• Course Outline• Expectations & Concerns• Course objectives• Ground Rules
10h30-11h00	Tea
11h00-13h00	<p>Locating the Context of the Union Movement</p> <ul style="list-style-type: none">• Introducing the historical development of the union movement
13h00-14h00	Lunch
14h00-15h30	<p>Locating the Context of the Union Movement</p> <ul style="list-style-type: none">• Study Circles: Labour History & The Principles & Politics of Trade Unionism
15h30-16h00	Tea
16h00-17h00	<p>Locating the Context of the Union Movement</p> <ul style="list-style-type: none">• Plenary: Labour History & The Principles & Politics of Trade Unionism

Day Two – Tuesday 7th

Time	Item
09h00-09h30	Review of day one
09h30-10h00	Locating the Context of the Union Movement <ul style="list-style-type: none"> Role Play: The political & economic challenges facing workers and unions
10h00-11h00	Locating the Context of the Union Movement <ul style="list-style-type: none"> Group work: Responding to the political & economic challenges facing workers and unions
11h00-11h15	Tea
11h15-12h00	Locating the Context of the Union Movement <ul style="list-style-type: none"> Report Backs & Input on Political Economy and Globalisation
12h00-13h00	Locating the Context of the Union Movement <ul style="list-style-type: none"> Mock Debate: Responding to the political & economic challenges
13h00-14h00	Lunch
14h00-15h30	The Union: Its Roles & Functions <ul style="list-style-type: none"> What is a Union?
15h30 -16h00	Tea
16h00- 17h00	The Union: Its Roles & Functions <ul style="list-style-type: none"> Understanding Union Organisation

Day Three – Wednesday 8th

Time	Item
09h00-09h30	Review of day two
09h30-10h30	The Union: It's Roles & Functions <ul style="list-style-type: none">• Plenary : Understanding Union Organisation
10h30-11h00	Tea
11h00-13h00	The Union: It's Roles & Functions <ul style="list-style-type: none">• Defining the roles, skills and duties of union staff
13h00-14h00	Lunch
14h00-17h00	The Legal Framework <ul style="list-style-type: none">• Laws and Institutions: An Overview

Day Four – Thursday 9th

Time	Item
09h00-09h30	Review of day three
09h30-11h00	The Legal Framework <ul style="list-style-type: none">• Case Study Work
11h00-11h30	Tea
11h30-13h00	The Legal Framework <ul style="list-style-type: none">• Study Circles - Case Studies• Plenary on case studies
13h00-14h00	Lunch
14h00-17h00	The Legal Framework <ul style="list-style-type: none">• Visits – Nedlac & CCMA

Day Five – Friday 10th

Time	Item
09h00-09h30	Review of day four
09h30-10h30	Organising Skills <ul style="list-style-type: none">• Work Practices, Styles & Habits
10h30-11h00	Tea
11h00-13h00	Organising Skills <ul style="list-style-type: none">• Time Management
13h00-14h00	Lunch
14h00-15h30	Organising Skills <ul style="list-style-type: none">• Scheduling & Diary Planning
15h30-16h00	Tea
16h00-17h00	Organising Skills <ul style="list-style-type: none">• The Good Union Office

Day Six – Saturday 11th

Time	Item
09h00-09h30	Review of day five
09h30-11h00	Organising Skills <ul style="list-style-type: none">• Communications: An Overview
11h00-11h30	Tea
11h30-13h00	Organising Skills <ul style="list-style-type: none">• Communications: The E-mail and Internet
13h00-14h00	Lunch

Day Seven – Monday 13th

Time	Item
09h00-09h30	Overview of programme to date
09h30-11h00	Organising Skills <ul style="list-style-type: none">• Recruitment
11h00-11h30	Tea
11h30-13h00	Organising Skills <ul style="list-style-type: none">• Recruitment
13h00-14h00	Lunch
14h00-15h30	Organising Skills <ul style="list-style-type: none">• Building Structures: Meetings
15h30-16h00	Tea
16h00-17h00	Organising Skills <ul style="list-style-type: none">• Building Structures: Meetings

Day Eight – Tuesday 14th

Time	Item
09h00-09h30	Review of day seven
09h30-10h30	• Disputes & Strikes
10h30-11h00	Tea
11h30-13h00	• Disputes & Strikes
13h00-14h00	Lunch
14h00-15h30	• Disputes & Strikes
15h30-16h00	Tea
16h00-17h00	• Disputes & Strikes

Day Nine – Wednesday 15th

Time	Item
09h00-09h30	Review
09h30-10h30	• Disputes & Strikes Concluded
10h30-11h00	Tea
11h00-13h00	• Union Values
13h00-14h00	Lunch
14h00-17h00	• Union Values

Day Ten - Thursday 16th

Time	Item
09h00-09h30	Review
09h30-11h00	• Negotiations: Strategy & Tactics
11h00-11h30	Tea
11h30-13h00	• Negotiations: Strategy & Tactics
13h00-14h00	Lunch
14h00-15h30	• Negotiations: Strategy & Tactics
15h30-16h00	Tea
16h00-17h00	• Negotiations: Strategy & Tactics

Day Eleven - Friday 17th

Time	Item
09h00-11h00	• Consolidating Organising Skills
11h00-11h30	Tea
11h30-13h00	• Evaluation
13h00-14h00	Lunch

BROAD AIMS

The broad aims of this course is :

- To give the new staff person a more systematic introduction to the world of workers and the trade union organisation.
- To provide basic knowledge and skills related to the work in unions, which the individual could build on in the course of his/her work and in further trade union education and training courses.
- To bring trade unionists together from different unions so that they can get to know each other, exchange experiences and become part of the network of trade union staff.
- To build confidence and the attitude of ongoing learning among union staff.
- To introduce union staff to the larger trade union culture on non-racialism, non-sexism and democracy.

LEARNING OBJECTIVES

By the end of this course you should have:

- Developed an overview of the historical development of the union movement both in South Africa and internationally.
- Developed an understanding of the political and economic challenges facing the union movement and workers.
- Developed an understanding and greater clarity on the role & purpose of the trade union movement.
- Developed a basis for understanding the policies and programmes of the union and be able to participate in debates that go along with these.
- Developed an understanding of trade union organisational structures and strategies and understand your role within the broader context of your union organisation and by comparison with other unions.
- An introduction to sourcing information related to your jobs and know how to access these.
- Developed an overall understanding of the laws that govern the activity of unions and workers and be introduced to institutions relevant to union work.
- An awareness of the problems of efficiency and effectiveness in the union organisation and be able to suggest solutions.
- Taken the first steps in developing your skills in: writing, communication, personal management, planning and administering a union office.
- Developed an understanding of basic skills in recruitment, strikes & disputes, meetings and negotiation strategies & tactics.
- Reflected on the key values of the union movement and be able to integrate these into your own views as union staff.

THEME ONE: LOCATING THE CONTEXT OF THE UNION MOVEMENT

DAY	ITEM	ACTIVITY	TIME	MATERIAL
One	History and the Politics of Trade Unionism	Activity 1.1: Introduction to SA Labour History	11H00-13H00	<ul style="list-style-type: none"> • Labour History Posters • Tulec Labour History Notes • Ditsela Labour History Notes
One	History and the Politics of Trade Unionism	Activity 1.2: Our Labour History & the Principles & Politics of Trade Unionism	14h00-17h00	<ul style="list-style-type: none"> • Handout 1.2 • Labour History Booklets • Video-Hlanganani
Two	History and the Politics of Trade Unionism	Activity 1.3: The Political & Economic Challenges Facing Workers and Unions	09h00-13h00	<ul style="list-style-type: none"> • Dorbyl video • Chart categorising challenges • Handout 1.3 A • Slides on Globalisation • Handout 1.3 B

THEME ONE: THE HISTORY AND POLITICS OF TRADE UNIONISM

In this section:

AIMS:

- To imbibe a sense of historical appreciation i.e. learning from past experience in order to develop progressively into the future, perspective and analysis to the development of the labour movement - its principles, policies and practices.
- To contextualise the course and lay the basis for a clearer political understanding for the rest of the course.
- To situate trade unionism in the current period and highlight the key challenges which confront trade unionists.
- To expose participants to possible responses to these challenges and equip them to begin to deal with these in line with trade union principles and in consistency with their union policies.

WE COVER:

- An introduction to SA Labour History
- What we have learnt from history
- What we have gained and need to build on from our history
- The principles & politics of trade unionism
- The political & economic challenges facing workers and unions
- Identifying and responding to these challenges

ACTIVITY 1.1: AN INTRODUCTION TO SOUTH AFRICAN LABOUR HISTORY

20 minutes in plenary

60 minutes in groups

40 minutes in plenary

The purpose of this activity is to get participants to try to map out SA labour history through the use of posters. Participants are required to draw on their own knowledge and experiences.

Participants are then divided into groups of 5 and each group is allocated a set of 2 - 3 posters as follows:

Group A:	Posters 1, 2 and 3 Working the Land/Working in the Mines/Migrant Labour
Group B:	Posters 4, 5 and 6 Indentured Labour/S.A's First Artisans/Militant White Workers
Group C:	Posters 7 and 8 The Early Black Unions/SACTU and Workers under Apartheid
Group D:	Poster 9 Service Workers
Group E:	Posters 10, 11 and 12 Rebirth of the Democratic Labour Movement/Workers in the Community/The LRA)

Facilitator briefs participants on their tasks, as per Activity Sheet 1.1.

The facilitator needs to take participants through the posters very briefly before participants go off to work in groups.

Facilitator explains thoroughly the themes for the task.

Each group should then present their presentations to the plenary. Following each presentation, the facilitator will facilitate some feedback and critical discussion. The facilitator should summarise key points on the flip chart under the heading:

What have we learnt from history?

These could be categorised into the following points:

- new historical information

- political lessons and
- organisational lessons.
- the role of women

Another separate sheet should be put up in the meanwhile with the heading:

What have we gained and what do we need to build on from our history?

This will be used later on after all presentations in order to draw out certain **themes, historical lessons and to introduce trade union principles**. The purpose of putting this up beforehand is to direct participants thinking and discussion towards this area.

Facilitator poses a question to participants to draw out the basic trade union principles:

From what we have learnt from our history, what are the aspects of the various labour movements development and how they operated which were central to their strength and survival?

The key points that should come out could be:

- Unity
- Independence
- Democratic methods

ACTIVITY SHEET 1.1

SOUTH AFRICAN LABOUR HISTORY

Your union's branch/regional secretary has requested you to prepare a presentation for new shop stewards in the union on the history of the South African labour movement. You have been given posters to assist you in your preparation and presentation. Your secretary believes that "a picture is worth a thousand words" and that you with the help of your posters will be an adequate introduction to S.A. labour history for the new shop stewards.

In your group (education committee), using your collective knowledge on labour history, stories from your family and the content of the posters prepare the input for your section.

Use the following broad themes:

- What are the important things in history that your posters show – highlight the specific features of your section regarding the background and role of workers in the economy and society
- Why we need to know and constantly assess our history?
- Capitalist development in S.A. and the shaping of the working class.
- Apartheid and the relationship between race, gender and class.
- The relevance of this piece of history to our struggles and organisation today.

You have 1 hour to complete this task.

ACTIVITY 1.2: OUR LABOUR HISTORY AND THE PRINCIPLES AND POLITICS OF TRADE UNIONISM

30 minutes in plenary

60 minutes in groups

60 minutes in plenary

Facilitator explains to participants what the **study-circle approach** is and its importance for learning. Refer participants to Handout 1.2.

Key Points:

- Learners independently form a study-circle and direct their own learning based on their needs and interests.
- Develops a sense of belonging and co-operation amongst members.
- Encourages active participation and shared responsibility for the learning process.
- Equality amongst the group where the elected leader is one of the group members.
- Normally makes use of reading material which is read jointly together or prepared beforehand.
- South Africans have a long tradition of political study circles which has contributed extensively to the education of labour and community activists.

Facilitator divides the participants into groups of 6 (number of groups will depend on number of participants) to form study-circles. Ensuring that each group has a good mix of unionists in terms of gender, unions and regions. Facilitator explains that this will be a permanent feature of the course and free to that participants are free to extend and continue their learning through their study-circle after the formal course hours.

Facilitator takes participants through their tasks as per Activity Sheet 1.2. Participants are referred to the mini-library history section for referencing. Note that this must be clearly and carefully explained as there will not be enough time for the entire group to work through and research each historical period. Emphasis should be placed on the schematic arrangement for summarising the groups' discussions under the following headings:

- Union movement (This will be given to participants)
- Period
- Approach to organising
- Critical assessment.

Individuals selected by each group to work on the modern period could come together and view the video - "Hlanganani - A short history of COSATU". Following an hour of group work study circles report-back on their discussions and points learnt from the readings:

The following responses are likely to emerge:

Union Movement	Period	Organising Approach	Critical Assessment
ICU	1919-1929	General Union Movement	Structures weak. Organised cross-section of workers and black middle class (teachers, lawyers) Politically conservative.
CNETU	1940's	Industrial Unions	Made real advances for workers. Stronger organisation. Approximately 120000 members. Strategic and political weaknesses. New experiences of unity. The importance of women.
SACTU	1955-1964	Industrial unions	Organisation at workplaces weak. Was small and had less than 60000 members. Suffered under severe state repression. Failed to organise in big factories. Lacked resources. Had dual leadership with ANC.
COSATU/FEDUSA /NACTU			

Facilitator draws together the discussion by once again **highlighting trade union principles** and what they each meant in the experience of the different organisations during different periods of our history.

Facilitator ensures a special focus on the study-circles responses to the current period of our history and the positions and role of COSATU/NACTU and FEDUSA **on existing challenges** in line with these trade union principles.

The aim of the latter is to give concrete meaning and specificity to the principles e.g. trade union independence does not necessarily mean remaining apolitical or "neutral" politically etc.

ACTIVITY SHEET 1.2: OUR LABOUR HISTORY AND THE PRINCIPLES AND POLITICS OF TRADE UNIONISM

Guided by our trade union principles: **unity, democracy and independence**, you are required to critically assess the different union organisations/movements in the different periods of our history.

In your group allocate 2 people to study/research **one** of the historical periods outlined in the attached table, e.g. ICU.

They will present their findings to the group and “demonstrate” these by referencing from the readings and materials contained in the history section of the mini- library.

The findings prepared by each pair and presented by the group later on should be done in the attached table.

You are being given an opportunity to develop some research methods and should draw extensively on the reference material provided. The following questions are here to guide you in developing your research findings:

- During the various periods of South Africa's modern economic history different types of unions emerged. **What types of unions were these and how were they organised?**
- How did these unions **differ in their approach** to organising, from the unions in the period before? List the key areas of difference and give reasons for these.
- In line with our trade union principles, to what extent did these **features and practices** of the different union movements either **advance or set back the struggles and interests of workers?**

ACTIVITY SHEET 1.2

OUR LABOUR HISTORY

Union Movement	Period	Approach	Critical Assessment
ICU			
CNETU			
SACTU			
COSATU/FEDUSA/NACTU			

HANDOUT 1.2

THE STUDY-CIRCLE APPROACH

Key Points:

- Learners independently form a study-circle and direct their own learning based on their needs and interests.
- Develops a sense of belonging and co-operation amongst members.
- Encourages active participation and shared responsibility for the learning process.
- Equality amongst the group where the elected leader is one of the group members.
- Normally makes use of reading material which is read jointly together or prepared beforehand.
- South Africans have a long tradition of political study circles which has contributed extensively to the education of labour and community activists.

ACTIVITY 1.3: CURRENT CONTEXT OF THE LABOUR MOVEMENT: THE POLITICAL & ECONOMIC CHALLENGES FACING WORKERS AND UNIONS

20 minute role play

60 minutes group work

50 minutes plenary – report backs and input

60 minutes preparation and presentation of mock debate

Step 1: Participants view the Dorbyl Video. Using Activity Sheet 1.3 A. they are asked to note down points which they perceive as challenges to the labour movement. They should also provide reasons as to why these have been identified as challenges. (This will be followed up and consolidated in group work.)

Step 2: Participants are divided into 4 groups. 2 of 3 groups are required to discuss the challenges they have identified in Activity Sheet 1.3 A. Two other groups are required to work through Activity Sheet 1.3 B on dealing with proposed agreements.

Step 3: Group reports are taken. Facilitator co-ordinates discussion and summarises the key challenges as identified by participants from groups dealing with challenges. Participants are given Handout 1.3 A. Plenary discussion is also held on workplace agreement, with facilitator summarising and warning/cautioning about agreements and workplace change.

Step 4: Facilitator then leads slide input on the political economy and globalisation. This is developed in Handout 1.3 B and should be distributed to participants following the input. The Input should be guided by a method of posing questions to participants and followed up by a brief open discussion. Participant's contributions must be acknowledged and where possible summarised.

Step 5: Participants are divided into 2 groups and are referred to Activity Sheet 1.3 C – Preparing for a mock debate. An outside facilitator should be used to chair the "debate" in order to ensure that the focus is maintained and that the time available is used fruitfully. Participants will focus on some of the issues covered by the initial input. In the debate they should be more specific.

At the end of the debate, the facilitator (chairperson) summarises key points which arose from the debate and the respective positions. The facilitator should be mindful that the aim is not to

create final solutions for the challenges facing unions, but instead to expose as fully as possible to participants what these challenges are all about and the possible responses which all have implications, positive or negative, for unions and workers.

ACTIVITY SHEET 1.3 A IDENTIFYING CHALLENGES

Using the first column in the table below, while following the role play, note down what you perceive as key challenges facing the labour movement.

You needn't identify reasons for these challenges as yet.

What Challenges?	Why are these challenges?
Political:	
Economic:	
Social:	
Organisational:	
Other:	

If you are part of the group looking into these challenges you are now required to discuss the challenges you identified while observing the role play. You are also required to provide reasons for having identified these as challenges. In your groups try to arrive at a common set of challenges which you will be required to motivate in the plenary later on.

ACTIVITY SHEET 1.3 B

RESPONDING TO CHALLENGES: DEALING WITH PROPOSED AGREEMENTS

Below are two agreements on workplace change. In your groups decide which agreement best represents workers/union interests. You are required to motivate fully with reference to these agreements.

AGREEMENT 1

The company and the union agree to jointly design and implement a workers participation process and to jointly design and implement changes in the way jobs are designed and work is organised.

These changes will have the following objectives:

- a) Increase the efficiency of the operations, lower cost, and increase quality;
- b) To create better jobs by increasing worker responsibility and involvement in the workplace;
- c) To create a safe and hazard free work environment;
- d) To create an environment of enhanced employment security;
- e) Reduce the level of supervision and the number of supervisory positions.

In order to achieve these goals, management agrees that no changes will be implemented with respect to work re-organisation without the consensus of the joint Union-Management steering committee.

The management shall share information about the operation, its business and capital plans and new technology with the steering committee and the union.

Union steering committee members shall be permitted to meet separately from management during working hours prior to any scheduled steering committee meetings without loss of wages.

AGREEMENT 2

A joint Union/Management committee will be responsible for making recommendations regarding the development and implementation of work re-organisation programmes.

It is agreed that the goals and objectives of work re-organisation programmes will include the following:

- a) To enhance jobs by increasing worker responsibility and involvement in the workplace.
- b) To create a safer less stressful, less hazardous workplace environment.
- c) To reduce costs.
- d) To provide quality products

The role of the local Union in the process of developing and implementing work reorganisation programmes will be:

- To encourage employees to get involved in the company's problem solving teams; and
- To advise the Company of employees concerns surrounding the planned reorganisation.

The union's views will be given careful consideration and substantial weight by the company in its decision making process.

ACTIVITY SHEET 1.3 C

MOCK DEBATE ON RESPONDING TO THE POLITICAL CHALLENGES FACING UNIONS

You will divide into 2 groups to prepare for a mock debate.

Group 1: **FOR.** You will promote co-operation and collaboration with employers and government in line with the statement for debate.

Group 2: **AGAINST.** You will adopt contrasting positions to the statement, promoting rejectionist and radical ideas.

You **ONLY** have 20 minutes to prepare for the debate. Elect a spokesperson to present an opening argument. Strict time adherence will be observed.

The following statement is to be debated:

“The politics of unions have changed. The key role of the union movement is to contribute towards building the nation.

The time for adversarialism has gone; we must now seriously enter into a social partnership between government, business and labour.”

An outside person will facilitate the debate. The following process will be followed.

5 minutes:	Group 1 – opening argument
5 minutes:	Group 2 – opening argument
2 minutes:	Prepare responses to opening arguments
1 minute:	Group 1 - response
1 minute:	Group 2 - response
1 minute:	Group 1 - respond
1 minute:	Group 2 - respond
1 minute:	Group 1 – respond
1 minute:	Group 2 - respond
2 minutes:	Preparation of closing argument
5 minutes:	Group 2 – closing argument
5 minutes:	Group 1 – closing argument
10 minutes:	Chairperson closes debate through summarising and announcing winners

The items you should focus on are some of the issues covered by the preceding inputs. Be more specific. Some ideas for responses include:

- Globalisation, neo-liberal economics, Structural Adjustment Programmes and GEAR
- NEDLAC and Workplace Forums
- Change at the workplace

HANDOUT 1.3 A

THE POLITICAL ECONOMY OF CAPITALISM:

What is the source of all wealth? Where does all wealth come from?

- Natural resources
- Labour

Why do we have extremely rich and poor people in our society?

What is the relationship between rich and poor people?

Key Points:

- We are all human beings having approximately the same needs and abilities.
- We are all involved in some way in consumption, production and distribution of resources/wealth, although differently. This determines our SOCIAL position.
- Problem in capitalist society is that of ownership and control of resources and wealth.

“Production socialised, profits/surplus privatised”

- The source of conflict between labour and capital, with bosses always seeking to increase their profits or “return on investment” and labour defending itself from further exploitation and wanting improvements in life.
- Capitalists are also dependent on workers for production and consumption in order to realise profit.

Globalisation

A process of change (restructuring) happening at a global and national level involving changes in the following areas facilitated by improvements in modern technology and communication:

- The Economy
- Trade and Production
- Society & Culture
- Political (role of the state) & Ideology (“International Competitiveness”)

Where and how are these changes taking place?

- Global set of Economic rules e.g. GATT
- Fast movement of Capital across borders
- Powerful Transnational Corporations (TNC's)

Economic Globalisation

- Massive expansion of trade, facilitated by new technology, communication and transport
- Spreading of production processes over the globe
- Shift from Fordist to Post-Fordist production
- Liberalisation of Capital movements

Structural Adjustment Programmes:

These aim to make a country's economy more competitive (export driven economy) and attractive to foreign investors. They are normally imposed by the IMF and World Bank and include measures like:

- Cutting state and public expenditure "Fiscal Discipline"
- Trade liberalisation and deregulation
- Privatisation
- Holding down wage levels

Most of these measures are to be found in our government's economic policy - GEAR

What are the results and implications for the working class?

- The wealth of the world's richest 358 people is approximately that of 2.3 billion of the world's poorest.
- The richest 20% of the world have and consume over 80% of the world's wealth.
- 1.3 billion survive on US \$1 per day
- 70% of the poor are women

For Workers/Unions:

- TNC's threat of relocation and outsourcing to escape collective bargaining.
- Competition for Jobs - downward spiral of working conditions for the sake of "competitiveness"

Globalisation and restructuring of production and work - lean production

Objectives:

- "To increase competitiveness and profitability"
- Therefore improve productivity and quality by:
 - Reducing the number of Jobs
 - Intensifying work effort

- Eliminating non-value adding function
- Increasing managerial flexibility and authority
- Undermining the role of the union

How ?

- Post- Fordist production and new divisions amongst workers.
- Re-organise production
- New Management Techniques

Change in the role of the state from redistribution to promoting profits:

- privatisation:
 - selling off state assets
 - contracting out services
 - public-private partnerships

How do these changes affect public sector workers?

- deregulation:
 - removal of subsidies
 - removal of price controls
 - reduction of direct taxes
 - easing/removing regulations on business
- trade and investment liberalisation:
 - allows goods, services and money to move around more freely
 - often linked to investment agreements and policies and Export Processing Zones as a way of attracting foreign investment

What role do women play in the economy?

- Women's work is traditionally seen as:
 - caring
 - cooking
 - cleaning
 - looking after children
- Women are mainly responsible for reproductive work in society
 - unpaid work – but essential for the economy
 - often involves double shift
 - helps capitalists keep wages down because male workers don't have to pay someone to do their cooking, cleaning, laundry etc.

- Women end up in jobs doing the same kind of work that they do in the home:
 - domestic work
 - cleaning
 - nursing
 - teaching
- This work is generally regarded as:
 - unskilled or with a low skill content
 - low status

Women in these jobs:

- generally earn low wages
- are the first to be retrenched

Impact of globalisation on women:

- 70% of the world's poor are women
- 66% of the world's illiterate are women
- In the factory:
 - Women's work is marginalised, casualised, outsourced, turned into part-time jobs, or pushed into homework
 - Women are often the first to be retrenched
 - Women are concentrated in jobs that are regarded as "women's jobs". These jobs are often regarded as unskilled.
 - Women often receive lower wages than men because of the type of work they do, or because they are concentrated in informal sector
 - Women often work longer hours than men
 - Unemployment affects women more than men because of the kinds of jobs that women are concentrated in
 - Feminisation of labour: increasing number of women workers, but this doesn't necessarily mean better wages or working conditions for women
 - To survive, many women are forced into the informal sector
- Social role played by women:
 - women play the largest role in the reproduction of the labour force
 - women must fill the gap left when the state cuts social benefits
 - women are a major source of unpaid labour : they bear a large part of the cost of social reproduction: but their labour is not recognised.
 - cuts in subsidies affect women the most: they must pay more for basic necessities

THEME TWO: THE UNION: ITS ROLE & FUNCTIONS

DAY	ITEM	ACTIVITY	TIME	MATERIAL
Two	The Union: It's Role & Functions	Activity 2.1: What is the Union	14h00-15h30	<ul style="list-style-type: none"> • Flip chart paper • Koki's • Handout 2.1
Two & Three	The Union: It's Role & Functions	Activity 2.2: Understanding Union Organisation	16h00-17h00 09h30-10h30	<ul style="list-style-type: none"> • Chart for feedback
Three	The Union: It's Role & Functions	Activity 2.3: Defining the Roles, Skills and Duties of Union Staff	11h00-13h00	
Three	The Union: It's Role & Functions	Activity 2.4: The Roles & Functions of Union Staff – Codes of Conduct	Optional (Depending on Time)	<ul style="list-style-type: none"> • FAWU & CWIU Code of Conduct

THEME TWO: THE UNION: ITS ROLE & FUNCTIONS

In this section:

AIMS:

- To help you understand and clarify the role of the union and the way it works.
- To develop a sense of the structures and strategies of unions and how they compare to that of other organisations.
- To understand your personal role within this context, including duties and skills required

WE COVER:

- What the union is and how it works.
- Structures and strategies of unions and how they operate and work compared to different organisations.
- Trade union principles and issues of bureaucracy
- The roles, skills and duties of union staff.
- The servicing vs. the organising approach

ACTIVITY 2.1: WHAT IS A UNION

45 minutes in groups

45 minutes in plenary

The purpose of this activity is to get participants to express in posters/pictures the workings and aims of a union.

Step 1: Participants are divided into groups of 4 - 6 and asked to do the exercise as per Activity Sheet 2.1. The exercise asks participants to do a graphic representation on posters of what the union is to them. They need to express this to ordinary workers, outlining:

- What the union is?
- How does the union work?
- What it aims to do? and Why?

Participants can choose to cover either all or one of these themes in their poster/s.

Step 2: After this has been completed, each group is then required to present to the rest of the participants their poster/s and why they chose to represent the issues in the way that they did. Whilst the presentations are being made by participants the facilitator notes down key points for discussion, carefully referencing them in relation to the group and its presentation. Other participants are requested to do the same. Discussion on these points is facilitated after the presentations. Facilitator distributes Handout 2.1. Facilitator should open up discussion on different union structures.

ACTIVITY SHEET 2.1

WHAT IS A UNION

You have recently discovered and started organising at a large textile factory, Tai-Viagra Textiles, consisting of over 600 workers in the former homeland, Bophuthatswana. The factory is owned by a Taiwanese family. They have been attracted to set up the factory there due to the abundance of cheap labour. The workers are mainly young women from rural areas who are now having formal employment for the first time in their lives. Many of them are pleased about this especially considering that nearly 60% of women in their province is unemployed.

They do however experience several work related problems like long working hours, low pay, lack of safety clothing and abusive managers. You are trying to recruit them. They are scared to join the union but at the same time realise that they need to do something in order to improve their working conditions. Your union branch has accepted that organising and recruiting the workers is likely to take a long time. Your strategy is aimed at getting workers to organise themselves. In order to ensure that they do, they need to be convinced that organising into your union, the Textile Workers of South Africa (TEWOSA), is the right thing to do.

Your approach to organising them is mainly an educational one and you now need to prepare for your first meeting with them in the local church hall in the township.

Prepare a poster to illustrate and assist you in explaining to the workers the following:

- What the union is?
- What the union aims to do and why?
- How the union works?
- What are shop stewards and their role in the Union

First discuss these questions in your group and arrive at a common position. Thereafter discuss and plan how best to illustrate your views and understanding in poster form to the workers of Tai-Viagra Textiles.

HANDOUT 2.1

KEY POINTS IN UNDERSTANDING UNION ORGANISATION

Purpose

The purpose of a union is to defend and advance worker/member interests.

Work

To do this a union does the following:

- Builds its organisation
- Sets aims, objectives and policies
- Devises action programmes and strategies to achieve aims and objectives
- Sets up organisational structures and work programmes to implement the above

It is important that you understand the difference between the purpose of the Union and the work that it does. The purpose of the union is not to build organisation – this is one of the ways that it achieves its purpose.

Strategy and Structure

- **Members** through **elected representatives (shop stewards)** make policy and set aims and specific objectives. This is done through local, regional/branch and national representative **structures**.
- **Office bearers or executive members** are given the responsibility of setting up work organisation and implementing programmes. This is done through national executive, office bearers and secretariat committees.
- **Full time staff** are employed to perform different functions (administrative, research, legal advice, education, organising and negotiating).
- **Workers representatives/shop stewards** play an important role in the implementation of these programmes. There are various committees, starting with workplace committees, and larger representative committees (e.g. the regional/branch structures, national bargaining committee's etc.)

ACTIVITY 2.2: UNDERSTANDING UNION ORGANISATION

60 minutes in groups

60 minutes in plenary (next morning)

Step 1: Facilitator explains that there are various institutions and organisations in society. Understanding these and comparing them to unions will assist us in understanding our trade unions and consequently our tasks as staff.

Participants are divided into groups of 4-6 and are asked to work through Activity Sheet 2.2.

Participants are required to discuss different organisations/institutions (using grid as guideline) e.g. sport - SARFU or PSL, business; government; academic –university/technikon and trade unions. Discussion are guided by the following:

- How they are structured?
- How they operate and work? - decision-making and functions, use of resources.
- The relationship between leaders, members and staff.
- Whose interests do they represent

Participants are asked to write the key pointers from their discussions on colour cards (different colour card for each institution)

Step 2: Facilitator should prepare a chart (using brown paper) outlining the different guideline issues from Activity Sheet 2.2.

Groups are then asked to report back by sticking their cards in the relevant columns on the chart.

The facilitator should avoid groups repeating cards, should allow for two groups to report whilst others can add on different cards.

Facilitator allows for discussion on the reports and summarises key points of difference between the other organisations/ institutions and the trade union.

In this summary the facilitator should introduce trade union principles and the phenomenon of bureaucracy which tends to afflict large organisations in society and allow for some discussion based on the previous reports.

Facilitator should refer participants to the reading on trade union principles following this summation.

Trade Union Principles:

- **Unity** - The essence of labour's strength through organisation.
- **Democratic Methods** - Workers Control of trade unions. Its origins in socialist politics and its importance for ensuring that the union works in the interest of its members.
- **Independence** - from other interest groups in society e.g. capital and the state.

Bureaucracy?

The control over organisations like trade unions by a small group of individuals, normally full-time staff/officials in strategic and powerful positions through undemocratic methods. This is d1 normally in their own interests and/or a larger interest group. The best expression of this is the way most governments around the world operate.

ACTIVITY SHEET 2.2

COMPARING ORGANISATIONS

Compare and discuss the following organisations:

- Business organisation (blue)
- Government (yellow)
- Sports organisation (green)
- Academic: University/Technikon (pink)
- Trade Unions (white)

Use the colour cards, matching colour indicated in brackets above, write up key points relating to, use the grid to help:

- Their structures
- Their purpose
- Decision making methods – operation and work methods
- Whose interest they represent
- The relationships between their leaders, staff and members
- How they measure performance

Element	<i>Business</i>	<i>Government</i>	<i>Sports</i>	<i>Academic</i>	<i>Trade Union</i>
Structure					
Purpose					
Decision Making					
Interest Represented					
Relations between leaders, staff & members					
Measures of Performance					

ACTIVITY 2.3:DEFINING THE ROLES, DUTIES AND SKILLS OF UNION STAFF

20 minutes gallery walk
30 minutes group work
30 minutes plenary
20 minutes group work
20 minutes plenary

Step 1: Participants are asked to fill in staff positions on displays/diagrams they completed previously. Facilitator then leads discussion drawing out key roles and positions. Facilitator should ensure that the issue of the administrator is highlighted along with the issue of gender relations and dynamics.

Step 2: Participants are then divided into groups where they are required to work through Activity Sheet 2.3 A. They are required to:

- Define the roles of office bearers, organisers and administrators
- Detail all the duties of each of the above role-players.
- List the skills and tools required by each role-player in order to carry out their duties more effectively.

Step 3: Each group is required to report-back. The facilitator should note down the collective contribution of all the groups to write up one summary, which should be displayed in the seminar room.

Facilitator re-caps the previous sessions highlighting the importance of trade union principles, the problems of bureaucracy and the role of staff.

Facilitator outlines that in order to preserve our principles, strengthen our organisation and prevent bureaucratisation of our unions we need to ensure the correct approach to our work such as collective bargaining, recruitment, settling grievances or taking up new government legislation.

The work and experience of unions in other countries and in South Africa has relied upon two basic approaches, namely the “servicing model” and the “organising model”.

Servicing Model:

When unionists attempt to assist members by solving and addressing issues/ problems for them.

Organising Model:

When unionists assist in solving problems by organising in such a way that the members themselves, through their own actions organise and solve their problems.

Step 4:

The facilitator then request that participants work in pairs/buzz-groups on Activity Sheet 2.3 B.

There are two parts to the Activity Sheet. The facilitator may want to ask different participants to work on the different parts of the exercise.

Part one: Participants are asked to discuss what they consider the better way of organising, the servicing model or the organising model? Why? What are the advantages and/or disadvantages of the methods of organising?

Part two: Participants are required to work through a few issues/problems and are required to identify and/or apply the methods of organising.

Step 5:

A discussion on Activity Sheet 2.3 B. is facilitated. The facilitator summarises the key points on the importance of the organising approach and its advantages.

ACTIVITY SHEET 2.3 A

DEFINING ROLES, DUTIES AND SKILLS

Complete the grids below by:

- Defining the roles of office bearers, organisers and administrators
- Detailing all the duties of each of the above role-players.
- Listing the skills and tools required by each role-player in order to carry out their duties more effectively.

The Office Bearer
Role:
Duties:
Skills and Tools:

The Administrator

Role:

Duties:

Skills and Tools:

The Organiser

Role:

Duties:

Skills and Tools:

ACTIVITY SHEET 2.3 B: THE ORGANISING VS. THE SERVICING APPROACH

In pairs briefly work through the following activity.
You only have half an hour for this exercise.

Part 1: Understanding the Models

- What do you consider to be the better approach to organising, the servicing model or the organising model?
- Why?
- What are the advantages and/or disadvantages of these methods of organising?

Part 2: Some Case Studies

A. Issue/Problem:

The employer is not adhering to safety standards and providing workers with protective clothing causing workers to suffer from respiratory problems and physical pain.

Responses:

- a) Union organiser writes a letter to the management highlighting the problems and threatening legal action.
- b) The union organiser arranges a general meeting with workers during working hours. The meeting is intended to discuss what members and the union should do about the health and safety problems. The workers decide to sign a petition and protest during lunchtimes. They also mandate the shop stewards and the organiser to complain to the inspectors at the Dept. of Labour.
 - What methods were used above?
 - Which approach would you have adopted?
 - Why?

B. Issue/Problem:

The company is planning to restructure its operations which might result in job-losses.

Servicing Approach: The union calls on an outside researcher to assess the company's plans and make recommendations to the union officials.

- In line with the “organising approach”, what would your approach be as an organiser and/or; what would your role be as an administrator in taking up the issue instead of the above “servicing approach” to the problem?
- Motivate your approach.

C. Issue/Problem:

COSATU/NACTU/FEDUSA wants their proposals for employment equity and affirmative action to be legislated

Discuss how the two methods - servicing and organising will approach this issue.

OPTIONAL ACTIVITY 2.4: UNION CODES OF CONDUCT

10 minutes in plenary

30 minutes in groups

20 minutes in plenary

Depending on time available facilitator could extend the session the roles and functions of union staff through looking at union codes of conduct.

Facilitator will convene study circles and participants will work through Activity Sheet 2.4. Following report backs, the facilitator will lead a discussion on:

- The codes of conduct and whether they are necessary?
- Why they may be necessary?

The Facilitator will also highlight and summarise the key guidelines contained in the codes. Referring especially to those which have made an impression.

Facilitator will draw from discussion to what extent staff and union leaders in the unions/federations represented are influenced by the content and intent contained in these or similar codes?

Facilitator will allow for open discussion and summarise key points and notes them down.

ACTIVITY SHEET 2.4

UNION CODES OF CONDUCT

In your study circles, read through the FAWU and CWIU Codes of Conduct.

Discuss the following:

- Do you agree with these Codes?
- Do you think they are necessary? If yes, why?
- Highlight and summarise the key guidelines contained in the codes. Refer especially to those which have made an impression on you.
- In your experience, to what extent are staff and union leaders in your union/federation influenced by the content and intent contained in these or similar Codes?

THEME THREE:**THE LEGAL FRAMEWORK WITHIN WHICH
UNIONS OPERATE**

DAY	ITEM	ACTIVITY	TIME	MATERIAL
Three	The Legal Framework within which Unions Operate	Activity 3.1: An overview of the legal framework and institutions relevant to labour	14h00-17h00	<ul style="list-style-type: none">• Charts on Nedlac, CCMA and Parliament• Handout 3.1
Four	The Legal Framework within which Unions Operate	Activity 3.2: Case Studies – Labour Legislation	09h30-13h00	<ul style="list-style-type: none">• Handout 3.2 A
Four	The Legal Framework within which Unions Operate	Activity 3.3: Visits – Nedlac & the CCMA	14h00-17h00	-

THEME THREE:**THE LEGAL FRAMEWORK AND INSTITUTIONS
RELEVANT TO LABOUR**

In this section:

AIMS:

- To acquaint participants with the variety of legislation and institutions relevant to Labour and consequently their role as trade unionists. This acquaintance will be mainly introductory, aimed at ensuring an awareness of these.
- To introduce participants to using legislation and institutions to address the needs and problems confronting workers and union members
- To show participants what information is available
- To introduce participants to the skill of accessing information

WE COVER:

- A broad overview of the legal framework
- A more specific look at the laws and institutions relevant to labour
- Case studies on the LRA, BCOEA, OHSA, COIDA, bargaining council agreements and UIF.
- A visit to Nedlac and the CCMA

ACTIVITY 3.1: THE LEGAL FRAMEWORK & INSTITUTIONS RELEVANT TO LABOUR

90 minutes – guest speaker & questions

60 minutes – plenary & gallery walk

Step 1: Facilitator introduces guest speaker, who will be given a broad overview of the legal framework. Speaker would have been briefed in detail before hand.

Speaker to focus on the institutions and labour legislation relevant to labour. May refer participants to prepared charts on the various institutions. May want to introduce a gallery walk. Input will include:

Institutions:

- **Parliament** - Its workings and labour's relationship to it
- **NEDLAC** - Its aim and objectives and structures, labour's role and representation
- **CCMA** - Its composition and functioning as per the LRA. Problems which the CCMA has encountered with unionists.

Legislation:

- **LRA** - Historical Background (re-cap from and link to previous section on history of labour movement), philosophy of new LRA compared to the old, the key issues in the new LRA which trade unionists need to be familiar with.
- **BCOEA** - Its relevance and value to unionists and potential pitfalls.
- **OHSA** - Its aims and framework, key aspects relevant to organising.
- **COIDA** - Its importance and steps to be taken when pursuing a case.
- **Bargaining Council** agreements for certain sectors/industries.
- **UIF**

Following the input facilitator distributes Handout 3.1. on the legal framework.

HANDOUT 3.1

THE LEGAL FRAMEWORK

The following are the main labour laws that apply to workers:

- Basic Conditions of Employment Act (1983)
- Labour Relations Act (1995)
- Unemployment Insurance Fund Act (1966)
- Compensation for Occupational Injury and Diseases Act (1993)
- Occupational Health and Safety Act (1993)
- Manpower Training Act (1981) To be replaced by the Skills Development Bill
- Wages Act (1957)
- Employment Equity Bill

The CCMA:

The CCMA is an independent body that has been set up by the LRA to resolve labour disputes. It is funded by the government. It is controlled by a governing body made up of 3 government, 3 business, and 3 labour representatives. The CCMA's director is chosen by the governing body. The conciliation and arbitration work of the CCMA is carried out by part-time and full-time commissioners. The CCMA has an office in each province and a national head office in Johannesburg.

The functions of the CCMA:

- The main function of the CCMA is to resolve labour disputes. The LRA gives it jurisdiction over:
 - disputes that are referred to it by the LRA. This includes disputes over the interpretation or application of the LRA (e.g. disputes over rights), as well as specific disputes whose procedure for resolution is laid down by the LRA (e.g. unfair dismissal disputes).
 - disputes that are regarded as "matters of mutual interest", which really means any disagreements related to employment which are not specifically mentioned in the LRA - these are disputes that could give rise to a strike or a lock-out.
- When a dispute is referred to it, the CCMA must first attempt to resolve the dispute through **conciliation**. If this fails then it must settle the dispute through **arbitration** (unless the LRA specifies that it must go elsewhere for resolution once conciliation has failed).
- The CCMA must assist employers and unions to establish workplace forums when requested to by a trade union.
- The CCMA can give advice and training on a wide range of issues related to collective bargaining and dispute resolution.
- The CCMA can accredit bargaining councils, statutory councils, and private agencies to conciliate and arbitrate on certain disputes.

The Labour Court and the Labour Appeal Court

- The new **Labour Court** replaces the old Industrial Court. It should not suffer from the same backlog of cases because many disputes will now go to arbitration instead of to the court. The judges of the Labour Court are appointed after consultation with government, business, and labour. They must be legal practitioners who have had experience in labour law. The **Labour Appeal Court** will hear appeals against orders or judgements made by the Labour Court.
- **Representation in the Labour Court and Labour Appeal Court.** In both these courts a party to a dispute can appear in person or be represented by a fellow worker, member or office-bearer or official of the person's trade union or employer organisation, or by a legal practitioner (lawyer).

NEDLAC

The National Economic Development and Labour Council (Nedlac) - the successor to the National Economic Forum and the National Manpower Commission, was launched on 18 February 1996. Nedlac is a statutory body, constituted by Act 35 of 1994, which stipulates that it must:

- Strive to promote the goals of economic growth, participation in economic decision making and social equity.
- Seek to reach consensus and conclude agreements on matters pertaining to social and economic policy.
- Consider all proposed labour legislation relating to labour market policy before it is introduced to Parliament.
- Consider all significant changes to social and economic policy before they are implemented or introduced in Parliament.
- Encourage and promote the formulation of co-ordinated policy on social and economic matters.
- In order to fulfil this brief, the Act stipulates that Nedlac should:
 - Make such investigations as it may consider necessary.
 - Continually survey and analyse social and economic affairs.
 - Keep abreast of international developments in social and economic policy.
 - Continually evaluate the effectiveness of legislation and policy affecting social and economic policy.
 - Conduct research into social and economic policy.
 - Work in close co-operation with departments of the State, statutory bodies, programmes and other forums and non-governmental agencies engaged in the formulation and implementation of social and economic policy.

Four major stakeholders in South African society participate in Nedlac, namely:

- **Organised labour**, represented by the Congress of South African Trade Union (Cosatu), the National Council of Trade Unions (Nactu) and the Federation of Unions of South African Labour Union (Fedusa). The criteria for trade union federations' membership of Nedlac are that a federation should have functioning national and regional structures ; that it should be able to demonstrate democratic control by its membership; have proper mandating structures and structures of accountability and that it should have a minimum size of 200 000 paid-up members. Federations' members are appointed to Nedlac by the Minister of Labour on nominations made by organised labour.
- **Organised business**, represented by Business South Africa, the umbrella employers' organisation representing 18 constituents.

Members representing organised business appointed to Nedlac by the Minister of Labour on nominations made by organised business.

- **Government**, represented by various departments such as Labour, Finance, Trade and Industry etc.
- **Community**, consisting of five sectors, namely, civics, women, rural people, the youth , and disabled people. In order to participate in Nedlac, the members of organisations representing these sectors must represent a significant community interest on a national basis, must have a direct interest in reconstruction and development , and must be democratically constituted.

Parliament

The government is made up of separate areas of responsibility: the Legislature (Parliament), the Executive (Cabinet) and the Judiciary (Courts).

The Legislature: Parliament comprises the elected representatives of the nation. All other parts of government are accountable to Parliament. Its main function is to make laws. It also exercises control over the government as a whole, debates government policy, controls taxation and government spending. It has to approve the annual budget, thus allocating taxpayers' money to provide services for the community.

The Executive: Cabinet - South Africa is formally governed by a Government of National Unity. However, since the withdrawal of the National Party, this is not so in practice. The Constitution provides for one of the members of the National Assembly to be elected President of the country and for each of the parties holding more than 80 seats to appoint an Executive Deputy President. The cabinet may not consist of more than 27 ministers.

The Judiciary: Courts - The judicial authority is vested in the courts. It has to be independent and impartial, subject only to the Constitution and the law. The chief representatives are the Chief Justice of the Supreme Court and the President of the Constitutional Court.

Parliament: South Africa is a parliamentary democracy. That means that every citizen of voting age casts their votes in a general election. Elected representatives sit in Parliament and are meant to represent the views of those who cast their votes in the general election. The South African Parliament consists of two Houses- the **National Assembly** and the **National Council of Provinces**. They meet for a number of months each year called a parliamentary session. Daily meetings of the two Houses are called sittings. After the session, Parliament goes into recess. The period is supposed to be used to report back to the people they represent, encourage involvement in parliamentary processes and listen to community concerns.

The Constitution : Although Parliament has the power to make laws, it is not a sovereign body. The Constitutional Court has the final say over all matters concerning the interpretation, protection and enforcement of the provisions of the Constitution, including the Chapter on Fundamental Rights. All laws made by Parliament have to be in keeping with the provisions of the Constitution or else they can be challenged in the Constitutional Court.

ACTIVITY 3.2: CASE STUDIES – LABOUR LEGISLATION

45 minutes – individual work (next day)

45 minutes – pairs

50 minutes – study circles

40 minutes – plenary

Step 1: Facilitator hands out 4 case studies of issues/problems (Activity Sheets 3.2 A & 3.2 B) which the participants are required to address and follow up using the institutions and/or legislation.

Facilitator should also explain that unlike calculations of for example, leave pay, there are no absolutely correct positions on these tasks and that often whilst there might be a definite route to proceed there could be other strategic considerations and ideas. The strategic approach of unions and unionists is mainly to resort to its own organisational strength. The extent to which we use these laws depend upon strategic and tactical considerations.

Participants are required to complete Activity Sheets 3.2 A & B individually and thereafter discuss their recommendations with a partner. They are also required to reference their solutions from the relevant legislation. Participants are referred to the legal section of the mini-library. Facilitator should move around and attempt to discuss and work together through the case-studies randomly with certain participants who might have difficulty in understanding or completing the tasks.

Step 2: Once the majority of participants have more or less completed their tasks they should go through their “solutions” together in their groups/study-circles and prepare to report on these in a plenary session using flip-chart paper or transparencies.

Step 3: Facilitator then facilitates the plenary session commenting critically and drawing together the best approaches of the groups into common solutions.

Facilitator Distributes Handout 3.2 A.

Facilitator makes some concluding remarks:

1. That as trade unionists we must be aware of institutions and legislation relevant to labour in order to defend and advance workers interests.

2. That the extent and how we use them is dependent on various factors, including:

- The policies of the union and/or federation.
- The nature of the problem.
- What the workers and the union are hoping to achieve?
- The strength of the workers and the union - factors such as fighting capacity, political mood and climate, organisational resources etc.

ACTIVITY SHEET 3.2 A USING THE LAW

The management of Tai-Viagra Textiles have learnt that TEWOSA is busy trying to organise and recruit the workers to the union. The factory has always been a sweat-shop. Now management has ensured that they pressurise and intimidate workers even more to deter them from joining the union. The union is now under attack.

The union branch has long ago decided to take up problems and issues of workers with them. The strategy was to demonstrate the strength of the union by organising around issues and problems.

You as the organiser and administrator jointly have to take up the issues and problems. Because you have not yet organised the majority of workers and they do not have organisational rights, your union branch has decided that you should try mainly by legal means to solve some of the workers problems which they experience at the factory.

Yours tasks at this stage are:

1. To identify the relevant law/s which cover the problem.
2. To motivate your choice of the laws by referencing the relevant sections/clauses which allow you to address the problem.
3. In doing the above, also highlight the relevant institution/s to which the problem will be referred.
4. Identify your role and tasks as organiser and/or administrator?

ACTIVITY SHEET 3.2 B USING THE LAW

Case No. 1.

On Monday 8 June 1998, 10 of the workers, all women, arrive over an hour late for work. Their reasons for arriving late vary. All of them had worked overtime over the weekend including most of Saturday and Sunday morning.

Within 2 days of arriving late disciplinary charges are laid against them, hearings are held and they are all dismissed and paid their wages.

Case No.2.

Two maintenance workers fall from slippery platforms in the boiler-room whilst trying to fix the boiler standing on faulty scaffolding, they are both injured and will have to be off from work for at least six weeks. In their absence the company dismisses them for being careless and not being able to work. Two weeks later one of the workers actually dies whilst in hospital.

Case No.3.

During September 1997, during the peak season of demand for textiles, the company forced workers to work overtime. During many weeks they worked for up to 20 hours overtime per week. Often workers were not paid overtime rates. Many were dismissed for refusing to work overtime.

Case No.4.

The company employs many casuals and temporary workers. Many of these workers have been working on this basis for the company for several years. During April this year several vacancies for permanent jobs did arise. Of the 12 vacancies only one was filled by a long standing casual employee.

The workers have noticed that the new employees are all very young male school leavers.

HANDOUT 3.2 A

RECOMMENDED SOLUTIONS – USING THE LAW

Case No.1.

Unfair dismissal

- The LRA - Chapter 8. (Unfair Dismissal)/ Unfair Labour Practice - Schedule 8. Discrimination against women.
- CCMA arbitration or Bargaining Council
- **Remuneration due to employees (notice pay, leave pay, overtime pay)**
- The Basic Conditions of Employment Act

Case No.2.

Unfair dismissal

- The LRA - Chapter 8
- CCMA arbitration or Bargaining Council
- Referral to Health and Safety inspectors at the Department of Labour for investigation and possible prosecution - Occupational Health and Safety Act (OHSA).
- Compensation for injury and absence from work - Compensation for Occupational Injuries and Diseases Act (COIDA).
- UIF - The family of the deceased worker may claim his wages for up to 6 months.
- All outstanding remuneration - BCOE Act.

Case No.3.

- Limits on overtime and rates of payment - BCOE Act. Also, check for exemptions with the Department of Labour or Bargaining Council.
- Unfair dismissal - LRA

Case No.4.

- Unfair Labour Practice - The LRA (Schedule 7 - Part B)
- Refer to the CCMA or Bargaining Council

YOU COULD THROUGH YOUR UNION STRUCTURES RECOMMEND SUBMISSIONS TO NEDLAC TO IMPROVE THE BCOE ACT PROVISIONS ON CASUALS AND TEMPORARY WORKERS.

ACTIVITY 3.3: VISITS TO NEDLAC AND THE CCMA

180 minutes

Participants will be split into two groups and will be at prearranged visits to Nedlac and the CCMA.

THEME 4: ORGANISING SKILLS

DAY	ITEM	ACTIVITY	TIME	MATERIAL
Five	Organising Self to Organise Others	Activity 4.1: Work Practices, Styles and Habits	09h30-10h30	<ul style="list-style-type: none"> • Flip Chart • Posters showing 2 office scenarios • Handout 4.1
Five	Organising Self to Organise Others	Activity 4.2: Time Management	11h00-13h00	<ul style="list-style-type: none"> • Handout 4.2 A-D
Five	Organising Self to Organise Others	Activity 4.3: Personal Planning	14h00-15h30	<ul style="list-style-type: none"> • Large Weekly Planning Sheet • Cards A-D • Handout 4.3
Five	Organising Self to Organise Others	Activity 4.4: The Good Union Office	15h45-17h00	<ul style="list-style-type: none"> • Flip Chart • Handouts 4.4 A-D
Six	Communication	Activity 4.5: The E-mail & Internet	09h00-14h00	<ul style="list-style-type: none"> • Handouts 4.5 A-D
Seven	Recruitment	Activity 4.6: Recruitment	09h30-13h00	<ul style="list-style-type: none"> • Developments on Flip Chart • Handouts 4.6 A-C
Seven	Building Structures	Activity 4.7: Building Structures & Meetings	14h00-17h00	
Eight & Nine	Disputes & Strikes	Activity 4.8: Disputes & Strikes	09h30-17h00 09h00-10h30	<ul style="list-style-type: none"> • Conciliation Video • Handouts 4.8 A-F
Ten	Negotiations Strategy & Tactics	Activity 4.9: Negotiations Strategy & Tactics	09h30-17h00	<ul style="list-style-type: none"> • Handouts 4.9 A-E
Eleven	Consolidation	Activity 4.10: Organising Skills Consolidated	09h00-11h00	

THEME 4: ORGANISING SKILLS

In this section:

AIMS:

- For participants to reflect on their self and office organisation and what it means for organisational goals.
- To develop some initial skills and 'tools' which can be built on when back in their unions.
- To make participants aware of the problems of efficiency and effectiveness in union organisation
- To help build participants skill and confidence in written, verbal and electronic communications
- To introduce participants to the union tradition of building organisation (including industrial action, recruitment and campaigning) and to introduce some strategies and skills in this area
- To introduce participants to skills in negotiating strategy and tactics

WE COVER:

- Work practices and identify organisational and personal problems associated with disorganisation
- Concepts of efficiency, effectiveness and excellence in the union context
- Skills and positive attitudes around managing time and scheduling
- An awareness of the importance of storage and retrieval of information.
- Information and Communications Technology
- Recruitment as an organisational skill
- Meetings
- Organisational rights: strikes, disputes & the LRA
- Negotiations strategies & tactics

INTRODUCTORY ACTIVITY ORGANISING SKILLS SECTION

10 minutes in plenary

Facilitator introduces the area of Organising Skills by highlighting the following points:

- The importance of these skills which form the major part of the unionist's work and upon which the life and development of the union depends.
- The areas which will be focussed upon for this section of the course, namely:
 - Organising yourself to organise others: time management, planning & scheduling, information storage & retrieval, efficiency
 - Communication and Analytical skills
 - Collective Bargaining/negotiations
 - Skills related to building organisation: recruitment, building structures, education, strike organisation and campaigning
- The Challenge of organising - the role of the organiser to Inspire, Unite and Educate workers/union members. The course will also attempt to specifically address the administrator's role in these various aspects of organising.
- The shift from "organising" in the 1980's to "servicing" during the 1990's and weakening of our unions.

Facilitator must also explain that this entire section of the course will be done in the form of a case-study/role-play based on the experiences at the Tachi-Yu textile Company (formerly Tai-Viagra Textiles).

Facilitator should explain that parts of the case study are included in various activities and that participants can find the full case study on pages 90-93 of their files.

ACTIVITY 4.1: ORGANISING SELF TO ORGANISE OTHERS: WORK PRACTICES, STYLES AND HABITS

30 minutes in pairs

20 minutes in plenary

The purpose of this session is for participants to reflect on their own and their organisation's work practices, and to introduce strategies to improve effectiveness and efficiency.

Step 1: Participants are asked to look at 2 posters showing different office scenarios, those of James & Julia.

With participants working in pairs, they should complete Activity Sheet 4.1. Facilitator should pose the following question.

Question

Ask volunteers to give their opinion on who they most resemble. They should state why they think they resemble one or the other. Push them to be honest. Hopefully they will relate that some of the features in the 'disorganised' poster apply to them.

Ask the question; Which scenario will best serve the goals of the union?

Step 2: Facilitator should take feedback and discussion after each question. Feedback should concentrate on the organisational problems that might arise with disorganisation.

It might also be useful to raise the point that there is not necessarily a direct relationship between disorganisation and effectiveness – some of the most effective organisers and administrators appear chaotic but are actually very well organised. However, as we work collectively, others must be able to access your work.

Step 3: Facilitator captures ideas on a Flip Chart and summarises key practical points. Facilitate discussion:

Refer participants to Handout 4.1 – What do We Want ? Discuss the concepts of effectiveness, efficiency and excellence in a union context. These are concepts which can be applied to the union

context providing they enhance organisation and do not become and end in themselves.

Picking up on the ideas from participants in activity above, for improving effectiveness and efficiency, summarise key areas needed in organising self and a good office:

- Organising Time
- Organising Space
- Organising Information
- Organising with people
- Organising within union vision, objectives and goals, strategic plans
- Organising within broad political and economic environment

Inform participants that the rest of the day will deal with:

- Organising time: Time management and scheduling
- Organising information: Filing

ACTIVITY SHEET 4.1

ORGANISING SELF TO ORGANISE OTHERS: WORK PRACTICES, STYLES AND HABITS

Unions and people in unions have different work practices, habits and styles. These impact on the effectiveness and efficiency of the individual and of the organisation.

The purpose of the following exercise is to:

- reflect on your own work practices
- identify problems associated with different practices, styles and habits
- develop key ideas for improving individual and organisational effectiveness and efficiency

Task

Examine the posters of Julia Lula and James Modisa.

1. Answer the question "Who are you- a Julia or a James?". With a partner, discuss the reasons for your answer. Be ready to volunteer your answers to the plenary group.
2. Discuss with your partner the personal and organisational problems that arise from your work practices, styles and habits:

Organisational Problems	Personal Problems

3. What do you and/or your union need to put in place or do to improve organisational and personal effectiveness and efficiency?

Organisational effectiveness	Personal effectiveness

HANDOUT 4.1

ORGANISING SELF TO ORGANISE OTHERS: WORK PRACTICES, STYLES AND HABITS

What do We Want?

To Achieve the Vision, Objectives and Goals of the Union

By

Building and Strengthening Union Organisation

Through

Implementation of clear political and organisational strategies

Based on



**Efficient ---- Effective -----Excellent Work Practices
Individual and Collective**

Efficient – being efficient means doing things in the best way possible

Effective – being effective means we achieve what we set out to do; we have a positive impact; we make a difference.

Excellent – being excellent means what we do and what we provide for our members is more than good enough, it is means that it is the best possible at all times.

ACTIVITY 4.2: ORGANISING SELF TO ORGANISE OTHERS: TIME MANAGEMENT

20 minutes in plenary
05 minutes individually
30 minutes in plenary
20 minutes individually
45 minutes in plenary

Step 1: Facilitator introduces session - a discussion on time management is an extension of the discussion about managing yourself. Time management is another way of talking about self-discipline and self-management. In this section we look at some of the problems which busy people have with time management, and how they could be addressed.

Step 2: The purpose of this activity is to get participants to begin thinking about prioritising, one of the key issues in time management.

FIRE ALARM

As unionist we need to be more reflective and self-conscious about our practice, you may well be tempted to say: "But when? I'm just too busy!". Being able to prioritise is one of the key tools to being able to find the time to do what is important. In this exercise, you are going to get the opportunity to reflect briefly on your own priorities.

What you are going to do here is a mental role-play. Imagine you are at your desk or workstation and the fire alarm sounds. Over the public address system the General Secretary announces that each person is to vacate the premises in one minute! He/she states that each person is allowed to bring with him/her a maximum of 5 items which can be carried easily.

In the next 60 seconds write down what those five objects would be.

Spend a few minutes thinking about what your choices mean in terms of what you prioritise in your life.

In the plenary ask and get answers to the following questions:

1. How easy/difficult was it to select 5 items?
2. Of the items picked, how many were job related and how many of a personal nature?
3. How many of you could not even think of five items you would want to save?
4. Do you normally ever stop and list priorities in the various areas of your life?

Facilitator makes the point about prioritising being one of the keys to effective time management.

- Time management is about priorities.
- Priorities result from setting objectives.
- Setting objectives is about planning.
- Planning is about control.
- Being in control is being self-empowered.
- Self-empowered people manage their time.

Step 3:

Facilitator introduces an inventory aimed at getting participants to think self-consciously about their time management habits.

After participants have completed the inventory, facilitator takes them through the scoring process as follows:

Give yourself 4 points for every *often* you ticked. Give yourself 2 points for every *sometimes*. Give yourself 0 points for every *rarely*.

Add your points together. If you scored:

81 - 100: You manage your time very well. You are in control of most situations.

61 - 80: You manage your time well some of the time. However, you need to be more consistent with the time saving strategies you are already using.

41 - 60: You are slipping. Do not let circumstances get the better of you. Learn and apply some techniques for time management quickly.

21 - 40: You are losing control. You are probably too disorganised to enjoy any quality time. Learn and implement new techniques immediately.

0 - 20: You are overwhelmed, scattered, frustrated, and most likely experiencing a lot of stress. You need to become very conscious of how you waste time and apply all of the techniques we discuss later.

Once people have scored themselves, ask for a show of hands in each range, and tell them what the "interpretation" is. Ask some of the top scorers whether they were aware that they were good time managers. Ask them what tools they are currently using to help them manage their time.

Then ask people what they think the most common time wasters are, and write them on a flip chart, before handing out Handout 4.2 A: The Most Common Time Wasters.

Go through Handout 4.2 B: The 3 Key Questions in Time Management briefly.

Then take participants through Handout 4.2 C: Dealing with Common Time Wasters, and describe each problem, asking for suggestions of solutions from the floor, before supplying the solution given. Once you have gone through this process, give participants the Handout.

Briefly go through Handout 4.2 D: Tools for Time Management. The tools in the Handout are not "compulsory" - some work for some people and some for others.

ACTIVITY SHEET 4.2 A

ORGANISING SELF TO ORGANISE OTHERS: TIME MANAGEMENT

FIRE ALARM

As unionist we need to be more reflective and self-conscious about our practice, you may well be tempted to say: "But when? I'm just too busy!". Being able to prioritise is one of the key tools to being able to find the time to do what is important. In this exercise, you are going to get the opportunity to reflect briefly on your own priorities.

What you are going to do here is a mental role-play. Imagine you are at your desk or workstation and the fire alarm sounds. Over the public address system the General/Provincial/Regional/Branch Secretary announces that each person is to vacate the premises in ONE minute! He/she states that each person is allowed to bring with him/her a maximum of 5 items which can be carried easily.

1. In the next 60 seconds write down what those 5 objects would be.



2. Spend a few minutes thinking about what your choices mean in terms of what you prioritise in your life.

ACTIVITY SHEET 4.2 B

ORGANISING SELF TO ORGANISE OTHERS: TIME MANAGEMENT

HOW WISELY DO YOU MANAGE YOUR TIME?

Here's a self-assessment exercise, you are going to do an inventory to assess your time management strengths and weaknesses.

Task:

Complete the following inventory:

No	Question	Often	Sometimes	Rarely
1	Do you write daily to-do lists?			
2	Do you prioritise your to-do lists?			
3	Do you finish all the items on your to-do lists?			
4	Do you update clearly what it is you are trying to achieve as a basis for prioritisation?			
5	Is your desk clean and organised?			
6	Do you put everything in its place?			
7	Do you deal effectively with interruptions?			
8	Can you easily find items in your files?			
9	Are you assertive?			
10	Do you allow yourself quiet time during which you can work undisturbed every day?			
11	Do you deal effectively with callers who go on and on?			
12	Do you focus on preventing problems before they arise rather than solving them after they happen?			
13	Do you make the best use of your time?			
14	Do you meet deadlines with time to spare?			
15	Are you on time to work, to meetings and to events?			
16	Do you delegate well?			

17	Do those with whom you work co-operate enthusiastically when you delegate?		
18	When you are interrupted, can you return to your work without losing your train of thought or momentum?		
19	Do you do something every day which moves you closer to your long-term goals?		
20	Can you relax during your free time without worrying about work?		
21	Do people know the best time to reach you?		
22	Do you do your most important work during your peak energy hours?		
23	Can others carry on most of your responsibilities if you are not available for union work?		
24	Do you handle each piece of paperwork only once?		
25	Do you begin and finish projects or tasks on time?		

You have 20 minutes to respond to the questionnaire, marking your response in the right hand columns.

HANDOUT 4.2 A

ORGANISING SELF TO ORGANISE OTHERS: TIME MANAGEMENT

THE MOST COMMON TIME WASTERS

Research has show that the most common time wasters are:

- Crises.
- Telephone calls.
- Poor planning.
- Attempting to do too much.
- Drop-in visitors.
- Poor delegation.
- Personal disorganisation.
- Lack of self-discipline.
- Inability to say "no".
- Procrastination - putting off for tomorrow what you should really do today!

Would you agree with this list from your own experience? Would you add anything?

HANDOUT 4.2 B

THE 3 KEY QUESTIONS IN TIME MANAGEMENT

When you are confronted by many conflicting demands on your time and you need to decide which ones to do and how to do them, there are three questions you can ask:

1 *Is it necessary?*

Before you take on any task, make sure that it is necessary. Don't do it because it might be fun or because it has always been done before.

If it's not necessary, then don't do it.

E.g. You may enjoy doing computer layout, but is it necessary for every one of your reports to look like a layout artist has worked on it?

2 *Is it appropriate?*

If it is a necessary task, then ask: Is it appropriate for me/our committee/department to do it?

E.g. Someone has to go to this meeting, but am I the one? Could I delegate?

3 *What is the most efficient way to do it?*

Find the best and quickest way to do tasks that you have to do. If they are tasks that you handle regularly then develop procedures to speed up the process.

So to make better use of your time:

- ★ Don't do low priority jobs.
- ★ Don't do work someone else should do
- ★ Be as efficient as possible.

We are not trying to make all this sound easy. Particularly in a union environment, the crises are many, and the demands great. But if you are a good manager of yourself, you will want to get as much control as possible over your life and this means some self-discipline around time management.

HANDOUT 4.2 C

DEALING WITH COMMON TIME WASTERS

If you feel that you do not manage your time well, you are not alone - good time management is a very difficult skill to learn.

Most people, as we have seen, waste time in much the same way. Many of the problems you have with time management can probably be blamed on common time wasters.

Some of them are caused by things we do ("self-created time wasters") and others are caused by outside factors ("environmental time wasters"). Usually there is something you can do about them.

SELF CREATED TIME-WASTERS

Disorganisation

Problem

You are so disorganised that you lose important documents, you can't find anything on your desk or in your folders, you don't finish tasks.

Solutions

Organise your life!

Get "in" and "out" trays to hold your documents if you work at a desk, or "in" and "out" folders if you work from your briefcase! File all documents in a sensible filing system and only have them out when you are working with them. Have a pending file or folder for things that you have to wait for a reply to or for more information.

Procrastination

Problem

You leave things to the last minute and then find that you are under so much pressure that you can't meet deadlines.

Solutions

Break the job up into smaller bits and set deadlines for each step of the job.

Arrange for someone else to check up on you and see that you meet the deadline.

Reward yourself when you meet a big deadline (for example, you could go and see a movie, or take a day's leave, or have a party!).

Inability to say "No"

Problem

You feel you can't say "no" to requests because ... you don't want to let people down, no one else can do the job as well as you, there is no one else to do it.

Solutions

Don't give an answer immediately. Tell the person requesting that you do something that you'll need to discuss it or think about it. Then ask yourself: Can I do it? Is it necessary for me to do it? Is it appropriate for me to do it or could someone else do it?

If you must say "yes" - make sure the timing suits you. Re-negotiate a time that is more suitable for you, if necessary.

Lack of interest

Problem

You find that you are not doing your work because you are not interested in it.

Solutions

Think about this one carefully:

If the task you are avoiding is one you have to do in this job - then ask yourself: "Do I want to change jobs?" If the answer is "no", then do it. Otherwise look for a new job.

If the task is not really a crucial part of your job, then discuss it with your colleagues and see if you can share out some of the tasks which you are less keen to do.

Burn out

Problems

You have been working and living under so much pressure that you feel burnt out. You are exhausted, unable to concentrate, very emotional, and, generally, in a mess.

Solutions

Talk to your colleagues. Ask for immediate leave or leave of absence and reallocate your tasks. Then work out ways to avoid burnout in future, e.g.

- ★ manage your time properly;
- ★ take regular holidays;
- ★ make sure you take time off if you work weekends;
- ★ don't take on more than you can handle;
- ★ leave some time free so that there is time for the crises that will occur;
- ★ use a relaxation technique - this could include exercise, yoga, reading breathing exercises, going to a movie - whatever works for you.

ENVIRONMENTAL TIME WASTERS

Visitors

Problem



You have many visitors popping in for work or a chat. The constant interruptions make it impossible for you to work.

Solutions

Set "visiting hours" and don't let anyone interrupt you at other times. If people keep coming to chat to you, explain that you would love to chat but you have a deadline to meet.

If you only spend a short period in the Office and need time, both to meet with people and to read documents etc. specify when you are available for the discussions and when not.

Telephone calls

Problem

You get interrupted by phone calls all the time. Your callers want to chat or have long conversations or to ask you questions you cannot answer.

Solutions

When you have something that needs to be done quickly, or that is very complicated, ask if one of your colleagues would mind taking calls for you for a few hours, or ask your family to take messages.

Learn to limit the length of phone calls. Stick to the important things that need to be said, after the general greetings.

Waiting

Problem

You are frustrated by the time you waste waiting for people, bureaucrats, transport and so on. This can be a major time waster.

Solutions

As far as possible avoid waiting - a telephone call ahead of time can allow you to set off a bit later because the person you are seeing is going to be late.

If waiting is unavoidable, always have something to do while you wait. You could catch up on reading, write a note or memo, or plan your day.

Meetings

Problem

You find you are spending too much time in meetings. Meetings can be a terrible waste of time when they are unnecessary or unproductive.

Solutions

Be clear about which meetings it is essential for you to attend and which you can miss out. Delegate when you can, and be sure you don't say you can't just because you don't want to miss something interesting that could be reported back to you.

If you are chairing a meeting, have an agenda and stick to it, and limit the amount of time people talk, and the amount of going around and around there is in a discussion. If people do not know enough to debate something in a useful way, postpone the discussion until they do.

Crises

Problem

You have planned your work and know exactly how you are going to manage it and suddenly there is a crisis. A strike or mass dismissal occurs and all hell breaks loose. As a result, deadlines are not met, and everyone is frustrated and irritated.

Solutions

Anticipate crises. If you work in an environment where there are always crises, then learn to schedule flexibly so that you can handle them. Never leave anything to the last minute because you never know when a crisis will occur.

Here are some basic principles:

Once a crisis blows up, don't respond immediately. Ask yourself: "Is it appropriate for me to respond or should someone else do it?" Assess if responding to the crisis should take priority over finishing other commitments. If you are sure you must - then deal with the crisis as quickly and efficiently as you can. Careful planning of what to do may save time as you will not be running around in a panic.

If the same kinds of crises keep happening, then develop procedures that will help you respond in a routine and streamlined way. It may be a good idea or discuss this problem with your colleagues once the crisis is over. Issues such as: at what point should each of those in a leadership position be pulled in, when is it enough just to keep them informed, and when can the crisis be handled without the persons who need only be informed afterwards, should be discussed in relative calm and then be established as principles.

HANDOUT 4.2 D

TOOLS FOR TIME MANAGEMENT

Remember: A tool is only as good as the person using it!

Some of the tools we give in this Handout will not suit you, others will work well for you. You need to decide for yourself whether something is helpful or just another waste of time.

DAILY TIME LOG

To identify how you use, or misuse your time, and the problems this causes you, you can use a time log.

Choose a fairly normal week (avoid sick leave etc). Record activities every half an hour throughout the day. Be specific (for example, say who you phoned and what you discussed).

Make comments on each activity. Write down if something took longer than usual and why. Note interruptions and anything else that seems relevant to you.

At the end of each day, look at the time log and note the following:

- any high priority things that you didn't do, or did too fast.
- any things that you did do, that were not necessary.
- any things that someone else (not you) should have done.
- anything done inefficiently and the reasons.

If you keep a time log for a week, this will help you to identify the way you typically use, or misuse your time, and the problems this creates for you.

Understanding yourself, and the way you operate, is the first step to good time management.

THE A,B,C, LIST SYSTEM

Making a list daily of all the things you need to do is a crucial part of time management.

Once you have a list - work on it.

- ◆ Give each item an a, b or c:

a = must do today/immediately

b = should do soon

c = can put off for a while.

Rewrite your list with all the a's at the top, in the order in which you should do them. Put the b's next and c's last.

Make sure the order of your a's is logical. If you have to go across town - aim to do all your tasks there in one go.

Make a list every day.

Depending on what works for you, make a new list first thing in the morning, or last thing at the end of each day.

You will find that yesterday's b's may become today's a's, and the c's may become b's or, if you are lucky, they may disappear altogether!

MAKING MY WORST DAY MANAGEABLE

Think of all the things you might have to do on the worst day possible. Include personal and work demands, and the things you think might go wrong.

Make a list of all the things you would have to do on that day. Then decide whether they are a,b, or c tasks. Fill in an a,b, or c next to each task.

Now look at the list again. If you just manage to do all your a's, will that be acceptable? Do you think you can manage to do your a's?

a,b,c	<i>Things that I am supposed to do</i>

<i>a,b,c</i>	<i>Things that I am supposed to do</i>

ACTIVITY 4.3: ORGANISING SELF TO ORGANISE OTHERS: A WEEK IN THE LIFE OF A UNION STAFF MEMBER

45 minutes in groups

45 minutes in plenary

The purpose of the exercise is to practice scheduling time and collective problem solving with a view to developing a positive attitude towards self-planning and organisation.

Step 1: Facilitator divides the class in to groups of five. Administrators should be in separate groups for the purpose of the exercise.

Each group needs:

- A large weekly planning sheet
- 2 sets of cards- A & C for organisers and B&D for administrators
- Spare cards

Each group:

- Discusses the appointments/tasks set out on the cards (A or B) on Activity Sheet 4.3 and places each card in the appropriate space on the weekly plan. Some are fixed appointments and some have to be fitted in
- Writes out cards for other jobs they anticipate will need to be done in order to fulfil set tasks/appointments. They should also schedule travel time
- Completes their scheduling and then takes cards C or D (issues that crop up during the week) and strategises how they will deal with these issues and how it will change their planned schedule. This will involve prioritising, coping with emergencies, rescheduling etc.

Step 2: In plenary one group of administrators and one group of organisers will present:

- The original schedule
- Their strategies to deal with the emergencies/unexpected illustrating this by changing cards to show their rescheduled week.

- Other groups will comment on the presentations and give advice and information based on their plans

Facilitator summarises points and distributes Handout 4.3.

ACTIVITY SHEET 4.3: ORGANISING SELF TO ORGANISE OTHERS: A WEEK IN THE LIFE OF A UNION STAFF MEMBER

- 1) In groups (organiser groups and administrator groups), using the planning charts and cards (Sets A & B), develop a detailed work plan for organiser/acting educator, Julia Lula (A) or administrator James Modisa (B). Use the cards to develop your workplan. Make extra cards where necessary.
- 2) Having agreed your ideal work plan, take Sets C (Julia) & D (James) cards and decide what strategies you will adopt to deal with the unexpected developments that occur in the course of the week. What changes will you make to the plan? Note these changes and be prepared to explain how you would deal with them in the plenary session.

HANDOUT 4.3: ORGANISING SELF TO ORGANISE OTHERS: A WEEK IN THE LIFE OF A UNION STAFF MEMBER

Scheduling and Diary Planning Check List

- Set weekly objectives
- First schedule activities where changing times is not possible, such as union meetings
- Schedule active/positive tasks next such as meeting with management or workers or picking up the post
- Build in interruption allowances and allow time for reactive tasks such as telephone calls, workers wanting advice, urgent typing
- Avoid lots of short periods – try and get some continuous stretches into your schedule
- Try and establish some 'closed' door periods
- Try to make sure you schedule enough time to complete one task before starting another. If impossible do large parts of the major task
- Schedule jobs that need maximum brain capacity when you are at your best
- Avoid back to back meetings/appointments
- Review your schedule daily to allow for changing priorities and
- Establish a brought forward system
- Aim to ACHIEVE something everyday
- Review your week

ACTIVITY 4.4: ORGANISING SELF TO ORGANISE OTHERS: THE GOOD UNION OFFICE

30 minutes in group work

45 minutes in plenary

The purpose of the exercise is to increase awareness of the importance of filing for organisational effectiveness and efficiency and for service to members, and to introduce some concrete and practical ways of dealing with filing in the union.

Step 1: Working through Activity Sheet 4.4 participants write the sentences on three flip charts. They then complete the sentences by adding at least four phrases for each sentence – example:

Julia cannot locate the necessary documents:

Because there is no filing system

Because she does not do filing regularly

Because the person she took over from did not keep proper records

Because there is no proper method of locating information on the computer system

Step 2: Flip Charts are put up around room and participants walk around and discuss similarities and differences in the answers. Prompt participants to relate Julia's experiences to their own situation.

Facilitator summarises, stressing the importance of having proper methods for storing information – both hard and computer copies.

Step 3: Distribute Handouts 4.4 A-C and refer to filing rules and categorisation and what they can do in their own unions to improve filing where necessary.

ACTIVITY SHEET 4.4

ORGANISING SELF TO ORGANISE OTHERS: THE GOOD UNION OFFICE

Case Study- Filing: The least important job?

Julia was having problems. It was Friday already and she had to prepare for her first arbitration case at the CCMA next Tuesday. Ditsela had arranged an appointment for her with a lawyer who would help her prepare for the case. The appointment with the lawyer was on Monday at 12.00. However, Ditsela required that she set out how she would deal with the case and make sure she had all relevant documents with her when she met with the arbitrator.

At 16h00 on Friday, she at last got down to preparing for the case. However, when she looked for the file on her desk she could not find it. She was sure she had collected some documents in a file when she took over the case from Tom Dlamini (who left two weeks ago for greener pastures). Perhaps she had put the documents away in the cupboard for safekeeping? She searched - but she could not find them there. Did she give it to James the administrator to put away? – worth a try in asking him but no luck

Was there a file for the company? - If there was it was probably in that pile near the door. No – not there either.

She then decided to try to dig out some of the correspondence from the office computer - but what name did Tom give to the files? What name did she give to the last correspondence she had sent to the employer? With so much on her mind she could not remember.

She now wished she had made sure that her filing system. Somehow there was never time for such a boring and routine thing as filing. Surely administrators should do that? She noted that she would speak to James next week. In the meantime, what should she do?

Task:

In groups complete the sentences and write answers on Flip Charts:

- Julia cannot locate the necessary documents because:
- The consequences of not finding the documents are likely to be:
- We suggest that in future Julia and/or her union should improve the efficiency of document storage and retrieval by:

HANDOUT 4.4 A

ORGANISING SELF TO ORGANISE OTHERS: THE GOOD UNION OFFICE

Filing

Key points about filing

- Filing is a process of storing documents in such a way that we can find them easily and quickly when we need them. This applies to hard copies and computer copies
- We file so that we can find documents when we need them
- A filing system is as much the responsibility of organisers, secretaries, educators etc as administrators. Without co-operation from them in design and maintenance a system will not work
- Every document that the union receives or generates should be filed. There are very few exceptions to this rule.

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- Personal filing systems are a natural response to help people cope with their work, but they can cause confusion. A common system is best.
- Filing systems must be regularly and properly maintained.

HANDOUT 4.4 B

STARTING A FILING SYSTEM

Checklist

- Sit down as a team, including secretary, Hod's, organisers and administrators. Decide what information your office is going to want to keep in the filing system. Think not only of the present, but of the kind of information you will want to keep in the foreseeable future.
- Decide what your main categories should be (be broad - preferably not more than 10 main categories)
- Within each category, discuss what the main sub categories are likely to be
- Draw up a draft filing key or plan
- Circulate it for comment to everyone who has an interest in managing information in the office
- Finalise the filing key
- Give a copy to everyone who will be filing or giving documents to others for filing. Ask those who write and receive documents to begin coding their document immediately
- Decide where the filing system will be kept - or where the different parts of the system will be kept
- Decide what kind of equipment you will need and buy it. This includes the filing 'furniture' and the type of files you will use. (Jever arch, hanging files, boxes etc)
- Set up a skeleton for your filing system. Label your files according to the key you have developed. Colour coding for different categories and sub categories is helpful.
- Once the skeleton is complete, start using it immediately for new filing that comes through
- If necessary get extra help with the backlog. Remember that coding is not an unskilled job - organisers, secretaries and experienced admin will have to be involved.

Once you have finished the backlog you are up and running. Now the main job is maintenance, **including regular filing**.

HANDOUT 4. 4 C

FIXING A FILING SYSTEM

Checklist:

- Have a discussion that includes everyone in the office about what is wrong with the current system and what people want from the system
- Look at all the existing files and filing systems in the organisation and work out roughly, what the main categories of the fixed system will be
- Present these categories to the staff and make adjustments as necessary
- Discuss possible sub categories with the staff. Don't only think about the present, think about the information you will want to keep in the foreseeable future
- Draw up a draft filing key
- Circulate to everyone in the office for comment
- Finalise the key
- Give a copy to everyone who will send documents into the system or who will do the filing. Those who write and receive documents should begin to code their documents immediately.
- Decide where the filing system or its different parts will be kept e.g. do organisers keep their own files but with a common system or is there a common filing system for all files?
- Decide what kind of equipment and stationery you need and purchase this (you may have to develop a special budget!)
- Involve secretaries, HOD's in going through the existing system and deciding what to archive. Archive in well labelled boxes.
- Set up a skeleton filing system. Label the files according to the key you have developed.
- When the skeleton is complete start using immediately
- Get everyone to code files that are lying around in their offices but that belong in the main system. Integrate these into the new system.
- If necessary and possible bring in extra assistance - but remember the coding will have to be done by those who know the information being dealt with. Re-label old files with their new names. Sometimes it is not possible to re-file everything into the new system. You will have to decide how to deal with a kind of dual system during change over.
- Often as you work on integrating old and new you find some sub categories have been forgotten. When this happens, build into the filing key. The corrected key should be given to everyone.

You will have to give time to this job and do it as quickly as possible to prevent the back log increasing!

Note: your union may wish to develop a common approach to filing for all regional, branch, local offices. In this case the broad categorisation can be developed with team drawn from relevant offices, with details being drawn up within a particular office.

ACTIVITY 4.5 COMMUNICATIONS

40 minutes plenary

50 minutes group work & plenary

180 minutes on computers

Step 1: Facilitator introduces communications as an aspect of the union organisation. Emphasise that organisational communication as a key tool in ensuring that unions remain democratic, efficient and effective organisations.

Communication is a key element of a democratic organisation. It is also an area which is often weak in an organisation.

Participants are asked to share with others a single fearful experience they've had with communications, particularly technology. They are also asked to list some of the key problems.

Facilitator draws these inputs together into a plenary discussion.

When you design a communications plan in your union, there are certain questions which you need to ask, to provide a framework for the planning process:

- What do we want to communicate?
- Who do we want to communicate our message to?
- Why do we want to communicate it? (What response do we want?)
- What is the best way of communicating it?
- What could get in the way of communicating it?

Step 2: Participants should work through Activity Sheet 4.5 A. Plenary reports & discussion is held.

Step 3: Sangonet introduces the e-mail and internet. Handouts 4.5 A-D are distributed. Following this participants are taken through the basics of the e-mail and internet.

ACTIVITY SHEET 4.5 A

NEW TECHNOLOGY

New technology is a very exciting and challenging tool for communication. Many organisations are turning to it for solutions to their communication problems - you hear people saying: "We have to have e-mail" or "what we need is a LAN", and everyone nods in agreement. Pressures are also pushing organisations to go electronic. When people say: "Can you e-mail it to us?" or "Give us your e-mail address", people can feel a bit stupid saying: "Oh, we don't have e-mail yet". But the truth is that new technology is not a magic wand that an organisation waves to solve all its communication problems. In fact, the new technology brings a whole range of its own problems with it. This is not to say that unions and union structures should not be looking to use new technologies. This is the direction communication is going and it can be very helpful. It is, however, important to be aware of the dangers too.

Some of you will have already introduced extensive technology into the communication systems of your union. Others will have some but want more. Still others will be relying on more basic technology such as fax machines only. In this activity, you are going to get the opportunity to think about the current situation in your union or structure, and how to move forward.

Think through the following questions. Jot down some key points for plenary discussion:

- If your union hasn't yet introduced new technology should they? What do you believe new technology can do for your union?
- What are the advantages and disadvantages of new technology?
- If you have new technology, what has its introduction achieved?
- If it was up to you, how would you suggest they go about introducing the new technology?
- What are some of the key problems that exist with introducing new technology?
- How can we prevent these problems?

HANDOUT 4.5 A

GLOSSARY OF INTERNET TERMS

ASCII

The abbreviation for: American Standard Code for Information Interchange. Also known as 'plain text' or 'ASCII text'. ASCII is a basic format in which text characters are handled by most computer systems and networks. ASCII text cannot include any formatting, such as underlining or **bold** characters. Standard electronic mail messages are usually in ASCII format.

See also: Attachment, MIME, and UUencode

Attachment

A way of electronically sending files 'attached', or linked to email messages in their original form, e.g. WordPerfect or Microsoft Word documents, database file or graphic images.

Baud

A measure, in bits per second, of the speed at which information is sent and received by computers over a network, usually making use of phone lines and modems.

See also: Modem, Bps

Bps

Abbreviation for Bits-Per-Second. A measurement of how fast data is moved from one place to another. A 28.8 modem can move 28,800 bits per second.

See also: Modem, Baud

Browser

Software package that enables the user to explore the World Wide Web on the Internet. Commonly used browsers are Netscape and Internet Explorer.

See also: WWW, Netscape , Internet Explorer, Homepage

Conference

An electronic discussion forum whereby people on the Internet can read and post responses on a particular topic. Responses are shown sequentially, creating an electronic "conversation". Conferences can be either private, e.g. restricted to a specific group of people, or public. Public conferences are generally referred to as 'newsgroups'. Conferences can deal with any subject, from labour issues to toxic waste.

See also: Newsgroups, Mailing lists

Database

A computerised collection of information related to a particular subject or purpose, such as the membership details of an organisation, or the contents of a library, or a directory of organisations, or a computerised resource of, e.g. research material on the labour movement in South Africa.

Dial-up

A communications connection to a network, such as the Internet, established by means of making a telephone call using a computer and a modem.

Domain Name

The unique name that identifies an address of a site (this can be either a computer, network, or 'virtual' space) on the Internet. Usually the domain name appears in the right hand section of an email address or in the address of a Web site. Domain Names always have two or more parts, separated by dots. Domain names can tell you more about the network whose name it is. For example, in **lerato@ccma.org.za** the domain name **ccma.org.za**, ccma tell us that it belongs to an organisation called the CCMA, org tell us that it is non-profit institution, and za that it is in South Africa (za is the international country code for South Africa).

In the example **metro.co.za** the **co** tells us that this name belongs to a company business.

Often an organisation registers a domain without establishing a real site or host on the Internet. This provides the organisation with an 'address' on the Internet that is clearly identified with its name, e.g. **ditsela.org.za** and which they can then link to their email addresses, and, if they have one, their Web site.

Download

Copying a file from a remote computer to one's own computer. This usually happens when you have connected to the other computer over a network such as the Internet, or a Local Area Network in your office.

Email

Electronic Mail - Messages, usually in text or ASCII format, sent from one person to another via computer and a network. E-mail can also be sent automatically to a large number of addresses by using a distribution list or a mailing list.

See also: ASCII

Eudora

A software package used for sending and receiving email messages.

See also: Pegasus, Email, Outlook Express

Disk

A storage device commonly used for keeping computerised information or software. Computers normally have their own internal hard disks. Floppy, stiffy or compact disks are portable and can be used to move information from one computer to another or to store information.

FTP

File Transfer Protocol – A fast and efficient way of transferring very large files on the Internet. To FTP you usually use special FTP software, such as WS FTP, or a WWW browser such as Netscape or Internet Explorer. The most common use of FTP is when you need to download software packages from the Internet.

Hardcopy

Paper printouts of documents. In contrast 'softcopy' would be the document on the screen or on disk.

Hardware

Tangible components of a computer or computer network, e.g. the keyboard, screen, etc.

See also: Software

Homepage

The starting point Web page of a business or organisation. From the home page you can access further information about the organisation.

See also: Browser, WWW, and URL

Host

A computer that hosts Internet services that can be accessed remotely over a network or through a modem and telephone line. It is quite common to have one host machine provide several services, such as World Wide Web, email, FTP and conferences.

See also: Network

HTML

HyperText Markup Language - The coding language used to format documents for publication on the World Wide Web. HTML files are meant to be viewed using a World Wide Web browser such as Netscape or Internet Explorer.

See also: WWW

HTTP

HyperText Transport Protocol - The protocol that transfers hypertext files across the Internet. You will only encounter this abbreviation in the addresses of Web sites, e.g. <http://ditsela.org.za>

See also: WWW, URL

Internet

A large worldwide network of computer networks that are permanently linked to one another and that forms the platform for information exchange via email and the World Wide Web.

Internet Explorer

Microsoft's software package that can be used to browse the World Wide Web.

Intranet

As the Internet has become more popular many of the tools used on the Internet are being used in internal organisational networks called Intranets. These Intranets are then only available to employees and are used to facilitate the exchange and storage of internal information, such as staff and departmental records, minutes of meetings and reports.

IRC

Internet Relay Chat - Basically a huge multi-user live facility that allows people to 'talk' to one another by sitting at their computers and typing their comments at the same time. To use IRC you need access to an IRC server (ask your ISP about this) and IRC software on your PC.

ISP

Internet Service Provider - An institution that provides access to Internet services.

See also: Internet

LAN

Local Area Network - A network that links together the computers in one organisation so that they can share printers, files and software packages. LANs usually, but not always, have a computer that acts as their own internal file server.

Leased-line

A permanent telephone line that links one network to another, or to an Internet Service Provider.

Listserv

See: Mailing list

Login

The process of accessing a network. This term is used in Local Area Networks as well as when linking to the Internet. 'Login name' is also used to refer to individual users' identities on the network.

See also: Password, User ID

Mailing list

An electronic working space or discussion forum that links a group of people together using the medium of email. Messages are sent to the list's address, for example africa.women@sn.apc.org, which then distributes them automatically to all subscribers to the mailing lists. Mailing lists can be either private or public and can be used in many different ways, e.g., either for internal use in an organisation, or to link people from all over the world

See also: Listserv

MIME

Multipurpose Internet Mail Extensions - The standard for attaching non-text files to standard Internet mail messages. Non-text files include graphics, spreadsheets, formatted word-processor documents, sound files, etc.. An email software package is said to be MIME Compliant if it can both send and receive files using the MIME standard.

See also: Attachments, UUENCODE

Modem

MOdulator, DEModulator - A device that allows a computer to send and receive information over phone lines. Digital signals are converted into analog form for transmission, and then back again into digital form on the receiving end. Basically, modems do for computers what a telephone does for humans.

Multimedia

Documents or WWW sites that include different kinds of information; for example, plain text and audio, images and video or text in several different languages, or plain text and a spreadsheet.

Netscape

A software package that can be used to browse the World Wide Web.

See also: Browser ,WWW

Network

Two or more computers (and related equipment e.g. printers) that are permanently connected to each other via either cables or telecommunications links.

Newsgroup

The name for discussion groups on the Internet.

Offline

Not actively connected to a computer or network.

Online

Usually used in reference to a 'live', 'real-time' computer connection to an electronic network. Sometimes used loosely to refer to any kind of network connectivity, including email-only.

Outlook Express

A software package for sending and receiving and managing email that is developed and distributed by Microsoft for the Windows 95 environment.

See also: Pegasus, Eudora

Password

An individual access code used to gain entry into a secure network. Good passwords contain letters and non-letters and are not simple combinations such as virtue7. A good password might be: Hot\$1-6.

See also: Login, User ID

PC

Personal Computer

Pegasus Mail

A software package that is used for sending, receiving and managing email. Pegasus Mail is available free of charge.

See also: Email, Eudora, Outlook Express

POP

Point of Presence - A Point of Presence usually means a city or location where a network can be connected to, often with dial-up phone lines. So if an Internet company says they will soon have a POP in Qunu, it means that they will soon have a local phone number in Qunu.

Search Engine

A software tool for searching for specific information on the World Wide Web. You do not need search engine software on your own computer; you simply access one through the World Wide Web. Common examples include Ananzi <http://www.ananzi.co.za> (a South African Search Engine) and Alta Vista <http://altavista.digital.com> (based in the US).

Software

Programs used to run a computer system and to perform specific functions on the computer, such as word processing. Windows 95 is an example of software that is used to run the computer and Microsoft Word is an example of word processing software.

See also: Hardware

Spam

Unsolicited junk mail sent to users on the Internet to advertise services and products.

Surfing the net

Browsing the World Wide Web, by moving from one Web site or page to another.

Upload

To copy a file from one's own, local computer to a remote one, for example to a computer on your Local Area Network or one that is on the Internet.

URL

Uniform Resource Locator - The standard way to express the address of any resource on the Internet that is part of the World Wide Web (WWW). A URL looks like this: <http://www.cosatu.org.za> The most common way to use a URL is to enter one into a WWW browser program, such as Netscape, or Internet Explorer which will then take you to the site you are looking for.

See also: Browser , WWW

User ID

Or username – A unique user identifier on a computer network that is used in combination with a unique, private password to gain legitimate entry to the network.

See also: Login, Password

UUencode

Unix to Unix Encoding - A method for converting files into a format that makes it possible to transfer the file across the Internet, attached to an email message.

See also: Attachments, MIME

World Wide Web

See: WWW

WWW

World Wide Web (or just 'the Web') – A platform on the Internet that is used for publishing information in text, sound, video and picture format. It has become a vast worldwide network of information on thousands of topics. The WWW is used to find information, but it can also be used by people in the south to publish their own information on the Internet.

HANDOUT 4.5 B
COMMON WEAKNESSES IN INFORMATION AND
COMMUNICATIONS PLANNING

Common weaknesses in information and communications planning

Top down planning – one or two people make all the decisions without including everyone that will be expected to use and build the system. In an organisation information and communications touches everyone, from leadership to support staff.

Centralist planning – this is particularly a problem when the structure of the organisation is national and regional and the decisions take place at the national office. The regions are often sceptical of the plans and procedures introduced by the national office, and they feel left out and marginalised.

Ignores existing systems – in any organisation that has been going for a while there will be some existing way of dealing with information and communications. People will have opinions about these systems. Even if these systems are not working very well, they should be analysed carefully before a new system is planned, developed and introduced.

Limited to existing systems – this is other side of the above coin and happens when only think of using technology to help us doing what we are already doing, for example typing reports and faxing them, rather than how technology can help us to find new ways of doing our work and sharing information.

Organisational culture – every organisation has its own culture, with relative strengths and weaknesses. When planning your information and communication system, this culture should be understood and 'matched' with the new systems.

Driven by 'experts' – these are usually consultants who present themselves as having the answers and solutions. While they are often very good, they rarely understand your particular organisation well enough to provide you with workable solutions without spending a lot of time listening to the people inside the organisation. In the trade union and NGO sectors these 'experts' are often from other parts of the world, generously offered to us by donors. This often means that they do not understand local conditions and constraints.

Driven by 'vendors' – often the people who advise us on our information and communications systems, are in computer companies, or service providers that are also trying to sell something. This can make it very difficult to have complete trust in their advice.

Lacks 'developmental' and 'political' vision – information and communications, like most other things, are political. For example, a new communication system can clash with internal politics in an organisation where there is no internal democracy. At a broader level, there are issues around the companies we buy from – for example; do they have good labour practice? And, most importantly, how can our new systems help us to reach our political goals – goals such as increasing democratisation, achieving greater racial and gender equity, and, encouraging critical thinking and awareness of developments in our country? These questions sound abstract... but they are very relevant to information and communication systems.

Being institutionally bound – often when we look at using new technologies and systems in our organisations our thinking remains inside the 'borders' of our own institutions. So, we will look at developing a system for e.g. NUM. What is wrong with this? In real day to day life, we work across organisational borders: we work with government, NGOs, the media, the private sector, people at community level, donor agencies and international institutions and network. If the systems we plan, do not take these 'cross border' interactions into account, it can result in blockages.

Automation versus transformation – often we approach the way we introduce information technology into our organisations in a way that is quite similar to that used by the private sector when automating production and other labour processes. In other words, we try to save money by having fewer people do the same amount of work with the help of machines in less time. This does not work... and, it is missing an important opportunity to build democracy and individual staff capacity and knowledge. For example, simple decisions such

as, "should workers who do the cleaning and tea-making in the office have access to computers?", and "which people in each office should have their own private email address?" can have serious implications for the success or failure of your information and communication system.

Training and capacity building – most plans will touch on this, but, there are different ways of approaching training. For example, often we train our office workers in how to use one particular software package, such as WordPerfect. This can be useful, but, such product specific training leaves many important issues untouched. For example, how does one file documents on your computer? Do you file documents only on computer, or do you also need to do printouts and file them in a paper-based system? How does word-processing software work? What happens if someone sends us a document by email, which was written, in another software package? In other words, people are trained to perform specific tasks with specific software packages, but they are not empowered to think creatively about using their computers in different contexts.

Gender, race and class – people from different backgrounds will usually have different degrees of experience with technology. In a country like South Africa someone who comes from a rural area is far less likely to have used a computer than someone who grew up in a city. Women often feel intimidated by male technicians, and men often feel that typing is 'women's work'. Such factors should be taken into account with care and sensitivity when planning and introducing new information systems.

Budgeting – any system using information and communications technologies should be budgeted for very carefully. We often make the mistake of estimating start up costs correctly, but forgetting about the cost of implementing systems, acclimatising workers to the new systems, and, sustaining them in the long term. Computer break down and they need to be fixed and replaced. And often we need to employ new people who have the skills to support us in the use of these computers. If we have not taking all these factors into account in our annual budgets, we could end up losing out on the huge investment we made on setting up the systems in the first place.

Support, maintenance and backups – what do we do if the systems, or the technology, breaks. Things go wrong, from computer crashes to theft. Do we have good systems for backing up the information that is stored in computerised form? Who helps new staff members to understand the systems and gain the skills to use them. And, crucial, do we have people inside and outside the organisation whose responsibility it is to making these systems work and who will help us with problems. Any large Local Area Network needs someone to look after it. Also, will the providers of the hardware and software provide backup support? We should make sure that they do, or otherwise not use them.

Time – how do we make sure that people spend the time needed to use the systems effectively? Often we assume that time will be saved but technology, but in the beginning one usually needs to spend more time to learn how to do things in a new way. Unless we accept this, and are supported through the period of teething problems, people become discouraged and give up on the new systems.

Hardware considerations – who has computers in the organisation? Are there enough computers? Are these computers working? Are they old or new and what capacity do they have – e.g. can they be used to access the World Wide Web or to run Windows 95? The same questions should be asked about printers and, if you use them, modems.

Management – this is very, very important. Unless systems are managed properly they will not work, and will not make us more effective in our work. Do not underestimate the time and energy that it will take to manage information and communications systems. And remember, the a key part of managing them consists of being aware of how people are experiencing them, whether they feel comfortable, understand the benefits of the systems and feel part of the process. On the other hand, making systems work requires everyone in the team playing their part, fulfilling their responsibilities. One person's failure to do their bit can interfere with the flow of the system and therefore managing the people in the system is crucial.

HANDOUT 4.5 C
BASIC INTERNET TOOLS

Basic Internet Tools

THERE ARE SIX BASIC TOOLS on the Internet: Electronic mail (email), the World Wide Web (WWW), Usenet, gopher, file transfer protocol (ftp) and telnet (remote login).

EMAIL , or electronic messaging, accounts for over 80 percent of all Internet use. Almost any computer with a modem, no matter how limited, can be used to send email, and organisations can exchange email with anyone on the Internet. You do not pay for the distance a message travels and your recipient does not have to be connected to the Internet at the same time you are. Those simple facts make email a superior tool for both individual and group communications.

There are many different email programs. SANGONeT uses a shareware program called Pegasus Mail.

THE WORLD WIDE WEB (WWW), under development since the mid-1980s, is a tool that can access all the other tools, moving from resource to resource through hypertext links. Links are areas on a page or screen that are clickable and launch you into other resources. The WWW is rapidly becoming the most popular Internet tool (second only to email), in part because it comes close to offering a single-user-interface and reduces the tools you need to learn from many to several. It is also remarkably easy to publish your own documents on the WWW.

Programs for using the World Wide Web are called browsers. SANGONeT uses Netscape to browse the Web. Another common browser is Microsoft's Internet Explorer.

There are over seven thousand **CONFERENCES** or **NEWSGROUPS** which cover a wide variety of subjects. Users can read what others have written and contribute their own ideas and opinions. Subject groups are loosely organized in hierarchies, with an eclectic handful of top level categories such as rec for recreational or arts-related groups and comp for computer-related interest groups. The group rec.arts.books.childrens, for example, is a group for discussing children's books. Software used to read and post Newsgroup articles ranges.

As already mentioned, the World Wide Web can access most other Internet tools including Newsgroups.

GOPHER , which arrived in 1992 from the University of Minnesota, was the first true navigational tool on the Internet. It is a simple but powerful menu program excellent for organizing, finding, displaying and retrieving text-based information. Its hierarchical menu structure means that each gopher looks almost identical.

Gophers lack the ability to integrate text, graphics and other media in the same documents, offer few opportunities for self-publishing, and can only search other gophers. Most new Internet publishers are electing to use World Wide Web as their information platform, and many "old" gophers are no longer maintained or are being phased out.

The World Wide Web can also access gophers.

FTP (file transfer protocol) and its companion, archie, were once the mainstay of Internet use, but now their usefulness is more narrowly defined. FTP is used to transfer computer files between computers on the Internet. Archie helps users search publicly accessible computer archives for files they want. Whereas it used to be that all kinds of information was retrieved by FTP, today it is used primarily for retrieving large software programs and for tasks such as placing files on a WWW server for your home page.

Again, you can use a World Wide Web browser such as Netscape for the most typical uses of FTP.

TELNET is one of the oldest Internet tools. It allows you to connect to and control another computer over the Internet--for example, to search a library catalog. Each connection is unique, and may require special instructions (for example, a login name, password, or exit commands).

Version Date 12/15/95
Source URL <http://www.flint.lib.mi.us/mmlc/>

HANDOUT 4.5 D ABOUT THE WORLD WIDE WEB

WHAT IS THE WORLD WIDE WEB?

The World Wide Web--also known as WWW or even W3--is a tool for information search and retrieval. The WWW was developed in the 1980s at the CERN laboratory in Geneva, Switzerland.

THE WORLD WIDE WEB CAN RETRIEVE, DISPLAY AND STORE ALL KINDS OF INFORMATION. The spectacular growth of the WWW has at least three factors. First, the availability of graphical browsers has given the glamour of pictures, sounds, and movies, in addition to text.. Second, WWW can retrieve information from all the other Internet protocols (tools), such as gopher, ftp, telnet, etc. Finally, it is relatively easy for an Internet user to create and publish documents on the World Wide Web using the language known as HTML (HyperText Markup Language). Even children are publishing information on the WWW.

HYPertext: A collection of documents containing cross-references or "links" which, when activated, allow the reader to move easily from one document to another. This is the organizing principle of the WWW.

Homepage: This term is used several ways. Most generally (and least accurately) it refers to any hypertext WWW document (other general terms you will hear are web site and webspace). More narrowly, it may refer to an individual's online resume and list of favorite WWW resources (also called a personal homepage) or it may refer to the default site which your browser displays when it starts up.

URLs: URL stands for Uniform Resource Locator. They are the "glue" of the World Wide Web. They contain the address information which your browser uses to retrieve information. The bright links in a hypertext document are invisibly connected to URLs. Click on the link, and the World Wide Web moves to the resource associated with that URL.

HTTP stands for HyperText Transfer Protocol. Protocol means the rules for how information is formatted and transported on the Internet. HTTP is the Internet protocol which defines the hypertext documents native to the World Wide Web. Uniform Resource Locators (URLs) for documents native to the WWW always begin with http . For example, the URL for the SANGONeT is <http://wn.apc.org/sangonet.html>

ACTIVITY 4.6: RECRUITMENT

30 minutes in plenary & buzz groups

60 minutes groups & plenary

40 minutes plenary input

60 minutes role play & plenary

Step 1: Facilitator briefs participants on the latest developments at Tai-Viagra Textiles. Refer participants to the case study on page 90 of their files.

(This should be written up on newsprint and displayed in seminar-room).

Despite successes in taking up the problems of workers at the factory only 27% of the workforce has actually joined the union. You have also learnt from newspaper reports that after a visit to Japan by Deputy President, Thabo Mbeki, Japanese investors of a major transnational company (TNC) have bought over Tai-Viagra Textiles. The factory is now part of Tachi-Yu Textiles International, a major TNC operating in 35 countries worldwide.

The company does not have a good track record of adhering to labour standards and has been the target of numerous campaigns by the international trade secretariat for your sector, the International Textile, Garment and Leather Workers Federation.

The ITGLWF has written to your union about their latest investments into Africa and urging TEWOSA to organise the factory in Mafeking soon. The TEWOSA NEC has endorsed this position and is now prepared to invest more resources into recruiting at the factory. The NEC wants a systematic and thorough organisational approach, including training for staff and worker leaders who are going to be involved in organising the factory.

On the basis of the latest developments at the factory, including changes in ownership and the union's decision to go all out to organise the factory, you as TEWOSA staff require training in recruitment.

The session that follows is a training session on organising and recruitment for the staff and worker leaders of TEWOSA Mafeking Local, including the worker reps from the factory.

Step 2:

The Training Session on Recruitment

Facilitator poses the question to participants: Why do workers join unions? Using Activity Sheet 4.6 A participants are required to list all reasons, they are further required to rank the reasons in order of popularity and/ importance.

Participants are required to discuss the question in buzz-groups for about 10 minutes.

Participant's responses are then taken in the plenary session and noted.

The facilitator then does a short presentation on results of a survey carried out by the University of Warwick on why workers join unions. Include following points :

- This survey was conducted during 1996/97 and involved 11000 new union members.
- This survey indicates that the overwhelming majority of union members joined the union in order to gain support for addressing problems at work. The facilitator should ask participants if this is any different in South Africa and why?

After a short discussion and consensus on why workers join unions, the main conclusion is to ensure that participants are aware of the main reasons why workers join unions and not why they think they should.

Step 3:

The A,B,C's of Organising and Recruiting

Participants are divided into groups and are required to work through Activity Sheet 4.6 B and 4.6 C. They discuss the following questions:

- What skills do you need to organise and recruit?
- What do you need to know to be able to recruit and organise?
- Who should do the organising and recruiting?
- What are the obstacles/difficulties in organising and recruiting?

Participants are required to work out and write down what they think their role and tasks are as organiser or administrator in the process of organising. They are to fill in Activity Sheet 4.6C guided by Handout 4.6B - "5 Steps in Organising".

Facilitator then co-ordinates a plenary discussion and summarises the tasks of the organiser and administrator.

Facilitator summarises and writes up participant's contributions.

Step 4: **Briefing on recruitment**

Facilitator does a presentation focusing on:

- The Requirements for organising and recruiting
- Organisational Approach to recruiting
- Process/Important steps and tasks for recruitment
- Information needed for recruitment
- How to organise/recruit successfully

Facilitator distributes Handout 4.6 B.

Step 5: **Recruiting Workers to the Union**

Facilitator divides class into threes. Each group of three is required to do individual role plays: one acting as the organiser, the other as a worker and the third acting as an observer with a check list on what to look for.

There are three different role-play scenarios and the facilitator should ensure that each group does every role-play with the roles of organiser, worker and observer being rotated amongst participants. Depending on time, different groups do different role-plays and the respective observers do debriefing presentations to the rest of the participants about their role-plays and criticism of observers.

Handout 4.6 C is distributed, in part to those actors concerned.

Participants are asked to prepare for the recruitment activity in line with the guidelines provided so far in the course and based on all the information at their disposal about the company and its workers.

Role Play One

All those playing the role of **observers** are to assess critically the recruitment approach and style in line with the earlier presentations and especially whether the organiser uses the information and issues effectively to win over the worker to the union. The handouts based on these presentations could be used as guidelines.

Brief for Organiser – Jeff Peters

You have been called by the acting chair of the steering committee(a temporary shopstewards committee) to try to persuade a strong women in the knitting department to join. The Acting chair believes if you can persuade her she will bring the whole department of 50 women into the union. You are told that she had a bad experience in her last company where she was dismissed during a union strike.

Brief for Women being recruited – Cynthia Dhlomo

You have been at the company for 2 years. There are 50 women in the department. Somehow they always approach you for advice. Many of them have asked you if they should join the union. You have said no. In your experience unions are trouble. In your last company you were dismissed during a legal strike. The union promised to get your job back – but were unable to do so. You also had trouble with the organisers in the last union – they were always proposing love to you. This got you into trouble with your husband who insists now that you are at home by 6 o'clock and his dinner be on the table by 7.30.

After the role-play, a discussion is held which assesses the strengths and weaknesses of the recruiters.

Role Play Two

Brief for the Organiser - Jabu Gwala:

You the organiser, Jabu Gwala, working for the municipal union, the Sewerage, Refuse and Allied Workers Union (SERAWU). It is well known that certain services of municipalities have been targeted for privatisation. Your recent National Executive Committee discussed the looming privatisation and consequences to the workers and communities. Part of the union's response is to ensure that the majority of municipal workers are organised. In this way it will increase its bargaining power and possibly ward off the threat of privatisation. Your tasks is to organise the Stanger Municipal Depots which consist largely of "Indian" workers. According to most unionists who have tried to organise these depots previously, your task will be almost impossible unless you convince a long serving worker, Mr. E.V.R. Reddy to join. You have arranged to meet Mr. Reddy during lunch time to do just this. You are also aware that Mr. Reddy is conservative and religious and is very reluctant to join the union for these very reasons.

Brief for the worker - Mr. E.V.R. Reddy:

You have worked for the municipality for nearly 40 years and are due to retire in 3 years time. You are, very influential with other employees, conservative and a regular churchgoer who has always been scared of belonging to unions for various reasons including getting into trouble with the employer and losing your job, being scared of militant and political unions, being uncomfortable about belonging to the same organisation as "Zulu's" and unions not being effective in improving workers conditions.

Also you are due for retirement, so why complicate your life now? On the other hand you do not want anything to jeopardise your retirement benefits which you have worked so hard for.

Role Play Three

Brief for Organiser - Doctor Mokoena

You are the organiser for the Soweto Local of the Health and Allied Workers Union (HAWU). Your union has targeted nurses as an important group to organise into your union. You will be meeting Nurse Khumalo at Baragwanath Hospital to convince her and hopefully others to join HAWU. You are aware that they already belong to a nurses' association and have in the past been reluctant to join unions as they think that unions are suited to them as professionals. They are also fearful of being disciplined for belonging to unions and especially during strikes when they will be forced by the union to go on strike causing great harm to the patients.

At the same time you are aware that nurses, especially the women experience lots of problems at work like long hours, low pay, mental and physical stress, abuse by doctors and sexual harassment by male staff and patients. This has worsened with cuts in the government's health budget and consequent rationalisation.

You must try to convince her to join.

Brief for worker - Nurse Khumalo:

You have worked at Baragwanath Hospital for five years as a nurse after four years of study. You are not happy about various working conditions and the treatment which you receive from senior staff,

especially the men. The work situation is slowly worsening due to government cuts in health expenditure and rationalisation.

You and many other nurses have heard about HAWU but are afraid to join because you are professionals who are not meant to belong to unions. You know that many unions are militant and go on strike and you are not keen about the union telling you to go on strike without even considering the patients.

After the role-play, a discussion is held which assesses the strengths and weaknesses of the recruiters.

ACTIVITY SHEET 4.6 A

WHY DO WORKERS JOIN UNIONS?

List all the reasons why you think workers join unions

Once you have completed your list of reasons, rank the reasons in order of importance to workers, from 1st, - 2nd, - 3rd etc.

Rank	Reasons why workers join unions

ACTIVITY SHEET 4.6 B

ORGANISING AND RECRUITMENT

In groups discuss the following questions, use the table to complete the activity:

- What skills do you need to organise and recruit?
- What do you need to know to be able to recruit and organise?
- Who are the best people to do the organising and recruiting? Why?
- What are the obstacles / difficulties in organising and recruiting?

Skills	Knowledge	Who?	Obstacles

You have 30 minutes for this activity.

ACTIVITY SHEET 4.6 C ORGANISING AND RECRUITMENT

Your tasks as organiser or administrator

Using Handout 4.6B as a reference, particularly the section, “5 steps in Organising”, individually fill in your tasks below either as an administrator or organiser.

Thereafter compare notes and discuss with a partner.

Steps in Organising	My Tasks
Organiser	Administrator
1. Getting Information	
2. Planning	
3. Giving Information	
4. Energetic Recruitment	
5. Unionisation and Consolidation	

CASE STUDY OVERVIEW:

TAI-VIAGRA TEXTILES/TACHI-YU TEXTILES INTERNATIONAL

You have recently discovered and started organising a large textile factory, Tai-Viagra Textiles, consisting of over 600 workers in the former homeland, Bophuthatswana. The factory is owned by a Taiwanese family. They have been attracted to set up the factory there due to the abundance of cheap labour. The workers are mainly young women from rural areas who are now having formal employment for the first time in their lives. Many of them are pleased about this especially considering that nearly 60% of women in their province is unemployed.

They do however experience several work related problems like long working hours, low pay, lack of safety clothing and abusive managers.

ANALYSIS OF THE WORKFORCE:

GRADE	JOBS	NUMBER	FEMALE	MALE
1	Cleaners; rag sorters; waste sorters	49	39	10
2	Cutters; finishers; folders; trimmers	104	99	5
3	Loaders; material markers; machine greasers; packers	67	38	29
4	Menders; spinners; sewers; winders	234	206	28
5	boiler attendants; machine operators; weavers	95	72	23
6	card cutters; crane and hyster operators; examiners; quality controllers; knotters and printers	53	13	40
TOTAL		602	467	135

You are trying to recruit the workers, but they are scared to join the union. But at the same time realise that they need to do something in order to improve their working conditions. Your union branch has accepted that organising and recruiting the workers is likely to take a long time. Your strategy is aimed at getting workers to organise themselves. In order to ensure that they do, they

need to be convinced that organising into your union, TEWOSA, is the right thing to do.

Your approach to organising them is mainly an educational one and you now need to prepare for your first meeting with them in the local church hall in the township.

The management of Tai-Viagra Textiles have learnt that TEWOSA is busy trying to organise and recruit the workers to the union. The factory has always been a sweat-shop. Since management learnt about TEWOSA activities they started to pressurise and intimidate workers even more to deter them from joining the union. The union is now under attack.

The union branch has long ago decided to take up problems and issues of workers with them. The strategy was to demonstrate the strength of the union by organising around issues and problems.

You as the organiser and administrator jointly have to take up the issues and problems. Because you have not yet organised the majority of workers and do not have organisational rights. Your union branch has decided that you should try mainly by legal means to solve some of the workers problems which they experience at the factory.

Despite successes in taking up the problems of workers at the factory only 27% of the workforce has actually joined the union. You have also learnt from newspaper reports that after a visit to Japan by Deputy President, Thabo Mbeki, Japanese investors of a major Transnational company (TNC) have bought over Tai-Viagra Textiles. The factory is now part of Tachi-Yu Textiles International, a major TNC operating in 35 countries worldwide. The company does not have a good track record of adhering to labour standards and has been the target of numerous campaigns by the international trade secretariat for your sector, the International Textile, Garment and Leather Workers Federation.

The ITGLWF has written to your union about their latest investments into Africa and urging TEWOSA to organise the factory in Mafeking soon. The TEWOSA NEC has endorsed this position and is now prepared to invest more resources into recruiting the factory. The NEC wants a systematic and thorough organisational approach, including training for staff and worker leaders who are going to be involved in organising the factory.

Tachi-Yu Textiles management has refused to grant the union organisational rights and the right to bargain on behalf of employees. The dispute was referred to the CCMA. Unfortunately the company took a firm stand and continued to refuse to grant the rights.

In line with the LRA, the matter could either be arbitrated upon by the CCMA or the union could choose to take strike action. There are risks attached to both courses of action.

Apparently the workers are angry because of management's intransigence and are keen on taking industrial action. After undergoing training on strike organisation, the strike was organised and lasted 2 weeks.

As a result of the strike the union won organisational rights and the right to bargain collectively on behalf of all employees. The union has since functioned and operated reasonably well having built up a shopstewards committee.

6 months after this victory the company met with shopstewards regarding certain changes which they would like to introduce at the factory. The shopstewards after discussing management's ideas requested that they write to the union office so that "things could be dealt with properly". Management subsequently wrote to the union.

The TEWOSA - Mafeking Local office staff requested advice from the TEWOSA Head Office. The General Secretary explained that unfortunately the union did not have a policy on the issues raised by management but hopefully will have one by the next National Congress during the following year. In the meanwhile the Mafeking Local Committee should discuss the matter and also contact the International Secretariat (ITGLWF) in Brussels for assistance.

The local met and decided to contact the ITGLWF who in turn referred the organisers to their website. The local decided instead to undergo further training on change at the workplace and collective bargaining/negotiations skills in preparation for the meeting with Tachi-Yu Textiles management the following week on their proposals.

In your response to management's proposals you called a general meeting of all workers to discuss them. You read the letter to the general meeting and also informed them of the union not having a policy position on change at work as well as the international trade secretariat's (ITS) response.

From the discussion at the general meeting it has become clear that management has already had lots of discussions with workers and together with the senior shopsteward, Themba Nkosi, partly convinced them of the changes which they wish to bring about. You are also aware that the union has less than 60% representation at the factory.

In response to management's proposal you met with the shopstewards and devised a strategic approach. Your senior shopsteward, Themba Nkosi, whilst in Japan, made sure that he met with the Japanese unions at the factories in Japan. They had lots of experience with the kinds of changes

which management wants to introduce. They warned him about the dangers of allowing the company to do as they please and pledged to support TEWOSA if they had any problems with Tachi-Yu management in Mafeking. Since then the shopstewards have kept the Japanese unions and other unions in other parts of the world which organises Tachi-Yu informed about developments.

After several departmental meetings workers agreed that the company should be allowed to bring about certain changes as long as workers were not adversely affected and benefited from any increases/improvements in the company's profitability.

The shopstewards are also part of the Mafeking Local which is very active and well organised. The local has discussed the developments at Tachi-Yu Textiles and pledged its support to the union.

Since management spoke to workers about these changes many more have joined the union. The union is now 86% representative.

HANDOUT 4.6 A

WHY DO WORKERS JOIN UNIONS?

University of Warwick Survey (1996/1997)

11 000 new union members

	All	Men	Women
Support with problems at work	% 72	% 68	% 76
Better pay and conditions	36	42	31
I believe in Trade Unionism	16	20	13
Free legal advice	15	12	19
Most people at work are members	14	15	12
Professional services, training & Education.	11	3	19
Other reasons	7	8	6
Industrial benefits	4	7	2
Financial services	4	3	4

HANDOUT 4.6 B

ORGANISING = 70% LISTENING + 30% TALKING

BETTER LISTENING SKILLS

- Hearing is not listening - You hear with your ears but listen with your mind
- Stop talking so much - You can't listen while you are talking
- Listen actively - Commit yourself to receiving accurately the other person's ideas, opinions or facts
- Look at the person who is speaking - "listen to the non-verbal signals as well
- Listen with empathy - Put yourself in the worker's position
- Reinforce the speaker - show you are listening by nodding, saying yes, paraphrasing etc.

A good unionist is a good listener !

ORGANISING = ISSUES + ACTIVISTS

Identifying activists:

- Recommended by fellow workers
- Involved in the community
- Speaks out about issues
- Is knowledgeable about problems affecting workers
- Respected by other workers
- Is a good organiser and willing to work
- Takes initiative and contacts the union
- Natural leader in the workplace

Advantages

- You do not do everything
- They may do it better
- They get more involved and develop as union activists

5 STEPS IN ORGANISING

1. Getting information

- The employer
- The workers to be organised (numbers, gender, language)
- The kind of work they do
- The wages and working conditions
- The main problems/concerns of workers
- Demands which they would like to put to their employers
- Things which might create difficulties in organising (working hours; transport; disappointments with previous union or organiser).

How do we get information?

- Preliminary survey - through workers, financial magazines, labour researchers, phoning the manager's etc.

2. Planning

- What are the Problems?
 - Access to workers
 - Workers fears of employers
- Setting up an organising committee
- Targeting key issues/problems for propaganda purposes
- What will our organising campaign cost - Budgeting
- Giving information
 - Spreading knowledge and information amongst workers is essential for organising

How?

- Mass meetings
- Small informal meetings at the workplace
- Pamphlets and union publications
- House visits
- Union activists involved in community

4. Energetic recruitment

5. Unionisation & consolidation

- Taking up issues/demands of workers
- Building structures and leadership
- Education and Training

HANDOUT 4.6 C

ROLE PLAYS

All those playing the role of observers are to assess critically the recruitment approach and style in line with the earlier presentations and especially whether the organiser uses the information and issues effectively to win over the worker to the union. The handouts based on these presentations could be used as guidelines.

Role Play 1

Brief for Organiser – Jeff Peters

You have been called by the acting chair of the steering committee(a temporary shopstewards committee) to try to persuade a strong women in the knitting department to join. The Acting chair believes if you can persuade her she will bring the whole department of 50 women into the union. You are told that she had a bad experience in her last company where she was dismissed during a union strike.

Brief for Women being recruited – Cynthia Dhlomo

You have been at the company for 2 years. There are 50 women in the department. Somehow they always approach you for advice. Many of them have asked you if they should join the union. You have said no. In your experience unions are trouble. In your last company you were dismissed during a legal strike. The union promised to get your job back – but were unable to do so. You also had trouble with the organisers in the last union – they were always proposing love to you. This got you into trouble with your husband who insists now that you are at home by 6 o'clock and his dinner be on the table by 7.30.

Role Play 2.

Brief for the Organiser - Jabu Gwala:

You the organiser, Jabu Gwala, working for the municipal union, the Sewerage, Refuse and Allied Workers Union (SERAWU). It is well known that certain services of municipalities have been targeted for privatisation. Your recent National Executive Committee discussed the looming privatisation and consequences to the workers and communities. Part of the union's response is to ensure that the majority of municipal workers are organised. In this way it will increase its bargaining power and possibly ward off the threat of privatisation. Your tasks is to organise the Stanger Municipal Depots which consist largely of "Indian" workers. According to most unionists who have tried to organise these depots previously, your task will be almost impossible unless you convince a long serving worker, Mr. E.V.R. Reddy to join. You have arranged to meet Mr. Reddy during lunch time to do just this. You are also aware that Mr. Reddy is conservative and religious and is very reluctant to join the union for these very reasons.

Brief for the worker - Mr. E.V.R. Reddy:

You have worked for the municipality for nearly 40 years and are due to retire in 3 years time. You are, very influential with other employees, conservative and a regular churchgoer who has always been scared of belonging to unions for various reasons including getting into trouble with the employer and losing your job, being scared of militant and political unions, being uncomfortable about belonging to the same organisation as "Zulu's" and unions not being effective in improving workers conditions.

Also you are due for retirement, so why complicate your life now? On the other hand you do not want anything to jeopardise your retirement benefits which you have worked so hard for.

Role Play 3.

Brief for Organiser - Doctor Mokoena

You are the organiser for the Soweto Local of the Health and Allied Workers Union (HAWU). Your union has targeted nurses as an important group to organise into your union. You will be meeting Nurse Khumalo at Baragwanath Hospital to convince her and hopefully others to join HAWU. You are aware that they already belong to a nurses' association and have in the past been reluctant to join unions as they think that unions are suited to them as professionals. They are also fearful of being disciplined for belonging to unions and especially during strikes when they will be forced by the union to go on strike causing great harm to the patients.

At the same time you are aware that nurses, especially the women experience lots of problems at work like long hours, low pay, mental and physical stress, abuse by doctors and sexual harassment by male staff and patients. This has worsened with cuts in the government's health budget and consequent rationalisation.

You must try to convince her to join.

Brief for worker - Nurse Khumalo:

You have worked at Baragwanath Hospital for five years as a nurse after four years of study. You are not happy about various working conditions and the treatment which you receive from senior staff, especially the men. The work situation is slowly worsening due to government cuts in health expenditure and rationalisation.

You and many other nurses have heard about HAWU but are afraid to join because you are professionals who are not meant to belong to unions. You know that many unions are militant and go on strike and you are not keen about the union telling you to go on strike without even considering the patients.

ACTIVITY 4.7: BUILDING STRUCTURES AND MEETINGS

10 minutes in plenary

30 minutes in groups

60 minutes role play & plenary

50 minutes group work & plenary

Step 1: The facilitator explains that the training on recruitment was very effective and TEWOSA Mafeking Local managed to recruit 291 workers (out of 500), clear but not very big majority (58%). The union is in a position to demand recognition from the company i.e. Organisational Rights as per the LRA and the right to collective bargaining.

Participants are required as per Activity Sheet 4.7 A-C to prepare and organise a general meeting of workers using guidelines in the Activity Sheet, in order to:

1. Report-back on the recruitment drive
2. Explain to members the way forward for organising the factory
3. Discuss organising the election of shop stewards in terms of the TEWOSA Constitution (Refer to Activity Sheet 4.7B)

Participants must prepare the practical steps for organising the general meeting and conduct the meeting with workers in line with points 1- 3 above.

Step 2: The General Meeting

Each group is required to elect one person to be part of the union's organising team, which will run the general meeting with workers. The rest of the participants will be workers participating in the general meeting. NB. The organising team will not be required to run the ballot for shop stewards elections in the meeting. They merely need to brief the members on the pending shop stewards elections and what is required from union members.

Before proceeding to run the general meeting, all participants must study and discuss in their groups the guidelines for running/chairing a meeting contained in Activity Sheet 4.7 C. The organising team will meet separately to do the same and focus specifically on the requirements from them based on the meeting agenda.

All participants are to observe the union organising team in the general meeting for assessment purposes later on.

Facilitator co-ordinates and assessment discussion of the role-play of the general meeting and summarises key problems/errors etc.

Step 3: **Optional Activity: Meeting with Management on Recognition**

Groups are required to prepare for the meeting with management demanding organisational rights and the right to negotiate on behalf of workers as per Activity Sheet 4.7 C & 4.7 D.

Two role-plays are to be held with 2 groups each meeting with the management. The role of management should be played by experienced unionists.

Plenary session is held where facilitator summarises key points.

ACTIVITY SHEET 4.7 A

ORGANISING AND PREPARING FOR MEETINGS: ROLE PLAY

Briefing for Union Organising Team:

The recruitment drive of your local at Tachi-Yu Textiles was successful. You managed to recruit the majority of workers (291 out of 500 or 58%). The union is now in a position to demand recognition.

Your tasks:

Prepare for a general meeting of workers. The purpose of the meeting is to:

- Report back on the recruitment drive
- Explain and discuss the way forward in organising the company
- Brief workers about the forthcoming election of shop stewards as per the TEWOSA Constitution and what will be required of them.

Discuss and note down all the practical things you need to do for organising the meeting. After you have completed your preparations elect one person from each of your groups to be part of the organising team who will run/coordinate the actual general meeting. Thereafter the organising group must meet to do final preparations for the general meeting, whilst the rest of you discuss and prepare for the general meeting as if you are newly unionised workers.

Item	Points to be discussed	Time	Practical Tasks
Recruitment Drive			
Organisational Way Forward			
Shop stewards Elections			

ACTIVITY 4.7 B

EXTRACT FROM THE TEWOSA CONSTITUTION ON SHOP STEWARDS ELECTIONS

Section F

9. Shop Stewards

9.1. Method of Election

Shop Stewards for each factory shall be elected by the members in good standing who are employed at such factory. The election of shopstewards shall be subject to the following provisions:

- 9.1.1. only members in good standing employed at the factory shall be eligible for election as Shop Steward for such factory;
- 9.1.2. the number and distribution of Shop Stewards shall be in accordance with the nature of their employment and the Branch Shopstewards Council having jurisdiction shall decide such numbers and distribution after consultation with the membership at each factory;
- 9.1.3. an official or a member of the Regional Executive Committee of the union shall be present at the meeting convened in each factory for the purpose of electing a Shop Steward;
- 9.1.4. the nomination of members as Shop Stewards shall take place at a meeting of the members of the factory, who shall be given at least seven (7) days notice thereof. All nominations shall be duly proposed and seconded by such members;
- 9.1.5. written notice of such meetings may be posted on the notice board in the factory where an election is to be held and shall be posted on the notice board of the relevant local office of the union at least three (3) days prior to such meeting, but no election shall be invalidated solely by the non-receipt of any such notice by any member;
- 9.1.6. voting for the election of shopstewards in each factory shall be by ballot only and in the event of only one (1) person duly nominated, he/she shall be declared to be duly elected;
- 9.1.7. Shop Stewards duly elected at each factory respectively shall assume and hold office for a period of two (2) years as from the date of their election and shall exercise the rights and discharge the duties assigned to them in the Constitution. They shall be eligible for re-election.

ACTIVITY SHEET 4.7 C

GUIDELINES FOR PLANNING & CHAIRING A MEETING

Everyone who is supposed to attend the meeting needs to know:

- Where the meeting will take place.
- When it will start.
- What the agenda will be.
- What the purpose of the meeting is.

You therefore need to:

Organise a venue

- The right size, seating, ventilation and facilities
- Must be accessible
- Book the venue

Set a date and time

- Convenient for most who must attend
- Enough time to complete the agenda
- Must not clash with other events

Draw up an Agenda

Notify all who are supposed to attend timeously

After completing your preparations elect one person from your group to be part of the organising group which will run the meeting. The rest of you will be workers in the meeting.

TASKS OF A CHAIRPERSON

A chairperson has the important task of guiding a democratic meeting to making good decisions. The chairperson must:

- Allow everyone to have a say so that they feel part of the organisation.
- Keep order in meetings and stop a few people from talking all the time.
- Make sure issues are discussed thoroughly so that the meeting does not make bad decisions.
- Make sure that decisions are clear and that everyone understands them.
- Make sure that decisions will be acted on. When people feel decisions are not resulting in action, they often stop attending meetings.

Chairing meetings is a difficult task but anyone can learn it through practice. Remember that most people in a meeting want you to succeed and will try to help you.

Start the meeting

The chair is responsible for starting the meeting. If the meeting takes long to start, the people who arrived on time will get bored and will come late next time. The chair must:

- Start the meeting on time.
- Introduce him/herself.
- Read the agenda out and ask if there are other items people want to discuss.
- Ask the meeting to agree to time limits for each item and when the meeting should close.
- Make sure there is someone who is taking minutes.

The chair should never take minutes because this interferes with the chairing process

Introduce items

People need to know exactly what is going to be discussed under each agenda item. The chair must:

- Explain each item in a few sentences.
- Remind people of how much time they have to discuss it.

Present discussions

When an agenda item is complicated, the chairperson or mandated person must present the meeting with a plan for discussing it. This can be done by:

- Explaining what is to be discussed and what is to be excluded. For example, the chair might say:
"We are going to discuss the problem of health and safety problems in our factories, particularly the problems which women experience"
- Defining the steps that will be taken in the discussion:
- First establish what the problems are.
- Then look at solutions.
- Then discuss each solution.
- Then decide on the correct solution and action.
- Give everyone a chance to talk
- The chair must make sure everyone has their say. The chair may participate in discussion, but should do as little as possible. If the chair talks too much, or uses his/her position to influence decisions, people will get frustrated and not take part.

The chair can improve participation by:

- Asking "What do other people think?" when a person is dominating the discussion.

- Asking each person to say what they think on the issue.
- Asking people who have not said anything what they think.
- Not preventing people he/she disagrees with from speaking.
- Stopping dialogues (when only two people are debating an issue).
- Making sure that people are only speaking when it is their turn to speak.

Keep discussion to the point

The chair must stop people from talking about things that are not related to the agenda item under discussion. Participants must be prevented from:

- Re-raising previous agenda items that have already been discussed.
- Talking about issues which are to be discussed later in the meeting.
- Going over the time limit set for each item at the beginning of the meeting.

Guide discussions to decisions

The chair is responsible for making sure that decisions are made clearly and democratically on each agenda item. The chair can do this by:

- Summarising the main points made in a discussion and asking if everyone agrees with the summary.
- Presenting the meeting with a majority position and asking if the meeting agrees.
- Asking the meeting for a decision.
- Suggesting compromises or possible solutions when there is a deadlock.
- Making sure tasks are assigned.
- Making sure the meeting knows WHO will do WHAT by WHEN

Close the meeting

The chair should summarise what was agreed on during the meeting and remind people of the tasks they were mandated to do.

The chair must also make sure that everyone agrees on the next meeting time and venue.

OPTIONAL ACTIVITY SHEET 4.7 D

MEETING MANAGEMENT

After the general meeting you wrote to the Tachi-Yu Textiles management requesting organisational rights in terms of the LRA, as well as the right to negotiate on behalf of employees.

The company has agreed to meet you next week to discuss your request. You suspect that they are going to be very reluctant to grant any of your requests as you are aware of its reputation in other countries.

Prepare fully for this meeting with management.

Key areas of disagreement likely to arise during negotiations:

The interpretation of "sufficiently representative" as per the LRA and what the union is entitled to legally.

Whether workers were coerced/intimidated to join the union or not?

The "right" to negotiate and;

The right to negotiate on behalf of **all** employees.

Briefings for Management:

Role Play 1

Hardline on all union request. But motivate your positions clearly and strongly.

Role Play 2

Offer selective rights i.e. certain organisational rights in exchange for others.

On the right to collective bargaining, propose:-

- That you are prepared to accept the union bargaining on behalf of those categories of workers where it enjoys majority support (50% + 1)
- That the union can only bargain on behalf of members.

ACTIVITY 4.8: DISPUTES & STRIKES

35 minutes plenary and in pairs

15 minutes video viewing

60 minutes in groups & plenary

60 minutes in groups and in plenary

90 minutes video viewing, individual work & plenary

20 minutes in pairs

20 minutes plenary input

40 minutes in groups & plenary

60 minutes in groups & plenary (next day)

Step 1: Facilitator explains that the company Tachi-Yu Textiles has refused to grant the union organisational rights, let alone the right to bargain on behalf of members. The union declared a dispute which it is now going to the CCMA. Organisers and Administrators are required to work through Activity Sheet 4.8A, where they fill in and process the application for conciliation/ resolution to the CCMA (LRA Form 7.11 Section 135)

They should pair up as administrator/organiser and go through their forms together - checking on detail which avoids applications being delayed for technical errors or lack of clarity.

After participants complete the forms and exercise facilitator lets a few of them take the rest of the participants through their forms and open up for discussion and comments.

Facilitator summarises key points which do emerge.

Participants then view the video on conciliation, facilitator summarises key points.

Facilitator distributes Handouts 4.8 A & B.

Step 2: Strategising

The conciliation meeting at the CCMA did not assist as the company continued to push a hard line. There are two options available to the union. The matter could be taken further through the CCMA and arbitrated upon or the union could declare deadlock and opt for strike action. There are risks attached to both options.

Participants are divided into groups and required to strategise on the options open to the union to pursue in their dispute with management around organisational rights, Activity Sheet 4.8 B. Participants report back in plenary on the proposed strategy.

Discussion is held.

Step 3: The LRA and Disputes/Strikes

Facilitator introduces the section mentioning that disputes can be resolved through various means:

- Privately between the parties (dispute meetings, mediation and/or arbitration)
- Through procedures and institutions provided in the LRA i.e. CCMA, strikes and the Labour Court. the LRA has legislated that unions and workers can only resort to strike action on disputes of interests (except for organisational rights).
- Through procedures and mechanisms of a Bargaining Council.

Participants are required to work through Activity Sheet 4.8 C Reviewing the LRA Strike provisions.

Facilitator co-ordinates a plenary discussion based on the report-backs.

Facilitator makes the following key point:

- That there are certain limitations and restrictions around the right to strike, but that the LRA has made some major advances and that there are many ways that we can use it to our advantage.

Step 4: Strike Organisation and Campaigning

Facilitator outlines the aims of the inclusion of strike strategy and tactics. These include:

- To develop the analytical and strategising abilities of participants.
- To allow participants to learn from the experiences of major strikes in our history and the potential consequences, both positive and negative of strike action.

Participants are to watch video documentary of two strikes carried out during 1987, the SARHWU and NUM strikes.

Prior to viewing the video participants are referred to Activity Sheet 4.8 D.

They are required to:

- Fill in a star rating score (out of 5 stars) for each union under the headings on the worksheet and motivate as individuals and thereafter; these are:
 - Organisationally - Union structures operating, co-ordination and administration
 - Organisationally - Members involvement and united action
 - Solidarity and Support
 - Publicity and Media
 - Conclusion: Gains - victory or defeat?
- In groups and try to reach consensus on the same exercise:

Facilitator must explain the exercise before participants view the video.

Once groups have completed the exercise, the facilitator co-ordinates a plenary discussion and acts as a self appointed arbitrator to allocate final scores. The emphasis should not be on the scoring but the reasons/motivations for them. The facilitator should direct discussions towards why participants think that SARWHU had a victory in 1987 and NUM did not, despite SARWHU being newly organised and hardly established and conversely NUM being well organised and established.

Step 5: **Planning a Strike**

Participants are required to discuss with a partner all the issues/aspects you need to consider prior to organising for strike action

Facilitator then co-ordinates a discussion on likely issues to be raised and summarises and writes up on flipchart. Thereafter facilitator does a short presentation on considerations for preparing for strike action.

Key Points:

- Preparedness of workers
- Strategic importance of issue
- Have we done research?
- Can we get industrial/community/political support
- How much do we know about the company's strength and weaknesses?

- Legal or illegal strike?
- Preparing families and communities
- Media and Publicity
- Do we have a strike plan?

Facilitator distributes Handouts 4.8 C-E.

Step 6:

Strike Organisation and Management Counter Strategies

Participants are divided into groups to work through Activity Sheet 4.8 E which requires them discussing activities which could be carried out by workers and the union during the strike which will:

- Strengthen the strike
- Raise awareness amongst union members and train worker leaders vital leadership and organisational skills.
- Discuss the kinds of counter-strategies which management employs against us during strikes? What can we do to neutralise these actions?

Report-backs from groups are then taken and facilitator summarises key points.

Facilitator does a presentation on strike organisation and mentions and elaborates upon management strategies, particularly those which were not highlighted by groups.

Facilitator distributes Handout 4.8 F.

Step 6:

Optional Activity: Strikes and the Propaganda War

Participants are required to complete Activity Sheet 4.8 F

The tasks are:

- Reading the articles on the UCT strike of October 1991.
- Drafting a short pamphlet adequate to win the "hearts and minds" battle. In doing so analysing and summarising the key points made by each of the writers. Objectively assessing the strengths and weaknesses of their arguments.

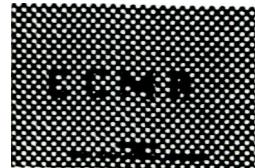
Participants are required to write up their draft pamphlets on flip-chart paper or OHP slides.

A plenary session is held and each group is required to present their draft pamphlet. Participants and facilitator give constructive criticism and advice on the draft pamphlets.

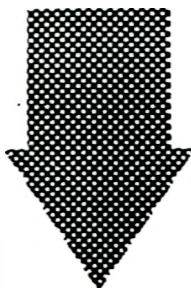
ACTIVITY SHEET 4.8 A

APPLICATION FOR CONCILIATION

REFERRING A DISPUTE TO THE CCMA FOR CONCILIATION



READ THIS FIRST



WHAT IS THE PURPOSE OF THIS FORM?

This form assists a person or organisation refer a dispute to the CCMA for conciliation.

WHO FILLS IN THIS FORM?

Employer, employee, union, or employers' organisation.

WHERE DOES THIS FORM GO?

To the CCMA office in your province.

OTHER INSTRUCTIONS

When you refer the dispute to the CCMA, it will appoint a commissioner who must attempt to resolve the dispute through conciliation within 30 days.

Please note that if you are covered by a bargaining council, a statutory council or an accredited agency you may have to take the dispute to that council or agency. Some councils and agencies are required by law to deal with certain disputes and parties must then refer disputes there, rather than to the CCMA. You may also need to deal with the dispute in terms of a private procedure if one applies.

PROVINCIAL OFFICES OF THE CCMA

CCMA EASTERN CAPE

Registrar
107 Main Street
Port Elizabeth
Private Bag X22500
Port Elizabeth
6000
Tel: (041) 56-4466
Fax: (041) 56-4585

CCMA FREE STATE

Registrar
NBS Building
Cnr Elizabeth & Westburger Street
Bloemfontein
Private Bag X20705
Bloemfontein
9300
Tel: (051) 448-3650
Fax: (051) 448-4468/9

CCMA GAUTENG

Registrar
20 Anderson Street
Johannesburg
Private Bag X94
Marshalltown
2107
Tel: (011) 377-6600
Fax: (011) 834-7331

CCMA KWAZULU/NATAL

Registrar
Garlicks Chambers
375 West Street
Durban
Private Bag X54363
Durban
4000
Tel: (031) 306-5454
Fax: (031) 306-5401

CCMA MPUMALANGA

Registrar
Foschini Centre
Eade Street
Witbank
Private Bag X7290
Witbank
1035
Tel: (0135) 656-2800
Fax: (0135) 656-2885/6

CCMA NORTH WEST

Registrar
47-51 Siddle Street
Klerksdorp
Private Bag X5004
Klerksdorp
2571
Tel: (018) 462-3137
Fax: (018) 462-4126

CCMA NORTHERN CAPE

Registrar
1A Bean Street
Kimberley
Private Bag X6100
Kimberley
8300
Tel: (0531) 81-6780
Fax: (0531) 81-5947/8

CCMA NORTHERN PROVINCE

Registrar
104 Hans van Rensburg Street
Pietersburg
Private Bag X9512
Pietersburg
0700
Tel: (0152) 297-5010
Fax: (0152) 297-5017

CCMA WESTERN CAPE

Registrar
78 Darling Street
Cape Town
Private Bag X9167
Cape Town
8000
Tel: (021) 45-7000
Fax: (021) 45-7193/4

1) DETAILS OF PARTY REFERRING THE DISPUTE

Tick the box

As the referring party are you:

<input type="checkbox"/> an employee	<input type="checkbox"/> a union official or representative
<input type="checkbox"/> an employer	<input type="checkbox"/> an employers organisations' official or representative

If you are an employee fill in (a) below and if you are a union official or representative, an employer or an employers organisations' official or representative fill in (b).

a) If the referring party is an employee

Your name:

Address:

Tel: Fax:

If a union or employers' organisation is helping you with the dispute give their details too.



Alternative contact details of employee (eg a relative or a friend):

Name:

Address:

Tel: Fax:

If more than one party is referring the dispute, write their details on a separate page and staple it to this form.



b) If the referring party is an employer, an employers' organisation or union

Your contact details

Name:

Address:

Tel: Fax:

Contact person:

CCMA Ref. No.

...please turn over □

READ THIS FIRST

2) DETAILS OF OTHER PARTY (THE OPPOSITE PARTY)

Tick the box

The other party is:

an employee a union official or representative
 an employer an employers organisations' official or representative

Name:

Address:

.....

.....

Tel: Fax:

Name of person dealing with the matter and other party's reference number

(if known):

3) NATURE OF THE DISPUTE

a) The dispute is about:

.....

.....

.....

.....

.....

.....

.....

READ THIS FIRST

Look at the list of disputes and their corresponding sections on page 7. If you are unsure which is the appropriate section you may leave 3b blank.

b) The dispute relates to section of the Labour Relations Act, 1995.

4) SPECIAL FEATURES (IF ANY)

Special features might be the urgency of a matter, the large number of people involved, important legal or labour issues etc

I/we would like to bring the following special features of this dispute to the attention of the Commission:

.....

.....

.....

.....

.....

.....

Delete the box below if inapplicable:

Dispute about unilateral change to terms and conditions of employment (s 64(4))

I/we require that the employer party not implement unilaterally the proposed changes that led to this dispute for 30 days, or that it restore the terms and conditions of employment that applied before the change.

Signed: (party referring the dispute)

5) DATE OF DISPUTE

The dispute arose on:
(give the date, or approximate date)

READ THIS FIRST

6) SECTOR AND AREA

Give a description of the industry, service or public sector concerned (eg the metal industry, tourist services, provincial hospital services etc). This will help the CCMA choose a Commissioner with experience in the particular sector or area.

The dispute exists in the following sector:

.....
.....
.....
.....

and in the following area:

Where did the dispute arise? Usually this will be the address of the workplace.

.....
.....
.....
.....

7) RESULTS OF CONCILIATION

Describe the outcome or result you would like from this conciliation. You are not bound by the proposals you make here.

The outcome I/we would like:

.....
.....
.....
.....
.....
.....
.....
.....

READ THIS FIRST

8) INFORMING THE OTHER PARTY

Proof that a copy of this form has been sent could be:

- * a copy of a registered slip from the Post Office;
- * a copy of a signed receipt if hand-delivered;
- * a signed statement confirming service by the person delivering the form; or
- * a copy of a fax confirmation slip.

A copy of this form has been sent to the other party to the dispute. Proof of this is attached to this form.

Signed at on

.....
Party referring the dispute

CONCILIATION REFERRALS

SECTION LIST

NATURE OF DISPUTE

LRA Section	Dispute
9(1)	Freedom of association and general protections
16(6)	Disclosure of information
21(4)	Collective agreement on organisational rights
21(11)	Withdrawal of organisational rights
22(1)	Interpretation or application of organisational rights
24(2)	Interpretation or application of collective agreement
24(6)	Interpretation or application of agency or closed shop agreement
26(11)	Non-admission as party to closed-shop
45(1)	Interpretation or application of ministerial determination
61(10)	Interpretation or application of lapsed collective agreement
63(1)	Interpretation or application of collective bargaining provisions
64(1) & 134	Any matter of mutual interest
64(2) & 134	Refusal to bargain
64(4)	Unilateral change to terms and conditions of employment
69(8)	Picketing
74(1)	Disputes in essential services
86(4)(b)	Joint decision-making (workplace forum)
89(3)	Disclosure of information (workplace forum)
94(1)	Interpretation or application of workplace forum provisions
191(1)	Unfair dismissal
196(6)	Severance pay
Sch 7, item 3(1)	Unfair labour practices

Additional information (for example, the contact details of a union or an employers' organisation which is helping or representing you) which you want to bring to the CCMA's attention (please indicate which number in this form your comments refer to):

ACTIVITY SHEET 4.8 B

STRATEGISING AROUND DISPUTE RESOLUTION

The conciliation meeting between TEWOSA and the company did not assist in resolving your dispute on organisational and collective bargaining rights.

Refer to the relevant sections of the LRA:

- Sections 21 and 22
- Schedule 4 - Dispute resolution Flow Diagrams - Diagram No 2.

You will notice that there are two options open to you - you could opt for arbitration or protected strike action. As an organising group you should:

1. Work out the pros and cons of both options which will be presented to workers in their constituencies.
2. Decide what will be the best route to pursue after weighing up the potential consequences of both options.

YOU MUST MOTIVATE YOUR COURSE OF ACTION FULLY!

ACTIVITY SHEET 4.8 C

THE LRA AND STRIKES

Read the LRA provisions on “Limitations on the right to strike or lockout” (Section 65), Secondary Strikes (Section 66) and Picketing (Section 69).

- To what extent does the LRA promote or limit the right to strike?
- Motivate fully by quoting the relevant sections of the Act.

LRA SECTION	ASPECTS WHICH PROMOTE OUR RIGHT STRIKE	ASPECTS WHICH LIMIT OUR RIGHT TO STRIKE	MOTIVATION AND REFERENCES
64. Right to strike and recourse to lockout			
65. Limitations on right to strike / lockout			
66. Secondary Strikes			
67. Strike/ lockout in compliance with the Act			
68. Strike/lockout not in compliance with Act			
69. Picketing			

ACTIVITY SHEET 4.8 D

STRIKE ORGANISATION AND TACTICS

Assessing the SARHWU and NUM strikes of 1987

Your tasks:

Based on the video of the two strikes you are to rate their success using a star rating system out of 5 stars. You must motivate your positions fully.

	SARHWU	NUM
	Star Rating and Motivation	Star Rating and Motivation
Organisationaly: Union Structures, co-ordination and Administration		
Organisationaly: Members involvement and united action		
Solidarity and Support:		
Publicity and Media:		
Conclusions: Victory or Defeat?		

ACTIVITY SHEET 4.8 E

STRIKE ORGANISATION AND MANAGEMENT COUNTER STRATEGIES

In groups you are required to:

a) Discuss activities which could be carried out by workers and the union during the strike which will:

- Strengthen the strike
- Raise awareness amongst other union members
- Train the worker leaders leadership and organisational skills

b) Discuss the different kinds of counter-strategies which management employs against us during strikes? What can we do to neutralise these actions?

Management Counter Strategies	What we can do to neutralise it
1.	
2.	
3.	
4.	
5.	

OPTIONAL ACTIVITY SHEET 4.8 F

STRIKES AND THE PROPAGANDA WAR

1. In groups read the articles on the UCT strike of October 1991. In doing so analyse and assess the strengths and weaknesses of the arguments. Use the table below.

	Cape Times Editorial	Argus Letter - Anon	Argus Letter- Harald Harvey
Key Points Made			
Strengths			
Weaknesses			

2. You are a member of the SADTU strike committee which is preparing for strike against the Education Department because of its rationalisation plans which include retrenching teachers, withdrawing school transport subsidies and increasing school fees. You are aware that your "right to strike" does jeopardise the students "right to learn". The success of your strike depends to a large extent on the support of students and their parents.

Draft a short pamphlet which you think will be adequate to win the "hearts and minds" battle.

I deplore this action

I DEPLORE the action of some Sancos and striking UCT workers in disrupting lectures in the Leslie Social Science Building at UCT on Thursday. I respect the right to strike and to protest peacefully but these rights do not include setting up barricades to prevent access to campus, setting

Letter in The Argus this week.

THE strike action by UCT workers is now over. The events at UCT have received extensive coverage. Quite clearly the interest of the Press was not in the struggle of workers, but in how that struggle needed to be crushed.

Why else would a developing strike wave in the Western Cape be ignored? At the same time that UCT workers were on strike over 100 Fidelity Guards workers were also on strike, for the first time in the history of the security industry. Similarly, Metal Box Blow Moulders workers are on strike, and 98 Lansdowne Textile Industry workers are engaged in a struggle against their mass unfair dismissal. At the same time, over 2000 Transnet Workers were gearing up for a strike and workers at several other companies were either balloting, or preparing to strike.

Judging by the type and extent of the media's coverage of the UCT strike, the interests at play required that this strike be crushed. Jointly, the UCT administration and its cronies in the commercial media launched a campaign to discredit the struggle by UCT workers.

To this end truth, fact and objective reporting were thrown out of the window. The coverage was distorted, selective and at times untrue. The willingness of the media to simply regurgitate statements from UCT bosses has proven where the interests of the media lie. We must now question whether it was even worth the bother to make ourselves available to reporters for extensive comment and responses to management allegations.

What we are concerned about is the impact the hysteria of the media has had on people's perceptions. UCT bosses caused the strike by failing to negotiate in good faith, and the stepped in to help them divide the university and Cape Town in its own interests. This needs to be corrected. We challenge you to prove your liberal credentials by granting us the space to make this full response.

What were the main arguments and allegations levelled by the media?

- That the TGWU was not serious about negotiation and had UCT on its strike agenda.
- That UCT workers are overpaid and lazy.
- That the right to strike does not include the right to disrupt.
- That the actions were by a tiny group of thugs trying to impose their will on a democratic majority.

I will deal with each in turn.

• That the TGWU was not serious about negotiation and had UCT on its strike agenda.

We reject this with contempt. We tried for over two months to negotiate a settlement. In the process demands were changed and dropped altogether in order to make way for such settlement. It was in fact UCT who failed to negotiate.

The settlement of 17% was in fact tabled by ourselves as a final position during the course of mediation towards the end of August. At that time UCT refused to meet that demand. Right through the process of negotiation UCT bosses were warned that workers were serious, and if they as bosses failed to address the demands of workers, then workers would be ready to take action.

By George!

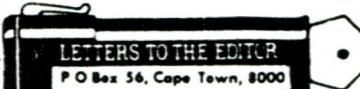
Thought for Today

"The Holy Spirit whom the Father will send in my name will teach you all things" — JOHN 14:26

During his short ministry of three years, Jesus only opened our eyes to glimpses of truth; it is through his Holy Spirit that we continue to see new revelations all the time.

PREFERENCE is given to letters containing the writer's name. Although a pseudonym is acceptable, all letters should carry the name, full residential address or office address (preferably not a P O Box number) and signature of the writer as evidence of good faith. The Editor reserves the right to shorten letters and to select those for publication.

"Orders from the boss — forget the R50 notes, get on with the Loftus Tickets!"



What a nerve they all have

I AM a firm believer that workers should be paid a fair and decent wage. As a UCT Honours graduate I therefore read about the latest UCT labour dispute with indignation.

Not indignation at workers rights being violated but rather at their sheer nerve. Judging from the salary package

Letter in The Argus this week.

UCT strike — What the Union says

These are acts of hooligans

REGARDING the recent strike and disruptions at UCT we quite understand the need for workers to embark on strike in order to express their dissatisfaction over a wage dispute.

Letter in The Argus this week.

UCT bosses have now paid the price for ignoring our words. Perhaps the problem is that UCT bosses, like many others, have become complacent. If bosses want to use negotiations as a way of justifying their own positions, and not to really address the demands of workers, then workers will be forced to take action. Negotiation is a means to an end, not an end in itself.

If bosses are going to play games with workers, then they must also carry the responsibility for what happens when workers get angry and are forced to take action.

• UCT workers are overpaid and lazy.

This sort of allegation has tended to come mainly through bigots who have not a single shred of knowledge about UCT, or from professors who work a three-hour day.

UCT workers will not deny that their gross wage package is high compared to most other workers. That is not the issue. The issue is that when a certain level has been achieved (and which is still not a living wage) there cannot be justification for sitting back and demanding of workers that they must now accept that wage levels should decrease in real terms. And there can be even less justification for offering workers 13.5% while increases for other categories, including academic staff, range from 14% to 17.6%.

Perhaps UCT bosses need to be reminded that it was not through their good nature that UCT workers earn what they do. It was the fact that UCT workers were prepared to struggle that made this possible.

It is not enough to talk of a good wage and good benefits. The usefulness of benefits and take-home pay are crucial. The great wages and conditions of service at UCT are a very sharp double-edged sword. UCT can proclaim all it wants about its wages and benefits, but try convincing the three children of the single mother who comes home with R200 after deductions each month. Try convincing one of our shop stewards who without medical aid had to pay only R32 for the birth of his first child, but with medical aid was forced to go to a private clinic and is still paying off the R3 000 not covered for the second child.

Try proclaiming the virtues of UCT to those workers in the residence kitchens who have not had a day off on a weekend since they started working. These are not issues for one or two workers — these are issues for all UCT workers. Good benefits tailored to the needs of the affluent are of limited value to black workers, and the deductions reduce take-home pay beyond reason.

• That the right to strike does not include the right to disrupt.

The media decided to focus closely on the question of disruption which the strike caused. Much has been said that workers can withdraw labour, but that they do not have the right to disrupt, nor do they have the right to interfere with the rights of others. Such comments expose the true nature of liberal "democracy".

A strike is by definition disruptive. Unless a strike does not disrupt, its whole purpose is defeated. To ask workers not to be disruptive when they go on strike is asking them not to strike. Where the conflict of interests between workers and bosses cannot be resolved by negotiation, and where its resolution is then sought through a test of strength on the ground, no worker or union can sign away their right to flex their muscle. What is clear in the comments by the commercial media is that they viewed the actions of strikers and students to be an interference in the rights of others. In other words, workers have the right to strike so long as this right does not interfere with the right of bosses to profit and to exploit.

Nobody, except our comrades in Sasco, Azasco, Faso, Wosa, the Islamic Society and ANC Youth League, bothered mentioning that for over 150 years students and academic staff have gone about their business at the expense of worker rights. Our comrades in these organisations understood clearly that by students and academic staff continuing with their business as normal, they were helping UCT to undermine the struggle of workers.

Yea, we can learn some important lessons about how bet-

ter to get that message across, but the reality is that the majority of students at UCT are boneheads-in-training who could give a damn about workers' grievances and problems. Some clearly demonstrated their active collaboration with UCT in trying to defeat the struggle of workers.

Workers knew this before the strike started. Workers knew that to strike by simply standing around would create inconvenience at first, only later would their action begin to have an impact. Workers did not want to get into a protracted strike which would start interfering with their financial commitments, or students' exams.

In the view of workers the strike needed to be short and sharp. That is why they disrupted traffic with barricades. • That the actions were by a tiny group of thugs trying to impose their will on a democratic majority. Nobody will dispute that workers are a minority on campus nor do we dispute that our student comrades were also a minority at UCT. But having been present at a number of student meetings which discussed action in support of workers the extent of the minority was far larger than the majority would allow. But inaccurate and misleading reporting is the only issue here.

What is really at issue is that the reports in the liberal press question the right of that minority to act, and question its legitimacy because of its minority status. This stinks of liberal double standards. I'm sure that such accusations would not apply in the liberal book against that minority which took up arms and made war (REAL war) as the Resistance when the majority of French and German-speaking peoples were being swept up in the Nazi hysteria of the 1930s and 40s. The issue was that that minority were RIGHT.

Secondly, and more importantly, the comments against this campus minority reflect the narrow ivory-tower mentality of UCT bosses and their liberal cronies. The fact that 11 000 students at UCT comprise an insignificant speck in the face of South Africa's working class from whose ranks UCT workers come is conveniently overlooked. Millions of workers across this country, including those at UCT, share struggle against exploitation and oppression.

UCT workers cannot be expected to remove themselves from that struggle in order to pander to the needs of students and their lecturers. Perhaps part of the reason why UCT workers face so many problems at work is exactly because they have for too long worried what disruption their action will cause to the learning of students.

The student and worker minority at UCT have stood and fought a struggle for the rights of workers. For years UCT admin, staff and students have not bothered seriously with the problems of workers, nor have they ever thought that maybe their own rights are gained at the expense of workers.

That same majority has been consistently silent, or self-servingly vocal, when it has come to the rights of the majority of South Africans. At home at UCT they have been silent. Now when the oppressed UCT minority has stood up fight, they cry about democratic rights. Perhaps they might have thought first about the democratic rights of workers who are the sector in the university that does not have a voice in the running of UCT.

Workers took action because they have families to feed. They took action because they have children to clothe a houses to maintain. Ten years down the road they will still have to do these things, while the majority of students of today will be happily entrenched in their careers far away from UCT.

UCT workers are struggling today so that in the future they will be able to feed families. Students and staff need to accept that one week of disruption is a small price to pay for that.

That UCT workers have taken strike action for the first time in the history of the university is significant and historic. The fact that their action has won 17%, which we originally demanded in mediation, is proof enough that management could have averted this strike had it really wanted to. Today workers celebrate that victory, and they share that victory with the students who joined hands with them in struggle.

Harald Harvey
Branch Secretary
Transport and General Workers Union

FRIDAY, OCTOBER 11 1991

Fatuous rhetoric

THE diatribe on the UCT strike in a letter to the Editor on this page by Mr Harald Harvey this week had a peculiar logic of its own, once the point was grasped that the author subscribes to a materialist theory of history, now largely discredited, which seeks to explain all human experience in terms of a relentless struggle between labour and capital.

This theory, advanced by Marx and his school, looks at human institutions in terms of the role they are supposed to be playing in advancing the interests of one social class against another. Thus Mr Harvey, of the Transport and General Workers Union, kingpin of the recent strike, says that the media, in spreading "lies and distortions" about the strike, was serving the class interests of capitalism.

The University of Cape Town, in Mr Harvey's rhetoric, is likewise a tool of the bosses. And the majority of its students, he tells us, are "bosses-in-training with no interests in the needs and grievances of workers." This will be news to the stalwart suburban citizenry who have long been convinced that UCT is a hotbed of communism.

UCT is neither a hotbed of communism nor an institution dedicated to advancing the special interests of capitalism. It is a liberal institution which seeks to uphold liberal standards and values of free expression while promoting fearless, unblinkered scholarship. It is also a human institution and so its administration and council make errors of judgement, as in its weak reaction to the shouting down of the distinguished scholar and diplomat, Conor Cruise O'Brien, when he visited the campus some years ago. In that unhappy affair the university lost considerable face in sacrificing a hallowed tradition of free expression at the dictates of a mob.

Happily, this mistake has not been repeated. The most remarkable feature of the strike, in fact, was the way in which almost the entire institution, students and staff alike, stood firm against intimidation, isolating the 50 or 60 trouble-makers in the student body who disrupted classes and blocked access to the campus. The UCT strikers, persuaded that they were doing their bit for the working classes at large, gained little to improve their own lot and did nothing for their working brothers elsewhere in this ill-starred undertaking.

Proceedings have been instituted to discipline the menacing "bully boys" whose behaviour surely disqualifies them from attendance at a university. Friends of UCT will hope that the action taken is severe enough to prevent any repetition of a disgraceful display of hooliganism.

HANDOUT 4.8 A ORGANISATIONAL RIGHTS FOR TRADE UNIONS

There are four ways in which trade unions can secure organisational rights:

- **Through an old recognition agreement that existed before the new LRA came into effect in November 1996.** If a trade union was recognised by an employer for bargaining purposes before the new LRA, that union is now automatically entitled to certain organisational rights offered by the law for as long as it remains recognised by the employer. These are the rights outlined in sections 12 to 16 of the LRA.
- **Through a new collective agreement, negotiated since the LRA was passed.** Clearly, what is offered in the LRA still needs to be fleshed out by a union and an employer. The LRA seeks to establish a framework. But, although the LRA attempts to establish a set of minimum organisational rights, it does not say outright that the rights established in a collective agreement cannot be worse than those offered by the LRA itself. What is likely is that a collective agreement could regulate or vary LRA rights, but not exclude them.
- A trade union that is a **member of a bargaining or statutory council** is automatically entitled to the rights in sections 12 and 13 in the LRA for all the workplaces that fall under that council.
- Following the procedures in the LRA, a trade union can gain the **statutory organisational rights offered by the LRA**.

The procedure that a trade union must follow to acquire organisational rights in a workplace:

None of the statutory rights offered by the LRA go to a trade union automatically. The union has to follow quite a long route to acquire these rights. It must follow the following steps:

Step 1: Acquiring representative status

In order to obtain organisational rights offered by sections 12, 13, 15 of the LRA a union, or unions acting jointly, must prove **sufficient representivity** of employees in the workplace. To obtain the additional organisational rights offered by sections 14 and 16 of the LRA, the union has to prove **majority** membership. Of course an employer is free to grant organisational rights to a union without the union proving its representivity, unless it has already

established a threshold through an agreement with another union. What is likely is that unions and employers that have established a bargaining relationship, will negotiate thresholds for sufficient and majority representation.

Step 2: Informing the employer

According to section 21 of the LRA a union must inform an employer that it wants to exercise certain organisational rights. It must say which rights it wants to have and for which workplace, and it must show evidence of its membership in that workplace. The union must make specific proposals connected to the rights that it wants to exercise; for example access to telephone and fax facilities, which sections of the workplace it needs access to etc. This communication from the union to the employer must be in writing and must be accompanied by a copy of the union's registration certificate.

Step 3: Making a collective agreement on organisational rights

Within 30 days of receiving this notice from a union, the employer must meet with the union to try to make an agreement on organisational rights. Although the LRA does not make it a duty for employers to bargain with unions generally, this provision does force employers to bargain with unions around organisational rights. If the employer and the union reach an agreement on organisational rights then the process ends.

A union could also accompany its engagement with an employer on organisational rights with substantive wage demands. This could serve as an important leverage and increase the pressure on the employer to recognise the union and start to bargain.

Step 4: Referral to the CCMA for conciliation

If the parties do not reach an agreement, or if the employer does not respond to the notification within 30 days, then the union can refer the matter to the CCMA. This must be done in writing and a copy of the referral must be sent to the employer. The CCMA then has 30 days to settle the dispute.

If conciliation of a dispute over organisational rights fails, then a union has 2 options:

- A union can refer the dispute to the CCMA for arbitration.
- A union can choose to go on a **protected strike** instead of going for arbitration once conciliation has failed. To do this it must follow the procedures required for a protected strike
- A union can strike over the organisational rights contained in sections 12 to 15 of the LRA. It cannot strike in the case of a disclosure of information dispute.

Step 5: Referral to the CCMA for arbitration

Arbitration by the CCMA is guided by precedent, and previous awards can give a union a good indication of how its own dispute could be determined.

The LRA empowers a CCMA commissioner to conduct investigations into a union's representativity if this is in dispute. The commissioner must follow the guidelines set out in section 21.8 of the LRA. This section says:

- The commissioner must try to keep down the number of unions in one workplace and must encourage unions to be properly representative
- The commissioner must take into account:
 - the nature of the sector
 - the nature of the workplace
 - which organisational rights the union wants to exercise
 - the experience that unions have had at the workplace or at other workplaces belonging to the same employer.

This last is important because it allows the CCMA to take account of the way an employer might have obstructed the union's efforts to obtain organisational rights. In such a case the CCMA can order that the threshold for sufficient representativity be reduced.

If the CCMA is satisfied that a union is entitled to statutory organisational rights because of its representativity, then it can make an award that forces the employer to grant the union these rights and it can say how these rights must be exercised.

Step 6: Enforcement of an arbitration award through the Labour Court

If an employer does not allow a trade union to exercise the rights that have been awarded by the CCMA, then the union can apply to the Labour Court to order the employer to do so. The Labour Court can also issue an interdict to prevent an employer from taking an action which prevents a union from exercising its rights.

REMEMBER :

- Organisational rights are covered by **sections 11 to 22 of the LRA**
- **Flow-diagram 2 in the LRA** outlines the procedure to follow when there is a dispute about organisational rights
- To obtain basic organisational rights a trade union must prove that it is "**sufficiently representative**". This can be disputed by an employer. It is important that unions strategise and prepare carefully in order to make their claim.

- It is also useful for unions to consult old arbitration awards from the CCMA in preparing their struggle for organisational rights.
- **Unions must first engage with the employer** to secure organisational rights (section 21 of LRA) before taking the issue to the CCMA (section 22 of the LRA).
- Although the LRA does not contain a general **duty to bargain**, it does force employers to negotiate with trade unions about organisational rights.
- To refer a dispute to the CCMA for conciliation - notify the employer of your referral and submit **LRA Form 7.11** to the CCMA
- To refer a dispute to the CCMA for arbitration - obtain a certificate from the CCMA to show that conciliation has failed (**LRA Form 7.12**) and submit a **7.13 form** to the CCMA.
- A union can embark on a **protected strike** if conciliation of a dispute on organisational rights fails. If a union does this it cannot take the issue back to the CCMA for another 12 months.
- Organisers need to look out for a **Code of Good Practice: Organisational Rights** coming from NEDLAC! It will be used as a framework in conciliating and arbitrating disputes around organisational rights.

HANDOUT 4.8 B CONCILIATION

Conciliation is when the two parties in a dispute bring in a third (neutral) party who will try to assist the two parties to come to an agreement. The conciliator cannot impose a decision.

Conciliation can be carried out by one of the following three bodies:

- a private agency (for example IMSSA)
- a bargaining council or statutory council
- a commissioner of the CCMA

The first principle of dispute resolution in the LRA is that where employers and workers are involved in collective bargaining, they should take responsibility for resolving their own disputes. Any collective agreement should have a procedure for resolving disputes. This could involve an agreement to use an accredited private agency.

The same applies where there is a bargaining council or a statutory council. The council must try to conciliate the dispute, not the CCMA. The council can either become accredited itself to resolve disputes or else it could use the service of an accredited private agency.

When a trade union and an employer have a collective agreement with an agreed procedure to follow in the case of a dispute, then they must follow that procedure. Where there is no collective agreement or no bargaining council, then a dispute must be referred to the CCMA for conciliation. If the procedures for dispute resolution in a collective agreement or bargaining council constitution fail, then the dispute must be referred to the CCMA.

But even where there is a bargaining council, there are some disputes that can only be conciliated by the CCMA. The following lists indicate which disputes can be conciliated by either the bargaining council or the CCMA, and which ones must go to the CCMA.

When you refer a dispute to the CCMA you must:

- **Inform the employer that you are referring the dispute to the CCMA.** The CCMA will not consider your application if you have not done this.
- Refer the dispute to the CCMA by completing and submitting **LRA form 7.11** (available from the CCMA and Dept of Labour) to the CCMA.
- If the dispute concerns a **dismissal** then you must refer the dispute to the CCMA **within 30 days** of the date of the dismissal. There is no fixed time limit on the referral of other disputes.
- If you are late with the referral of a dismissal dispute, you have to show "good cause" in order for the CCMA to grant **condonation** and proceed with the case. This means that you have to have a very good reason for being late,

you have to show that the case is "important", and you have to show that you have a reasonable chance of success in challenging the dismissal. The later the referral is, the stronger your arguments have to be.

The process of conciliation

Once a dispute has been referred to the CCMA, the CCMA appoints a commissioner who will try to resolve the dispute through conciliation. The commissioner can carry out an **investigation** into the dispute. She or he can **mediate** so that the two parties make their own settlement. Or the commissioner can make an **advisory arbitration award**. An advisory arbitration award is a recommendation made by the commissioner which is not binding on the parties in the dispute. In other words, they are free to accept or reject it.

The CCMA has **30 days** from the day when the dispute was referred to it, to try to resolve it. The disputing parties can agree to extend this time period. The commissioner must then issue a **certificate of conciliation outcome (LRA form 7.12)** which says whether the dispute has been resolved or not.

HANDOUT 4.8 C

STRIKES

"Strike" means the deliberate refusal by workers to work in order to resolve a dispute or correct a grievance. Strike action can be a partial or complete work stoppage, or a slowing down or obstruction of work. When the law talks about "work" it also includes compulsory and voluntary overtime work.

When workers are not allowed to strike

- Workers in **essential services** are not allowed to strike. Disputes must be settled by conciliation and compulsory arbitration - either by the CCMA or by a bargaining council. Essential services are defined by the LRA as services which should not be disrupted because this could endanger public safety and health. The LRA has set up an Essential Services Committee which will declare which services are essential services.
- Workers in services that have been declared to be **maintenance services** are not allowed to strike. A service is regarded as a maintenance service if its disruption would lead to the collapse of any plant or machinery. This service can be formally established as a maintenance service through a collective agreement between a union and the employer, or, where there is no such agreement, the employer can apply to the essential services committee for a determination.
- Workers cannot strike on an issue which is covered by an existing collective agreement or arbitration award.
- Workers cannot strike about a wage determination during the first year of that wage determination.
- Workers cannot strike on an issue which the LRA gives them the right to resolve through arbitration or through adjudication by the Labour Court.
- Workers cannot strike if there is a collective agreement which says that the issue must be resolved through arbitration or if it prohibits strike action on that issue.

Issues which workers cannot legally strike on:

- Rights to disclosure of information for collective bargaining and consultation
- Interpretation and application of a collective agreement
- Interpretation of closed shop and agency shop agreements
- Interpretation or application of a statutory council determination
- Determination of a maintenance service
- Determination of an essential service
- The constitution of a workplace forum
- Disclosure of information to a workplace forum
- Failure to comply with the provisions of the LRA

- Dismissals for any reason
- Unfair labour practices

Workers can embark on protected strike action if:

- None of the restrictions listed above apply
- There is a dispute which concerns a matter of mutual interest between the worker and the employer (this must exclude the list of issues which union can refer to arbitration)
- Proper procedures are followed (**see below**)

Some of the issues workers can strike on include:

- Wage increases
- A demand to establish or join a bargaining council
- A demand to recognise a union as a collective bargaining agent
- A demand to suspend new unilateral changes to working conditions
- A demand for new benefits or changes to existing benefits

Workers and unions have to follow certain procedures in order for their strike to be protected:

- If there is a **collective agreement** containing a procedure for resolving disputes then that procedure must be followed. Once that procedure has been followed, a strike by workers would automatically be protected.
- If the parties are members of a **bargaining council**, then they must follow the procedures in the council's constitution. Once those procedures have been followed, a strike by workers would automatically be protected.
- Where there is no procedure that has been agreed by the employers and workers, then the procedures laid down in the LRA must be followed:
 - The dispute must be referred to the **CCMA** (or to a bargaining council if there is one).
 - The CCMA or council has 30 days to solve the dispute through conciliation.
 - If conciliation fails, the CCMA or council must issue a certificate saying that the dispute has not been resolved.
 - If the LRA says that the issue can be referred to arbitration or to the Labour Court, then that course of action must be followed and not strike action.
 - If the dispute is about trade union rights, then the union can choose strike action rather than arbitration, but will then not be allowed to refer the matter to arbitration for 12 months from when it gave notice of a strike.
 - If a dispute is about an employers refusal to bargain, an advisory award must be obtained before a strike can be called.

- The union must give the employer **48 hours notice** of their intention to strike.
- Workers do not have to follow the LRA protected strike procedures if they have been locked out unprocedurally by the employer.
- Workers do not have to follow the LRA protected strike procedures if the employer unilaterally changes terms or conditions of work and refuses to change them back within 48 hours of being formally requested to do so. In other words they do **not** have to first go to conciliation.

What protections workers have in a protected strike

Dismissal:

Workers who follow the correct procedures and embark on a protected strike cannot be dismissed, **except for two reasons:**

- For **misconduct** during the strike, such as damage to property or attacking someone
- The employer can **retrench** workers if he or she can show that the strike has seriously damaged the company - in this case the employer must still follow the ordinary procedures for retrenchment

An employer is not allowed to dismiss or discriminate against a worker who is not part of the strike and who refuses to do the work of the striking workers.

Legal action:

No civil or criminal case can be brought against a worker or a union just for taking part in a strike, if that is a protected strike. The worker is not guilty of breaking a contract. The employer cannot get a court interdict to stop the strike. The employer also cannot claim damages for any loss caused by the strike. The employer can only take legal action against a worker if the worker is guilty of a crime like burning down the factory.

Wages:

An employer does not have to pay workers during a protected strike. But if the workers' wages include payment in kind, such as accommodation and food, then the employer must continue to provide these during the strike if the workers request this. To reclaim money for this food and accommodation the employer would have to sue the workers in the Labour Court once the strike is over.

Scabs:

An employer can employ scab labour, even when workers go on a protected strike. But these replacement workers can only be employed during the strike and the striking workers must get their jobs back once the strike is over. If the workers go on strike in response to an unprocedural lockout by the employer, then the employer cannot employ scab labour. An employer is also not allowed to hire scabs if part of the workplace has been designated as a maintenance service.

The dangers facing workers who take part in unprotected strikes

When the LRA says that "workers cannot strike...", this does not mean that the strike is a criminal act. It means that the workers cannot be protected against disciplinary action or dismissal by the employer. They are only protected by their power at the workplace - the law will not come to their help if management dismisses them. If workers embark on a strike that is not allowed according to the LRA (e.g. over a dismissal) or if they fail to follow the correct procedures (e.g. by not giving 48 hours notice), then their strike is unprotected.

Legal action:

If workers take unprocedural strike action the employer can get an interdict from the Labour Court to order the strike to stop. The Court will only grant this if the employer has given the workers 48 hours notice that it is going to seek an interdict. The Labour Court can also order the workers (or union) to pay compensation for loss or damages during an unprocedural strike.

Dismissal:

If they take part in an unprocedural strike, workers are not totally protected against dismissal. Taking part in an unprocedural strike is regarded as misconduct, so it is possible for an employer to carry out a fair dismissal. If an employer does dismiss workers in this way, the workers can challenge the dismissal. The Code of Good Practice on Dismissals does state that unprotected strike action is "misconduct", but it does not allow for automatic dismissal for misconduct. The employer will have to show that the dismissal is both substantively and procedurally fair.

Silent strike breakers

- Lack of solidarity support
- Lack of funds
- Weak organisation

- Routinism of union leadership in responding to strikes
- Legalism – the rely on lawyers to resolve a dispute or a strike

Different kinds of strikes

All strikes are similar as they involve a refusal to work. But, they are organised at many different levels. Some strikes take place at the plant level, while others are organised across a number of plants.

When planning a strike, workers should combine different methods to surprise and pressurise the bosses. To build workers' confidence, it might be better to organise a go-slow before a full-scale strike.

Below we outline the different kinds of strike action that workers can take:

Work to rule

This is not really a strike but a form of industrial action used to put pressure on management and mobilise workers in preparation for a strike. Here workers refuse to do any work which is not directly covered by their grade or job description.

Go-slow

This is also a mobilising tool and a way to put pressure on management. Workers slow down production by working at a far slower rate than normal.

Work stoppage/ demonstration strike

Here workers stop work for only a short period to highlight their demands to the management. This could be accompanied by a demonstration with placards in the factory. A work stoppage can also be used in the run-up to a larger or longer strike.

Plant-based strike

This strike is confined to workers at a particular factory or plant. Unless solidarity action is organised it can be a weak form of strike. In small companies where there is only one plant it is unavoidable. To strengthen the strike, other forms of action should be carefully planned. In larger companies with a number of plants, plant-based strikes can be used to surprise management and protest against unfair practices at the factory.

Company-based strikes

In larger companies with plants across the country, workers may organise a national company strike. Such a strike could be around a common national demand, or a solidarity strike with workers in one plant who are facing difficulties or being victimised. This takes careful planning and co-ordination, but can be very effective in forcing the company to listen to workers demands.

Wildcat strikes

These strikes are “unprocedural” and often “illegal”. They are a quick response by workers to an issue which upsets them. The surprise element of a wildcat strike can shock management into listening to workers demands.

Grasshopper strike

This is when workers strike repeatedly over a period of time for short periods. In this way they are able to disrupt production to try to force management to listen to their demands.

Solidarity strike (or secondary strike)

This is when workers, who are not directly affected by an issue, take strike action in support of other workers who are on strike.

Industry-wide strike

An industry-wide strike takes place within an industry or sector of an industry e.g. during annual wage negotiations with the employer body, SEIFSA, the union NUMSA, has often threatened strike action in the metal industry. In CWIU we may have to organise strikes in the different sectors of the chemical industry to win our demand for centralised bargaining. In an industry-wide strike, the structures of the union, which are organised along industrial lines, play a key role.

Political stayaway

This strike action involves hundreds of thousands, or even millions, of workers across industries as well as other sections of the community. It may be called by political organisations and community groups in consultation with trade unions. The political stayaway is called for short periods to put pressure on the government and the bosses to agree to certain demands. Although the political stayaway has often been used in South Africa, it has some limitations. Often the government and the bosses just sit through the action without giving in to the demands. They can afford to lose one or two days of production.

General strike

This is a very powerful strike involving the majority of workers in all industries. Unlike the political stayaway, the general strike is usually called for a longer or indefinite period. Workers agree to come out, and stay on strike until their demands have been met or a settlement has been reached.

Mass strike

This action is the most powerful form of strike action and can lead to an uprising against the capitalists and their government. The reasons for a mass strike can vary. But it involves far more spontaneity on the part of the working class and its allies. Unlike the political stayaway and the general strike, a mass strike is

seldom "called". The mass strike breaks out within the working class which is forced to unite, organise itself, and struggle to bring about a new order.

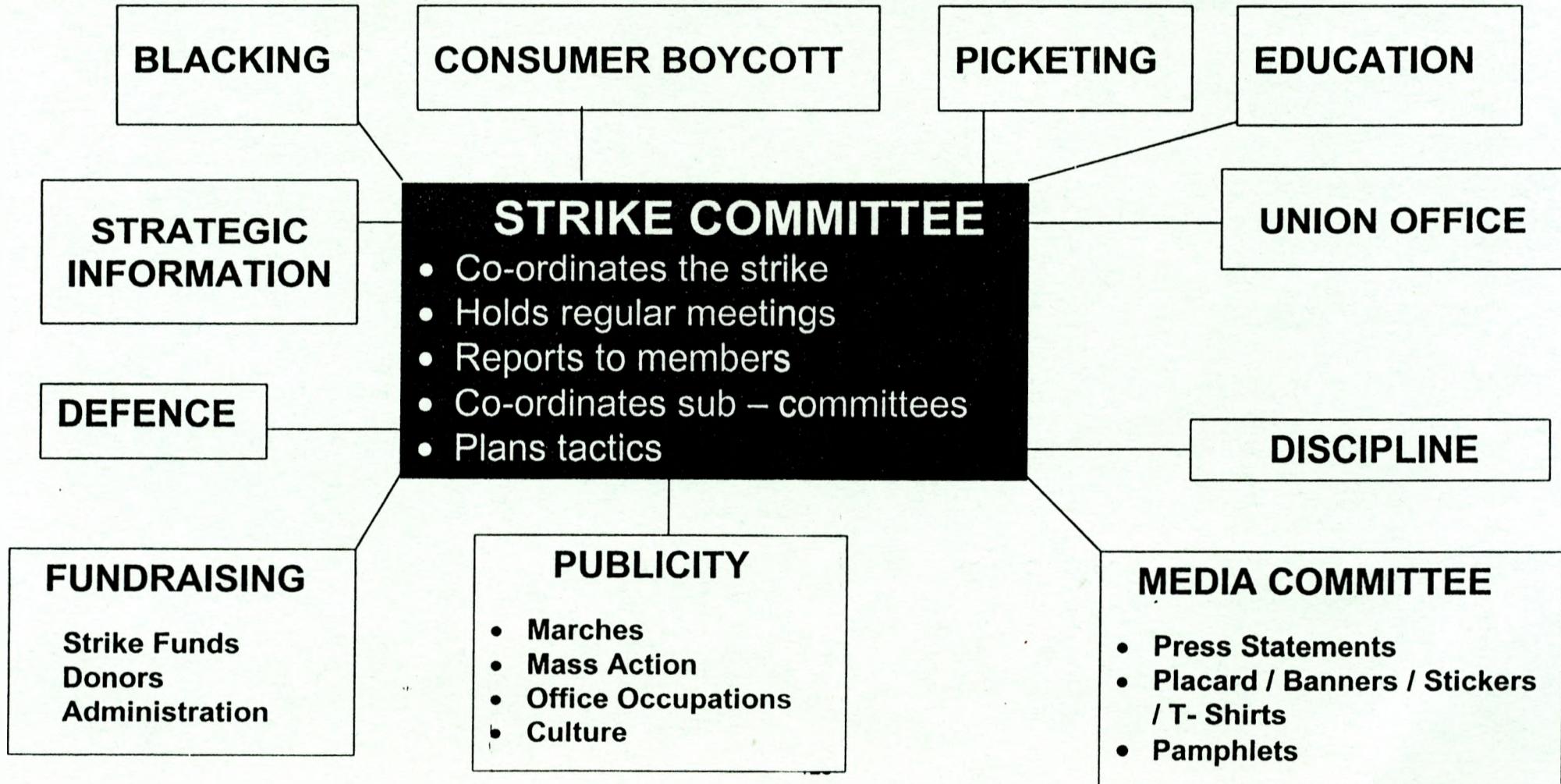
HANDOUT 4.8 D STRIKE PLANNING

Key Considerations

- Preparedness of Workers
- Strategic importance of the issue
- Have we done research?
- Can we get industrial/community/political support?
- How much do we know about the company's strength and weaknesses?
- Legal or illegal strike?
- Media and Publicity
- Do we have a strike plan?

HANDOUT 4.8 E
WINNING STRIKES

THE STRIKE COMMITTEE IS AT THE CENTRE OF THE STRIKE



HANDOUT 4.8 F

MANAGEMENT COUNTER STRATEGIES

- Mass dismissals
- Selective re-employment
- Court interdicts
- Withdrawing facilities
- Lock out
- Stockpiling
- Divisive offers
- Family interventions
- Scab labour
- Violence - Police / vigilantes
- Spies / agent provocateurs
- Victimising shop stewards
- Threats of retrenchments and factory closure
- Transferring Production

ACTIVITY 4.9: NEGOTIATION SKILLS/TACTICS

30 minutes in plenary

90 minutes interactive input and buzz groups

60 minutes interactive input

90 minutes video viewing, group work & plenary

60 minutes role play

Step 1: Facilitator introduces aims of this sessions. These are:

- To ensure that participants understand the importance of Collective bargaining to the union and organising.
- To develop the skills necessary for collective bargaining; preparation and research and negotiation tactics and skills

Facilitator asks participants and facilitates open discussion on their experiences:

1. Who has been involved in negotiations/collective bargaining? - describe.
2. Who has been involved in negotiating changes at work NMT & WCM etc. ?

Facilitator then explains that the role-play involving the Tachi-Yu Textile Company will continue for this final section of the course on collective bargaining/negotiations skills.

Step 2: Preparing for Collective Bargaining:

Facilitator briefs participants in line with the case study.

The situation is that the union was successful in winning organisational rights and the right to bargain on behalf of all the employees as a result of the strike. It has since established itself in the company with a functioning shopstewards committee.

6 months later the company indicated in writing and submitted proposals to the union that it wants to bring about certain changes to its relationship to the employees and the way in which the production process is organised.

This kind of approach by management is new to the TEWOSA Mafeking Local and the organisers and shopstewards are uncertain as to how they should deal with the company on this issue. Should they simply reject it and face the consequences or should they

negotiate an agreement which will protect the workers and union interests? You are also mindful that these changes normally involve job-losses, particularly those workers who are deemed not to be sufficiently skilled by the company. In the case of the factory and more generally, the majority of these workers almost always are women.

The local decided to get some training on New Management Techniques and Collective Bargaining/negotiations.

For the first session of the day, course participants will be the TEWOSA Mafeking Local organisers and worker leaders on the training course.

The Training Course:

New Management Techniques and Negotiations skills:

Facilitator explains that given the limitations of time the course will be a mere introduction to the issue of workplace change and dealing with it and a crash course in collective bargaining/negotiations tactics.

Facilitator proceeds with an interactive input.

Change at work - What is it?

These changes introduced by capital and management in order to improve their competitiveness and productivity focus primarily on 3 areas at work:

- Changes in the way work is organised and conceptualised;
- Changes in the job market.
- Changes in the relationships between management and workers/unions

At this stage the facilitator asks participants to consider, based on their experience or from what they have read or heard about, what the consequences of these changes normally are for the workers and the union?

Are these changes also happening in the public sector and how?

Facilitator then takes responses from participants and writes these up. Whilst doing so facilitator should direct discussion to the threats to workers in the form of:-

- Jobs
- Conditions of Employment

- The effects on women
- Health and Safety
- The role of the union and its relationship to members and management

Interactive Input continues...

These present major challenges to us as trade unionists and we need to have a carefully worked out response. We can respond in one of two ways to the challenges. Either to:-

- Force the company to drop its approach altogether, or
- To participate fully, organise in a new way, and in the process promote the workers and union's interest improving the quality of working life.

At this stage of the input the facilitator asks participants to discuss in buzz-groups (pairs) what they think would be the best approach to change at work.

Facilitator co-ordinates discussion on the responses of participants. The facilitator should pose questions to the different positions, which analyse further their responses, e.g. but what if the union is weak at the workplace? What if the workers support management's proposed changes? If you simply reject and resist, what if management introduces the changes anyway?

Facilitator distributes Handout 4.9A.

What should become clear from this discussion is:

- That change at work requires a more sophisticated approach beyond simple acceptance or rejection;
- That collective bargaining/negotiations is in all likelihood the best way for the union to respond to change at work.

Conclusion of Introduction:

Facilitator concludes by outlining that as unions and workers in South Africa we are not alone. These changes have already been introduced in other countries over a number of years. Unions and workers in other countries have responded to these new developments and challenges. We can therefore learn from their experiences.

An example of a developed union position is the Canadian Auto Workers union (CAW).

Facilitator then displays this union's summarised position on OHP.

Facilitator distributes Handout 4.9 B

Step 3: **Responding to WCM and NMT:**

Facilitator introduces this section by highlighting 3 areas that require our response as union activists:

1. The ideological shift and approach
2. The actual and concrete changes at the workplace
3. The challenge of organising and representing growing numbers of workers in the flexible labour market (part-timers, casuals, temporaries, self employed and home-based workers)

Facilitator then does an interactive input on:

Kinds of changes at the workplace and techniques

Restructuring and Industrial Relations:

- Team working
- Quality circles
- Hours of work
- Casualisation, temporary and contract work
- Business units
- Green areas
- Performance related pay
- Profit related pay

Restructuring and Production Methods:

- Flexibility
- Lean Production
- Just-in-Time
- Right-first-Time
- Continuous Improvement
- Competitive Benchmarking

What could be done?

Key guidelines for unionists in dealing with NMT and WCM:

- Union education
- Early warning
- Starting with a collective agreement
- Canvassing opinion, communication and accountability
- Security and co-operation go hand in hand
- Bargaining units
- Casual employment
- Contracting out/outsourcing
- Building union resources
- Health and safety
- Retirement benefits
- Equal opportunities
- "single status"
- Individual contracts
- Shop stewards
- Independent union organisation

Facilitator should ensure that an open discussion takes place on the practical difficulties which unionists might face in trying to deal with WCM and NMT, such as time, resources, reluctance on the part of members and doing their own thing without informing the union, the orientation and organisational state of the union etc.

Using the OHP and the slide containing the CAW position and key guidelines for unionists, the facilitator consolidates the session and learning.

Facilitator distributes Handout 4.9 C.

Step 4: Problems in Negotiations

Participants are required to view the video on negotiations and using Activity Sheet 4.9 A individually note down problems which they picked up from the negotiations in the video. Participants then have to discuss and arrive at consensus with a partner on the problems, which they observed.

Thereafter participants report back to plenary and discussion is facilitated. The facilitator summarises key points for each scene:

Step 5: Actual Negotiations:

Facilitator divides participants into 3 groups; 2 union negotiating teams, and 1 observer team. A group of DITSELA staff and

experienced unionists will act as the management team for both negotiation role-plays. Facilitator refers participants to Activity Sheet 4.9 B containing the briefings for the teams. Each team is allowed 20 - 30 minutes to prepare in their respective caucuses. Thereafter they are to be part of real negotiations as per the Activity Sheet. One negotiating team is situated in a position of relative weakness i.e. many of the workers believe that the company's proposals are good and fair and are in a hurry to see that it is implemented. The other group is put in a relative position of strength whereby the workers are very suspicious about management's plans. They are also well organised and part of the Federations Mafeking Local, which operates very well. The shop stewards have also been trained in the e-mail and Internet and have been building links with other Tachi-Yu Textiles workers from other parts of the world. Facilitator and the observer team observe and make notes for comment later during the plenary sessions.

During the plenary the observers are requested to raise their criticism for each negotiating session. After they made their comments for the first session a discussion is facilitated and the facilitator raises points which others might have missed. The same process is followed on the second negotiating session. The facilitator then does a summary presentation on the importance of and the do's and don'ts of negotiations.

Facilitator distributes Handout 4.9 D &E

ACTIVITY SHEET 4.9 A

PROBLEMS IN NEGOTIATIONS

While viewing the video use this Activity Sheet to jot down some of the key problems you observe.

ACTIVITY SHEET 4.9 B

NEGOTIATIONS STRATEGY & TACTICS

As a result of the strike the union won organisational rights and the right to collective bargaining on behalf of all employees. The union has since functioned and operated reasonably well having built up a shopstewards committee.

Six months after this victory the company met with shopstewards regarding certain changes which they would like to introduce at the factory. The shopstewards after discussing management's ideas requested that management write to the union office so that "things could be dealt with properly". Management subsequently wrote to the union (see attached).

The TEWOSA - Mafeking Local office staff requested advice from the TEWOSA Head Office. The General Secretary explained that unfortunately the union did not have a policy on the issues raised by management but hopefully will have one by the next National Congress during the following year. In the meanwhile the Mafeking Local Committee should discuss the matter and also contact the International Secretariat (ITGLWF) in Brussels for assistance.

The local met and decided to contact the ITGLWF who in turn referred the organisers to their website. The local decided instead to undergo training on change at the workplace and collective bargaining/negotiations skills in preparation for the meeting with Tachi-Yu Textiles management next week on their proposals.

After the training, prepare for your meeting with management responding and negotiating around their proposals.

First read your specific team brief below before preparing.

Negotiating Team Briefs:

Team A

In your response to management's proposals you called a general meeting of all workers to discuss them. You read the letter to the general meeting and also informed them of the union not having a policy position on change at work as well as the international trade secretariat's (ITS) response.

From the discussion at the general meeting it has become clear that management has already had lots of discussions with workers and together with the senior shopsteward, Themba Nkosi, partly convinced them of the changes which they wish to bring about. You are also aware that the union has less than 60% representation at the factory.

Team B

In response to management's proposal you met with the shopstewards and devised a strategic approach. Your senior shopsteward, Themba Nkosi, whilst in Japan, made sure that he met with the Japanese unions at the factories in Japan. They had lots of experience with the kinds of changes which management wants to introduce. They warned him about the dangers of allowing the company to do as they please and pledged to support TEWOSA if they had any problems with Tachi-Yu management in Mafeking. Since then the shopstewards have kept the Japanese unions and other unions in other parts of the world which organises Tachi-Yu informed about developments.

After several departmental meetings workers agreed that the company should be allowed to bring about certain changes as long as workers were not adversely affected and benefited from any increases/improvements in the company's profitability.

The shopstewards are also part of the Mafeking Federation Local, which is very active and well organised. The local has discussed the developments at Tachi-Yu Textiles and pledged its support to the union.

Since management spoke to workers about these changes many more have joined the union. The union is now 86% representative.

TACHI-YU TEXTILES
P.O Box 007
Mafeking

14 July 1998

The Local Secretary
TEWOSA
Mafeking

Dear Sipho

Re: Introduction of changes at the factory:

During 1997 an independent company financial and productivity audit was conducted at our Mafeking plant. Unfortunately the results and conclusions of this report were not positive and it is clear that if we continue to operate in this way we will no longer be competitive and our international shareholders will re-consider their position in South Africa.

Of course this is not a scenario which management or our employees favour.

Since then the company has had the privilege of sending two of our managers, Mr. Holden and Mr. Van der Walt, and the senior shopsteward, Mr. Themba Nkosi, to Japan to acquaint themselves with the operations at our Honshu plant. Since their return management has developed a number of plans which we are confident will bring about a turn around in this factory's fortunes and ensure a better life for all at the company.

It is for this reason that we invite you to meet and consult with us on these plans. Briefly they are the following:

- To improve our relationship with employees and move away from the "us and them" approach. This is in line with the national reconciliation promoted by our government and is in the best interests of all. We would therefore like to start a Workplace Forum as provided for by the Labour Relations Act. As you are aware we have to consult with the non-union members who make up nearly 40% of the workforce and will also be meeting them to canvass their opinion.

At the level of production we also plan to introduce new approaches and methods aimed at improving efficiency and productivity. These include:-

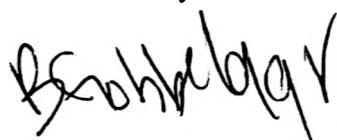
1. Eliminating slack in order to cut costs and wastage in various forms - raw materials, time, and pace of work through continual process improvements and teamwork.
2. Flexibility: We need to change the number and functions of employees as demanded by the production process and its fluctuations.

3. Team-work: Is essential to eliminating slack. We are going to create work-teams in the various departments where employees will be familiar with each others standardised jobs and co-operate with each other to eliminate slack from all jobs. In this way they would be able to stand in for each other in case of absentees, and assist each other when someone is falling behind. Teams will also be required to problem solve and for example suggest quicker and more efficient ways of doing things.
4. In this way we also intend standardising jobs through a process of multi-skilling.

As you can see these plans will go a long way to addressing our problems and we are very optimistic that they will work as they have for our Japanese colleagues.

We propose to meet with you on Thursday 23 July at 10.30am.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Bruce Grobbelaar".

Bruce Grobbelaar
Industrial Relations Manager

HANDOUT 4.9 A

CHANGE AT WORK - WHAT IS IT?

- Changes in the way work is organised and conceptualised
- Changes in the labour market (increase in non-permanent/secure jobs)
- Changes in the relationship between management and workers/unions i.e. From "adversarial" to co-operative.

How do we respond?

1. Force the company to drop its approach altogether, or
2. To participate fully, organise in a new way, and in the process promote the workers' and union's interests improving the quality of working life.

HANDOUT 4.9 B

CANADIAN AUTOWORKERS (CAW) POSITION ON WORKPLACE CHANGE

In every situation of workplace change the union evaluates its role. We assess what we are strong enough to resist, accommodations we are willing to make, and strategies for putting our own issues at the forefront.

There are always questions : what kind of involvement? Where is management going? What are our goals? Can we "unionise" company programs? Should we resist them? How do we achieve our objectives?

At times we got involved in various management programs to monitor the process. But lean production programs cannot be monitored from the inside. They have to be either resisted or changed. Resistance can't be passive nor criticism limited to exposing irrational management practices. Instead there needs to be a clear statement of the difference between management objectives and workers' interest. Similarly, if the union is involved, it can't be passive - that would only leave us trying to fly the plane from the rear end of the cabin.

Participation must be based on advancing the interest of workers and strengthening the union as an organisation. In any process of change this requires :

- A clear union agenda developed with and communicated to the membership;
- The resources to support effective participation;
- An educational program with membership, and
- An evaluation of the merits of involvement."

--

HANDOUT 4.9 C

RESTRUCTURING AND INDUSTRIAL RELATIONS

- Team working
- Quality circles
- Hours of work
- Casualisation, temporary and contract work
- Business units
- Green areas
- Performance related pay
- Profit related pay

Restructuring and production methods:

- Flexibility
- Lean production
- Just-in-time
- Right-first-time
- Continuous improvement
- Competitive benchmarking

What could be done?

Key guidelines for unionists in dealing with NMT and WCM:

- Union education
- Early warning
- Starting with a collective agreement
- Canvassing opinion, communication and accountability
- Security and co-operation go hand in hand
- Bargaining units
- Casual employment contracting out & outsourcing
- Building union resources
- Health and safety
- Retirement benefits
- Equal opportunities
- “single status”
- Individual contracts
- Shop stewards & independent union organisation

HANDOUT 4.9 D

IMPORTANCE OF COLLECTIVE BARGAINING

- It unites workers around common issues
- It is a basis to recruit new members
- It educates workers in the process of struggle
- It develops worker leadership
- It builds workers confidence in their own strength
- It deals with complex issues
- It enables the union to make gains and establish new rights in the company.
- It enables workers and the union to build solidarity beyond the factory/company

HANDOUT 4. 9 E

NEGOTIATION TACTICS

- Build up a fighting spirit? Set the atmosphere
- Be clear about the purpose of the negotiation
- Get management to expose its hand and explain its position first
- Put forward your proposals clearly and to the point
- Have a strong but flexible strategy with supporting tactics
- Listen to the other party carefully - then question
- Answer a question with a question
- Try not to disagree outright - keep questioning. Build on partial agreements
- Do not disagree amongst yourselves in front of management - Caucus
- Try and pin management to an agreement. Sum up to make sure they do misinterpret or change their minds.
- Record carefully any agreement on any issue
- Never concede without getting something in return

ACTIVITY 4.10: ORGANISING SKILLS CONSOLIDATED

80 minutes group work

40 minutes in plenary

Facilitator should explain that the purpose of this exercise is to introduce participants to a practical exercise wherein they can apply skills developed during the week.

Participants are divided into groups and are asked to work through Activity Sheet 4.10.

Following much publicity around the TAI-VIAGRA/TACHI YU Textiles activities and the successes there, the TEWOSA Mafikeng local office been inundated with calls and visits from unorganised workers in the region. Poor local organiser, Joyce February, exhausted and as stressed following the strike has had to deal with all these calls, seldom assisted by the Local Secretary. The majority of calls has been from workers at the new Medical Village about 100 km from the regional office.

The Hospital & Medical Staff Union (HOMSU) has only just set up a local office in the region. HOMSU is new to the region, the offices are unknown and are currently only staffed by the Local Secretary, Willem Musi and a volunteer student administrator.

Joyce has arranged a meeting with Willem two weeks from today. Their Federation has agreed that TEWOSA would assist in building and developing the HOMSU local.

Prepare a strategy to assist Joyce in this meeting. The following are broad guidelines to assist you:

- How can she help Willem in building the HOMSU local office?
- What advice should be given on recruitment at the medical Village and other hospitals in the region?
- What education programmes should be undertaken by the HOMSU local?
- How should HOMSU set up well structured local and shopsteward committees?

Group reports are taken and a plenary discussion is held.

ACTIVITY SHEET 4.10

CONSOLIDATIONG ORGANISING SKILLS

Following much publicity around the TAI-VIAGRA/TACHI YU Textiles activities and the successes there, the TEWOSA Mafikeng local office been inundated with calls and visits from unorganised workers in the region. Poor local organiser, Joyce February, exhausted and as stressed following the strike has had to deal with all these calls, seldom assisted by the Local Secretary. The majority of calls has been from workers at the new Medical Village about 100 km from the regional office.

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- What education programmes should be undertaken by the HOMSU local?
- How should HOMSU set up well structured local and shopsteward committees?

Draw on some of the skills and learning's from the past week.

THEME FIVE: UNION VALUES

In this section:

AIMS:

- To provide participants with the tools to understand discrimination specifically in relation to race and gender issues
- To critically engage with participants around their respective roles and responsibilities within the union and to understand how racism and sexism impacts on these
- To make participants aware of the issues of race and gender
- Attempting to develop ways in which you can contribute towards making the union environment an enabling one for development free of racism and sexism

WE COVER:

- Unpacking the issue of values
- The effects of racialisation and genderisation
- Exploring union stereotypes
- Creation of an enabling environment

EVALUATION

Please write your comments below to assist us in finding out how useful the course has been and how we might carry the training forward.

Please comment on the content, course materials, facilitation, readings and practical arrangements.

Thank you

1. What did you find most useful about the course? Please comment on a particular session.

2. What did you find least helpful the course?
Please comment on a particular session.



3. Was the content of the course (please tick the appropriate word/s)

- Not useful
- About right
- Very useful

Please comment on your selection:

4. Was the facilitation/teaching style of the course
(Please tick the appropriate word/s)

- Unhelpful
- About right
- Useful

Comment:

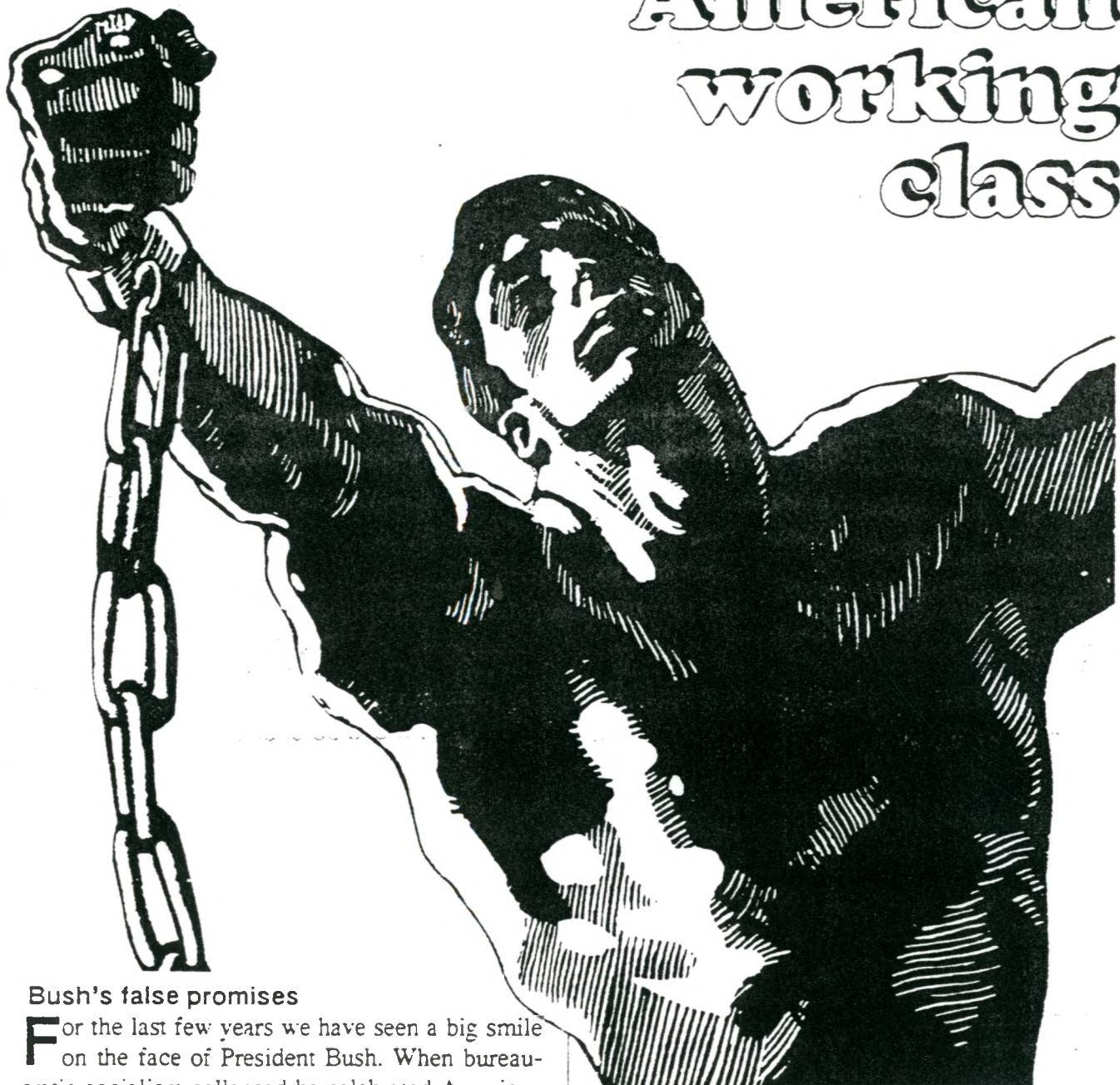
5. What is the key thing you have learnt in the course?

6. How will you use your new learning in your union?

7. What might stop you using what you have learned? (Include your own attitudes and fears?).

8. Any other comments.

The struggles of the American working class



Bush's false promises

For the last few years we have seen a big smile on the face of President Bush. When bureaucratic socialism collapsed he celebrated American imperialist power by invading Iraq. He promised that America would lead humanity into a New World Order of democracy and prosperity.

But the truth is that the New World Order will bring the majority of the world under tighter control and deeper exploitation by capitalism. As competition between capitalist countries and big multinational companies increases, they become more brutal in their search for low wages across the world. In the last issue of *WORKERS' WORLD* we wrote articles about how the new promises of capitalism

are false and are just forcing greater poverty, unemployment, insecurity and division on working people throughout the world.

Bush is not only lying to the world outside America's borders. The promise of prosperity and democracy is also false inside the USA. Underneath all the celebrations and boasting of American capitalism is a mountain of suffering and anger. Bush's tears after the Los Angeles riots are the tears of the executioner who has been found with blood on his hands.

The false promise of American capitalism

It is true that American capitalism gave a good standard of living to its workers for many years after World War Two. The poverty and suffering created across the world by imperialism has always allowed the advanced capitalist countries to make concessions to their own workers.

But in the early 1970's American capitalism started to experience serious problems. The profits of bosses began to fall and they were forced to restructure their capitalism within the world economy. A big part of their strategy was to find new ways of squeezing profits out of American workers. Since that time the policies of the American government have forced down wages, pushed thousands into unemployment, eaten away welfare services, stolen trade union powers, shifted the tax burden more and more to the working people, and have left education, housing, and public health in ruins.

At the same time the wealth of the bosses has increased and the government has helped to rescue bankrupt companies. Today 10% of the population owns 70% of the wealth. While the wealthy show off their luxury and riches to the rest of the world with the false promise that this is what the free market will bring, the majority of American people live in poverty and frustration.

The false promise of American democracy

It is not only the American capitalist economy that offers nothing to humanity. The promise of American democracy is also a lie. It is a system of oppression and dictatorship that puts political power in the hands of the wealthy. Behind the Bill of Rights, the Constitution, democratic elections, and freedom for the individual, is the oppressive violence of racism, sexism, strike-breaking, homelessness and unemployment that form the backbone of democratic capitalist society.

With their wealth, American bosses have bought the collaboration of the trade union leadership. With their wealth they keep politics out of the reach of the working class. With their wealth they control the media. With their wealth they have built a system that pretends to offer free choice but has stolen and crushed every attempt by the working class to build its own independent road of struggle. American democracy is possible because the working class has been tied by chains of class collaboration. American democracy is the dictatorship of the American bosses.

Where is the voice of struggle?

It is not difficult to see the poverty, violence and oppression of American capitalism. It is not difficult to see the anger and frustration of the majority of the people. But maybe what is difficult to see is an organised struggle of workers for a better society. When we look at the unions we see many corrupt leaders shaking hands with the bosses and their government. When we look at the political system we see the trade unions supporting bosses' parties.

To understand the chains that hold down the struggle and politics of the working class we must look at history. In that history we can see how the bosses put trade union leaders deep into their pockets. In that history we can see how this collaboration tied the working class to the tail of the bosses' liberal Democratic Party. But also in that history we can see that there are traditions of struggle within the working class that promise a better future – traditions of worker democracy, worker control and a socialist vision. And we need to see how American workers today are building these traditions into a more confident voice of struggle.

The American labour movement before the Second World War

In the first 40 years of this century two traditions of trade unionism developed in the USA. From the end of the 19C came the conservative craft unionism of the American Federation of Labour (AFL). As capitalist industry expanded, this tradition was challenged by militant industrial unionism – first through the syndicalist Industrial Workers of the World (IWW) and later by the Congress for Industrial Organisations (CIO). The CIO was first set up as a committee of ten industrial unions inside the AFL in 1935, but by 1938 had split to form an independent movement.

The difference at that time between the AFL and the CIO was partly because the AFL only organised skilled workers and the CIO unions organised semi-skilled and unskilled workers in the large industries. But there was also a difference in the politics of their work. The AFL was already in the pockets of the bosses and saw its job as simply to improve wages and benefits inside capitalism. The CIO developed a much more militant politics, taking up issues outside the workplace and presenting a radical challenge to the bosses. But the militant politics of the CIO only lasted ten years, and by the 1950's the CIO leadership was in deep collaboration with the bosses.

This collaboration took two forms. Firstly, the CIO helped the bosses to build a system of industrial relations which turned the unions into capitalist supervisors in the workplace. Organisations of workers were turned into "business unions." Secondly, the CIO smashed all attempts within the organised working class to build a working class political movement, and tied the trade unions to the tail of the liberal bosses' party, the Democrats. We must look at the history of how the American bosses used the CIO as a channel to silence the American working class. We must see what this means for the American working class today.

Class collaboration during the Second World War

To understand how workers lost control of the CIO and why the CIO leadership handed the unions over to the bosses, we must look at the history of struggle since the time of the Second World War from 1939 to 1945. This was when the seeds of class collaboration were planted.

When the American government took the country into war against Japan and Germany, it was determined to bring the working class under tight control. The 1930's had been full of militant working class struggle which had led to the formation of

the CIO. The so-called democratic president, Roosevelt, spoke sweet words about national unity and patriotism which persuaded the union leadership that they should put the class struggle away and enter a tripartite social contract with the bosses and the government.

The government set up a War Labour Board where the three parties would decide jointly on production, labour relations and wages. From the start the union leaders were treated like very junior partners and were used to persuade workers to accept policies which attacked them in every way. The union leaders did not see this but they felt important and comfortable in meetings with the bosses and the government.

Through the Wage Labour Board unions won a few concessions. A law was passed which said that workers who joined a union could not leave that union until the next round of negotiations. Stop-order facilities were also granted to unions.

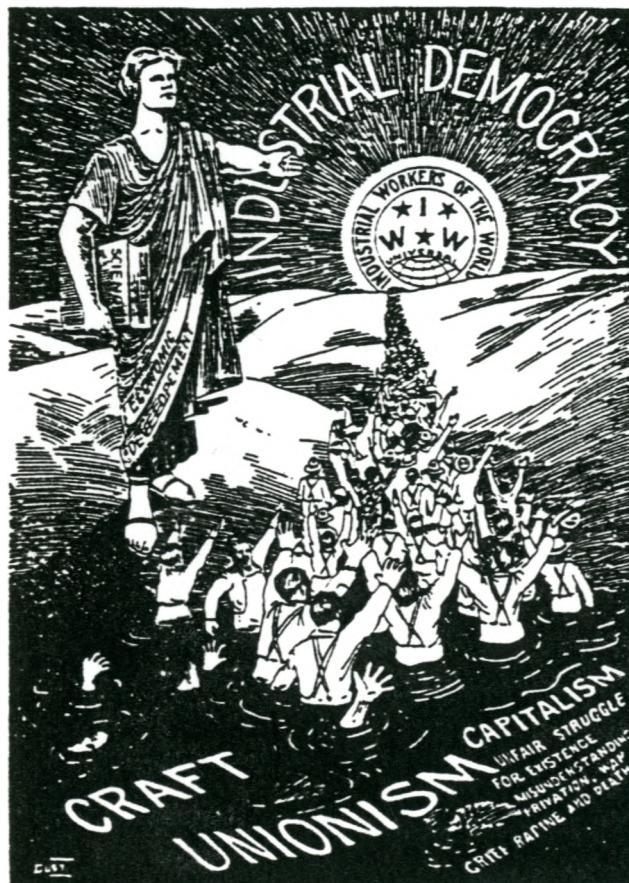
But workers had to pay a heavy price for these small victories. Wages were frozen, strikes were banned, workers were not allowed to change jobs, the police and military were allowed to break strike action, bargaining was taken away from the shopfloor and put in the hands of central government bodies, and management was given full control of the workplace.

These were the agreements that the AFL and CIO leaders accepted, at a time when prices were increasing, women and black workers were flooding into employment and into organisation, and at a time when workers felt confident to struggle. Even without the support of their leadership, workers staged one strike after another against the hardships forced on them by the bosses' war.

But there was no progressive leadership. Even the Communist Party, which had big support amongst workers, encouraged class collaboration. Following the Popular Front policy of Stalin, the Communist Party of the USA refused to struggle against the bosses' war and helped to push American workers and their unions into an alliance with the bosses and their government.

After the war: bosses on the attack

At the end of the war the bosses were determined not to lose the control that the wartime collaboration had given them. They knew that they could not crush the unions completely, but they felt threatened by the growth of militancy and worker power on the shopfloor before and during the war.





President Roosevelt of the Democratic Party winning union collaboration

At the end of the war they immediately took action to limit the issues that unions could negotiate and to make sure that they kept control of their businesses. In 1946 Ford workers were forced to accept an agreement that continued the ban on strikes and which gave bosses the right to decide how many shop stewards workers should have. Another big victory of the bosses at this time was at General Motors. In 1946 the United Auto Workers demanded large wage increases with no increase in car prices. The bosses stood firm in their resistance and eventually got the union leadership to agree that wage increases be linked to increased productivity. Other bosses followed the pattern set at Ford and General Motors. For many years to come bosses successfully forced unions to link their wage demands to productivity.

The attack on workers at the end of the war came also from the government. In 1946 Truman was elected as the Republican President and in the following year passed the Taft-Hartley Act. This law destroyed the gains that workers had won in the Wagner Act of 1935 when they had won the right to organise. The Taft-Hartley Act said that unions must supply detailed information about membership and finances before they would get recognition; it banned the closed shop; it made it very difficult to

have a legal strike and it banned solidarity strikes; it gave bosses the power to order a union to show its support at any time; and the Act said that a union could only make use of state industrial relations machinery if it could prove that none of its members were communists or political radicals.

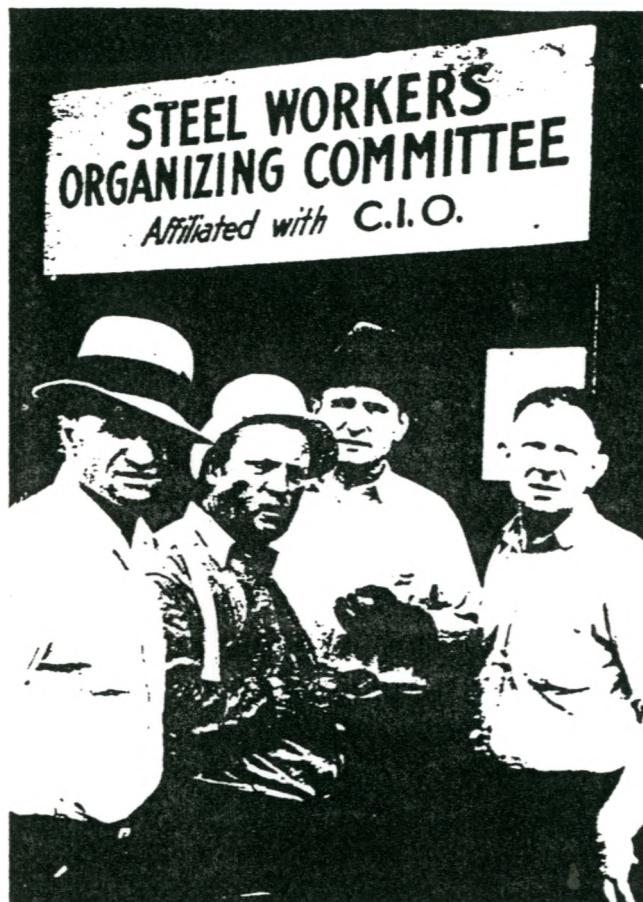
Clearly, the CIO unions could have fought this brutal law, but the leadership did nothing serious to organise resistance. Some unions staged protests and marches but there was no organised or co-ordinated mobilisation. Already the CIO leadership had lost contact with its membership and with the needs and politics of working class struggle. Already it was feeling more comfortable in its collaboration with the bosses and the government. There were many signs of this even in these early days. For example, even though the CIO opened its doors to women and black workers it did nothing to defend them at the end of the war when they faced big retrenchments.

The American bosses and their government were clear about what they wanted from the union leadership. They wanted a channel through which they could crush the spirit and confidence of workers to struggle. And the union leadership provided this channel. From the end of the 1940's the politics of the bosses was forced onto the American working class through the trade union leadership.

Surrendering the unions to the bosses

The class collaboration of the union and political leadership of the American working class during World War 2, laid the foundations for a big attack on working class politics. During the war the CIO leaders resisted grassroots pressure to help set up a workers' political party. Instead they formed the CIO Political Action Committee which would mobilise support and votes for the bosses' liberal Democratic Party. This was part of their wartime collaboration with the Democratic president, Roosevelt.

With its policy of the Popular Front, the Communist Party also rejected the plan for an independent workers' party and supported the CIO's partnership with the Democratic Party. In this way the unions became completely tied to the political leadership of the bosses. The political influence of the unions was not built through independent organisation and action of the working class, but carried out by labour leaders who made deals with the influential bourgeois politicians.



In its early days the CIO built a militant spirit among workers. By the 1950s it had become a weapon of the bosses.

This class collaboration politics had two immediate effects in the 1940's and 1950's. Firstly, it meant that workers were not organised politically to wage major battles against attacks like the 1947 Taft-Hartley Act. Secondly, it left workers defenceless against the huge anti-communist witch-hunts of the late 1940's and 1950's, a persecution which further silenced American workers politically.

At the end of World War 2, when Stalin extended his control over Eastern Europe, the Cold War between the capitalist west and the Soviet Union began. In order to mobilise public support for its anti-communist campaign, the American government began a ruthless campaign against all groups on the left. It did not even show any mercy to the Communist Party which had collaborated during the war. The anti-communist crusade was supported by the union leadership. At its 1946 convention, the CIO leaders made clear that no "interference" by communists in the unions would be tolerated. The Taft-Hartley Law was used to expel radicals from the labour movement. This persecution resulted in the repression of all criticism, debate and democracy inside the trade unions.

Political repression inside the trade unions helped to strengthen the control of the bureaucratic leadership. During the war the unions had become increasingly centralised. Against this concentration of power, the only balance was the active communication and organisational work at a local and workplace level. But it was the radical activists who kept this grassroots democratic practice alive, and it was this layer that was wiped out by the political repression of the Cold War years.

Business unionism in control

By the end of the 1950s the narrow bureaucratism of business trade unionism was in place, the unions had been purged of communists and radicals, internal democracy had been smashed, and the political activity of the organised labour movement had been reduced to lending support to the bosses' Democratic Party and to the personal influence that union leaders had with famous people.

The drift of the CIO into business unionism was formally symbolised in the merging of the AFL and CIO into the AFL/CIO in the 1955. Trade unions affiliated to the once-militant CIO had become huge administrative machines with little contact with worker members. A good example of this bureaucratisation can be seen in the United Automobile Workers' (UAW) union which had a militant and rich life in the 1930s and 1940s. In 1947 Walter Reuther took over the leadership and led an anti-communist campaign. By 1949 all opposition to his leadership had been removed. In 1951 the annual national congresses were replaced with congresses every two years. Workers were left to watch and obey. In the words of the Teamster president in the 1950's:

"Unions are big business. Why should truck drivers and bottle washers be allowed to make decisions affecting union policy? Would any corporation allow it?"

This bureaucratisation of the unions meant that engagement with management was taken more and more out of workers hands. Bargaining was increasingly centralised, with little or no power being organised at a local shopfloor level. By the end of the 1960's 75% of unions were only negotiating new wage deals every 3 years and a huge army of labour professionals and specialists were running the unions. In the UAW, although there was no major increase in membership between 1949 and 1970, the union staff increased from 407 to 1335.

The routinism of collective bargaining led to the decline of the solidarity bargaining of the 1940's, where unions in different sectors united around their wage struggles. By the late 1950's there was little solidarity between unions and wage issues were fought separately, industry by industry. Strikes were turned into routine and passive activities, heavily controlled by management and union leadership as harmless ways in which workers could "let off steam".

During the 1950s and 1960s the intellectuals of the bosses created a whole culture which removed all talk of class struggle. Because the anti-communist repression had forced socialist intellectuals and organisations into silence, American workers were now bombarded with the culture and values of the bosses. The American dream was that every worker could own a car and a house and build a happy nuclear family. This ideology of individual wealth formed the foundation of business unionism – increase your wages and don't worry about the class struggle.

What made it possible for business unionism to succeed was the big economic boom in America after the war – an economic prosperity that hid away from workers the need to struggle and which gave their union leaders something to deliver from the bosses. American capitalism experienced an incredible growth during the 1950s and 1960s. In this period of boom, bosses were willing to buy the silence of American workers with large wage increases. Wage increases were tied to productivity, and since productivity was high, wage negotiations brought high rewards to American workers. For almost twenty years the class struggle was softened by the ability of American Imperialism to pass on

some of its earnings to the American working class. Between 1950 and 1965 American workers won uninterrupted wage gains and increased benefits. Business unionism succeeded in becoming strong because it worked – for a while.

Rank and file rebellion in the late 1960s

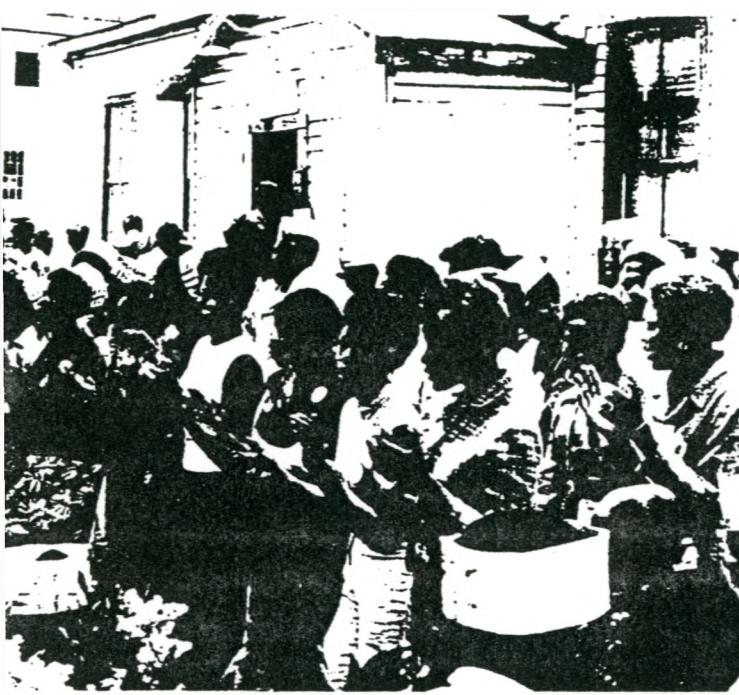
In the 1960s the economic boom in America brought high profits to bosses and high wages to workers. But even underneath this prosperity, there was growing anger amongst workers. There were three developments in the American working class which caused this. The first was the growing number of women workers, especially in the public sector, who turned to union organisation only to find deeply entrenched gender discrimination.

The second, was the growth of black working class anger at exploitation and oppression. Like women, black workers were also faced with discrimination in the CIO. During the second half of the 1950s black workers began to organise themselves at a local level in the steel and auto industries. This grew into a powerful black movement inside the CIO which forced the federation to drop its own racist practices. But the CIO did not actively organise and build around the growing black working class movement.

In the second half of the 1960s urban black working class anger exploded into revolt. It was the biggest explosion of worker struggle since the 1930's. Business unionism was not prepared to build this, and the AFL/CIO leadership limited itself to calling on the government for social reforms. Black workers in the 1960s had the anger, the strength and the vision, to rebuild a militant working class movement.

WORLD'S HIGHEST STANDARD OF LIVING





Local union organisation of black workers in the late 1960s

Some leaders, especially at a local level in the unions saw this and tried to build it. Some national black political leaders like Martin Luther King saw the need to organise black workers. In the auto industry the black Revolutionary Union Movement which was linked to the Black Power Movement attempted to link their struggles with organised white workers. But by the end of the 1960s the trade union leadership had exhausted these rank and file movements inside the unions. In the broader political struggle, the black revolts of the late 1960s were taken by their leadership into a liberal reform movement.

The third development of the 1960s was the growth of resistance on the shopfloor to pressure from the bosses and the government to increase productivity. The collaboration of the AFL-CIO leadership with the politicians of the bosses, gave the Democratic Party government of Kennedy, a direct influence on industrial relations. More and more this government forced unions to tie wage claims to national productivity increases. More and more, management took control of production and technology. More and more, the bosses and the government increased the pressure on workers to increase productivity and work overtime.

This pressure led to an outburst of rank and file action in the late 1960s and early 1970s. Wildcat strikes broke out across the country, reaching a peak in 1970 in the coal mines, the post office, and at

General Motors. Every such action was contained and exhausted by the resistance of the leadership. And within unions, workers built rank and file reform movements like Miners for Democracy and Teamsters United Rank and File to challenge the union bureaucracy. Most of these grassroots movements of the early 1970s failed to build links across unions and industries and were suppressed by the union leaderships.

The ability of the trade union leadership to defend business unionism and to hold off the challenge of women workers, black revolt, and rank and file militancy, further weakened the confidence and strength of American workers. The bosses could put more victories in their pockets.

The crisis of the 1970s and a new attack from the bosses

The early 1970s brought a sudden end to the economic boom. The international economic recession and the declining international economic power of the USA, forced American capital to restructure itself locally and internationally and to organise itself politically in a new way to impose its rule on workers. The tradition of business unionism and class collaboration which had been built in times of prosperity, could not adapt to open class warfare. Right up until today the American unions, under the AFL-CIO leadership, have been more of an obstacle than a leadership to American workers under attack.

In the early 1970s the growth rates of advanced capitalist countries slowed down. Because profits were falling, more and more countries were taking loans for investment capital. With the growth of borrowing and debt, inflation increased rapidly. To fight against the decline in profits, advanced capitalist countries began to compete for profitable places to invest. Bosses crossed borders with their investments like never before, changing the location and structure of industrial production across the world. More intense competition brought big changes to how capital and companies were structured. Technological development was speeded up, and the production process transformed.

For American bosses the international economic crisis was very serious. American capital was losing its world dominance in the face of European and Japanese competition. To strengthen itself American capital began to reorganise itself. The 1970s saw the growth of huge corporations as big companies merged. At the top of these corporations sat wealthy finance capitalists, who

were the strategists for the bosses' class. To develop greater security of investments, corporations turned into conglomerates, which meant that they invested in a wide range of sectors.

From the early 1970s American bosses increased their foreign investments, looking for a higher rate of profit in low wage countries like Brazil, Mexico, Hong Kong, Taiwan, South Korea and the Philippines. American foreign investment went up from \$49 billion in 1960 to \$579 billion in 1980. The pressure to increase profits also sped up changes in technology.

Each of these developments aimed to undermine worker strength and trade union power. The concentration of capital in huge corporations made engagement by unions increasingly complex and bureaucratised. Conglomerates could easily endure strike action in one sector because they were drawing profits from another. The export of capital and technological changes led to the loss of 4 million jobs between 1973 and 1980.

The bosses also implemented other strategies to weaken trade union power. Technological change made it possible to split up production into small units. Small decentralised plants, often located in areas where unions were weak, began to undermine strongholds of worker organisation. Through this restructuring, bosses also began to break out of bargaining units, and were able to play workers, plants and unions off against one another. This ate away at the common wage standards that workers had won inside each industry.

To attack workers' wages and benefits, bosses used the threat of plant closure. Increasingly, especially in the auto industry, bosses forced unions to back down on workers' demands by threatening to move their plant to low wage areas inside or outside the country. Similar threats were used to impose productivity drives on workers. Also during the 1970s, bosses began more and more to ignore and undermine labour laws. There were an increasing number of unfair dismissals and harassment of union activists. Even recognised unions found it increasingly difficult to get employers to negotiate wage contracts.

The international economic crisis had forced on American bosses an urgent restructuring of the economy and of their exploitation of workers. To achieve this, American bosses acted as a very well organised class. Their organisation and their influence was not limited to the workplace – they also needed a more aggressive anti-worker government.

Bosses give new direction to government
In 1972 the biggest 125 corporations set up an organisation called the Business Roundtable. Armed with hundreds of lawyers, economists and professional consultants, these organised bosses put pressure on political leaders to crush progressive labour legislation, consumer protection laws, and any measures that could restrict the freedom of capital. They developed a political programme which demanded cuts in spending on social services and a change in tax laws for the benefit of the bosses. The politics of the Business Roundtable was to become the foundation for the politics of "Reaganism" in the 1980s.

But well before Reagan became president, the American bosses took their programme into both the conservative Republican Party and the liberal Democratic Party. A big part of their campaign was to only offer money to politicians who supported their politics. With \$84 billion in its pockets to support election campaigns, the Business Roundtable did not find it difficult to buy politicians. The "liberal" days of the Democratic Party disappeared and it became increasingly right wing in its support for the aggressive policies of capital.

The politics of Reaganism, did not start with Reagan but with Jimmy Carter from the Democratic Party who was elected president in 1976. He began a "national austerity" programme and put pressure on the unions to hold back wage demands. He also offered tax cuts to business and cut government spending on social services. None of this was surprising because Jimmy Carter was nothing more than the paid servant of the Business Roundtable. What was tragic was that he won the election with the support of the AFL/CIO in the tradition of class collaboration.

Reagan and Bush – 12 years of right-wing capitalist rule

What Carter began in the middle 1970s under the close watch of the American bosses, has been continued since then by the Republican Presidents, Reagan and Bush. When Reagan was elected president in 1981 he showed clearly where he stood by using the army and scabs to smash a strike of airport workers organised by the union, PATCO. The brutality of American capitalism has grown bigger and bigger, as the crisis of profit making has become even more severe.





The 1981 PATCO strike was smashed by Reagan with the army and scab labour

Right through the 1980s American bosses faced increased competition from Germany and Japan. Even the industries which America has always dominated, like the automobile, aircraft, electronics, and armaments industries are being taken over on the international market by European, Korean and Japanese companies. American bosses can no longer hide the weakness of the American economy.

Since 1990 the crisis has come out into the open. In December 1991 the big aircraft company PANAM was declared bankrupt. Japanese electronics companies are pushing America more and more out of the market. In 1991 General Motors, Ford and Chrysler motor companies suffered huge losses as Japanese and Korean cars flooded the US market. Last year the 230 top US companies had a 23% loss of profits. Even American banks, which have for a long time dominated the international capitalist financial market are in decline.

The first strategy of the American bosses is to make American workers pay for this crisis through massive retrenchments, low wages, and increasing cuts on benefits and welfare services. Real wages are today 4% lower than they were 25 years ago. The IBM electronics company plans to put 25 thousand employees on the streets this year. Increasingly, local government and state services have been

retrenching workers. Since 1984 General Motors has shut down 51 plants and retrenched 130 thousand workers and today plans to close another 21 plants and shed another 74 thousand jobs. Today one third of American workers are in casual, temporary or contract employment, which makes it easier for bosses to dismiss them and which makes it difficult for unions to organise them.

The second strategy of the American bosses is to seek new ways of increasing their profits. More and more companies are moving their investments to countries where labour is cheap and to parts of America where unions are weak. The biggest part of this strategy is to create the North American Free Trade Area by linking the USA, Canada and Mexico in an economic union. The plan here is to build a capitalist region under US control that can compete with a united Europe. For American bosses it means that they would be free to pick up their factories and take them to Mexico where labour is cheap and unions are weak. Even though General Motors is shutting down plants and retrenching American workers, it has set up huge plants in Mexico and is today the biggest private employer in that country.

The American labour movement today

The anger of the oppressed and exploited in America is today coming out into the open. Even in our own newspapers which like to hide the struggles of workers, we have seen these stories. When a racist American court let white policemen go free after they assaulted a black motorist, the black working class community of Los Angeles exploded in anger to show the world the truth of life under American capitalism.

We have also seen news of the 5 month strike of 12 thousand motor workers against the Caterpillar bosses. Two thousand workers employed by a walnut processing company have been on strike for 8 months demanding that their wages should be increased to what they were in 1985. 15 thousand members of the Teamsters Union are preparing to strike against the Carhaul companies in their struggle for wage increases and centralised bargaining.

Even with these struggles we cannot say that American workers are moving forward with great confidence. Today the unions are very weak and only 16% of American workers are organised. Union membership has fallen from 22 million in 1975 to 14 million today. Some of this is because of retrenchments, industrial restructuring and the increase of part-time and casual work.

But even in the face of these attacks, the official union leadership has done nothing creative to defend workers. They have become the policemen of the bosses, imposing productivity schemes and accepting wage cuts, retrenchments, and reduced benefits. In exchange, the unions have won job protection for a small layer of highly skilled workers. In doing this they have helped the bosses to coopt this layer against the masses of semi and unskilled, unorganised, casual, women and black workers.

But alongside the power of business unionism, has been the growth of new grassroots movements. These movements grew out of the defeated wildcat strikes of the 1980's where a new militancy and experience of solidarity action provided the foundations for more long term organisation. These movements are not coordinated and have many different political affiliations. But they all have the goal of fighting for worker control, worker democracy and worker solidarity.

In the last ten years these movements have built links and solidarity action with community organisations, women's struggles, and socialist groups. Against the bosses' plan to create free movement for American capital between the United States, Canada and Mexico, these movements are building international solidarity networks across America's borders. They are also building links with workers in Central America, the Philippines, and South Korea.

The best examples of these organised movements are the New Directions Movement in the United Auto Workers and the Teamsters for a Democratic Union (TDU) in the Teamsters' Union. At the end of 1991 the TDU succeeded in removing their corrupt leadership and replacing it with reformist leaders who have committed themselves to rebuilding democracy and a militant spirit in the union. It is this reformed Teamsters that is mobilising for national action against Carhaul bosses.

One of the biggest challenges facing American workers today is to break from dependence on the political parties of the bosses. It is almost 20 years since the Democratic Party gave up its social democracy to push aggressive capitalist policies. But still it has the support of the AFL/CIO leadership.



Unemployed steelworkers and their families queuing for free food

Today the American people have lost faith in the government of Republicans and Democrats and some are being attracted to right-wing nationalist politics by conservative populist leaders like Buchanan. But the leadership of the unions does nothing more than offer its support to a Democratic candidate, Bill Clinton, for the coming elections. Although the AFL/CIO describes him as a leader "who cares about working people", all his policies are pro-capitalist. Just at a time when increasing strike action and the Los Angeles uprising show the anger and energy and willingness of workers to struggle, this slavishness will guarantee that American workers will show no interest in the coming elections.

For American workers to build confidence in their own strength to control their unions and challenge the bosses, they need to look at their history so that they can understand how they got to where they are today. It is also important for us to look at their history. In this way we can get close to the experiences and struggles of comrades in another country.

We can then see how we can use our own experience of organisation and struggle to give them support. We can find ways of supporting their strikes and we can find ways to build links with the progressive movements inside the unions. And we can also learn lessons from the history of American trade unionism because it shows us the dangers of collaborating with the bosses and putting our organisations in their pockets.

The defeat at Caterpillar – lessons for unions

On April 14 this year the five month strike by United Auto Workers (UAW) against Caterpillar ended in defeat. It was a brave struggle of 13 thousand workers against one of the most powerful and aggressive bosses in the United States. The strike began over wages, health-care benefits and job security. The bosses used scabs to force the leadership to accept an offer that fell far below workers' demands, and the agreement did not guarantee that strikers would get their jobs back.

The anger of workers at their leadership sell-out is huge. The union had huge resources for the strike and had won support from the Teamsters and the Steelworkers. Community organisations were mobilising for civil disobedience action. Solidarity stoppages by NUMSA workers against Caterpillar in South Africa and by Caterpillar workers in Belgium, showed the worker pressure that was possible. But the UAW leadership did not develop a strategy that could make use of this strength.

A progressive labour magazine in the United States, *Labor Notes*, had this to say about the Caterpillar defeat:

"Large armies used to fight wars on the battlefields by standing in the open and shooting at each other at close range. But in modern war it would be suicide to follow these rules. The ranks of the American labour movement are being crushed because our leaders do not understand the new rules of labour relations.

The rules changed when Reagan crushed the PATCO strike in 1981. Before PATCO, large strikes just involved seeing who could survive longest. The company would close down and the workers sat at home. Everyone waited to see who would give in first. Reagan's strategy at PATCO taught the bosses that the unions could not put up much opposition if they brought in scabs.

And after PATCO came Phelps-Dodge, Hormel, International Paper, Greyhound, and Eastern Airlines. Although there was resistance and solidarity in most of these strikes, the unions were not able or willing to use more risky and sometimes illegal tactics. With each defeat, the hole that the labour movement is in got deeper and deeper.

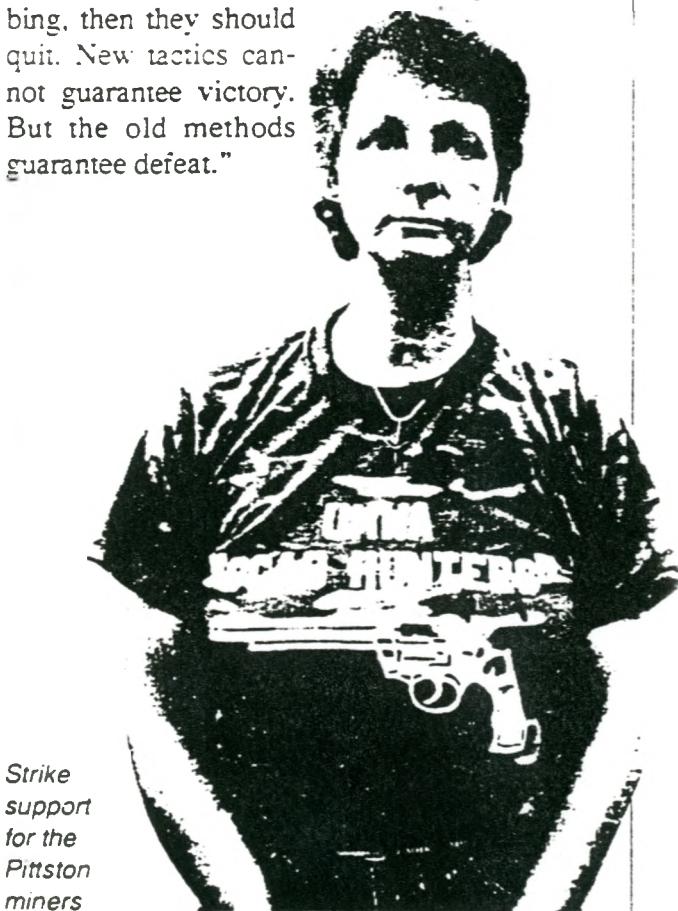
And then came Caterpillar. The defeat of the UAW sends the same message as the PATCO

defeat did – the union movement is weak, disarmed and will not fight. Many bosses will see this as the time to attack. If a strong union like the UAW can be defeated by using scabs, then no union is secure. We have to accept that the old rules of fighting will not work anymore. Luckily, we do have a model to learn from: the 1989 Pittston miners' strike.

The Pittston strike was run by a union that was not afraid to take big chances when it had to. It was willing to use all its resources and ask for help from other unions and from the community. Strikers and their families sat down in front of coal trucks. Students sat down in Pittston's office building. Miners occupied a key plant. The union built Camp Solidarity and asked everyone to come. They put up a strike leader to run for local government. They did all this in the face of interdicts and fines that could have broken the union.

It is not any one tactic that the Pittston miners used that won. It was their overall approach. They were daring and creative. They took risks. They organised actions that drew in their supporters. The members worked full-time to run the strike. They turned their strike into a struggle.

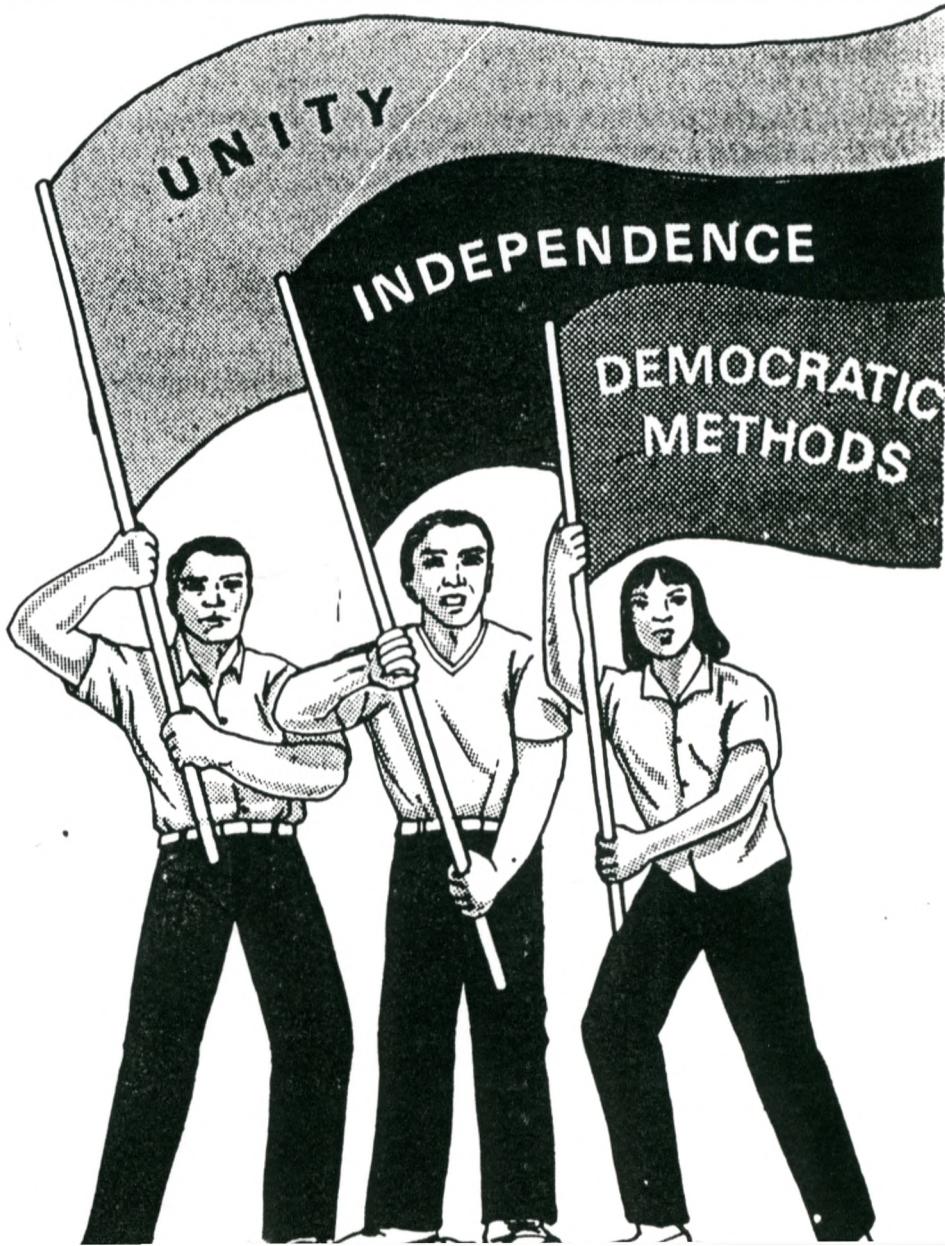
If the UAW leaders are not able to work like this to defend workers against the weapon of scabbing, then they should quit. New tactics cannot guarantee victory. But the old methods guarantee defeat."



DISCUSS

1. Which type of union is most common in your country?
2. What type of union is your union?
3. What is your opinion of the advantages and disadvantages of your type of union in comparison with the other types of union?

Three Important Principles for Trade Unionism



THREE IMPORTANT PRINCIPLES FOR TRADE UNIONISM: UNITY, INDEPENDENCE AND DEMOCRATIC METHODS

A. Unity

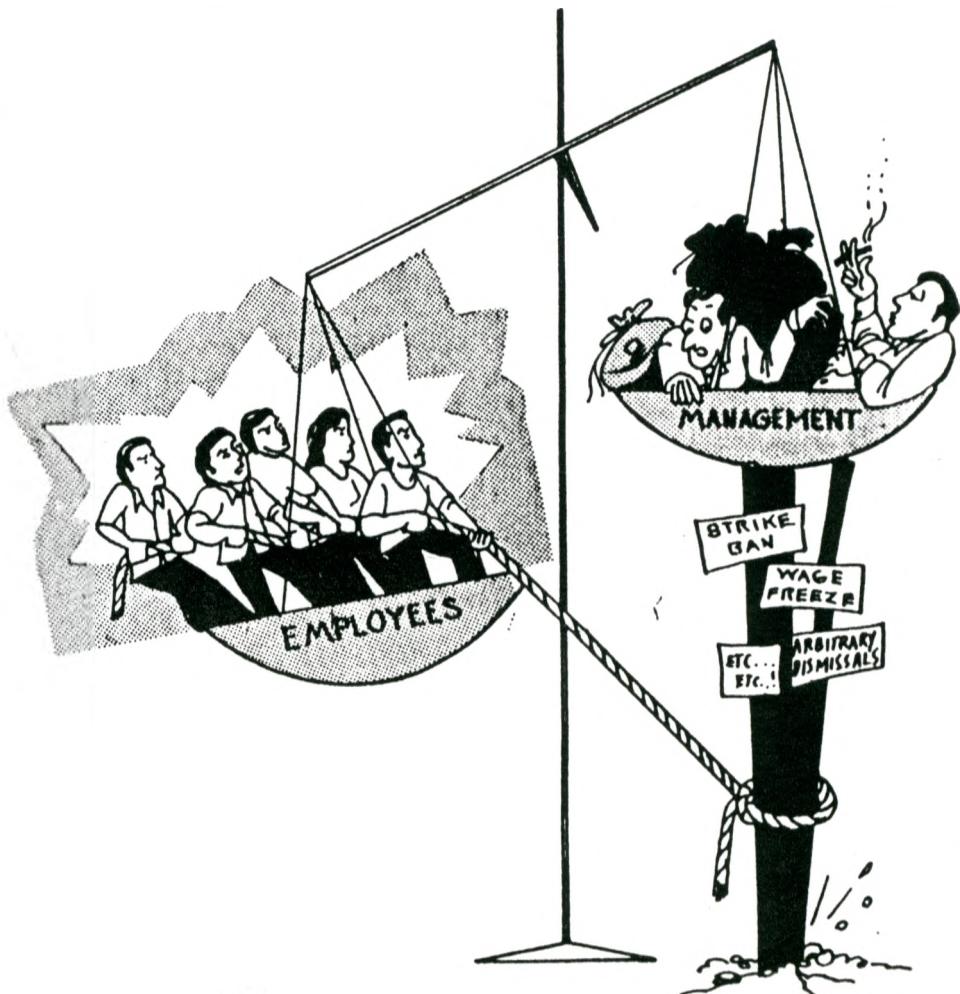
The first principle of trade unionism is unity: the unity of workers, or put another way, solidarity, "one for all, all for one."

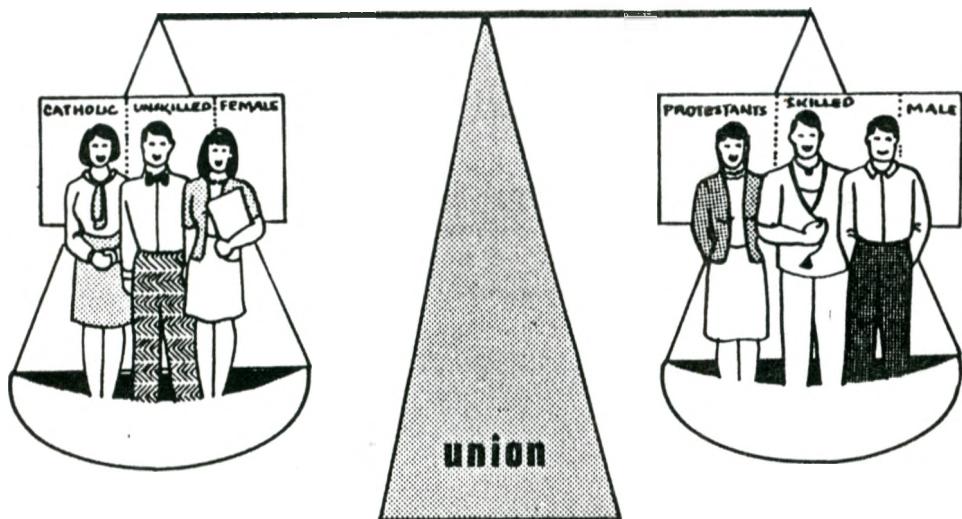
With solid unity, many things can be achieved by the workers. Without unity, nothing of significance can be achieved by an individual worker.

What this means in practice is: the organizational objective of a union is 100 percent membership.



The strength and influence of a trade union in its relationship to employers depend on the extent the employees of the company concerned are unionized. The higher the proportion of unionized workers to non-unionized workers, the greater the strength. Apart from numbers, strength also come from organizing the key, skilled workers in the enterprise.





Depending on what the basis of organization of the union is—whether it be craft occupation, a specific industry, an undertaking, a common employer or general labor—all workers should be united into one union, irrespective of race, religion, creed, sex, skill, etc. All are equal in the eyes of the organization.

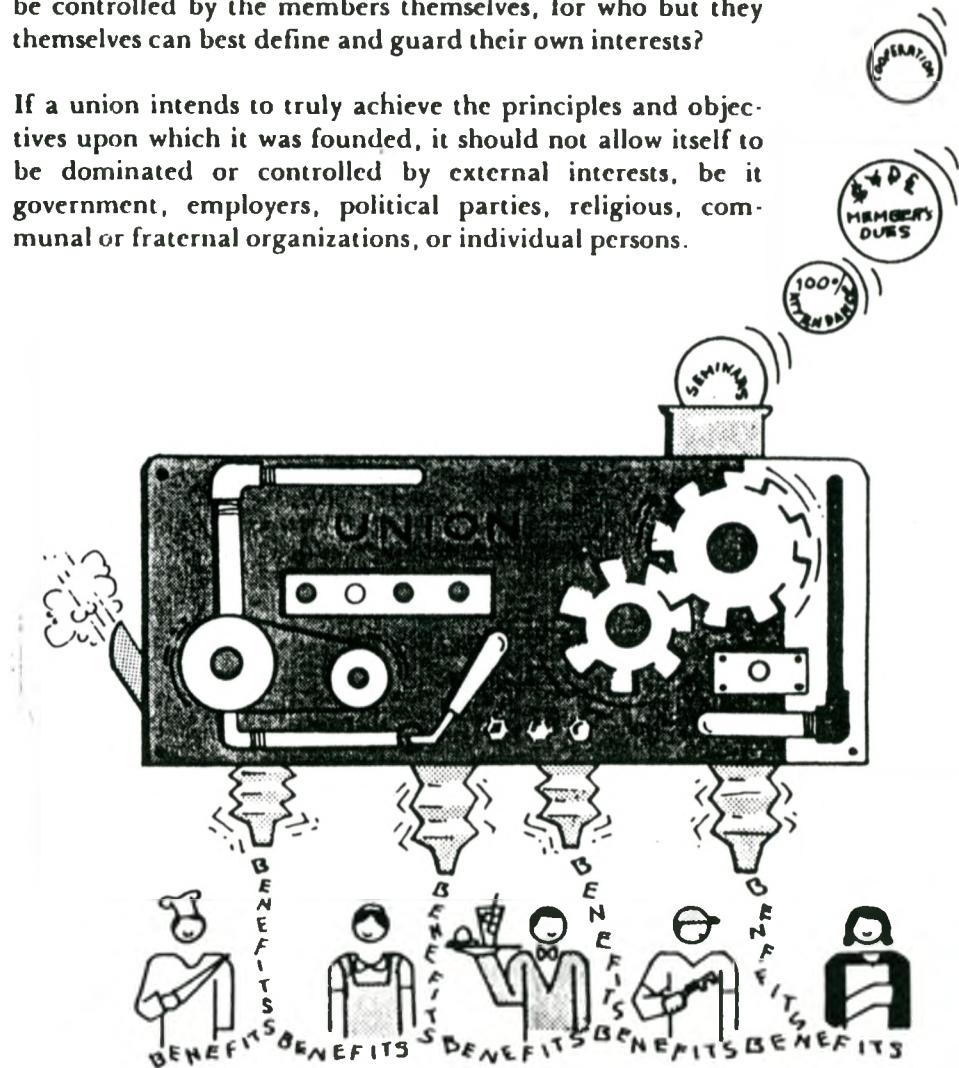
Trade unions should also operate nationally because local or regional unions cannot develop sufficient bargaining power or competence over a whole range of issues to adequately safeguard the interest of workers.

Trade unions should not be considered as closed societies. They should not be an instrument of privileged or elite workers, jealously guarding member's privileges against non-member workers who receive lower wages and are unorganized. They should be open to all workers, otherwise, these same underprivileged workers could be used as scabs against organized workers in the event of a serious conflict.

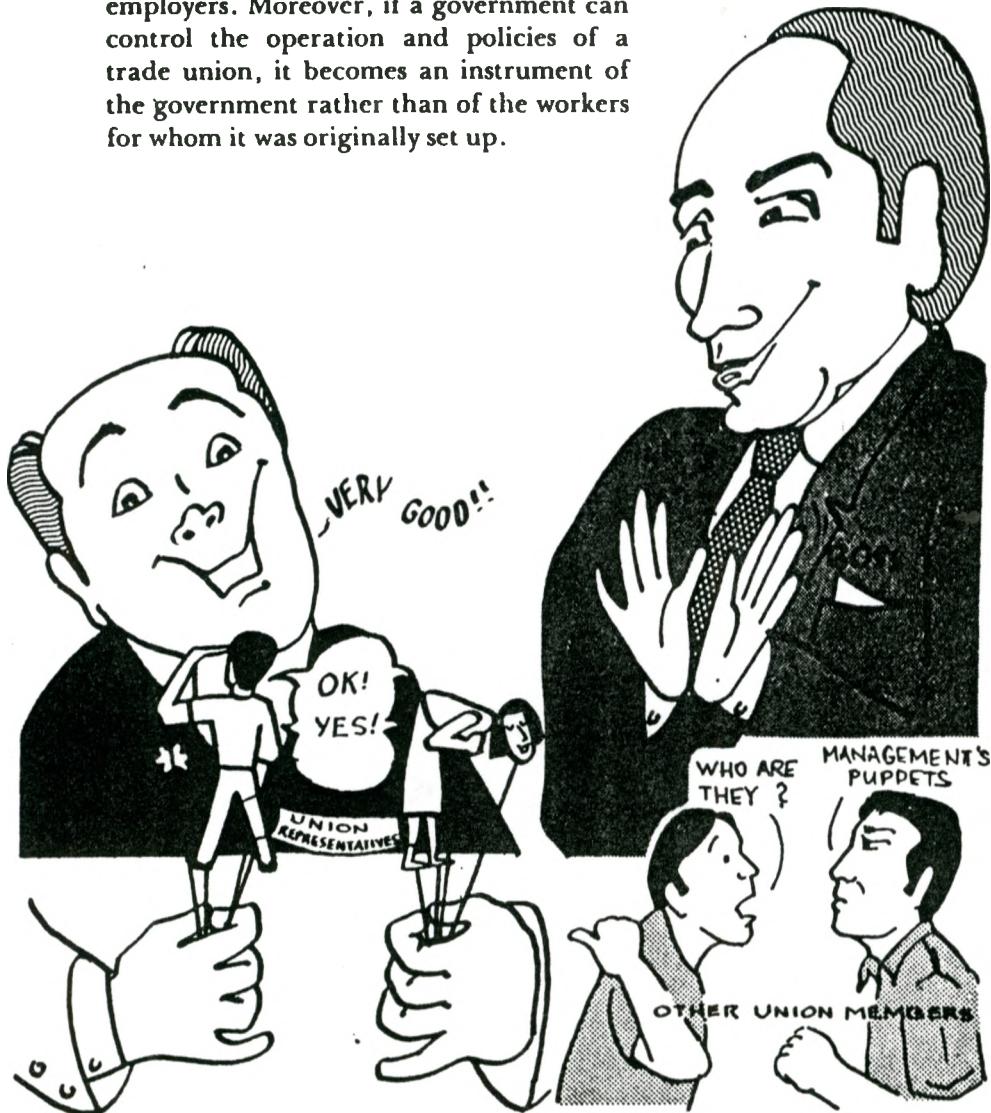
B. Independence

If an organization is to serve the needs of its members, it must be controlled by the members themselves, for who but they themselves can best define and guard their own interests?

If a union intends to truly achieve the principles and objectives upon which it was founded, it should not allow itself to be dominated or controlled by external interests, be it government, employers, political parties, religious, communal or fraternal organizations, or individual persons.



A government may or may not be well disposed to trade unions, but in general, it is very responsive to the interests of the powerful groups in society, usually the employers. Moreover, if a government can control the operation and policies of a trade union, it becomes an instrument of the government rather than of the workers for whom it was originally set up.

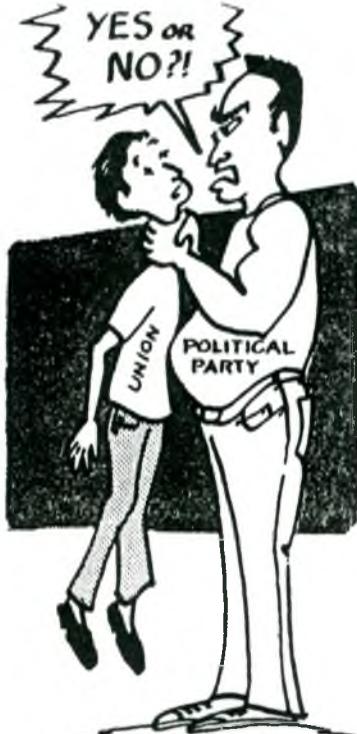




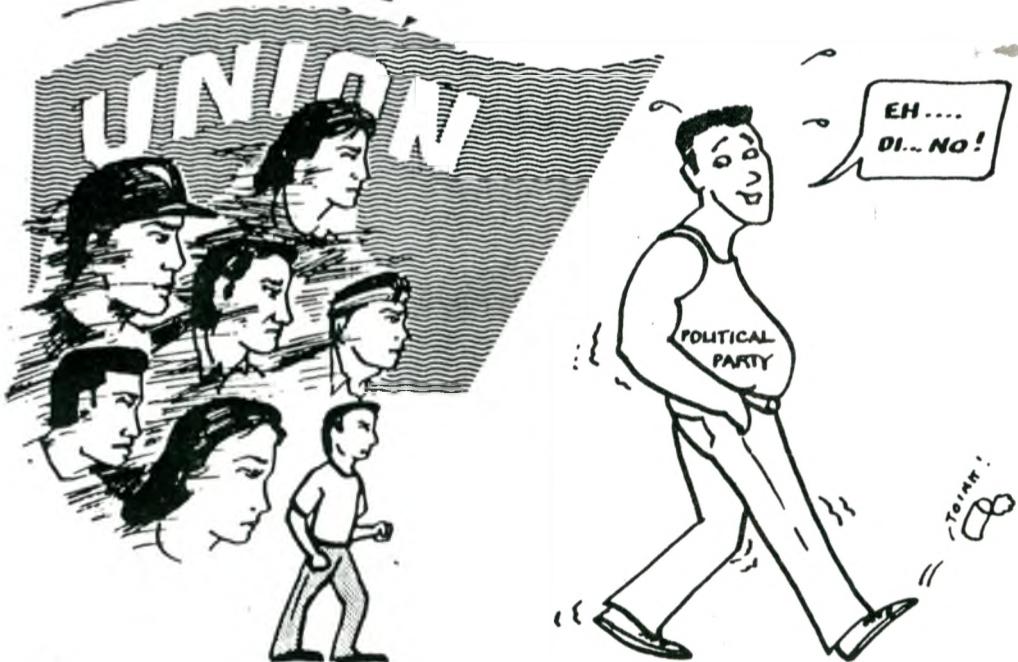
There are cases where a so-called "union" is organized by the employer for the employees. This kind of union is a "yellow union" (company dominated union). It is dominated by the management or its stooges. It is usually a local union (or a one-shop union), which means that only employees of that undertaking are allowed to join it.

Needless to say, this kind of union is totally useless because its basic purpose is not to promote the workers' interest but to prevent them from setting up a genuine one. When management starts to pressure employees to join a local union, the signals are clear: it is a yellow union.





Equally, the union should resist any attempt by any political party to control and dominate it. The interests of the political party are not necessarily the same as those of the union. Even if there are some areas of shared interests, the ultimate aim of a trade union is to serve its members. This aim may be distorted under the domination of a political party whose basic aim is to obtain support from all sectors to secure power.



Occasionally, a union may face attempts by religious or communal groups to subject it to their control in order to serve the latters' religious or sectional interests.



If this happens, the union will be weakened as it will inevitably be divided by the attempt of one group to seek hegemony (controlling influence) over all the others. Such hegemonic operations are anti-union as they encourage one worker to fight another rather than concentrate their energies on the employers.

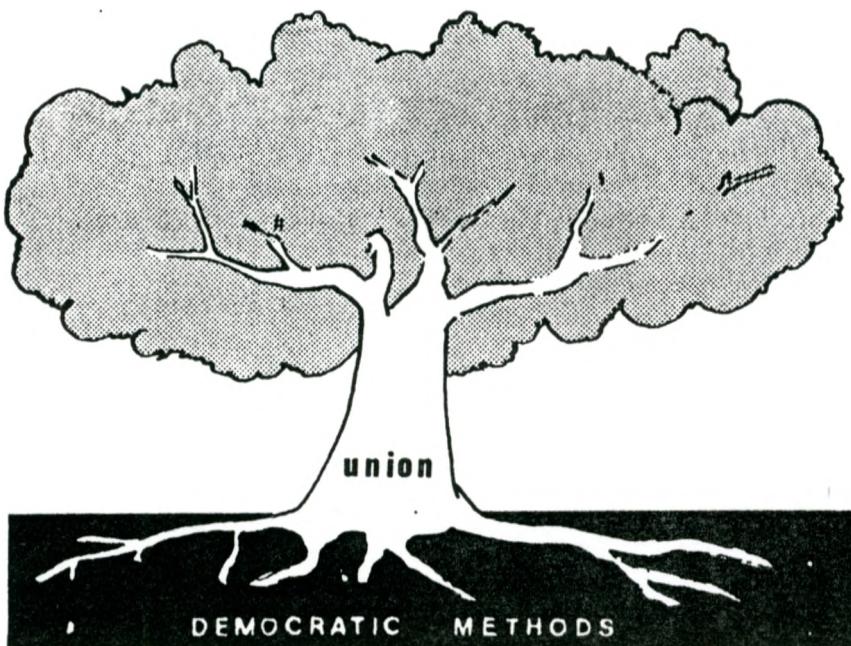
Individual members of unions are, of course, completely free to practice whatever religion or to accept whatever political creeds they wish, but they should not seek to impose their personal beliefs on the organization nor cause the organization to be subject to such non-trade union principles.

Let us discuss the problems at the union meeting today!

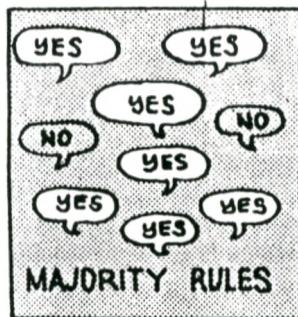
C. Democratic Methods

A trade union cannot be effective in fulfilling the wishes of the members unless it is a voluntary association of workers with common interests, i.e., to secure higher pay and better working conditions. Voluntary organizations cannot be strong and effective unless there is wide and deep participation of members in its activities and struggles.

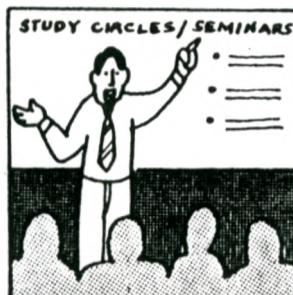
Participation can only come about if the organization is a democratic one. Hence, democracy is an essential pillar of unionism.



In practice, democratic methods mean, broadly, the following:



1. All sections of the membership should be fully and fairly represented in the decision-making process. The aimed-for result should be to express the genuine will of the majority of members on any issue.



2. Members shall have the prior right to be educated about the union's rules and constitution to enable them to participate fully in the union's decision-making process.



3. All members shall have the same rights and privileges as well as duties and obligations.



4. Representatives, executive officers and others should be elected by secret ballot periodically by and from among the members and be answerable to them. Never should they be appointed by one person only.



5. Activities should be communicated to all members and be subject to periodic review by the members.

Traditionally, trade unions have always been a very democratic institution. This is so because there is no other effective long-term way of functioning. Thus, it has been said that trade unions are a modernizing force because, as a democratic institution, they are in reality a popular school of democracy (particularly in underdeveloped societies seeking modernization).

DISCUSS

1. The five points mentioned above.
2. Do you have other opinions regarding democracy in a trade union.?

Union Structure

UNION STRUCTURE

How a union is structured determines the following:

- How decisions of the organization are made;
- How members are represented in the decision-making bodies;
- How the membership is mobilized to confront problems.

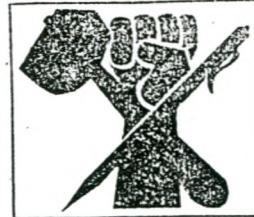
In general, there are five levels:

1. The Delegates' conference or Congress

This is the supreme decision-making body. Here, all the members are represented by their elected representatives. Its functions are to make the broad policy decisions, elect officers and members of an executive council, review past activities and lay down guidelines for future activities.

A delegates' conference may be held once in every two, three, four or five years.

BUILD YOUR ORGANISATION



Last week's article left off at the point where we were discussing what a campaign is and how campaigns can act to stabilise organisations. We said that organisations can often be unstable. We explained this by showing how people can rally round an organisation over a specific burning issue but then drift away from the organisation once the issue has been resolved.

With this in mind let's look at how campaigns can weld together an organisation and give it a sense of continuity.

Remember...

Previous articles have outlined the role of organisations and how they develop. Let's remind ourselves of some of the things we learnt about organisations.

We noted that:

- organisations emerge out of struggle and take struggles forward.
- organisations can strengthen democratic practices and accountability.
- organisations can serve as training ground for the working class, enabling them to take on the task of leadership.
- in the process of building an organisation, people become more conscious of issues around them and of their own class position in society.
- through organisations, the membership is educated and armed with information in order to strategise and take action. In this process the confidence of the membership is built.

Membership and recruitment

We have seen that organisations are nothing without their membership and that people will only form an organisation or be drawn to an organisation around particular issues which are in their interests. What role can a campaign play in this process? The key function and effect of any campaign is that it mobilises people. We all know from the history of struggle in this country that the most effective campaigns have been campaigns which have mobilised the mass of the people. Campaigns such as the anti-pass laws, Living Wage and anti-VAT campaigns had mass support because they struck a chord with the people. These campaigns mobilised people to struggle around a specific issue, raised clear demands and were directed at a specific target. In the process of doing this, campaigns appeal to a wide range of people and draw them into organisations.

Campaigns play a vital role in recruiting new members. As people are drawn into struggles around a campaign they often join the organisation that is campaigning and so increase the organisation's membership.

A campaign provides a central focus around which a wide range of people can rally and mobilise themselves. As far as possible we should try to draw in all the different groupings in our communities - workers, unemployed, students, youth, women. In this process of focussing our struggles around a particular campaign, the current weaknesses of our organisations can begin to be addressed.

ground

and are an expression of the needs and demands of the mass of the people. In the same way that organisational structures can become hollow shells if the membership does not participate actively, campaigns can also not get off the ground if they do not have the backing and democratic involvement of people:

Campaigns show what people are struggling around

We have seen that organisations emerge out of struggle and in turn, take struggle forward. Campaigns, as a clear expression of existing struggle, serve to accelerate and give a struggle more definition and force.

Once a particular struggle has been identified as being a key issue and demands are raised, people are mobilised around the issue and the campaign can serve to accelerate a particular struggle onto a higher plane. An issue may initially be seen as being purely economic or localised, but, during the course of struggle, the issue may become political and national as opposed to just economic and local.

For example, the struggles over wages could initially have been understood as being purely economic. When these struggles were taken up in the Living Wage Campaign and formulated in demands linked to issues such as a forty hour week and a ban on overtime, it posed the question of workers' control of the factories. The campaign shifted from being economic to posing questions of ownership and control and ultimately questions of political power.

In this dynamic process of struggle, organisations can themselves change their nature. They might change from being defensive organs to being offensive organs of struggle. Campaigns can play a role in accelerating this change.

Links between campaigns and broader struggles

Campaigns will be strengthened if they are not just isolated incidents. They will gather a lot more force behind them if they are taken up on a national level. Smaller campaigns around a specific issue in a specific place, for example, electricity cuts in Atteridgeville or the lack of decent sanitation in Phola Park can be linked to wider struggles. Demands can highlight the broader struggle around electrification and primary health care and so expose the current attacks on the living standards of the working class.

Democracy and accountability

Organisations can serve to strengthen democratic practice and accountability. Campaigns draw in more people and expose them to democratic ways of working. For campaigns to be successful, they require constant reportbacks and assessment of the gains made. In this process, membership learns to participate in debates and to express their own opinions. This helps to build democracy and accountability within the organisation.

Campaigns will not be responded to enthusiastically if they are simply declared from above in an undemocratic way. Campaigns usually emerge from struggles on the

Skills for leading

Organisations act as a training ground for the working class to take on the task of leadership. Campaigns develop the organisational and leadership skills of people who participate. In the course of a campaign, people will develop a range of skills, whether it be how to draw up a pamphlet or make a poster; how to organise a mass rally or how to speak in public. All these skills equip the working class to take up the task of leadership.

Class consciousness

In the process of building an organisation and in the course of campaigns, people become more conscious of issues around them and of their own class position in society. We've seen how, through organisations, the membership is educated and armed with information in order to take action and to strategise. In this process the confidence of the membership is built and people gain a heightened consciousness of their position and role in society. People develop a clearer sense of the conditions under which they live and compare these to the conditions of other classes in society.

Something to do:

This article has shown how campaigns are a key to building organisation.

Write a paragraph explaining why campaigns are important for organisation building. If you are finding this difficult you could read this article again or just read the sub-headings to remind yourself of the main ideas.

You are welcome to send your answers in to us at



Learning Nation,
P.O.Box 11350,
Johannesburg.

Look out for future articles which will deal with how to run a campaign and the specific skills required to do so effectively.

COMMON OBSTACLES TO THE NEGOTIATING PROCESS

<u>AGENDAS</u> :	Single issue Multiple Hidden
<u>POSITIONS</u> :	Extreme demands/offers Refusal to negotiate Lock-in tactics Calculated delays in decision-making 'Take it or leave it' approaches Absence of desire to achieve agreement
<u>MANDATES</u> :	Constituent expectations Use/abuse as a bargaining tactic
<u>RELATIONSHIPS</u> :	Historical carryovers Lack of mutual respect 'Enemy' stereotypes Failure to provide face savers/ insensitivity Failure to establish/violation of "Bargaining Rules"
<u>STRUCTURAL</u> :	Problems in the bargaining machinery
<u>CONTEXTUAL</u> :	Social/economic/political pressure
<u>POOR NEGOTIATING SKILLS</u> :	Poor preparation Failure to clarify or justify Hostile openings Missed signals Poorly expressed proposals Poor linking/concessions before conditions Inability to close Confrontational tactics Tactics become more important than agreement Stands on principle Public commitment to positions Misjudgement of others' capacity to move Inability to close Going for the 'last inch' before agreement Moving to fallbacks too quickly

CONFRONTATION TACTICS: PERSON - POSITION FOCUS

PERSON - POSITION FOCUS

- extreme demands
- single agenda
- multiple agendas
- non-negotiable demands
- demands of principle
- refusal to justify or explain
- aggressive probing
- threats early in bargaining
- early use of sanctions
- emotional outbursts
- control minutes and slant
- interpretation of events
- focus on emotionally upsetting areas
- make other feel inferior or dependant
- question other's age or experience, ability to negotiate competently, knowledge, authority, etc.
- use irritators
- deny finality of agreement.

COUNTERING TACTICS

- deflect aggressive openings
- avoid being drawn by probing
- do not allow assertion of dominance
- stick to bargain procedures
- suspend negotiations to allow "cool off" or "re-assessment"
- avoid emotional response
- low reaction to threats
- expose the "game"
- keep issues focused
- respond to needs and emotions
- listen for real vs. overt concerns

TACTICS TO ACHIEVE AGREEMENT

- measure for measure : recounting movement and its costs to obtain movement
- quid pro quo : equal abandonment of issues
- changed circumstances
- scapegoating
- claiming misunderstanding to save face
- threats of sanction
- actual sanctions
- make offers public
- walk outs

APPLYING AND HANDLING PRESSURE : ISSUES - ARGUMENT FOCUS

APPLYING PRESSURE

- delay indicating position
- show up weakness, inconsistencies and omissions in arguments
- elaborate on negative consequences of agreeing to demands/proposals
- demand justification of position
- blow hot - blow cold
- commitment of principle
- threats of sanctions
- moral appeals
- make public offers
- walk outs
- reminding of past relations
- new information
- use of positive comparisons
- use of allies
- avoid argument dilution

HANDLING PRESSURE

- avoidance
- delay answering or indicating position
- red herring
- incorrect summary
- question mandates
- caucus
- use of the question
- team assistance
- adjust agenda
- low reaction
- ask the other party for suggestions
- humour
- avoid aggressive responses
- focus on problem not people
- avoid impasses
- keep issues open
- return to constituencies

NEGOTIATION TACTICS

IF THE OTHER SIDE IS MORE POWERFUL

- Protect yourself : do not collapse into an agreement
- Bottom lines (fall backs) provide such protection
BUT close negotiation, inhibit imagination and lateral thinking
- know your BATNA (best alternative to negotiated agreement)
- formulate a tripwire (a far from perfect agreement better than your BATNA)
- the clearer your BATNA, the greater your power
- develop your BATNA : list alternatives; convert them into practicalities; select one
- consider the other side's BATNA
- when the other side is powerful seek to base negotiation on the merits; principle to play as large a role as possible

IF THE OTHER SIDE USES DIRTY TRICKS

Common dirty tactics include :

- deliberate deception i.e. false facts,
- ambiguous authority where they do not have power to compromise or agree
- dubious intentions in which the other party is unlikely to stick to agreements
- psychological warfare i.e. stressful situations, personal attacks, good guy/bad guy routines, threats
- positional pressure tactics i.e. refusal to negotiate, extreme demands, escalating demands and reopening or expanding agendas, lock-in tactics, the "hardliners in our camp", options, calculated delays in decision-making, "take it or leave it".

Avoid being a victim : negotiate the rules of the game

- recognise the tactics
- raise it explicitly
- question the tactics' legitimacy and desirability
- move back to : separate people from the problem; invent options for mutual gain; insist on objective criteria.

IF THE OTHER SIDE WILL NOT NEGOTIATE ON THE MERITS

- negotiation jujitsu : if the other side adopts a positional bargaining approach:
 - Avoid defending or attacking position;
 - refuse to react
- don't attack positions, look behind them to interests.
- don't defend ideas, invite criticism and advice
- recast an attack on you as an attack on the problem,
- ask questions and pause (use of silence)
- use the one text procedure : proposal and ask for feedback; modify and ask for comment etc.

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TUC

Lesbian and Gay Rights at Work

... the first ever seminar on lesbian and gay rights at work. The seminar, organised by the TUC, brought together trade unionists and gay and lesbian activists from across the country to discuss issues of discrimination and harassment in the workplace. The seminar was a success.

Report
of TUC Seminar
held on 20 July 1995

50p

**LESBIAN AND GAY RIGHTS AT WORK:
REPORT OF THE TUC SEMINAR HELD ON
THURSDAY 20 JULY 1995**

1 The seminar was the second such event to be held by the TUC on lesbian and gay rights at work. It was attended by 94 participants from trade unions and was chaired by Bernadette Hillon, of the TUC General Council.

2 The chair opened the seminar by outlining its main objectives which were to: assist unions to develop their understanding and knowledge of the main bargaining issues on lesbian and gay equality; enable participants to share experiences as union negotiators and members; and assist unions to develop further strategies on negotiating best practice. The issues to be discussed by the seminar - tackling harassment at work and tackling discrimination in conditions of service and collective agreements - were subjects which had been raised as particular priorities at an earlier TUC seminar on lesbian and gay rights held in 1992.

Lesbian and Gay Rights at Work - An Overview

3 The seminar was addressed by Angela Mason, Executive Director of Stonewall. Ms Mason thanked the TUC for taking a stand on Stonewall's campaign to lift the ban on lesbians and gay men serving in the military. She also thanked all those in the trade union Movement who had been active in the recent campaign to equalise the age of consent. She said that the issues on which Stonewall was campaigning were not just issues for lesbians and gay men, but were also a matter of basic human rights. She was heartened by the increasing number of lesbian and gay groups establishing themselves within trade unions and by unions' growing support for lesbian and gay rights issues. Stonewall was also hoping for a renewal of support from the Labour Party.

4 Two important legislative issues had been the subject of recent Stonewall campaigns: the Pensions Bill and the Sexual Orientation Discrimination Bill. Firstly, during the progress of the Pensions Bill, there had been an important debate on an amendment for all occupational pension schemes to give equal treatment to unmarried men and women and lesbian and gay partners. During the debate, the Government minister, James Arbuthnot, had indicated that it was entirely up to pension fund trustees as to whether or not they wished to make payments to employees' partners. This marked a change in direction from the Government's earlier stance and meant that all occupational pension schemes were now open to the campaign to make them as accessible to lesbian and gay partners as they were to married couples.

5 Secondly, Stonewall had long been campaigning for the introduction of legislation to outlaw discrimination against lesbians and gay men in employment. Recently a Private Member's Bill on this theme, the Sexual Orientation Discrimination Bill, had been debated in the House of Lords. Predictably, the Government's response to the Bill had been that it did not consider that such discrimination was enough of a problem to merit legislation; and that Stonewall's extensive survey of workplace discrimination (published

- 1. Do the necessary research - survey members through branches.
- 2. Negotiate policies with employers, and seek to tackle the issue of homophobia.
- 3. Train union officers - modules on lesbian and gay rights should be included on all relevant training courses.
- 4. Monitor cases of harassment.
- 5. Take the membership with you by publicising union policy through articles, resolutions and discussions at branch level.
- 6. Ensure that any homophobic attitudes in the union are dealt with - this will involve senior officers being prepared to tackle any problems and take the necessary disciplinary action, for example by addressing branch members or speaking to branch officers.
- 7. Campaign for wider issues on lesbian and gay equality, including anti-discrimination legislation, and give practical and moral support to the organisation of lesbians and gay men within the union.

9 Kursad Kahramanoglu, the UNISON National Lesbian and Gay Officer, then spoke about what could be done to help create the conditions to ensure that harassment of lesbians and gay men does not occur in the workplace. He stressed that this was not an easy issue to tackle because lesbian and gay members were not easy for unions to identify and therefore all too often their concerns were ignored. It was also a particularly difficult issue for the British trade union Movement, where union structures were often long established and less susceptible to change than elsewhere. In his experience, it was often the case that, even where unions had good equal opportunities policies, lesbian and gay rights was at the bottom of the equality bargaining agenda.

10 However, unions existed to protect their members and it went without saying that this included their lesbian and gay members. The importance of the leadership of the union being prepared to speak out on lesbian and gay rights could not be stressed too highly, but this should never be a substitution for work on the ground. UNISON's experience was that the existence of its lesbian and gay members' organisation - which was relatively long established compared with other unions - had led to a stronger lesbian and gay membership, with increasing numbers of members who were willing and able to get involved in trade union work. UNISON believed that self-organisation was therefore an important factor in taking forward work on lesbian and gay rights. Mr Kahramanoglu also suggested that it would be useful to have a more formalised system, perhaps by means of an annual meeting at the TUC, whereby unions' work on lesbian and gay rights could be co-ordinated and assisted.

existing situation breached the principle of equality.

14 Ms Kilvington then went on to outline interesting new developments in MI5! She said that, up until now, employees had automatically been classified as subversive under the positive vetting system if they were lesbian or gay. This meant that they would be removed from any post for which the positive vetting procedure applied. However, this automatic bar had now been removed and there was a new system of developed vetting on which the CCSU were being consulted. The CCSU considered the issue important because about 200,000 staff in the civil service came under the developed vetting system. Ms Kilvington said that, for the first time, she and Jon Johnson, a colleague from NUCPS, had been invited to MI5 offices to discuss the new procedures at a meeting with its investigative officers. The CCSU had confronted the meeting with the issue of homophobia and had been invited to provide some training for investigative officers and to attend a further meeting in the autumn. The CCSU would also be raising with the Cabinet Office their concerns about existing procedures and would be making suggestions for improvements.

Discussion

15 A general discussion was held about the issues of tackling harassment and tackling discrimination in conditions of service and collective agreements. The following points were made:

- Joanne Segars, the TUC Pensions Officer, reported that the TUC had met with the Government Actuary's Department to discuss the costs of extending pensions to surviving partners of non-married and same-sex couples. The TUC still had to win the argument on costs and was seeking meetings with the heads of government departments responsible for administering statutory pension schemes. The TUC had also met with the Shadow Secretary of State for Social Security, Donald Dewar, and had subsequently written to him demanding that pensions for all adult partners be introduced as a legal requirement for all schemes by an incoming Labour Government. Within the private sector, the TUC was working with Stonewall and would be meeting a leading actuary to help draw up some model guidelines for unions and employers.
- There was a suggestion from NAPO that the 1992 Management of Health and Safety at Work Regulations could be used in defence of lesbian and gay workers who suffer violence at work. It was also recalled that the 1994 Criminal Justice Act had introduced a new offence of intentional harassment which might be used to protect lesbians and gay men.
- On pensions, the AUT reported that unions should argue that employers are in breach of their equal opportunities policies if lesbians and gay men are excluded from pension schemes. The argument on costs could be turned to ask why non-married and lesbian and gay partners should be paying for other people's married partners!
- There was a discussion about how unions should argue that "dependancy" be

equality officers, but that the TUC would be taking up this point.

- A national annual meeting/event for trade unions should be held by the TUC on lesbian and gay rights. It was noted that the TUC would be taking this forward as a commitment.
- There was a clear need for further training for trade union officers and negotiators on lesbian and gay rights. This should be part of mainstream training in view of the increasing difficulty many members were experiencing in getting time off work to attend courses. It was noted that homophobia was learned behaviour, so could be unlearned; union members were more likely to support their lesbian and gay colleagues if they were aware of the extent of the discrimination which they often faced. It was suggested that the TUC might involve lesbian and gay workers to assist as trainers on its courses. It was noted that the TUC would be taking this up via its education section.
- The trade union Movement needed to heighten its media profile on lesbian and gay rights. It was noted that the TUC General Secretary had recently made statements to the media on the issue of lesbian and gay rights in the military and had also given an interview in the Pink Paper. The TUC would be taking every opportunity to develop its media work in this area. It was also noted that the TUC would be producing an article about the seminar for unions to adapt for inclusion in their own journals.
- At regional and local level, there needed to be a greater awareness of lesbian and gay rights among trade unions. It was noted that the TUC would look at the possibility of establishing seminars or cross-union meetings to help take this forward.
- Close links should be made between the TUC and lesbian and gay rights organisations including Stonewall and the Labour Campaign for Lesbian and Gay Rights. Work also needed to be developed within the ETUC and internationally. It was noted that this work was already in train, and would be developed further.
- The TUC - and individual unions - should consider sponsoring Lesbian and Gay Pride.

Action by Unions

- Unions should ensure that they had an open, visible policy on lesbian and gay rights in order to ensure that a climate is created in which members feel they can relate to the union and know that their interests will be defended. Lesbian and gay rights should be included in unions' newsletters, on their training courses and in their rulebooks.
- Unions could also consider producing a new members' pack including information about lesbian and gay rights and strongly stressing that harassment of lesbians and gay men will not be tolerated.