A new frontier of control? Case studies in the changing form of job control in South African industrial relations

by

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A NEW FRONTIER OF CONTROL? CASE STUDIES IN THE CHANGING FORM OF JOB CONTROL IN SOUTH AFRICAN INDUSTRIAL RELATIONS.

Management, Edwards suggests, is a specialized function involving two dimensions: that of coordination (a necessary function in all social production) and control i.e. the exercise of authority over the labour of others to obtain "the desired work behaviour from others". Because of the antagonistic nature of capitalist production (or, indeed, any class-divided society), coordination necessarily takes the specific form of top-down coordination making it more appropriate to speak of control than of coordination. As long as capitalist production continues, control exists to some degree, and the crucial question is how and to what extent control is exercised by management over labour. Edwards goes on to clarify the elements of any system of control. These consist of the mechanisms by which employers direct work tasks; the procedures whereby they supervise and evaluate performance in production; and the apparatus of discipline and reward.

This paper is concerned to examine the extent to which black workers are able to influence the way in which management exercises its control over black labour in the workplace. In Part I the crisis of control in work relations that accompanies the shop floor challenge to traditional despotic control in the pre-Wiehahn period is identified. In Part II this new frontier of control is examined. The paper suggests that industrial relations, in the case-studies examined, can best be conceptualized as a shifting frontier of control in which the boundaries of that frontier are being pushed forward by worker's widening demands. A new form of trade unionism is in the making that is not simply pushing the frontier of control forward beyond production to the question of the reproduction of the workforce. It is crossing the crucial boundary in
our industrial relations system between what could be called the politics of production to that of global politics. (3)

This study does not claim to be representative of the black workforce; in all seven case-studies black workers in the plant may be said, in Friedman's terms, to be central rather than peripheral workers as they were all well organized. (4) The research strategy adopted involved two stages:

(a) a questionnaire was sent to all the emerging unions, followed by an interview where possible, to establish the nature of workplace organization in that union and the kinds of rights being won in plant agreements.

(b) seven companies were then selected from sectors where the emerging unions have established a nationwide presence. The actual workings of these agreements were examined where possible through an interview with management and the union. (5)

Two further clarificatory points are necessary. The concept of frontier of control has been borrowed from Goodrich's classic study of British workshop politics in 1920. (6) He showed how workers countered managerial control by extending their own 'frontier of control' with respect to the organization of work-promotion, choice of foreman, changes in technology, methods of payment. The concept of industrial relations is defined in this paper, following Hyman, not as a system of rules, but rather as a process of control over work relations. (7) To define it as a system of rules, as Flanders does, is to share the traditional concern of sociology with the 'problem of order', stability and equilibrium. Yet if the system of industrial relations is so well integrated, and if the participants are so much in agreement, how is it that industrial conflict occurs at all? From a perspective which defines industrial relations solely in terms of rules, this question is unanswerable. (3) By placing control at the centre of his
definition. Hyman captures the extent to which industrial relations involves a power struggle over the degree of control management exercises over labour. Our use of the word control, then, is not an absolute one; control is understood in a relative sense, to signify the degree of power people have to direct work. (9)

PART I

In the early days of competitive capitalism in South Africa employers were able to exercise authority directly on the shop floor through the entrepreneur himself or the craftsmen. During this phase of what Edwards calls simple control, craft workers were able to exercise a significant degree of control over the job through the closed shop and the apprenticeship system. (10) In some respects these craft workers acted as the foreman in hierarchical control; for example, it was customary in early foundry production for craftsmen to hire their own ‘helpers’. (11) But employers were able to break the control of the craftsmen by job fragmentation and deskilling. By the end of the 1960s a growing number of craftsmen had been transformed into supervisors performing exclusively a control function in the workplace. (12)

As a consequence of this abdication of managerial authority to the supervisor, industrial relations had been a neglected managerial function in the pre-Wiehahn period. (13) Management relied on South Africa’s dualistic industrial relations structure; a legalistic formal guarantee of certain industrial rights to non-Africans through the Industrial Council, a unilateral system of control over African workers resting on the white supervisor and ‘his’ boss-boy or induna (‘my eyes, ears and hands’, said one supervisor). Because of problems of communication between black and white the supervisor was often a figurehead with real control being exercised by the induna. As Alverson observed: ‘to the induna (also called the boss-boy) falls the charge of making the
organization and its policy and directives intelligable to Africans who work on the line'. (14) It was, in addition, the induna who actually selected the worker, introduced him to the company with a short talk and told him what to do. Backed by the white superviser and their system of impimpis (informers) the induna exercised, from all accounts, a form of despotic control.

This despotic control was to trigger off a crisis of control in work relations. The crisis was in part the result of the growth in the size of the firm that accompanied the transition to monopoly capitalism in the 1960s. (15) This crisis emerged from the contradiction between the firm's increasing need for control on the one hand and its diminishing ability to maintain control on the other. The need for control was a concomitant of the firm's continuing growth. Yet just when the firm was experiencing a qualitative leap in its need for control, its traditional means - hierarchical control - became less effective as a method of managing the growing workplace.

The capitalists' need to increase control over a larger and more distant work-force necessitated an intensification in the discipline and harshness of the foreman's rule, particularly when companies began to experience a profit squeeze in the 1970s. A typical example is the dispute that broke out in May 1975 in Defy Industries in Durban when management attempted to increase the intensity of exploitation by introducing new technology and altering the bonus system. (16) What started off as a bonus dispute rapidly escalated into a challenge to the power of the despotic foreman when he refused to speak to the workers, ordering them to leave or unconditionally accept the new system. Out of the strike that followed, the struggle for recognition of the union, the Metal and Allied Workers Union, intensified.

In the strike wave on the East Rand in 1981, the rejection
of arbitrary control by management was the central demand in the majority of the strikes. In 50% of the strikes the demand for the reinstatement of dismissed workers was made. In a further 25% of the cases workers demanded the removal of foremen they believed were exercising control in an arbitrary fashion or where they believed workers representatives had been "bought" by management. The three cases where white foremen were successfully removed were preceded by physical violence on the shop floor. In one of these cases, management had initially dismissed a black worker and retained the white foreman. But, when faced by a strike of the whole work-force, management were forced to reinstate the black worker and remove the white foreman. They made this decision, management said, after they had been told by their employers association that they could "no longer get away with dismissing a black worker when he assaulted a foreman who called him a kaffir". Frequently what were initially strikes over a wage demand, such as the strikes in the East Rand metal industry in Jan - March 1982, developed into 'control' strikes when management was intransigent, in this case refusing to negotiate wages at plant level, insisting on bargaining through the highly centralized Industrial Council.

It was the mass strikes in January and February 1973 in Durban, that was to highlight first and most dramatically the crisis of control in work relations when an estimated 100000 workers broke the decade of 'industrial peace' and took to the streets with a demand for wage increases. These strikes were to expose as inadequate the despotic form of control described earlier. More far-sighted managers began to realize that a new system of control was required and that continued reliance on the supervisor/induna would exacerbate conflict further. On the basis of employer recommendations the state amended the existing Bantu Labour (Settlement of Disputes) Act that had in the past provided for ineffective bargaining through works committees, introducing joint management/worker committees called liaison committees.
Employers quickly embarked on an offensive to promote these committees and between 1973 and 1975 the number of liaison committees increased from 118 to 1751, the majority of which had been established at management's initiative. (21) Similarly works committees multiplied ten-fold from a meagre 24 in 1973 to 239 in 1975. By 1977 2503 liaison committees existed and 301 works committees had been established. That they were no substitute for unions is attested by the number of strikes that broke out in establishments where such committees had been formed, the most celebrated example being that of the Heineman strike of 1976. (22) The speed with which the system was extended is an index of the depth of the crisis of control in work relations between 1973 and 1976. In contrast to the previous decade when the number of African workers involved in industrial disputes never rose above 10,000, in the period between 1973 and 1976 those involved in disputes were to rise as high as 100,000 in 1973 and never fell below 30,000.

The idea of the liaison committee was simple: it provided a forum for management to explain its policy to workers, while at the same time establishing a formal grievance procedure for workers within a context of tightly defined limits. (23) Yet the importance of liaison committees did not lie primarily in their role as potential communication channels: liaison committees were designed to pre-empt the independent organization of black workers that began to develop in the post-1973 period. (24) As a consequence management's attempts to reassert control through liaison committees and the emerging unions rejection of this form of worker representation, emerged as the central issue in the history of these unions between 1973 and 1976. MAWU concluded in a memo on liaison committees after the Heineman strike, that experience had shown that committees function as inadequate and ineffective safety valves: "they have been perceived as such by workers in the factories who uniformly distrust the committees and who grow to distrust the workers who are members of these committees."
More especially, they argued, in some factories the 'indunas' and 'boss-boys' are automatically appointed to the committee; there is no report-back and the proceedings of meetings are not discussed with workers – meetings are often held irregularly and no time is given to canvass opinion. In spite of their inadequacies, the memo suggests, "in almost every firm which MAWU has approached management, management has either tried immediately to create a liaison committee or, where one already exists has insisted that the committee works effectively, and so it is unnecessary for them to talk to the union". (25)

Amongst a small group of managers there was a growing realization that liaison committees had failed to win the support of black workers. Barlow Rand, Heinemann's parent company, implied this when they released this statement after the 1976 dispute: "We feel obliged to negotiate within the framework created by law and cannot get out of industrial agreements which apply to the whole industry. This does not imply that we are happy with the existing industrial relations legislation. We believe it needs drastic revision". (26) The changed nature of production, in particular the strategic location of black workers in production that accompanied mechanization, had given them a leverage on the shop floor that could no longer be ignored. Management was increasingly dependent on these workers to increase production. The precipitating incident that led to the dispute at Defy, for example, had been management's desire to increase output by rearranging the bonus. Edwards calls this transformation in production technical control": (this) emerges only when the entire production process of the plant or large segments of it are based on technology that paces and directs the labour process. When that happens, the pacing and direction of work transcend the individual workplace and are thus beyond the power of even the immediate boss: control becomes structural". The implications for worker organization are clear, Edwards says: "The costs of lifting the shop-floor
conflict out of the individual workplace and raising it to the plantwide level were now apparent. Technical control linked together the plant's workforce, and when the line stopped, every worker necessarily joined the strike. Moreover, in a large, integrated manufacturing operation, such as auto production, a relatively small group of disciplined unionists could cripple an entire system by shutting down a part of the line. Technical control thus took relatively homogeneous labour (unskilled and semiskilled workers) and technologically linked them in production. The combination proved to be exceptionally favourable for building unions". (27)

However, while the growth of shop floor unionism and the factory struggles that accompanied this were clearly a necessary condition for the state and management to search for a different form of control to that of the liaison committee, they were not a sufficient condition. It was the outbreak of urban unrest in 1976 that was to provide the final impetus for a realization of the need to search for a new form of control in the workplace. Although organized labour remained aloof from the 'unrest', fearing that they would be suppressed if they became involved in a 'political strike' it had become clear to management and the state that support within the black population needed to be widened. (28) The initiative by Mr H. Oppenheimer and Mr A Rupert in November 1976 in establishing the Urban Foundation with the clear objective of creating a black middle class illustrates this strategy. Its director, Justice Steyn, described the Urban Foundation's objective in these terms: "Urban distortions and exploitation played a significant role in the tragic events of 1976. The elimination of these distortions, or at least their amelioration, must lie close to the heart of every thinking South African. I cannot see any thinking businessman declining to participate in South Africa's future through the Urban Foundation. His dividend would be the emergence of a black middle class and greater stability in our urban society". (29)
The state feared that the resurgence of popular-democratic struggle in 1976 would lead to the re-establishment of links between organized labour and the popular struggle similar to those in the 1950's and early 1960's. Sophisticated strategists for capital and the state had come to realize that a certain form of trade union recognition could in fact facilitate a separation of the politics of production from "global" politics, thus hoping to weaken the role that organized workers could play in the national popular struggle. Thus, banning what the state saw as the more political leadership (i.e. repression) was not inconsistent with attempting to control the unions from above through giving them statutory recognition. (i.e. reform). The success of their politically repressive campaign against the unions raised the potential for the other side of the restructuring process to succeed—reform. This restructuring must be seen then as a contradictory process, involving simultaneously repression and reform. (30)

The experiment began in 1977 when the government set up a Commission of Inquiry to investigate labour law (the Wiehahn Commission) and a Commission to examine the use of manpower (the Riekert Commission). (31) When these Commissions eventually reported two years later, the solution involved the deracialisation of the established industrial relations system by incorporating black workers into the Industrial Council system (the Wiehahn solution). (32) African unions it said, are not subject to "protective and stabilising elements in this system or discipline and control". In part they enjoy greater freedom than registered unions in that they participate in party politics and could use their funds for any purposes which they saw fit. It would be better, they concluded, to admit African unions to register at an early stage, in order to control the pace of union development. (33) The other side of the incorporative strategy involved the redivision of African workers not exclusively along racial lines but between those with permanent resident rights in the urban area and those without (the Riekert solution).
The Wiehahn solution was clearly contradictory. The intention was to control the emerging unions, by drawing them into the established industrial relations structures, in particular the Industrial Councils, thus pre-empting the unions' attempt to establish a shop floor presence. This required giving these unions state recognition, enabling them to win space in their attempt to move beyond the struggle for recognition to direct negotiations at shop floor level. Recognition at plant level was not won without struggle in the post-Wiehahn period, but in the years immediately after Wiehahn a new frontier of control was being defined as recognition agreements at plant level became increasingly common in most sectors of the economy.

PART II

In the post-Wiehahn period, the centre of the industrial relations stage moved unequivocally towards the emerging unions. Drawing largely on unskilled and semi-skilled black, predominantly African workers, these unions have rapidly grown since 1979. Initially, black workers did not join unions for the benefits they offered - they are usually modest, in most cases a R100 funeral benefit. Nor did most of them join because they were expecting to win wage increases - most unions have only begun recently to engage in serious wage bargaining. The majority joined unions out of a desire to defend worker rights from what they see as arbitrary or unfair treatment by management. "I joined the union", one worker I interviewed said, "because workers are not treated like human beings by management". (34) While recruitment has indeed been rapid in the post-Wiehahn period, the total membership is still small at approximately 400,000 signed-up members. Membership is spread between two national federations - FOSATU and CUSA - and at least another dozen unions such as SAAWU, F & CWU and GWU. However, with an economically active population of 10 million, their potential for growth is considerable.
With a established union membership of 800,000, South Africa can be said to have a total union membership (registered and unregistered) of approximately 1,200,000, comprising about 12% of the total work-force.

The workplace-based nature of organization and action reflects an important feature of these emerging unions - their concentration on building shop steward structures in selected workplaces. The emerging unions now have an organizing presence in over 756 workplaces, covering largely factories, but including newspapers, supermarkets, hotels and nursing homes. In 420 of these workplaces, formal agreements have been signed by these unions. These agreements take three main forms: recognition, procedural and substantive. Recognition agreements provide for recognition of the unions' right to organize and represent workers which includes regular meetings with management, time-off for shop stewards meetings, training and report-back meetings and union rights such as stop orders and access. Procedural agreements establish procedural rights in the case of retrenchment, dismissal and grievance handling. A substantive agreement provides for negotiating rights over wages and working conditions.

Shop stewards and their committees have become the pivot of the organizational structures of these new unions. Structuring of these committees and their incorporation in the constitution of the unions was a significant innovation in South African trade unionism. Each department in the workplace elects a shop steward and there are now over 6,000 shop stewards in the emerging unions. On an average, there is one shop steward for every 60 signed-up union members. The profile that emerges of those elected to the position of shop steward is that they tend to be below the age of 35, have worked for some time in their current workplace, and have a strong sense of service to their fellow workers. (35)
In all seven of the case-studies examined the agreements were entered into in the post-Wiehahn period. In five of the seven cases, the signing of the agreement was preceded by a period of struggle between management and the emerging unions that resulted in a strike. Although management has now established a working relationship with the unions in the companies examined, in 4 of the cases either one or more strikes have taken place since the signing of the agreement. Prior to the recognition of the union, the companies provided for African worker 'representation' through a liaison committee.

How much control over management have these agreements given workers in these factories? These agreements have given workers the capacity to influence the way in which management exercises its control over black workers through establishing three crucial rights on the shop floor:

(1) The right to organize inside the factory (See Table 1)

In all 7 cases the union officials have access to the workplace, although not necessarily during working hours. In 3 of these cases prior approval from management was required from union officials to attend a meeting inside the workplace. In 4 of the cases shop stewards are able to caucus before a meeting with management during working hours. Report back on meetings with management tend to be during tea or lunch breaks. Where companies allow for report-back during company time they seem to specify a period usually 1/2 or 1 hour, although in practice it seems to be difficult for management to monitor. General union meetings are usually held in the townships over the week-ends. In all but one case shop stewards are given time-off during work hours to deal with members' grievances. Two agreements provide for a specified time (5 hours a week or 10 hours per month) but in all cases the shop steward requires the permission of his immediate supervisor. In 6 of the agreements time is provided for shop steward training
between 5 and 10 days. In all but one of these cases this is paid time-off, although in two cases the content of the training must be approved by management. (36) Again, in practice, it is difficult for management to exercise more than token control over this part of the agreement.

(2) The right to limit management's power to dismiss workers during a strike (Table 2)

It is common practice in South Africa for employers in strikes to dismiss all workers and then selectively reemploy those that they want back which usually excludes strong union members and shop stewards. The agreement in the paper industry (See Table 2) addresses this problem directly. It prevents such selective dismissals and reemployment during a strike so management now have a choice of dismissing all workers permanently or dismissing none. This right was first won in June 1983 at Natal Thread in Hammarsdale. (37) FOSATU Worker News described the agreement as protecting strikers from dismissal as it is, "Highly unlikely that a company would fire the entire factory as it would have to train a completely new workforce from scratch". (38)

The agreements in retail and metal establish a more qualified right, as they only restrict management from dismissing workers during the first 24 hours of a strike. (See Table 2). In January 1984 workers in the retail plant took advantage of this aspect of the agreement, by striking one day at a time in support of dismissed workers. However in a letter to the unions, management have now said that any further stoppage would be treated as part of the same strike. (39)

(3) The right to challenge "managerial prerogative" to dismiss or retrench by laying down a set of procedures that have to be followed.

The redefinition of the frontier of control, discussed
in Part I of this paper, has led to some anxiety recently on the part of management over the 'Right to manage'. In the course of my research I came across a number of internal memos by management that attempt to list specific functions that are exclusively management's. In fact one manager saw demands to consult workers over retrenchment as a denial of 'management's natural right to manage'. However in the agreements examined, with the exception of the chemical one (See Appendix A), management were not successful in persuading unions to list functions that were not negotiable. In most cases management had come to accept that they could no longer lay any unilateral claim to previously accepted prerogatives.

Two clear examples of where management has been forced to negotiate the boundaries of control in the work situation is the 'right' of management to unilaterally dismiss (Table 3) and management's 'right' to retrench workers (Table 4). In all 7 cases procedures whereby dismissed workers can appeal against their dismissal exist (Table 3). In all cases examples of reinstatement of unfairly dismissed workers were given. In four out of the seven cases workers had gone on strike over the dismissal of a colleague. In two of the cases workers went out on strike because the supervisor had not followed the disciplinary procedure. (See Appendix B).

In 5 of the seven cases the union has successfully negotiated a retrenchment procedure (See Appendix C). In three cases workers went beyond negotiating the form of retrenchment to challenging management's proposed retrenchment or short-time. (See Table 4) In the case of the food industry, the union disputed management's notification that they intended to retrench because of new machinery and went out on strike. The workers returned to work when management agreed to reinstating workers by placing them in other departments. In the textile case workers
boyicotted overtime when management decided to implement short-time because of the recession. The overtime boycott led to an agreement with the union that:

"The shop steward in each department will be informed by the supervisor or departmental head of the number of persons required for overtime in that department, and the overtime work available in each department will be allocated in consultation with the shop steward on an equitable basis as far as possible".

In practice, shop stewards informed me they now control who and in what order shop stewards are allocated over-time.

These challenges to management's unilateral power to dismiss have been strengthened by the development of the concept of unfair labour practice in the Industrial Court. Here are some of the judgements of the court:

... The court has declared that the onus of showing good reason for any dismissal rests with the employer.

... It will actually reinstate workers who have been victimized.

... It will rule against victimization effected through retrenchment.

... The employer cannot refuse to renew the migrants' annual contract on the grounds of the migrants' union membership.

... A contract worker cannot be dismissed without good cause before the expiry of his contract.

... That where a union existed it should be consulted before retrenchment.

... Before retrenchment takes place that a fair procedure be adopted and that the union and company explore alternatives.

... The court has enforced agreed dismissal procedures and also declared it an unfair labour practice to dismiss an employee without a fair procedure where a representative union has sought to discuss the implementation of such a procedure.
... The court has granted an interim order reinstating gold miners who were dismissed following their refusal to work out of a real and reasonably held fear for their safety whether that fear was in fact correct or not. (40)

As Nupen concludes:

".... the body of law relating to fair employment practices must surely become an important tactical consideration in (plant level) negotiations, and in this respect the body of law relating to fair employment practices which is emerging from that court is an important card in the union movements' pack". (41)

To what extent have the 3 rights established in these agreements encroached on the 3 elements of management's system of control enumerated at the beginning of this paper? With the important exception of the shop stewards' right to allocate overtime in the textile case-study and possibly the right to influence manning levels through challenging retrenchment proposals (Table 4), workers have made no significant inroads on the first two levels (directing tasks and evaluating performance) of managerial control. In fact in some cases, such as the chemical industry, the agreement includes a section on Job Evaluation which provides for a system of bureaucratic control. (42) The agreement specifically excludes the union from the appraisal team.

The third element (i.e. discipline and reward) is the one where workers have made the most significant encroachment on managerial control by challenging management's unilateral power to dismiss. Management have recognized that it is the supervisor who has experienced the encroaching control of the emerging unions most sharply. At a personnel conference at the end of 1983 on the implications of this shifting balance of power on the shop floor Bobby Godsell of Anglo American argued that:
"Supervisors have ended up in a terrible no man's land. When they lost the right to fire they became dogs without teeth and in conflict situations management has tended to bypass the supervisor and take decisions over his head".

All our respondents confirmed that the arbitrary power of the supervisor had been "broken" although none argued that this was regrettable. Instead our respondents share the conclusion of a recent academic study of supervisors which suggests that:

"The supervisor should have some say in the union - management contract which he must help to implement and should also be included as part of the management team in their discussions with unions. However management cannot expect the supervisors' subordinates to show him respect if they exclude him from the managerial team". (43)

Or, more succinctly, Godsell drawing an implicit distinction between arbitrary power and authority concludes:

"Supervisors must be given more authority", (44)

Recently this frontier of control has been pushed further forward by demands that threaten management's traditional presumption that workers have no right to participate in the conception and planning of production (Table 5)

All those interviewed agreed that negotiable issues are widening. Two types of demands can be identified:

(a) there are demands that are challenging management's traditional prerogative in production; such as the demand for financial disclosure. In the chemical case, the union demanded, in December 1983, financial information including gross and net profits, the allocation of such profits, capital transfers and loans to associated companies in order that it "may properly assess the companies ability to pay a wage increase". Similar demands have been made in metal and motor.
(b) Other demands such as maternity rights and pensions are concerned with wider issues related to the reproduction of the work force. In the retail case the maternity agreement provides for an undertaking of a guaranteed job if they return within 12 months. In the food case the company provides for a third of their salary for a period of 12 weeks. In the case of the metal company, workers have demanded that their union have the right to nominate 50% of the pension fund board. The unions' most imaginative proposal is that part of the R600 million in the fund be invested in houses for workers. (45)

However to describe these demands as "worker control" as Rosholt of Barlow Rand did last year, is to underline the different perceptions management and workers have of this frontier of control. Rosholt's view is simple. He looks at an agreement as a concession - in exchange, unions must restrict negotiations to "any matter relating to the contract of employment" - any demand beyond this is a threat to the "private enterprise system". (46) Workers see it rather differently. They regard the formal provisions of the procedure as a framework of minimum rights which can be added to by informal bargaining. An agreement, said one of those interviewed, "on its own is not worth the paper it is written on. Equally, I think it serves a useful purpose both psychologically and legally because management is felt to 'be bound by certain rules'. And at times when we are weak, it serves as a defence because it becomes an accepted way of working. Where organisation is not developed sufficiently the document cannot be used effectively. You can't have a recognition agreement as a substitute for organisation. It has an important psychological effect for both workers and management. For workers it clarifies what they have won and what they have a right to do and they tend to be more confident in doing these things. For management it forms a basic level of what has been accepted". (46)
What emerges from this study is that grievances are not always settled judicially by reference to existing agreements, they are bargained over by management and shop stewards who take into account their relative power position at the time. "The most appropriate comparison", Joe Foster, Secretary General of FOSATU said in his speech to their Congress in April 1963, "is with that of the guerrilla fighter who has to develop the strength to resist daily, the knowledge of his terrain that will give him every tactical advantage and the support of those for whom he is struggling. Probably most important, because both the worker leader and the guerrilla are fighting a powerful enemy, is the development of a view of when to advance and when to retreat". As we saw in Table 3, workers and management were quite willing to break the agreement and go out on strike over dismissals if they felt they could get away with it. Kuhn in his study of bargaining in the United States reached similar conclusions:

"Though at times reluctant to admit it, or so used to it that they are unaware of the implications of their actions, management and union officials in all plants studied bargain over their grievances on the basis of their relative bargaining position on the shop floor". (47)

This conclusion is best illustrated by the example of AECI management who issued an ultimatum to their workforce to return to work or be dismissed when they embarked on South Africa's first nation-wide legal strike in January this year. Management, having assessed their power and the relative powerlessness of newly organized plants which recently retrenched 4500 workers because of a recession in the industry, waived industrial legality in the workplace and exercised their traditional prerogative to dismiss. It is precisely because collective bargaining is for both parties essentially a 'power conflict that consensus on the shop floor through a new system of 'the rule of law'
will remain elusive.

Furthermore any strategy that searches for consensus on the shop floor must locate their analysis in the context of the wider inequality in S.A. Prior to the emergence of significant organisation on the shop floor social reformers were preoccupied with questions of measuring poverty through such concepts as the PDL. As the frontiers of control have been pushed forward, trade unionists have not been content with abstract definitions of survival but have demanded the right to determine their definitions of a living wage. (48) This recognition of the question of power and control involved in bargaining was expressed by one organiser in these words:

"Low wages in S.A. are associated with the fundamental inequalities of our society .... inevitably, therefore, better wages become a political demand and workers do not confine their perception of wages to the narrow economics of the factory".

During the course of this study I came across two factories where workers have demanded precisely this: they have claimed a wage increase of 35% on the grounds that to "maintain" their overall standard of living wage increases must take into account the added burden on those with jobs of dependents who are unemployed. (45) While clearly management has the power to reject such a claim, the importance of this demand is that it is not simply pushing the frontier of control forward beyond production to the question of the reproduction of the labour force. It is crossing the crucial boundary in our industrial relations system between what we called the politics of production i.e. questions of the reward-effort bargain, to global politics i.e. ownership and distribution of the product at the level of capitalist society as a whole. The demand for what has been called the social wage is now being put on the bargaining table and in the process a new form of unionism is in the making that seeks to challenge poverty in S,A. (50)

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FOOTNOTES


2. Ibid, p. 18


5. The first stage of this research was conducted with the help of Merle Barsel. The second stage with the help of Lindi Woolley. I would like to thank them both for their help.


8. Ibid, p. 11-12.


12. Ibid, p.188.


16. Webster, op. cit. p.273 - 278.

17. Webster and A. Sitas, Stoppages in the East Rand Metal Industry. FOSATU Occasional Publication No. 3

18. Webster, 'East Rand stoppages continue' SALB. Vol. 7 No. 8, July 1982.


22. Ibid

23. Ibid

24. Ibid

25. Ibid


27. Edwards, op. cit. p. 128

28. Webster, op. cit. Chap 8

29. Webster, Ibid

30. Webster, Ibid

31. Webster, Ibid

32. Webster, Ibid

33. Webster, Ibid

34. Webster, Ibid

35. Webster, "New force on the shop floor" in *S.A. Review* 1983

   In our sample for this study there were 405 shop stewards and 17205 workers averaging 42 workers per shop steward.

37. FOSATU Worker News, August 1983. No. 23
38. Ibid
42. Edwards sees job evaluation as part of the system of bureaucratic control. "Formalizing the job descriptions, the assignment of workers to jobs, the task sequence appropriate to each job, and the pace and quality of work does not remove these matters from the realm of workplace conflict. Nonetheless the bargaining now comes to focus on the application of particular rules and procedures, that is, on the interpretation of the laws that are to govern the workplace. Such conflict does not threaten the overall structure by which the labour process is controlled. Thus does bureaucratic control perform its first management function" p. 139.
45. Umbiko we MAWU. Vol 1 No. 3 July-August 1983.
49. For a discussion of this issue see J. Keenan 'Recession and its effects on workers' in S.A. Review, 1983.
50. It is interesting to note that while the social wage is under attack in Europe under monetarist influence, it is being put on the agenda in S.A. However, a similar process of widening of bargaining issues on a much more developed scale is taking place in Europe. For a good account of this see Clive Jenkins 'Worker participation in Europe' in Nancy Lieben, *Eurosocialism and America* Temple University Press 1982. Of particular interest is the Corporate Plan developed by a group of shop stewards in Lucas Aerospace in the U.K. For an account of this S. Eliot and H. Wainwright, *The Lucas Plan. A new trade unionism in the making.* Alison & Busby, 1983.
<table>
<thead>
<tr>
<th>QUESTION</th>
<th>MOTOR</th>
<th>FOOD</th>
<th>PAPER</th>
<th>RETAIL</th>
<th>CHEMICAL</th>
<th>TEXTILE</th>
<th>METAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Have union officials access to the workplace?</td>
<td>Yes</td>
<td>Yes, every 3 months after permission is granted</td>
<td>Yes, open access</td>
<td>During lunch and tea breaks and after working hours, after permission has been granted</td>
<td>&quot;Reasonable&quot; access, after permission has been granted</td>
<td>Once a week</td>
<td>Once a week for one hour</td>
</tr>
<tr>
<td>Can caucusing be done during working hours by shop stewards?</td>
<td>Not specified in the agreement</td>
<td>1. The senior shop steward is entitled to an allocated amount of company time per week to attend to specific union company business. 2. Shop stewards are allowed a monthly caucus meeting (2 hrs)</td>
<td>The shop stewards' committee can meet for 1 hr prior to a management/shop steward meeting</td>
<td>Not specified in the agreement</td>
<td>Shop stewards may have a caucus meeting in company time, prior to any meeting with management. The time period will be arranged beforehand with the general factory manager</td>
<td>None specified in the agreement</td>
<td>1. One hour per month prior to meetings with management. 2. Extraordinary meetings requested by shop stewards are given 30 minutes</td>
</tr>
<tr>
<td>Are shop stewards given time off to deal with grievances?</td>
<td>5 hrs per week</td>
<td>Senior shop stewards can be given time off to deal with company union business</td>
<td>Time given with management approval</td>
<td>10 hours per month</td>
<td>Under exceptional circumstances</td>
<td>None specified in the agreement</td>
<td>Senior shop stewards given one hour each day to conduct union activities</td>
</tr>
<tr>
<td>Can report backs be held during tea and lunch breaks?</td>
<td>No, during tea and lunch breaks only</td>
<td>No, during tea and lunch breaks only</td>
<td>The shop stewards' committee after each meeting with management is entitled to 1 hour during working hours to report-back</td>
<td>Report backs should be held during tea and lunch breaks unless management permission has been granted in respect of meetings to be held during working hours. Such permission will not be unreasonably withheld</td>
<td>No, during tea and lunch breaks only</td>
<td>No, must be held over the weekends</td>
<td>A week after a shop stewards-management meeting they are allowed 1½ hour report back</td>
</tr>
<tr>
<td>Are general meetings allowed in company time and on company premises?</td>
<td>Have attempted to have general meetings after working hours but facilities are not suitable so they are held in the townships</td>
<td>General meetings are held in the townships. Workers are let off work to attend these meetings but do not get paid for this time.</td>
<td>Held in the townships</td>
<td>With prior consent from management, general meetings can be held on the premises after working hours. But only for 1½ hour</td>
<td>Held in the townships</td>
<td>Held in the hostel. Unpaid time during working hours can be applied for.</td>
<td>1½ hour is allocated to general meetings after meetings with management and shop stewards</td>
</tr>
<tr>
<td>Are shop stewards given time-off for training?</td>
<td>10 days paid leave</td>
<td>Unpaid leave, at times mutually agreeable to both parties</td>
<td>5 days paid leave per year</td>
<td>Paid leave for an unspecified time period. Subject to the training content being approved by management</td>
<td>1 week paid leave a year</td>
<td>None</td>
<td>Paid leave can be applied for</td>
</tr>
</tbody>
</table>
### TABLE 2  RIGHT TO STRIKE

Has the right of management to dismiss workers during a strike been restricted

<table>
<thead>
<tr>
<th>Industry</th>
<th>Agreement not to lock out</th>
<th>Agreement not to dismiss during/after strike</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor</td>
<td>At present being negotiated</td>
<td>None</td>
</tr>
<tr>
<td>Food</td>
<td>?</td>
<td>?</td>
</tr>
<tr>
<td>Paper</td>
<td>?</td>
<td>If there is a strike the company agrees not to dismiss selectively or rehire selectively</td>
</tr>
<tr>
<td>Retail</td>
<td>The company agrees not to lock-out any workers, until all procedures have been exhaustively used</td>
<td>Company gives qualified undertaking not to dismiss anyone in the first 24 hours of a strike.</td>
</tr>
<tr>
<td>Chemical</td>
<td>Agree not to a lockout if certain conditions are met</td>
<td></td>
</tr>
<tr>
<td>Textile</td>
<td>The company agrees not to lockout until certain procedures have been exhausted</td>
<td>The company agrees not to dismiss any worker during the first 24 hours of a strike.</td>
</tr>
<tr>
<td>Metal</td>
<td>The company agrees not to lockout until certain procedures have been exhausted</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Motor</td>
<td>Food</td>
</tr>
<tr>
<td>----------------------</td>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td>1. Are there procedures whereby dismissed workers can appeal?</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>2. Do they lead to the reinstatement of unfairly dismissed workers?</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>3. Have dismissed workers been reinstated after a work stoppage?</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

TABLE 3
CHALLENGE TO MANAGEMENTS' RIGHT TO UNILATERALLY DISMISS
### TABLE 4

Managements' right to retrench workers

<table>
<thead>
<tr>
<th></th>
<th>Motor</th>
<th>Food</th>
<th>Paper</th>
<th>Retail</th>
<th>Chemical</th>
<th>Textile</th>
<th>Metal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there a negotiated retrenchment procedure</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>?</td>
<td>Yes</td>
</tr>
<tr>
<td>Have workers taken any steps to challenge managements' proposed retrenchment or short-time</td>
<td>No</td>
<td>Workers went on strike, and as a result the proposed retrenchment didn't take place</td>
<td>No</td>
<td>No</td>
<td>Workers challenged management proposed implementation of a short-time system and won out</td>
<td>Management proposed short-time; so workers banned overtime. Now all allocation of over-time is decided by workers</td>
<td>No</td>
</tr>
<tr>
<td>Retail</td>
<td>Motor</td>
<td>Food</td>
<td>Paper</td>
<td>Chemical</td>
<td>Textile</td>
<td>Metal</td>
<td></td>
</tr>
<tr>
<td>-------</td>
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<td>---------</td>
<td>-------</td>
<td></td>
</tr>
<tr>
<td>?</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>

Are negotiable issues widening?

What new demands are being raised?

APPENDIX A.

4.2 The following will be matters for negotiation between the Parties for Union members:

4.2.1 Access to the Employer's premises.
4.2.2 Recognition of a Shop Stewards Committee.
4.2.3 Negotiation procedures.
4.2.4 Grievance procedures.
4.2.5 Dispute procedures.
4.2.6 Retrenchment procedure.
4.2.7 Stop order facilities.
4.2.8 Agreed wages for different job categories.
4.2.9 Hours of work.
4.2.10 Rest and meal intervals.
4.2.11 Annual leave and leave pay.
4.2.12 Sick leave.
4.2.13 Maternity leave.
4.2.14 Rates for overtime, shiftwork, work on paid public holidays, work on Sundays and bonus.
4.2.15 Allowances, e.g. standby.
4.2.16 Amendments to agreements.
4.2.17 Recreation.
4.2.18 Matters of mutual interest to which the Parties may agree.

4.3 The Employer and the Union may consult one another with regard to the following if it affects Union members:

4.3.1 Production plans.
4.3.2 Safety, health and welfare.
4.3.3 Training and development.
4.3.4 Job enrichment.
4.3.5 Housing facilities.
4.3.6 Organisational structure.
4.3.7 Teamwork.
4.3.8 All other matters affecting the interests of the Parties.
A. GENERAL

To minimise disciplinary problems, the rules which the Company requires all employees to observe and standards which they are expected to maintain must be clearly known and generally accepted. These rules are given in the information booklet, "People", and are included as an appendix to this document.

B. STAGES OF PROCEDURE

Stage 1
The Shift Supervisor/Foreman takes the first step in the disciplinary procedure, which will be a formal written warning on the employee's record card.

The Supervisor/Foreman will record in writing a brief account of the incident that gave rise to the warning and the employee will sign this entry on his/her record card to indicate that he/she has received the warning.

Should this warning be disputed, the Grievance Procedure shall be invoked in the normal way.

Stage 2
If the employee persists in breaking the rule or does not perform as required, a second written warning is recorded as detailed in Stage 1.

Stage 3
If it becomes necessary to issue a third and final warning in written form, either party may request the presence of the Sectional Shop Steward.

Stage 4
If the employee further persists in breaking a rule or does not perform as required, after receipt of third and final warning, termination of employment will be effected.

Each written warning shall fall away after twenty (20) weeks of its having been given.

Records of warnings and dismissal notice shall be made available to Trade Union Secretariat and Senior Shop Steward, providing adequate notice is given to the Company.

Stage 5
The Company undertakes to rehire on the same terms and conditions any worker who is found to be unfairly dismissed and to pay him/her their usual wages for the period until they are rehired, provided that if a worker cannot be contacted or has taken another job he/she shall be paid wages only until the date of the offer of reinstatement or until the date of his/her having taken another job, whichever is the earlier.
APPENDIX C

RETRENCHMENT PROCEDURE

1. UNDERTAKES THAT IT SHALL NOT TAKE ANY DECISION REGARDING RETRENCHMENT UNTIL IT HAS TAKEN ALL REASONABLY PRACTICABLE STEPS TO AVOID RETRENCHMENT.

2. FOLLOWING A DECISION TO RETRENCH THE SHALL CALL A MEETING OF EMPLOYEE REPRESENTATIVES AT THE ESTABLISHMENT CONCERNED AND SHALL INFORM THEM OF THE DECISION AND GIVE FULL REASONS AND EXPLANATIONS THEREFOR. AT THIS MEETING THE COMPANY WILL LISTEN OPENLY AND WITH EMPATHY TO ANY SUGGESTIONS WHICH THE WORKER REPRESENTATIVES MAKE AND GIVE THESE SUGGESTIONS SERIOUS CONSIDERATION.

3. THE COMPANY SHALL NOT CONSIDER RETRENCHMENT UNTIL ALL REASONABLY PRACTICABLE ALTERNATIVE REMEDIES HAVE BEEN SOUGHT AND EXHAUSTED, INCLUDING THE FOLLOWING:

3.1 RE-LOCATING WORKERS AT OTHER ESTABLISHMENTS.

3.2 OFFERING WORKERS THE CHANCE TO VOLUNTEER FOR EARLY RETIREMENT, IF ELIGIBLE.

3.3 RETIRING PENSIONABLE WORKERS WHO ARE OVER THE NORMAL RETIREMENT AGE.

3.4 SUSPENDING RECRUITMENT.

3.5 CUTTING DOWN ON PART-TIME AND CASUAL WORKERS.
4. THE COMPANY SHALL IDENTIFY CANDIDATES FOR RETRENCHMENT FROM THE FOLLOWING CATEGORIES OF EMPLOYEES:

4.1 WORKERS OVER MANDATORY RETIREMENT AGE AS LAID DOWN IN THE RULES OF THE RELEVANT PENSION FUND.

4.2 WORKERS WHO ARE WILLING AND ELIGIBLE TO TAKE EARLY RETIREMENT.

4.3 THE PRINCIPLE OF "LAST-IN, FIRST-OUT" SHALL BE APPLIED SUBJECT TO MANAGEMENT'S NEED TO RETAIN OR TAKE INTO ACCOUNT SPECIAL SKILLS OR ABILITIES IN REGARD TO THIS OR ANY OTHER CATEGORY OF EMPLOYEES.

5. THE COMPANY SHALL UNDERTAKE TO CONSIDER RETRENCHED WORKERS FIRST FOR RE-EMPLOYMENT.
These papers constitute the preliminary findings of the Second Carnegie Inquiry into Poverty and Development in Southern Africa, and were prepared for presentation at a Conference at the University of Cape Town from 13-19 April, 1984.

The Second Carnegie Inquiry into Poverty and Development in Southern Africa was launched in April 1982, and is scheduled to run until June 1985.

Quoting (in context) from these preliminary papers with due acknowledgement is of course allowed, but for permission to reprint any material, or for further information about the Inquiry, please write to:

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