

# 2012

Annual  
Industrial  
Action  
Report



global  
crisis  
lockout  
**wages**

rights revolution  
unemployment

recession **work**

**fairness** unions **riots**

benefits demand injustice negotiate  
picketing **power**

**South Africa** social **strikes**

vulnerable people exploit  
tragedy equity **stop**

dismissal  
**boycott**

**jobs**

revolution  
stayaway  
**economy**

power labour  
dispute

**protests**

**equality**

claim **march**  
workers impact

**dispute** chaos  
layoffs disrupt



# labour

Department:  
Labour  
REPUBLIC OF SOUTH AFRICA

# 2012

## Annual Industrial Action Report

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## ACRONYMS

ACSA	Airports Company of South Africa
AGM	Annual General Meeting
AMCU	Association of Mineworkers and Construction Union
BAWUSA	Bawsi Agricultural Workers Union of South Africa
BTR	Bus Rapid Transport
BWB	Bushbuckridge Water Board
CCMA	Commission for Conciliation, Mediation and Arbitration
CEPPWAWU	Chemical, Energy, Paper, Printing, Wood and Allied Workers Union
COSAWU	Commercial Services and Allied Workers' Union
CSAAWU	Commercial, Stevedoring, Agricultural and Allied Workers' Union
COSATU	Congress of South African Trade Unions
CPI	Consumer Price Index
CPIX	Consumer Price Index (excluding mortgage interest cost for metropolitan and other urban areas]
CWU	Communication Workers Union
DENOSA	Democratic Nursing Organisation of South Africa
DPISA	Department of Public Service and Administration
FAWU	Food and Allied Workers Union
FMAIWU	Federated Mining and Allied Industries Workers Union
FDC	Free State Development Corporation
FGWU	Food and General Workers Union
GDP	Gross Domestic Product
GIWUSA	General Industries Workers Union of South Africa
HIV	Human Immunodeficiency Virus
HOSPERSA	Health and Other Service Personnel Trade Union of South Africa
HOTELICCA	Hotel, Liquor, Catering, Commercial and Allied Workers Union of South Africa
HPCSA	Health Professions Council of South Africa
ICCAFWU	Independent Catering Commercial Farm Workers Union
ILO	International Labour Organisation
IMATU	Independent Municipal and Allied Trade Union
ITU	Inqubelaphambili Trade Union
LMIS	Labour Market Information and Statistics
MEWUSA	Metal and Electrical Workers' Union of South Africa
MIBC	Metal Industries and Bargaining Council
MTWU	Motor Transport Workers Union
MWASA	Media Workers Association of South Africa
NAPTOSA	National and Professional Teachers' Organisation of South Africa
NEDLAC	National Economic, Development and Labour Council
NEHAWU	National Education, Health and Allied Workers Union

NHLS	National Health Laboratory Service
NUMSA	National Union of Metal Workers of South Africa
NUM	National Union of Mineworkers
NUPSAW	National Union of Public Service and Allied Workers
PRASA	Passenger Rail Agency of South Africa
PSA	Public Servants Association
PTAWU	Professional Transport and Allied Workers Union
PTWU	Professional Transport Workers Union
RFEA	Road Freight Employee Associated
QES	Quarterly Employment Survey
SACCAWU	South African Commercial, Catering and Allied Workers' Union
SACTWU	South African Clothing and Textile Workers Union
SACU	South African Communications Union
SACWU	South African Chemical Workers Union
SADTU	South African Democratic Teachers Union
SAEWA	South African Equity Workers Association
SAEPU	South African Emergency Personnel's Union
SAFA	South African Football Association
SAFCEC	South African Federation of Civil Engineering Contractors
SALGA	South African Local Government Association
SAMA	South African Medical Association
SAMWU	South African Municipal Workers Union
SANC	South African Nursing Council
SAPTU	South African Parastatal and Tertiary Institutions Union
SATAWU	South African Transport and Allied Workers Union
SEIFSA	Steel and Engineering Industry Federation of South Africa
SU	Solidarity Union
TAWU	Transport and Allied Workers Union
TAWUSA	Transport and Allied Workers Union of South Africa
TB	Tuberculosis
TOWU	Transport and Omnibus Workers Union
TSAM	Toyota South African Motors
TWU	Tirisano Workers Union
UASA	United Association of South Africa
UNISA	University of South Africa
UTATU	United Transport and Allied Trade Union
UNICIMESHAW	United Chemical Industries Mining Electrical State Health and Aligned Workers Unions
WITS	University of the Witwatersrand



Photograph: ANP



South Africa

strikes

Introduction

workers march

## Acknowledgement

The Department of Labour would like to express its appreciation to all those employers and their associations e.g. Lonmin, Golds Fields, AgriSA, Road Freight Employee Associated, South African Post Office, etc., who furnished the Department with sufficient strike information for the coverage of this reporting period, following some major strikes that occurred in their respective industries. A special thank you also goes to all those employers who responded promptly after reminders were sent and to bargaining councils who provided us with wage agreements with and without strike incidents. Without their cooperation, this report would not have been possible.

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Finally, a special thank you is extended to the Labour Policy and Industrial Relations (LP and IR Branch) senior management who provided inputs through internal interviews after participating in various negotiation platforms regarding the wildcat unrests during the last three months of 2012. The efforts of the peers who have critically reviewed the document to ensure that it meets the highest quality standards is also much appreciated.



## Executive Summary

As stressed by the Minister of Labour<sup>1</sup>: "let me take this opportunity first and foremost and condemn violence in any industrial action. Violence has no place in our society whose foundation as democracy is based on intensive social dialogue. Nothing yet has proven to work better than the ability to negotiate and reach consensus..."

This Annual Industrial Action Report presents the results of strike activities from January to December 2012. Every year, the Department of Labour publishes strike activities in line with the national and international standards. One of the main findings in the Department strike database indicates a dramatic increase with the number in strikes in 2012 as compared to the previous four years. A total of 99 strike incidents were recorded in 2012 as compared to the 67 in 2011, 74 in 2010, 51 in 2009 and 57 in 2008. As a result, the working days lost were **3 309 884** in 2012 (with 241 391 employees) as compared to **2 806 656** in 2011 (with 203 138 employees). In terms of wages lost, R6.7 billion was lost in 2012. Furthermore, 44% of the total strikes recorded in 2012 were unprotected<sup>2</sup>.

Key features of industrial actions in 2012 include the following:

- The country's total working days lost in 2012 were estimated at 3 309 884 where 241 391 workers participated across all economic sectors; 57.5% of the total workers involved in the labour unrest were from the Mining sector where a wave of wildcat actions was observed
- As absence from work does affect productivity, in monetary terms the country lost about R6.7 billion in wages during the labour unrest in 2012 as compared to R1.1 billion in wages in 2011. This is another crisis while the country is grappling to sustain the slow economic growth after the 2008 economic recession. Furthermore, South Africa experienced violent, bloody and deadly industrial actions in the mining, transport and agricultural industries during the last three months of 2012. Out of 99 strikes processed within the Department, 45 strikes were unprotected
- The median-wage settlement rate as reported by Labour Research Services varied between 6.9% and 10% way above the level of inflation in South Africa
- The working days lost per 1 000 working South Africans was estimated at 244 in 2012 as compared to 208 in 2011. In other words, for every 1 000 employees in South Africa in 2012, about 244 working days were lost due to work stoppages
- Working days lost by industry were mostly prominent in the mining sector (82.4%), followed by the manufacturing (5.7%), community (4.1%) and agriculture (3.7%) sectors in 2012
- Wages, bonus and other compensation still remain to be the main reasons for work stoppages in South Africa, totaling 81.5%
- In 2012, most workers who were involved in labour unrest were from NUM. NUM strikes in 2012 were supported by miners at Modikwa Platinum, Westdown Investment, Anglo Gold Ashanti, employees at Benicon Opencast Mining, Samancor Eastern Chrome and Eskom.

<sup>1</sup> Media Statement by the Minister of Labour, Honourable Mildred Oliphant, on the Government's intervention for farmworkers, November 27, 2012

<sup>2</sup> South African legislation provides for protected peaceful strikes which should obviate the need for illegal strikes accompanied by violence. There is therefore no jurisdiction for the recent wave of un-procedural strikes when the legal requirements are so clear and straightforward, emphasised the Minister of Labour.

## Introduction

In the world, South Africa is regarded as one of the emerging economies. However, any rapid growth in emerging economies is also associated with new stresses and strains, for example rising income inequalities, persisting vulnerabilities, citizens' rising expectations of standard of living, improved education and access to opportunities.

The recent industrial action at the Marikana Platinum mine, for example, has triggered the South African Government to strengthen social dialogue and collective bargaining. It is noted that the recurrence of industrial disputes is an indication of the failure of social dialogue between concerned parties in the working environment. On the other hand, South Africa with its relative growth between 3 - 4% per annum has not automatically translated into higher life satisfaction. In this context, strengthening social cohesion becomes a critical common policy objective as reported at the Global Development Network<sup>3</sup>.

Persistent inequality is in part due to ineffectiveness of policy implementation in the South African labour market. The working age group (15-64 years), in particular young African (15-34 years) is finding it difficult to access employment because of limited educational achievement associated with limited skills and experience. As reported in the World Economic Forum's Global Competitiveness Report, South Africa ranks 132<sup>nd</sup> out of 144 countries for its primary education and 143<sup>rd</sup> for the quality of its science and mathematics. Other statistics confirm that three quarters of White pupils complete the final year of high school but only a third of African pupils complete grade 12. The implication is that poor educational achievement will lead either to high vacancy rates at company-level which could sustain the long-term unemployment rate or unequal employment growth in the country.

Furthermore, the recent wave of "unprotected" strike action from August to October in the mining sector is also viewed as a serious threat to our economy. It is reported that "after the miners at Marikana won a handsome pay rise, 75 000 miners chiefly of gold and platinum went on strike mostly illegally. Anglo American Platinum, the world's largest platinum mine, has intended to fire 12 000 workers. Gold One has sacked over 1 400 and this trend has spread beyond mining sector..."<sup>4</sup>

**From the Marikana-moment up to now, the following critical questions can be asked: Have workers lost their confidence in the Labour Relation Act? Why workers' unions were not effective to engage and resolve the industrial action in time and why the union leadership could not be trusted by workers? Last but not least: what is the future of unions and collective bargaining in resolving workers' problems?**

In her response to Parliament, the Minister of Labour indicated that one thing that needed to be dealt with regarding the Marikana incident was the re-establishment of the bargaining system in the platinum mines. This is true and it should be considered moving forward.

Following this, the Department of Labour is continuously monitoring the labour unrest in the country. A number of annual industrial action reports have been published which show trends in industrial action in the South African labour market over time. This annual industrial action report focuses on strike trend analysis over twelve months in 2012. There is no attempt to explore in-depth other related issues associated to a particular industrial action event, in particular with the Marikana event at Rustenburg. The nature of the Marikana event is seen as complex and it shall not be fully understood with a one dimensional analysis in this report. Notwithstanding this, the 2012 report captures some views from selected senior managers within the Department regarding the strike incidents in the mining, transport and agriculture sectors. Other research reports within the Department provide much more relevant details about the Marikana and other strike-related issues.

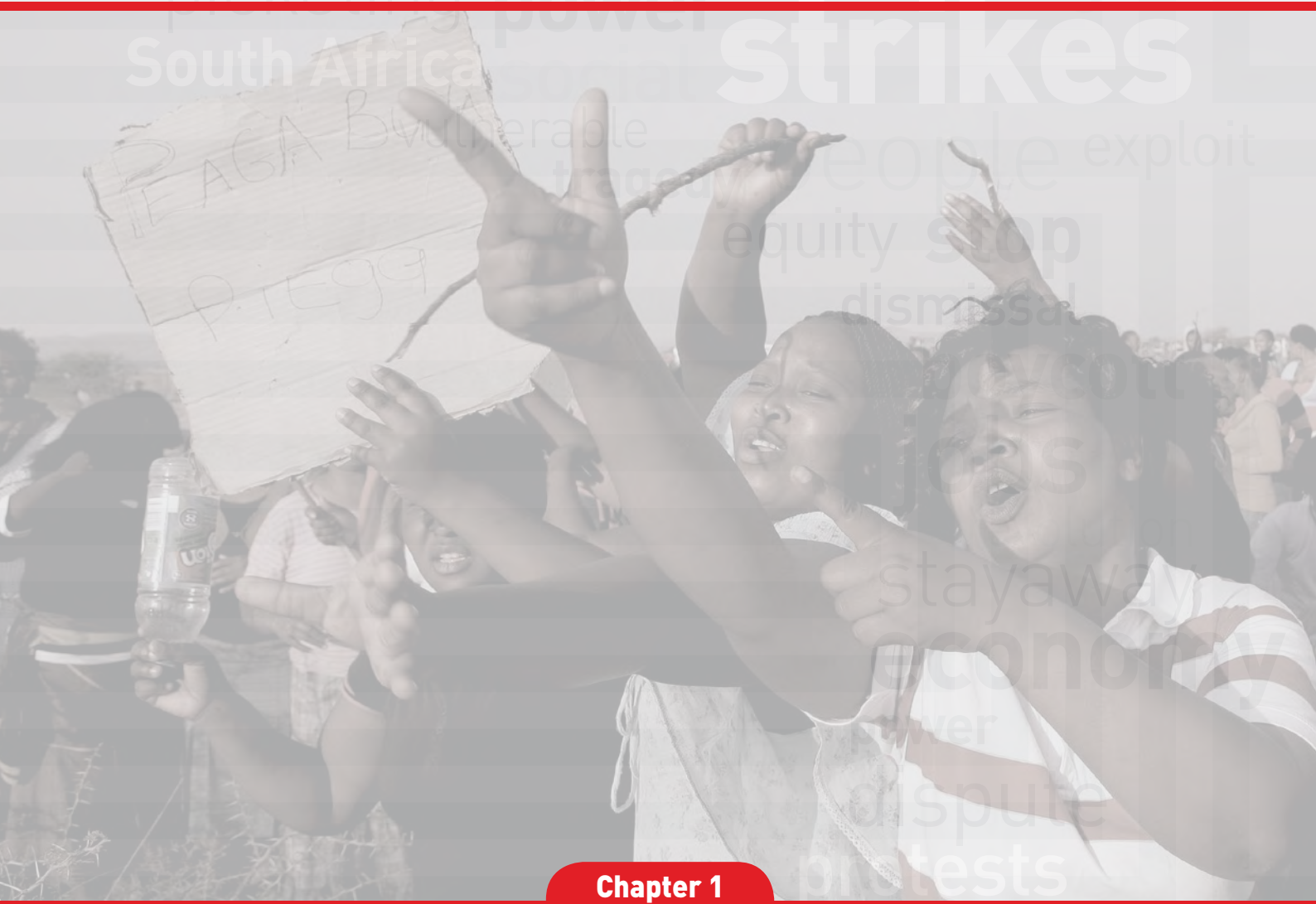
The layout of the remainder of the report is as follows: the **First Chapter** presents important indicators of the strike analysis which form the basis of strike analysis as measured in the number of work stoppages, working days lost, time-loss ratio, working hours lost and wages lost. The relevance of this analysis is based on a comparative trend analysis over a five year period from 2008 to 2012 to examine how strike incidents have been changing over time and its impact thereof on the South African economy.

The discussion in **Chapter Two** focuses on the comparative analysis of work stoppages between 2011 and 2012. This chapter provides insight into various strike aspects regarding trends and patterns across provinces, strike by industries, employment size, strike duration and trade union involvement in work stoppages in the country between 2011 and 2012. Then, **Chapter Three** presents wage settlements in recognition to the right of workers to strike. Finally, **Chapter Four** will profile the work stoppages over twelve months of 2012 as captured and monitored by the Department of Labour. This will be followed by a brief conclusion and strike monitoring methodology in the Annexure.

<sup>3</sup> The Development Centre Joint Policy Dialogue enriched the debate on well-being by exploring how policies need to be reassessed and reshaped to build more cohesive societies, GDN-OECD, New Delhi, 15 October 2012

<sup>4</sup> The Economist, October 20-26th 2012, p. 22-23,

Photograph: [www.africanarguments.org](http://www.africanarguments.org)



**Chapter 1**

## CHAPTER ONE

### Strike activity as measured in the number of work stoppages, working days and hours lost, time-loss and wages lost, 2008 - 2012

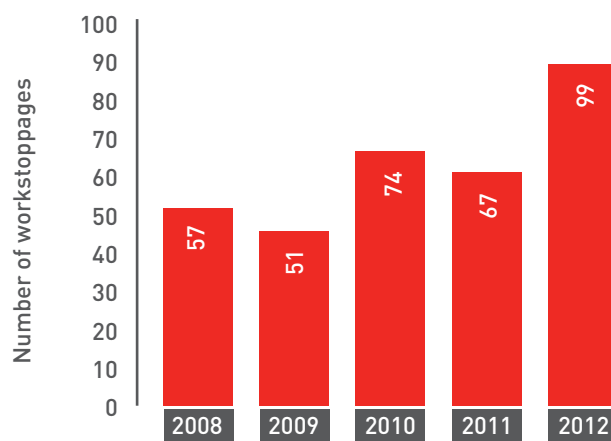
When looking at the past, the strike incidents were increasing from 57 in 2008 to 99 in 2012. Overall, the mining and quarrying sector was the most affected by strikes and the reasons were wage-related matters. The 2012 mining industry strikes were prominently violent and illegal. In the agriculture sector, the Department recognises that farmworkers are among some of the worst off vulnerable workers. In support, the Department promulgated the Sectoral Determination on Farmworkers. The current determination was reviewed in March 2012 and will be in place until the end of February 2015.

While workers still, have confidence on the Labour Relation Act, most of them believe that the cost of living is too high. Thus, in order to achieve an equitable income share, workers will exercise their right to strike as enshrined in our labour laws to negotiate with employers for a better wage deal. That is the reason that trade unions are at a crossroads and the status quo is no longer an option.

Following this, the Department recorded high working days lost in the following sectors: Mining (2 728 359), Manufacturing (188 804), Community, social and personal services (135 186) and Agriculture (123 369) in 2012. The previous year (2011), high working days lost were observed in the Community, social and personal services sectors and the lowest in the Utilities sectors. Also mentionable is the violent strikes that had an effect was that of the transport industry organised by SATAWU and Road Freight Employ Association (RFEA), which lasted for almost three weeks. The strikes brought the country's economy to a halt as it also affected the importing and exporting of goods in the country<sup>5</sup>. The one-day Cosatu national stay-away against the implementation of the E-toll in Gauteng and the utilisation of labour brokers also made a huge impact on the working hours lost during 2012. Fortunately, the public sector strike was averted after unions and the DPSA signed a three year wage deal.

In terms of monetary impact, a total amount of R6 666 103 906 was lost in 2012 as compared R1 073 109 003 in 2011. NUM presented 25.2% of workers who went on strike in 2012 as compared to the 5.9% in 2011. **Figure 1** below shows the total strikes as recorded in the last five years.

**Figure 1: Trends in the number of work stoppages in South Africa, 2008-2012**



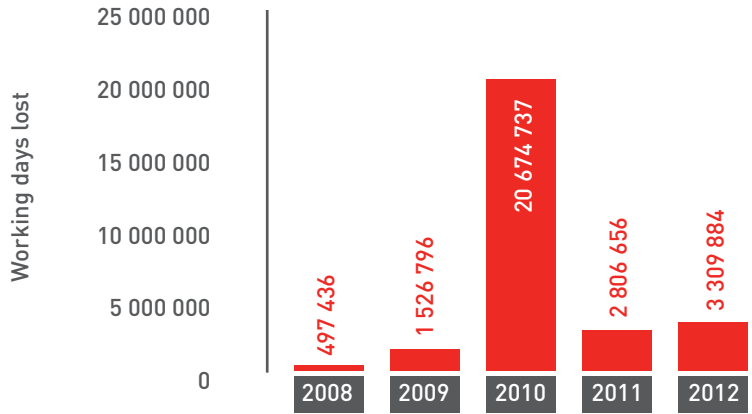
Source: Department of Labour, Strikes Statistics.

**Figure 1** illustrates that there has been an increase in strike incidents from 67 in 2011 to 99 in 2012. This represents about 48% increase in strikes from the previous year. The strikes had a large wave impact in various industries, for instance the transport industry, where several services and deliveries were disrupted. The Post Office, University of Witwatersrand, Toyota SA, ICASA, Lanseria Airport, Esorfranki Civils, Sol Plaatjie Municipality and Naledi Hospice were also affected by labour disputes over the same period. Some of the industrial actions were small in terms of working days lost and working hours lost.

<sup>5</sup> In October Gill Marcus, Governor of the Reserve Bank, pointed to R5.6 billion (\$643 million) in net equity market outflows on October 8th as evidence of a loss of confidence by investors in the country. (The economist, October 20th 2012, p. 23)

In general, most researchers would also agree that it was a very unstable labour market last year in terms of labour unrests but it was almost stabilised at the beginning of 2013 with a few isolated cases, e.g. in agriculture sector.

**Figure 2: Trends in working days lost in South Africa, 2008-2012**



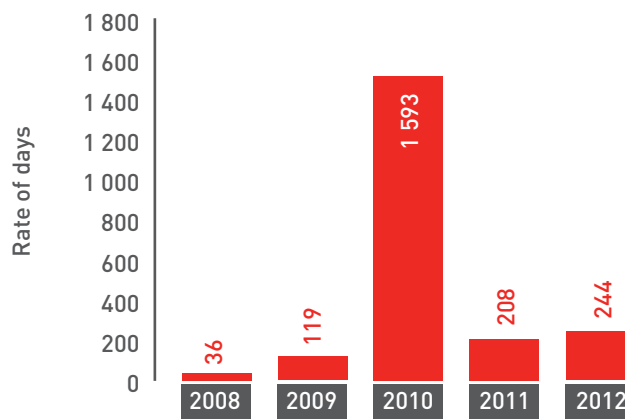
Source: Department of Labour, Strikes Statistics

**Figure 2** above indicates an increase of 18% regarding the working days lost<sup>6</sup> between 2011 and 2012. Amongst other strikes that contributed to more working days lost were at Xstrata Alloys that lasted for 50 days and Anglo Platinum mines with a six-weeks long industrial action. The number of working days lost have a significant impact on productivity of the companies and to the economy as a whole.

In this case the South African mining sector is now under pressure resulting in its output contracting by 3.1% in 2012. A combination of domestic and global factors underpinned this dismal performance. Production stoppages largely linked to industrial action were at the core of the steep drop in platinum production, both early in 2012 and later in the year. This is a high risk situation for workers to loose salary and benefits as the “no work, no pay” principle is always applicable during the stay away from work.

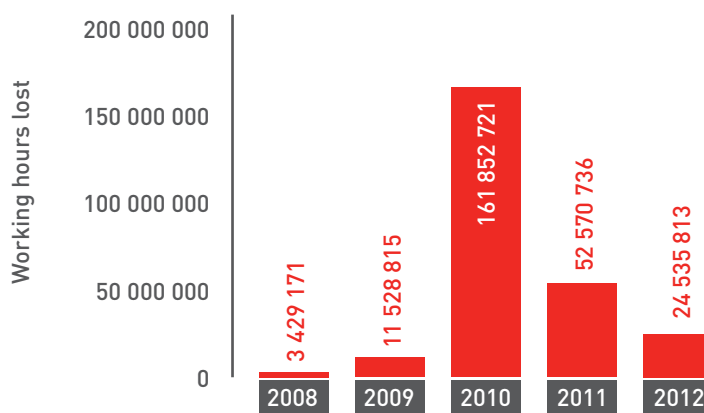
<sup>6</sup> The working days lost due to strike implies the total number of workers involved in the strike or lockout multiplies by the length of the work stoppage.



**Figure 3: Working days lost per 1 000 employees due to strikes, 2008-2012**

Source: Department of Labour, Strikes Statistics

Working days lost per 1 000 employees<sup>7</sup> between 2008 and 2012 is shown in **Figure 3** above. In 2012, for every 1 000 employees who embarked on a strike, 244 working days were lost. Furthermore, the one day stay-away attended by masses of employees in various provinces could have a great impact on the total number of days lost per 1 000 workers. On average 0.2 working days was lost per employee<sup>8</sup> who participated in the strike in 2012.

**Figure 4: Trends in working hours lost in South Africa, 2008-2012**

Source: Department of Labour, Strikes Statistics

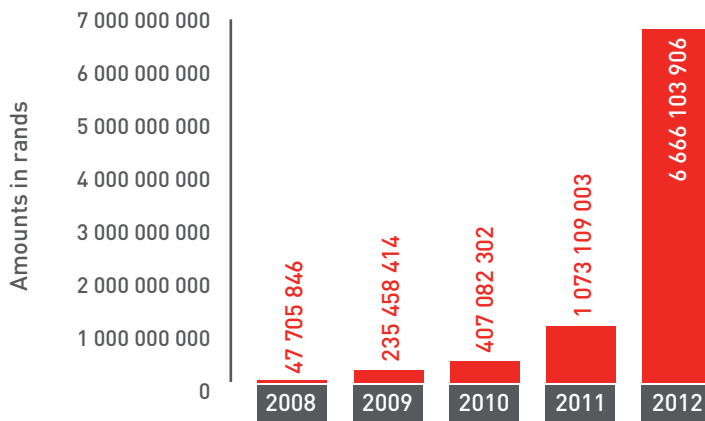
The measurement of working days lost is not necessarily associated with the number of working hours lost as strikes can also occur for a few hours or half a day. **Figure 4** indicates a sharp decrease in the working hours lost in 2012 as compared to the previous year. There were 24 535 813 working hours lost in 2012, down from 52 570 736 working hours that were lost to strikes in 2011. The reasoning behind the low hours recorded, results from the fewer hours and lock-out strikes in some companies.

The 2010 figure remains the highest number of working hours lost that was recorded, over 5 years. This is almost seven times higher than the 2012 figure, because of the public sector strike that also had a huge impact on the labour market and the economy as a whole.

<sup>7</sup> This indicator allows for international comparison in strike activity. For international comparison, the ratio distinguishes which country is strike prone when compared to another

<sup>8</sup> This implies a total of 241 391 employees lost 58 899 working days at a ratio of 1000 employees who lost 244 working days in 2012.

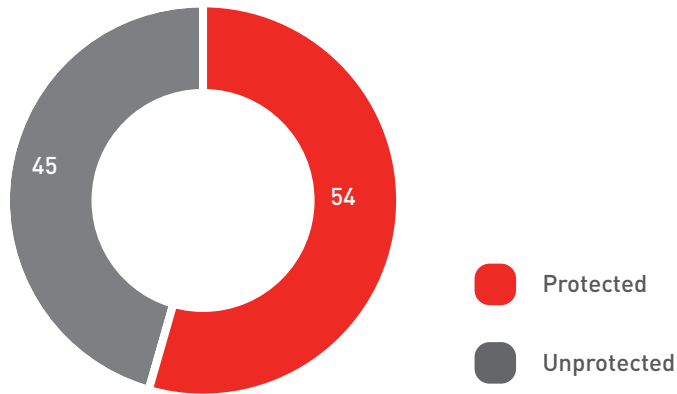


**Figure 5: Wages lost due to work stoppages in South Africa, 2008-2012**

Source: Department of Labour, Strikes Statistics

The impact of strikes on the economy is measured in terms of wages lost as employers supplied such information on the LRA form 9.2 (see annexure). **Figure 5** shows the total amount of wages lost by employees as reported by employers because of the strikes that affected their companies. No matter how big or small the strike is; wages for employees will be forfeited.

As shown in **Figure 5**, a huge amount of R6 666 103 906 was lost in 2012 as compared to R1 073 109 003 in 2011. This is a drastic upward slope since 2008. In 2012 for example, the truck drivers' strike caused employees to lose R271 million in wages and salaries. It was reported that small business owners in the transport industry suffered damage to vehicles and they were facing challenges to pay salaries to striking employees.

**Figure 6: Number of protected and un-protected strikes in South Africa, 2012**

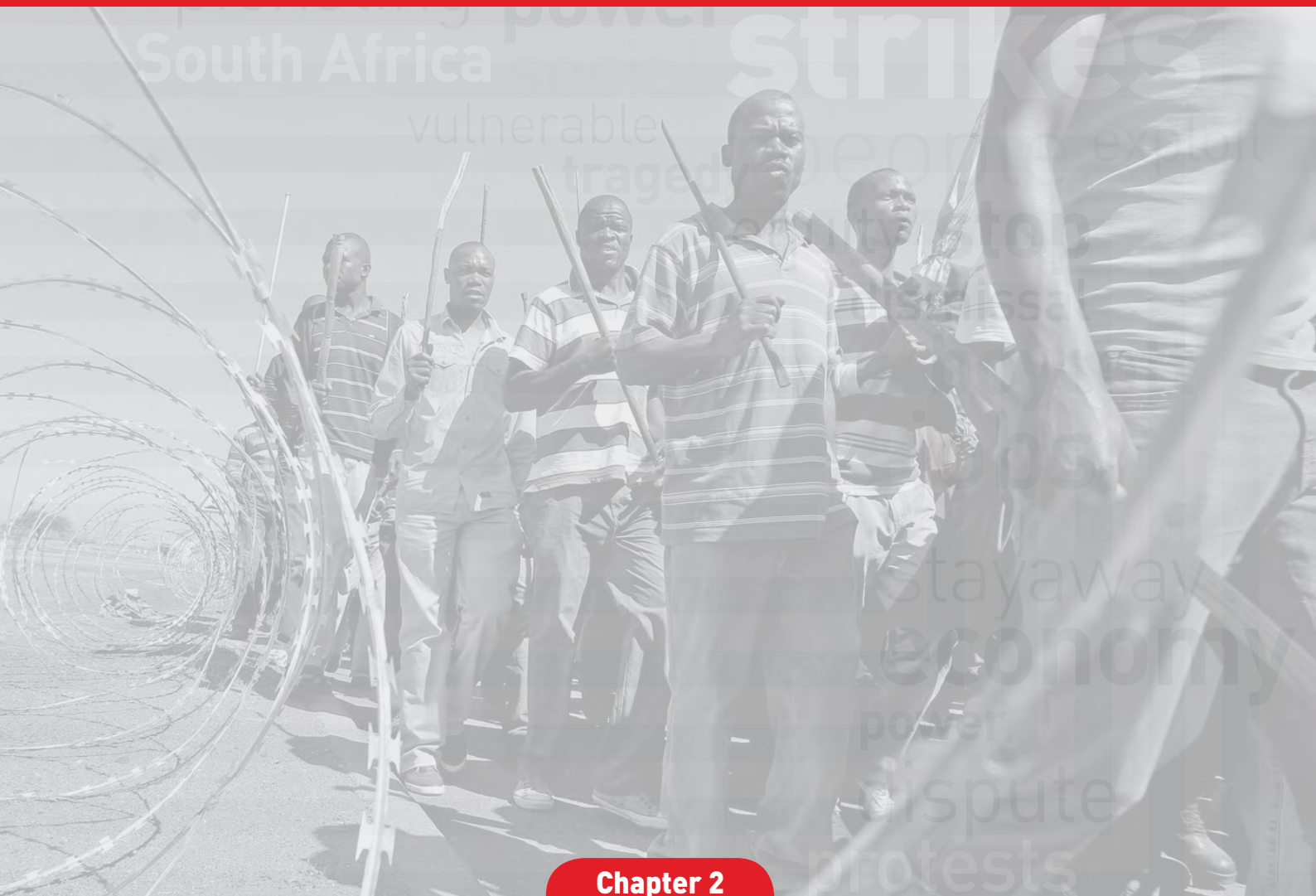
Source: Department of Labour, Strikes Statistics

From **Figure 6** above, it is clear that 45% of the total strikes in 2012 were unprotected, though the Labour Relations Act has established mechanisms to deal with labour-related issues. Most unprotected strikes were realised from the looming mining strikes which were also associated with violence. Although the workers returned to work after negotiating a 22% payrise and a once-off bonus of R2 000 each, illegal strikes had spread to other mines. The loss of trust by members in unions in the mining sector led to the increase in unprotected strikes. It was further fuelled by failure of trade unions within the mining sector to organise and engage with collective bargaining.



crisis  
lockout  
wages  
rights  
revolution  
unemployment  
recession  
work  
unions  
riots

Photograph: Sipiwe Sibeko, Reuters



South Africa

strikes

Chapter 2

aim  
march  
workers  
impact  
chaos  
dispute  
protests

## CHAPTER TWO

### Comparative analysis of work stoppages, 2011 and 2012

The comparative analysis is presented on year-on-year to detect changes in the short run in the labour market. Once the degree of changes is shown, policy makers could be in a position to redirect efforts regarding labour interventions to “strategically” take actions in the South African labour market<sup>9</sup>.

In comparing work stoppages over a two year period, the changes are examined on the following strike indicators: frequency of strike incidents, duration of work stoppages, number of workers involved and wages lost. These results are also disaggregated by province, industry, employment size, nature of strike and cause of dispute.

#### 2.1. Provincial distribution of work stoppages

**Table 1: Distribution of work stoppages and wages lost by province<sup>10</sup>, 2011 and 2012**

Province	Work stoppages				Wages lost (Rands)	
	2011	2012	% Change	Annual Average <sup>1</sup>	2011	2012
Gauteng	33	42	27.3	38	609 886 832.81	5 378 824 209.84
Western Cape	12	15	25.0	14	11 783 150.00	130 17 752.05
Mpumalanga	9	12	33.3	11	12 871 792.66	34 214 840.22
KwaZulu-Natal	15	13	-13.3	14	36 989 037.87	501 089 592.20
Eastern Cape	7	14	100	11	330 874 892.30	102 994 710.40
Limpopo	5	10	100	8	7 477 685.42	17 879 161.20
North-West	11	8	-27.3	10	54 757 793.57	499 316 444.70
Northern Cape	2	4	100	3	70 559.51	23 048.06
Free State	9	3	-66.7	6	8 397 259.82	1 590 147.15
<b>Total</b>	<b>103</b>	<b>121</b>	<b>17.5</b>	<b>112</b>	<b>1 073 109 003.96</b>	<b>6 666 103 906</b>

Source: Department of Labour, Strikes Statistics

Distribution of work stoppages and wages lost by province are presented in **Table 1** above. Gauteng, the largest province in the country, continues to account for the largest number of work stoppages. The province encountered 42 strikes in 2012 from the 33 in 2011. This presented an increase of 27.3% from 2011. The COSATU stay-away and protest march in Gauteng against the implementation of the E-tolling had a major impact on the country's economy as it brought business to a standstill and affecting major freeways. The Northern Cape, one of the small economic scale provinces, continues to record fewer strikes in the two years.

In terms of the impact of wages lost<sup>11</sup>, Gauteng, KwaZulu-Natal and North West accounted for 96.1% of the total wages lost in the country in 2012. This resulted from the Durban clothing factory and gold and platinum strikes in the Rustenburg areas. It was reported that the strikes have shaved off 50 basis points from the country's GDP for 2012 which could have been at 3% instead of the 2.5% currently forecasted.

<sup>9</sup> As a result of new minimum wages for farm workers being set at R105 a day, farmers in Limpopo and Mpumalanga had issued notices of retrenchment to their workers “in order to survive”. About 2 000 workers received notices (Business Day, March 8, 2013)

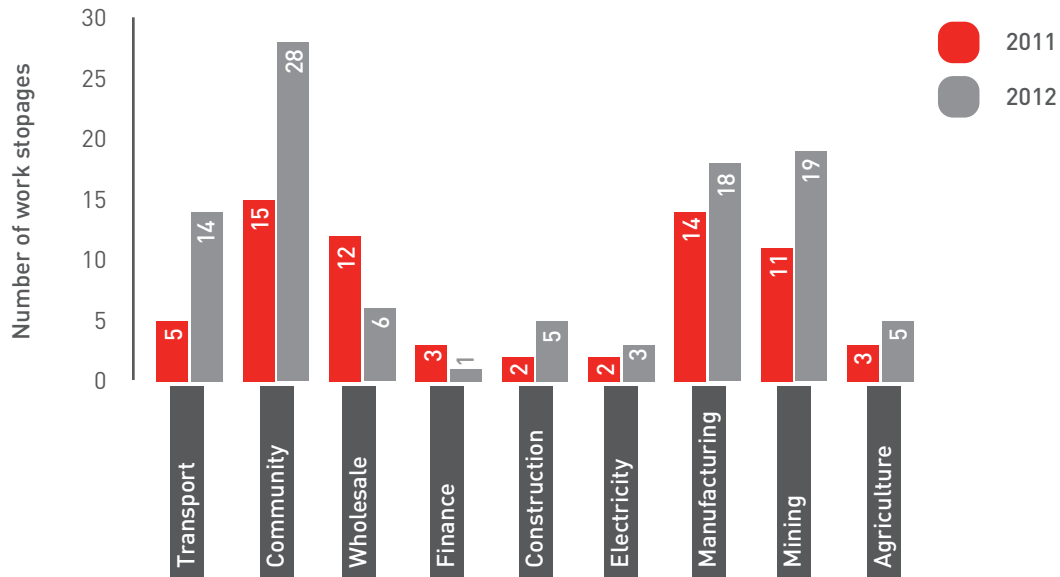
<sup>10</sup> The total for work stoppages in 2012 in Table 1 differs from the total of 99. This is due to national work stoppages that may affect a number of branches or establishments in the nine provinces, being counted as one in the national total but according to workplaces affected in several provinces being counted more than once.

<sup>11</sup> However, in 2011, Gauteng, Eastern Cape and North West provinces accounted for 92.7% of the total wages lost.

Western Cape Province did not have much of economic effect on wages lost despite the farm workers strike. This is due to the low wages that farm workers earn.

## 2.2. Industrial distribution of work stoppages

**Figure 7: Distribution of work stoppages by industry, 2011 and 2012**



Source: Department of Labour, Strikes Statistics

**Figure 7** illustrates the industrial work stoppages by industry in both 2011 and 2012. Overall, all industries were affected by work stoppages. The figure shows that community and personnel services industry continues to account for more work stoppages with 28 in 2012 and 15 in 2011. Strikes from the community industry included those of the ICASA, Nelson Mandela Bay Municipality and hospitals after their outcry for annual performance bonuses. Strikers in the community sector left communities and customers in desperate need of services. Patients at hospitals were left vulnerable for primary health services, after nurses embarked on weeks-long-strikes due to salary demands.

Another industry that realised more strikes is that of mining. This is attributed by the violent coal, platinum and gold labour unrests that hit the industry during August to October 2012.

The finance industry recorded only one strike in 2012 as compared to the three in 2011. The one sector strike resulted from the Ace Parking Services strike. Nevertheless, the critical issues arising from the recent industrial action, amongst others, were intimidation, rejection of established labour relations systems and procedures, lack of effective stakeholder leadership, dismissals, evictions and wage structure in the mining industry. From these, much consideration by all parties should be given to the effective law enforcement and strengthening of collective bargaining as a result of strikes in South Africa.

## 2.3. Industrial distribution of working days lost

**Table 2: Distribution of working days lost by industry, 2011 and 2012**

Industry	Working days lost	
	2011	2012
Agriculture	16 037	123 369
Mining	370 473	2 728 359
Manufacturing	826 123	188 804
Electricity	70	1 484
Construction	28 034	10 124
Wholesale and retail trade	50 315	13 210
Transport	53 505	135 186
Financial intermediation	976	964
Community services	1 461 123	108 384
<b>Total</b>	<b>2 806 656</b>	<b>3 309 884</b>

Source: Department of Labour, Strikes Statistics

From **Table 2** above, it is clear that 82% of the working days lost occurred in the mining industry followed by manufacturing and community, industries in 2012. However, community, social and personal services (52%) followed by manufacturing (29%) and mining (13%) displayed high percentage of working days lost as compared to other industries in 2011.

As indicated above, labour disputes in the mining industry could have a negative impact in terms of output volume as it is the South Africa's biggest export earner industry. The six-weeks long strike that took place at Lonmin, KDC Gold and Anglo Platinum mines have kept the Local Currency (Rand) weak which also had the import costs.

In 2012 the financial and electricity industries accounted for only 964 and 1 484 working days lost respectively.

## 2.4. Working days lost per 1 000 employees by industry

Table 3: Distribution of working days lost per 1 000 employees by industry, 2011 and 2012

Industry	Time-loss ratio	
	2011	2012
Agriculture	25.5	180.1
Mining	1 132.9	7 642.4
Manufacturing	461.8	109.1
Electricity	0.8	15.1
Construction	26.5	9.54
Wholesale and retail trade	16.4	4.52
Transport	30.8	165.6
Financial intermediation	0.6	0.5
Community	503.5	35.7

Source: Department of Labour, Strikes Statistics

**Table 3** shows that for every 1 000 employees employed per industry, 7 642.4 days were lost in the mining industry as opposed to 1 132.9 in 2011. This reflects an industrial spike in the mining industry, following the strikes realised in 2012. A decrease in time-ratio was observed in the manufacturing, construction, trade, transport and community, industries from 2011 to 2012.

Moreover, months of wildcat and violent strikes have tainted the country's image as a world-class mining destination and left blame on the collective bargaining structures. For example, on the first day the worker's delegation made it clear that their expectation was limited to resolving the demand for a minimum wage of R12 500 and that the workers will not return to work until Lonmin acceded to the demand. This was met and workers achieved wage increases. In the agriculture industry, a review of the sectoral determination for farmworkers was promulgated by the Minister for a minimum wage of R105 effective from 1 March 2013.

## 2.5. Industrial distribution of working hours lost

**Table 4: Distribution of working hours lost by industry, 2011 and 2012**

Industry	Working hours lost	
	2011	2012
Agriculture	1 181 347	1 106 550
Mining	28 428 115	19 789 694
Manufacturing	8 685 338	1 391 357.06
Electricity	280	10 634
Construction	167 246	88 495
Wholesale and retail trade	2 194 513	115 032
Transport	405 814	1 135 922
Financial intermediation	7 584	7 687
Community	11 500 499	890 441
<b>Total</b>	<b>52 570 736</b>	<b>24 535 813</b>

Source: Department of Labour, Strikes Statistics

**Table 4** reflects on the working hours lost per industry for the years 2011 and 2012. Most of the working hours were lost in the manufacturing, mining, transport and agriculture industry in 2012. However, the mining industry remained the most prominent industry where most of the working hours lost was observed in both years.

The effect of the farming strike raised concerns about the impact it would have on the export markets, which could leave farmers being unable to meet their export commitments. As for the transport industry, the strike had a negative impact on the basic services where several filling stations went dry and some automated teller machines ran out of cash.

## 2.6. Industrial distribution of workers involved in work stoppages

**Table 5: Distribution of employees involved in work stoppages by industry, 2011 and 2012**

Industry	Employees involved	
	2011	2012
Agriculture	2 608	11 078
Mining	47 732	138 993
Manufacturing	66 042	56 324
Electricity	70	1 078
Construction	2 734	2 793
Wholesale and retail trade	3 466	4 170
Transport	5 594	12 900
Financial intermediation	424	160
Community	74 468	13 877
<b>Total</b>	<b>203 138</b>	<b>241 391</b>

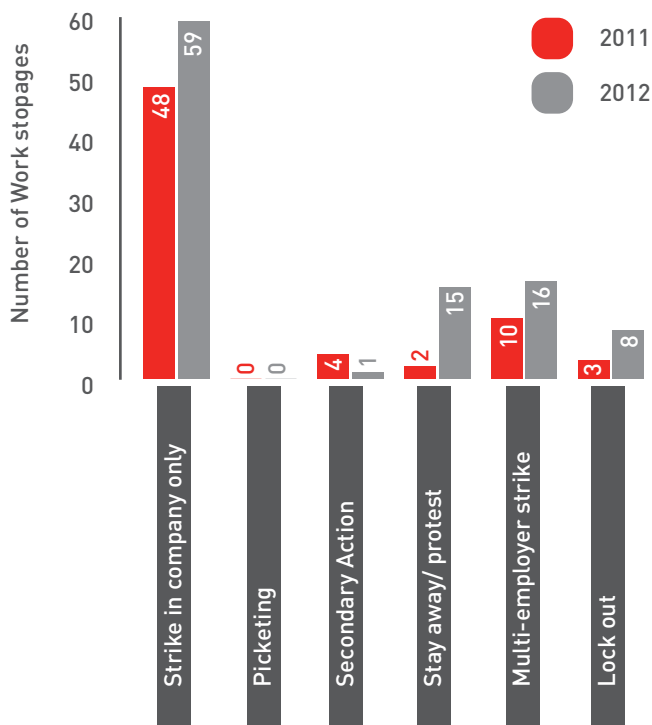
Source: Department of Labour, Strikes Statistics

The distribution of employees involved in work stoppages by industry is presented in **Table 5**. About 58% of workers involved in work stoppages in 2012 were from the mining industry as compared to 24% of workers in 2011. In 2011, community industry followed by manufacturing and mining reported 36%, 32% and 23% of workers who participated in strikes respectively. Furthermore, the wildcat and violent strikes during August to October 2012 were mostly prominent in the mining and transport industries. This also prompted strikes in other industries like manufacturing. Unfortunately, in the mining industry about 44 people were killed and the price of the white metal was also increased at the end of December 2012.



## 2.7. Nature of work stoppages

Figure 8: Distribution of work stoppages by their nature, 2011 and 2012



Source: Department of Labour, Strikes Statistics

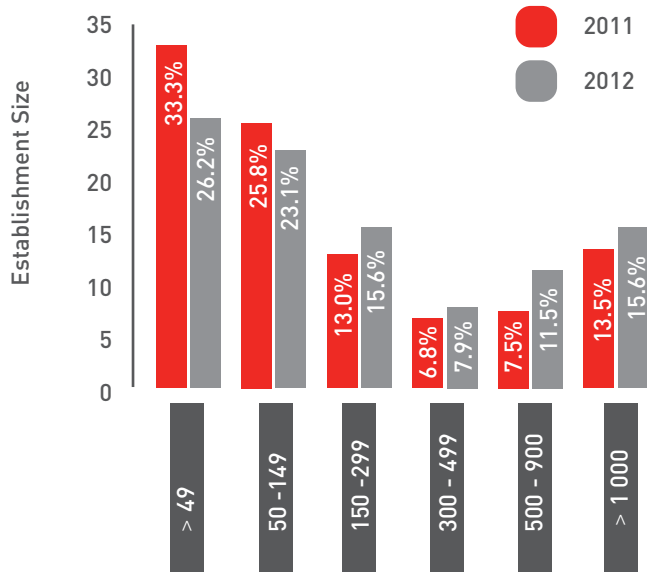
Employers are requested to provide information regarding the nature of strike action on the LRA 9.2 form. Out of 99 strike incidents recorded in 2012, 59 were in company only and one was a secondary action, as shown in **Figure 8**. To name a few multi-employer strikes affected companies were: OK Furniture, Dairy Belle, Dunlop Belting and Compass Bakery.

There was an increase on the lock-outs, from 3 in 2011 to 8 in 2012. This resulted from the intimidation and threats that strikers posed to non-strikers and also from the violence strategies in the place of work.



2.8. Work stoppages by employment size of establishments

Figure 9: Percentage distribution of establishments affected by work stoppages by employment size, 2011 and 2012

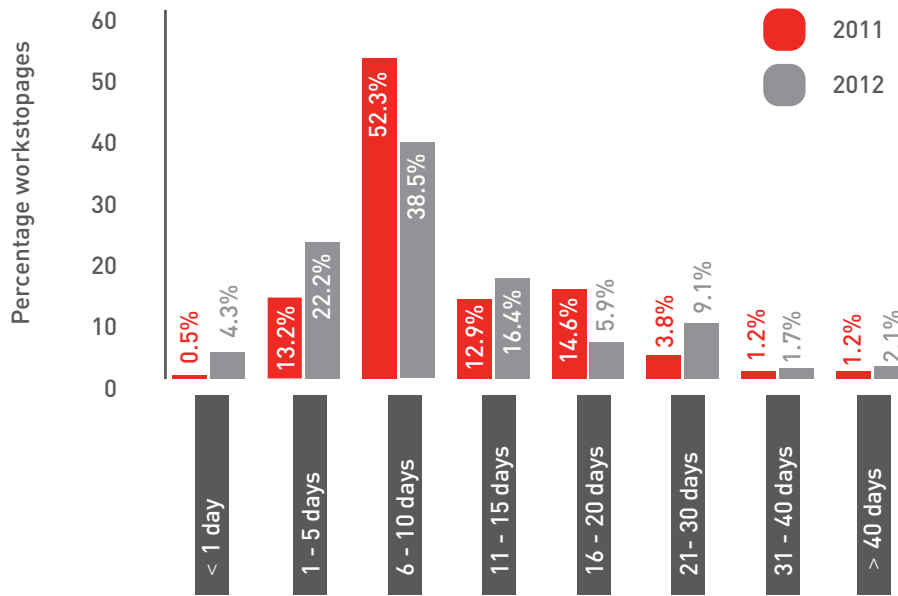


Source: Department of Labour, Strikes Statistics

Work stoppages affect any company of any size, be it large, medium or small. Most small-sized establishments experienced labour unrest in both 2011 and 2012. **Figure 9** indicates the number of establishments affected by strikes with less than 49 employees decreased, from 33.3% in 2011 to 26.2% in 2012. These establishments are regarded as small companies. This is an indication that not all strikes emanates from large establishments. However, there was an increase in medium and large sized firms. Firms that employ 500-900 and 1 000 and more employees, recorded an increase of 11.5% and 15.6% respectively in 2012. This included the freight services and the mining sectors where more than a thousand miners embarked on strikes.

2.9. Duration of work stoppages

Figure 10: Percentage distribution of work stoppages by duration, 2011 and 2012



Source: Department of Labour, Strikes Statistics

The duration of a strike is provided by companies on the LRA 9.2 form. It is also associated with the productivity and profit lost in companies that could be generated if the strike could be averted. In **Figure 10**, the longest strikes in 2012 lasted for 6-10 days on average at (38.5%) as compared to 52.3% in 2011.

There were increases in those strikes that lasted for more than 40 days in 2012. The strike that took longest to resolve, was that of Xstrata Alloys (lasting for 50 days).

## 2.10. Principal cause of strike activity measured in working days lost

Table 6: Distribution of working days lost by principal cause of dispute, 2011 and 2012

Principal cause	2011	%	2012	%	% difference
Wages, bonus and other compensation	2 687 785.5	95.8%	2 699 411	81.6%	-14.2%
Working conditions	4 719	0.2%	74 684	2.3%	2.1%
Disciplinary matters	0	0.0%	0	0.0%	0.0%
Grievances	20 258	0.7%	33 794	1.0%	0.3%
Socio-economic and political conditions	3 011	0.1%	71 314	2.2%	2.1%
Secondary action	612	0.0%	2 082	0.1%	0.1%
Retrenchments/redundancy	618	0.0%	0	0.0%	0.0%
Refusal to bargain	4 740	0.2%	13 979	0.4%	0.2%
Trade union recognition	3 048	0.1%	1 603	0.0%	-0.1%
Other compensation combined with other factors	56 178	2.0%	30 364	0.9%	-1.1%
Other reasons	25 687	0.9%	382 653	11.7%	10.8%
<b>Total</b>	<b>2 806 656.5</b>	<b>100.0%</b>	<b>3 309 884</b>	<b>100.0%</b>	<b>0.0%</b>

Source: Department of Labour, Strikes Statistics

Table 6 above confirms that wages, bonus and other compensation still remain the main reasons for work stoppages in South Africa. The percentage has however dropped on year-on-year basis. The percentage of 81.6% resulted from the total 3 309 884 working days lost in 2012. By industry, the mining, transport, manufacturing and agriculture strikes were also largely wage-related and resulted in more working days lost. Other reasons for work stoppages, were due to working conditions and social economic and political conditions, although the percentages were insignificant at 2.3% and 2.2% respectively in 2012.

Following this, there is a reason for the South African Government to develop an appropriate response. Thus, it is expected that the Judicial Commission of Inquiry on the Marikana tragedy will provide some perspective on how to overcome an environment which is conducive to the creation of tension, disunity among its employees and labour unrest. In addition, the National Development Plan (NDP) recommended that the CCMA<sup>12</sup> and the Labour Court be strengthened in dispute resolution and support trade unions and employers in managing shop-floor relations.

<sup>12</sup> This system was intended to provide cheap, quick, accessible and informal dispute resolution. Cases not settled by mediation or arbitration are referred to the Labour Court.

## 2.11. Trade union involvement in work stoppages

Table 7: Working days lost by trade union 2011 and 2012

	2011	%	2012	%
	Working days lost		Working days lost	
AGENCY SHOP	0	0.0	1	0
AMCU	0	0.0	4 500	0.1
BAWUSA	0	0.0	39 453	1.2
CEPPWAWU	5 8631.0	2.1	7 317	0.2
COSAWU	0	0.0	303	0.0
CSAAWU	0	0.0	502	0.0
CWU	1 757.0	0.1	628	0.0
DENOSA	0.0	0.0	4	0.0
FAWU	80 100	2.9	100 288	3.0
FMAIWU	0	0.0	3 696	0.1
GIWUSA	8 728	0.3	170	0.0
HOSPERSA	0	0.0	208	0.0
HOTELLICA	0	0.0	675	0.0
ICCAF AWU	0	0.0	9 095	0.3
ITU	0	0.0	86	0.0
MEWUSA	0	0.0	138	0.0
MIBC	0	0.0	296	0.0
MTWU	0	0.0	350	0.0
MWASA	0	0.0	261	0.0
NAPTOSA	0	0.0	54	0.0
NDCAWU	0	0.0	792	0.0
NEHAWU	20 487	0.8	22 673	0.7
NUM	164 443	5.9	832 751	25.2
NUMSA	258 877.5	9.2	107 770	3.3
PSA	0	0.0	21	0.0
PTAWU	0	0.0	759	0.0
SACCAWU	30 366	1.1	22 424	0.7
SACTWU	9 629	0.3	13 385	0.4
SACU	0	0.0	2	0.0
SACWU	8 221	0.3	72	0.0
SAEPU	0	0.0	300	0.0
SAEWA	0	0.0	243	0.0

	2011	%	2012	%
	Working days lost		Working days lost	
SAMWU	133 159	4.7	16 977	0.5
SAPTU	0	0.0	1 050	0.0
SAPWU	0	0.0	66	0.0
SATAWU	1 253 080	44.6	40 366	1.2
SS	0	0.0	16	0.0
SOLIDARITY	671861	24.0	191	0.0
TAWUSA	12 562	0.4	392	0.0
TAWU	0	0.0	182	0.0
TOWU	0	0.0	1837	0.1
TWU	0	0.0	1158	0.0
UASA	892	0.0	418	0.0
UCIMESHAWU	0	0.0	22	0.0

Source: Department of Labour, Strikes Statistics

In the past years, trade unions movement has been dominated by NUM, AMCU and Solidarity, all entrenched through the Labour Relations Act and collective agreement. Looking at the 2012 figures, NUM represented more workers in negotiations as compared to other trade unions. The reliance by the companies on the majority union to manage employee expectation would have been a difficult thing to achieve in 2012 when AMCU was involved and where other parties assured workers differently from what NUM promised. However, there is a threat to NUM recently, as the principle majority with (or high union density) is affected by the issue of worker's dissatisfaction with union representation at grassroots level. The situation has escalated because traditional unions lack significant influence to improve workers conditions. Of the workers who went on strike, 13.5% were not unionised.

## 2.12. Determinants identified as giving rise to work stoppages in South Africa

The loss of trust by member in trade unions, led to the prevalent violent unrest in South Africa. The National Union of Mine Workers (NUM) including the rival union Association of Mining and Construction Union (AMCU) has been criticised of neglecting workers and working closely with employers. The unions were accused of prioritising Cosatu at the expense of its member's outcry for a wage hike and improved working conditions. At some point, it was reported that AMCU withdrew from talks between platinum miners and the Chamber of Mines, where it was aimed to reach a wage agreement on a range of issues, including wages, living conditions and collective bargaining in the industry, in order to assist to stabilise the sector. High unemployment levels and people migrating to mining communities on a large scale in the hope of getting jobs, have also contributed to the unrest and hostile attitude towards companies in the mining sector and other related sectors.

The violent strike events in the last few months of 2012 demonstrated a turning point in the industrial relations system. It has therefore become imperative for organisations, collective bargaining and labour to look at policies which will make human rights and social compliance part of their strategies.

Workers are beginning to understand that many of them live in desperate poverty while the companies to which they give their labour, flourish and report ever-increasing profits. They have become aware of the often huge disparity between the top-earners and the rest of the staff and the significant bonuses awarded to CEOs and executive teams<sup>13</sup>. On that note, there is an urgent need for more social structures and collective action to deal with the challenges facing South Africans. Business and Labour that campaign for human rights and social conditions matters, would likely improve employee morale, productivity and provide stability in the labour market.

<sup>13</sup> Labour Law South Africa, December 2012

### 2.13. Work stoppages: future outlook for 2013

A number of unions and employers have signed multi-year wage agreements including the Road Freight Employee Association and some mining industries. The clause of the agreement state that no industrial action should take place during the next three years in the freight and logistics industry. This suggests that new negotiations should commence by early or mid-2014.

Multi-year agreements appeal to the employers, since it is an expensive exercise in the eyes of the employers involving administrative expenditure on activities that do not add value to the company's productivity. According to the report produced by the Employment Condition Commission (ECC), the Department of Labour recommends that the current approach of setting three-year wage agreements must be maintained and that the increase in the minimum wage be determined by utilising Consumer Price Index (CPI) (quintile 1 as published by StatsSA six weeks prior to the increase date) plus 1.5%<sup>14</sup>.

However, if Organised Business continues to apply the same solution framework to labour issues as always, there is every reason to expect the labour unrest and wildcat strikes as experienced in the mining and agriculture sectors which could also spread into other sectors in 2013.

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<sup>14</sup> Employment Conditions Commission, February 2013, pg. 72

crisis  
lockout  
wages  
rights  
revolution  
unemployment  
recession  
work  
unions  
riots  
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injustice  
negotiate

Photograph: Siphwe Sibeko, Reuters



**Chapter 3**

aim  
march  
workers  
impact  
chaos  
spite



## CHAPTER THREE

### Wage Settlements

As previously reported, the South African labour market has been well challenged by union representatives regarding high wage demands for union members. It was observed that double digit wage increases have been in demand by most of the strikers. This could indicate a high cost of living in the country where most of the workers believe that the wage received from employers is not enough. In the mining sector (Marikana, for example), workers received a 22% wage increase. The agriculture sector also experienced violent strikes, resulting in the minimum wage for temporary workers increasing by 52%.

Collective bargaining is a process of negotiations between employers and a group of employees aimed at reaching agreements that regulate working conditions such as hours of work, working conditions, grievance procedures and the rights and responsibilities of trade unions. South Africa has realised a lot of employer and employee wage negotiations with and without a union's involvement during 2012 where some employees preferred self-negotiations without union representation.

As presented in **Table 8** below, an average of 8% wage increase were signed in the sectors. Some agreements were signed without any strike incidences, while in some workers had to withdraw their labour to force employers towards a satisfactory offer. Some, such as the farmworkers strike were suspended in 2012 for further wage review in 2013.

The Department of Public Service and Administration and the public sector unions also agreed and signed a three-year wage agreement without members embarking on a strike.

**Table 8: Median wage settlements levels in South Africa by industry, 2012**

Industry	2011 (%)	2012 (%)
Agriculture, Hunting, Forestry and Fishing	7.8	8
Construction	8	7.8
Mining and Quarrying	10	10
Manufacturing	8	7.5
Electricity, Gas and Water	7	7.5
Finance, Insurance and Business Services	8	8
Transport, Storage and Communication	8	8.5
Wholesale and Retail Trade	8	8
Community, Social and Personal Services	6.9	7

Source: Labour Research Service, Wage settlements Trends, December 2012<sup>15</sup>

**Table 8** shows the median wage levels concluded in the various industries in South Africa in 2012. Wage settlements in Mining and Quarrying, Transport, Storage and Communication and Finance, Insurance and business services settled the highest agreements in both years. Community, Social and Personal Services settled fewer agreements ranging from 6.9% and 7% between the two years.

<sup>15</sup> It must be noted that the 2010 and 2011 median wage settlement trends was based on data populated and sourced in August as per the Labour Research Services Wage Settlement Trends Report.



Despite the high number of work stoppages that took place in 2012, unions, business and collective bargaining processes managed to bring about agreements over worker's demands. This is demonstrated by some of the agreements concluded within various industries in 2012 with or without strikes.

### 3.1. Wage settlements concluded in various industries

#### 3.1.1. Manufacturing

- Clothing workers, the majority of whom are employed by non-compliant factories in Newcastle in KwaZulu-Natal returned to work after employers agreed to increase wages by R45 a week. About 3 800 workers in this sector went on strike after their employers failed to implement the agreed wage increase of R45 a week. Employers agreed to an increase of R30 a week and then a further increase of R15 a week in February
- CEPPWAWU members demanded a wage increase of 15% across the board, a guaranteed 13<sup>th</sup> cheque and transport allowance while employees at Wrapsa Packaging and Manufacturing affiliated with CEPP WAWU took to the streets on 21 May to demand a wage increase of 15%. A minimum increase of 11% and a once off payment of R2 100 across the board was agreed upon. A final wage agreement was reached with backdated wages to 1 July 2012.
- Employees at Powertech went on a work stoppage due to non-payment of their quarterly production bonus payments and their September salaries. This happened after the company's system delays. Employees resumed duties after the company's promised to pay salaries on the same morning. Worker's demands were subsequently met with bonuses paid accordingly
- Workers at Good Year South Africa went on a protected strike on 23 October 2012 after the company's decision not to remunerate worker's Relief Allowance. On 3 December, all parties reached an agreement set to expire on 31 March 2013. The company agreed to pay all associates a gesture of goodwill bonus of R1 800 which will be made in conjunction with the year-end holiday pay
- On 4 October Toyota workers associated with NUMSA ended their three day industrial action after negotiations between management and the National Union of Metalworkers of South Africa. The workers were demanding an increase of more than R3 per hour after discovering that the wages of team leaders had been increased by R3.22 an hour. An agreement was reached that all level-one to level-seven workers, excluding team leaders, would receive a R3.22 per hour wage increase
- Clover SA Pty Ltd successfully concluded wage negotiations with the Food and Allied Workers Union and South African Commercial, Catering and Allied Workers Union. The company agreed on an 8.5% wage increase and a minimum payroll increase of R360 a month, which represents a 10.5% average increase for the lowest paid workers. This followed a six-day strike, which resulted in disruptions in processing some products in Gauteng and KwaZulu-Natal where workers were demanding 11% wage increment
- Both FAWU and Early Bird Farm in Olifantsfontein reached an agreement of a once off R1300 pay increment and 4kg's of meat for six months to all affected employees. This follows a strike action that occurred in November over a wage increase demand of 13%, after the company had put nothing on offer stating that the company has been affected by the importing of chicken from Brazil and Europe.

### 3.1.2. Finance, Insurance and Business Services

- COSAWU and Ace Parking management reached a wage deal of 19%. Management also offered to pay commission plus to all employees
- Management of Servest parking and the employee representatives signed a wage deal of R1000 pay plus commission. This occurred after employees went to the streets in demand for a R1000 salary increase

### 3.1.3. Transport, Storage and Communication

- The Communication Workers Union (CWU) reached an agreement with the Independent Communication Authority of SA (ICASA) over salary increases after about 250 CWU members' downed tools over the authority's wage offer. Members accepted ICASA's offer which will be backdated from July of 2011. The increase covers a one-year period
- TOLCON Lehumo staff members affiliated with SATAWU in KwaZulu-Natal - went on strike in demand of a R3 500 monthly basic salary. Toll collectors reportedly earned less than R2 500 a month. In this regard a wage agreement was reached in line with strikers demand. Workers welcomed the ground-breaking agreement for workers in the tollgates industry. The agreement also covered SATAWU members stationed at De Hoek (Gauteng) and Wilge (Free State) toll plazas
- SATAWU and Road Freight Employee Associated reached an agreement in October after members embarked on a three weeks violent strike over wage increase demand of 12%. On 12 October a three year wage deal was signed for implementation from 1 March 2013 entailing 10% for 2013, 8% + 0.25% 6 months later in 2014 and 9% in 2015.

### 3.1.4. Wholesale and Retail Trade

- In May , employees at Plattner Golf downed tools demanding 15 % increase across the board, 13<sup>th</sup> cheque, food allowance of R30, and transport allowance .By end of May, Plattner Golf-Fancourt, SAPTU and SPTIU parties reached an agreement, wherein SAPTU members in grade A 1-B3 will either receive 4%, 4.6%, 5% or 7% increase depending on salary value and lower end receiving 7% while highest earners receive 4% along with a 50% bonus payable in December
- A strike at Entabeni Private Game Reserve came to an end after the employer implemented the 7.39% wage increase as per the Sectorial determination. The agreement followed after workers downed tools in July demanding the company to put them on SACCAWU's provident fund.

### 3.1.5. Community, Social and Personal Services

- The Northern Cape's Department of Health and the trade unions in the Public Health and Social Development Sectoral Bargaining Chamber confirmed strike at Emergency Medical Service (EMS) over poor pay and lack of staff morale. An agreement was signed at a national level by the state and representative unions. This followed after a small group of staff in the Northern Cape EMS embarked on illegal strike action, absconding from their 12-hour shifts and refusing to take more than one emergency patient in an ambulance at a time
- Workers of the Drake and Skull affiliated with Nehawu demanded 15% salary increase across the board with a minimum of R4 650.00, R250.00 for night shift allowance and standby allowance increase of R45. On 21 June an agreement was reached with parties agreeing to pay R400, 00 for Drake and Skull and Umgongi Facilities Services Pty Ltd employees. Back payments were set to be paid not later than 30 June 2012

- A wage agreement was reached between Nehawu and the Umongi Facility management following a three weeks wage demand strike. Employees were demanding 15% increment. On 21 June both parties agreed on R350 wage increase across the board for Umongi and R400 across for DSFM
- Employees affiliated with SACCAWU at Pafuri embarked on a strike. Workers were initially demanding 32% increase – R500 per person increase across the board as well as 7.5% provident fund. A consensus was reached where Pafuri offered 7% increase across the board
- East London Golf Club employees resumed duties after a 4 week strikes due to salary increase demand. Employees downed tools demanding 21% for the lowest paid staff and 12% for other employees earning better than the low earners. Both the employer and SACCAWU reached consensus of 13% increase for the low income earners and 8% for other employees
- Both HOSPERSA and the Social Services Professions concluded a wage deal after a two weeks unprotected strike. The deal entailed an increase of 8.5% for low income employees, 6.5% for middle management, 5% salary increase for senior management and a 19% increase on housing allowance. This follows after the union's demand of 8%. Both negotiating teams agreed on an increase of 8.5% for low income employees, 6.5% for middle management, 5% salary increase for senior management and a 19% increase on housing allowance
- On 1 March and 13-14 June, SAMWU members at Greater Tzaneen Municipality downed tools demanding 20% salary increases. Both parties came to an agreement of 6.5 % with effect from July 2012
- The employer implemented a 7% wage increase with effect from July after Limpopo Business Support Agency workers went on strike in demand for wage increment of 12%
- NEHAWU and Walter Sisulu University reached an agreement after employees went on strike over pay hike demand. Nehawu demanded a 12% salary increase for 2012 and other working conditions demand. Management's offer included a once-off 10% increase on the basic salary. Other demands contained in the petition were said to be addressed at special Joint Bargaining Forum meeting. These demands included harmonisation of conditions of service, finalisation of leave buy-out, absorption of contract workers, academic promotions, study subsidy payment, teaching and learning infrastructure improvement and payment for research publications.

### 3.1.6. Agriculture

- Both parties OBO Members and Afagri Operations Limited agreed on a wage settlement of 8.7% increases for the period 1 June 2011 till 31 May 2012 on drivers and from 1 November 2011 to 30 September 2012 on other employees as per terms and conditions set out in their agreement.

### 3.1.7 Mining and Quarrying

- Benicon signed a wage agreement with NUM that all members will receive R600 as increase across the board. The increment was said to run till 31 December 2012. This occurred after workers marched in pursuit of their wage demands which included amongst others a demand for an 8% increment on the contribution to the provident fund and an increase of R5 per hour across the board
- On 12 April an agreement was reached at Modikwa Platinum mine (Anglo American) in Mpumalanga after NUM's demand of 12 % wage increase. Management offered 10 % where all parties finally agreed to. The mine was also prepared to increase the drilling allowance to R450 for 2012 and R 600 in 2013
- On 25 October, The Chamber of Mines representing AngloGold Ashanti, Gold Fields and Harmony together with the NUM, Solidarity and UASA signed an agreement to give effect to clause 11 of the 2011 - 2013 Chamber Gold Wage Agreement. The announced agreement on wage increases was between 1.5 and 10.8% for different categories of mine workers. The Agreement provides that category 3 employees will all be placed in the higher Category 4, which will be the entry level for the companies. The salaries of the Category 4 to 8 employees will be raised by between 1.5% and 2%; level for Loader, Locomotive, Winch and Water Jet Operators will be within Category 4 and their basic rates with adjustments between R250 and R400 per month and Rock Drill Operator's basic rates adjusted by R500 or an allowance of R400. All these adjustments are in addition to the

salary increases that took effect on 1 July 2012 and ranged from 8.5% to 10%

- A wage agreement was concluded between Atlatsa's Bokoni platinum mine and NUM. An agreement was signed in terms of which re-employed workers will receive a once-off payment of R2 000 and a R400 increase to their existing travel allowance
- Implats mine - Lonmin and the unions signed a victorious wage deal following a six weeks wildcat strike at the Marikana mines in Rustenburg. In a statement the company said that miners will receive between 11 and 22% wage increases. The forum agreed to a gross pay of R11 078 to rock drill operators who were demanding a monthly take-home wage of R12 500. They also agreed to give all miners a once-off payment of R2 000 as a bonus for returning to work
- On 8 November South African coal mine operators and unions have sealed a five per cent pay increase for some of the 30,000 workers in the industry. The agreement sees an adjustment at entry level of 5%, for workers. Workers will also get a R2 000 once-off bonus. The deal was a review of an existing two-year wage deal, signed in June 2011.

### 3.1.8 Construction

- Stefanuti Stocks, NUM and Site Labour Forum reached a wage agreement over a wage dispute. The agreement signed for entailed that entry level unskilled General workers will receive an increment of R16 and R18 in 2013 and 2014 respectively whereas semi-skilled small machine operators will receive R19 in 2013 and R21 in 2014. Skilled Artisan will earn R26 in 2013 and in R28 in 2014.

### 3.2. Wage Settlements concluded without strike incidents

- Federation of Unions of South Africa welcomed an 8.5% wage increase secured for the private security sector on 3 April 2012. The three-year agreement was signed by Fedusa affiliates together with other additional union's representatives
- The Public Sector Unions and DPSA signed a three year wage settlement of 7% pay increase including the consumer price index of plus 1% dating from 1 July against the union's wage demand of 8.7% and R 1 500 housing allowance per month. The salary adjustment were effective from 1 May 2012 to 31 March 2013 and a housing allowance increase of R100 from R 800 to R 900 per month with the second year term dating from 1 April 2013 and 1 April 2014 based on the average projected CPI plus 0.2% and 2013/14 at CPI plus 0.1%. The agreement includes amongst others the adjustment of long service recognition, night shift allowance, recognition of improved qualifications, shop steward leave, family responsibility leave, pre-natal leave and danger allowance
- On 17 October 2012 DHL and GWU reached a wage agreement. The collective agreement, which is the first of its kind in the courier sector and logistics services provides for better working conditions including higher wages and salaries, special leave and additional leave amongst other benefits
- Trade union Solidarity and low-cost airline Mango reached a three year wage agreement on 1 November after a dispute meeting with the Commission for Conciliation, Mediation and Arbitration (CCMA). Details of the agreement were kept confidential but very advantageous for Mango pilots
- On 31 August Numsa, UASA, Solidarity, SEIFSA, Metal industry and MEIBC agreed on a wage increment after SEIFSA announced the industry's annual wage increases effective from 1 July 2012. The agreement has been finalised in accordance with the wage model agreed with the trade unions in 2011. The increase ranges from 7% at rate A to 8% at rate B. However, if the CPI (April figure published in May) is 8% or above then the actual wage adjustment will be based on CPI (April figure published in May) plus 2% respectively
- Private Security Companies, Fedusa and Other Unions signed a three year wage agreement for the private security sector which secured an 8.5% increase for workers. Fedusa affiliates together with a number of additional unions form majority representation in the private security sector and therefore the terms of this agreement is applicable for all workers in the sector

- A three year wage deal was reached between South African Municipal Workers' Union (Samwu), the Independent Municipal and Allied Trade Union (Imatu) with a pay hike of 6,5% as of 1 July this year and an additional 0,5% to be added as of January 2013 plus a handful of allied benefits. In 2013, workers will get the average CPI +1.25% and an average CPI +1% PLUS in 2014 and a secured 100% medical aid subsidy for the lowest income workers. Negotiations began after parties demanded a 15% wage increase while the state was offering only 4%
- SA Milling Chamber of the National Bargaining Council for the Wood, Paper Sector, CEPPWAWU, UASA and Solidarity signed a wage agreement. Parties agreed to a minimum wage increase of 8.0% across the board on the current actual basic wage for all the employees in the Bargaining Unit plus R1 785 per month dating from on 1 July 2011 - 30 June 2012.

### 3.3. Abandoned Strike Incidents

- Workers affiliated with SACCAWU at Classic Processed Products called off the strike after the employer declared the company's financial state unable to meet the employee's wage increase demand of 20%. Parties reached and signed an agreement to return to work with zero percentage pay increase
- In August different unions, AL TSA, ASAWU and NEHAWU representing Wits University workers laid wage increment demand with the institution's management team. Wage demands ranged from 7.5% to 9% along with parking and child care facility on campus. Unfortunately an agreement could not be reached after the employer's offer of 7.55% for the academic staff and 6.8% for support staff was not accepted
- Both SATAWU and Interstate Bus Lines could not reach a basic wage agreement of R2 500 after employee went on strike. Drivers decided to abandon the strike after employees who participated in the unprotected strike were issued with final written warning
- Contract workers at Parmalat Bonnievale ended the strike after they failed to reach a wage agreement with the employer. This emerged after management fired all 300 striking workers. All workers went back to work at their old pay grades hence they could not afford to be fired and that their situation was not desperate to afford them to be out of their jobs. According to a representative workers were allowed to return to their jobs, but the situation was said to remain volatile
- Num and Kumba Iron Ore could not reach a wage agreement over the unprotected strike that took place in October. The Kumba Iron Ore employees took part in the unprotected strike demanding R15 000 for all. According to the company a two-year wage agreement was signed and concluded two months before the strike with the National Union of Mine Workers and Solidarity and therefore sees no reason for further negotiations on wages outside the collective bargaining structures. The agreement made provision for a total-cost-to-company increase ranging between 9% and 12%, which is well above the rate of inflation. Rather, participating workers were afforded the opportunity to present their case at a disciplinary hearing and appeal hearings following charges of participating in an unprotected strike. Subsequently this resulted in the dismissal of the strikers and the case was handed over to the police who then arrested those still occupying company premises.

### 3.4. Suspended strikes incidents

- The strike by farmworkers in the Western Cape De Doorn on wage increase demand was called off on December the 4th after farmers would not accept the R90 wage increase offer by the employer. This occurred after Table grape harvesters started protesting in De Doorns at the beginning of November in demand for a R150 wages where most earned between R69 and R75 a day and improved living conditions
- Workers associated with NUMSA, CEPPWAWU at Rebone Furnitures returned to worked after their strike was suspended. The illegal strike over wage related demands started on 26 September 2012. The demands were payment of provident fund, basic wages of R1000 for Contract workers and R2 000 for permanent workers. According to Reboni it is paying 48% rate higher as prescribed by the Furniture Bargaining Council hence it cannot agree to worker's demands. No agreement could be reached and as result a meeting for intervention was scheduled with NUMSA under section 150 at the CCMA
- Employees associated with Num at Implats called off the six weeks strike that took place in January to February after the company decided to conclude the agreement outside any collective agreement. In responding to the demand, the company unilaterally implemented salary adjustments and other interventions within the A3 to C5 bargaining unit in Rustenburg Operations only.



Photograph: [www.framework.latiimes.com](http://www.framework.latiimes.com)



**Chapter 4**

## CHAPTER FOUR

### Profile of work stoppages, 2012

Below, this annual report provides an overview of strike incidents in a chronological manner in order to allow the readers to have full details of strike incidents as recorded in the departmental database within the year under review<sup>16</sup>. Information on work stoppages is identified from various sources ranging from media, internet to personal contacts with workers in a particular company. From this, employers are requested by law to send the strike LRA 9.2 form seven days after the strike has been concluded. Nonetheless, it must be pointed out that not all strikes incidents were captured due to other resources limitations.

#### January 2012

- Services at the KZN toll gates were erupted after hundreds of workers at Marianhill, Mooi River and Tugela toll plazas went on strike on Saturday 7 January. The strike later spread to Free State and Western Cape toll plazas. This followed after the employer's unwillingness to negotiate the worker's demand on wage increase of R3 500 and better working conditions. Traffic flow was affected on some of the toll gates as workers refused to service motorists driving through. Workers alleged they collect millions of Rands in toll fees but yet they are paid less than R2 500 a month
- Members of the Emergency Medical Service (EMS) in the Northern Cape went on an illegal strike affecting the the provincial Department of Health and trade unions in the Public Health and Social Development sectorial bargaining chamber. Health services were affected after the striking group refused to do 12-hour shifts or take more than one patient at a time. Staff members' spokesperson said long hours, poor working conditions, low numbers and pay levels, lack of career development and an ageing EMS vehicle fleet were their reason to strike. They claim issues have been raised at management meetings and promises have been made but not fulfilled
- About 250 of ICASA members downed tools on 20 January over wage increase demand. The union was demanding 11% salary increase, housing and cellphone allowances for its workers. ICASA negotiated for a salary increase of 8% offer to staff at the bottom rank of the salary scale and 6.5% for top-level earners failing which it will "reduce the costs for filling existing vacant positions by 50%"
- More than 5 000 rock drill operators at Impala Platinum (Implats) at the company's Rustenburg operation embarked on an illegal strike dating from 20 January. This follows after miners went irritated when salaries of the rock drill operators remained unchanged. Members alleged that over the previous year, Implats which has 49 500 staff in South Africa, agreed on a two-year wage settlement with NUM. The offer provided for a 10% increase in basic pay to A- and B-level employees and 8.5% to C-level employees along with various amendments to other benefits. In the second year, the agreement included an increase of 10%, 9% and 8% to A-, B- and C-level employees respectively
- NUMSA members downed tools at Man-truck on 23 January. Members downed tools over an industrial dispute against the manufacturing Bus and Truck Company in Westmead, South West of Durban, KwaZulu-Natal province. Members grieved after the employer moved a certain category of workers to a higher remuneration grade without consulting and following proper procedures. It is alleged the company further refused to extend Medical Aid and Provident Fund benefits to contract workers as per the 2009 Collective Bargaining Agreement and the phasing-out of labour brokers in the company.

<sup>16</sup> It should be emphasized that the chronological list of incidents of labour disputes in Chapter 4 should not be confused with the quantitative data in Chapters 1 and 2. Chapter 2 covers all labour disputes, including those that are pre-arranged between management and employees like cases related to the mourning of the death of miners at the workplace. This chapter also includes protest actions and pickets during lunch-hours and after hours. It also includes protests by workers who were on leave. In all these cases, employers are not expected to submit completed LRA 9.2 Forms, since there can only be a recognized industrial action during office hours and by workers who are expected to be at work. Hence, these cases would not form part of Chapters 1 and 2. The consent of employers on whether an incident is a strike or not is always important to consider before the department send a form to the employer affected to complete. Chapters 1 and 2 deal with the "actual" strike incidents that were completed and submitted to DoL for capturing. Some industrial actions do not come to the knowledge of the Department's officials; however, since employers are expected to complete the LRA 9.2 Form after experiencing a labour dispute, some employers do complete the LRA 9.2 Form and send it to the Department for capturing even without the knowledge of the officials. This implies that this kind of a labour dispute will not be recorded in Chapter 4 since it was not identified by Departmental officials.



## February 2012

- 30 security guards from Guvebu Security Services picketed outside the Gautrain station in Sandton 1 February. This follows over speculations that the company was to terminate its contract of employment. Gautrain services were however not affected by the strike since strikers were not contracted with Gautrain but with different security companies
- More than 200 rangers at the Kruger National Park embarked on an indefinite strike as a result of “unequal salaries”. It is alleged workers are paid different salaries for the same kind of work. Striking workers remained adamant and disrupted the flow of traffic at the entrance gates. The action sparked a concern about the safety of wildlife especially rhino’s since more than 20 rhinos were already poached at the beginning of the year
- On 2 February eThekweni metro police officers marched to the Durban city hall after the municipality “failed to address their workplace grievances”. The march by SA Municipal Workers’ Union members, follows after several mass meeting held with management
- More than 100 employees at the Lepelle-Nkumpi municipality in Lebowakgomo, Limpopo embarked on a strike two weeks after accusing management of taking “unilateral” decisions without consulting with them. This follows after the management had allegedly cut down overtime and telephone allowances without prior consultations with the workers. Workers also complained of not being provided with protective clothing. As a result 107 members were charged for taking part in what was alleged to be an “illegal strike”.
- On 18 February construction workers at Benicon Company in Witbank embarked on a march to hand in a memorandum to the employer. The workers marched in pursuit of wage demand of 8%
- Hundreds of security guards from private security companies contracted with Metrorail in Cape Town went on strike on 18 February. The reason for the strike was that members were likely to be at the bottom list of people who will be employed by the state-owned company. The Cape Town’s Metrorail network went chaotic with train delays because of signaling systems that were not operating. It was reported that 173 scheduled trains had been cancelled and 2 503 trains delayed in the past months
- Metrorail staff (PRASA) through the support of COSATU in Gauteng embarked on an industrial action on 27 February 2012. This follows after a call on management to resolve outstanding wage dispute tabled by the workers. It is alleged management seeks for a court interdict instead of resolving the legitimate demands presented by members. Minister of Transport was called to intervene as the matter affected the current public transport system in the province and in the country
- NUM members at Samancor Chrome Mines, embarked on a protected strike on 27 February. The strike took place at the company’s Eastern Chrome Mines, near Steelpoort in Mpumalanga, and Western Chrome Mines, near Mooiooi in the North West. This occurred after employee’s demand on what is perceived as “equalisation of salaries” between Samancor smelters and mine operations
- Workers employed by Prospect Cleaning Services went on a two weeks strike over wage dispute. SATAWU emphasised their determination to resolve the strike through engagements and bilateral meetings with the Employer’s Associations.

## March 2012

- Thousands of South Africans went on a protest march over new e-toll roads between Johannesburg and Pretoria. The march was initiated and supported by Cosatu labour federation stretching to other 32 towns and cities across South Africa. The reason for the protest against e-toll was that it would put a burden on the poor South African who will not afford it. Amongst others COSATU was against labour brokering who are said to employ workers at a low wage without full employment benefits and on short-term contracts. The protest action was regarded as one of the biggest marches in recent years
- About 3 000 NUM members at Modikwa platinum mine, a joint venture between African Rainbow Minerals and Anglo Platinum downed tools on Thursday, 15 March. It is said that all members of the union downed tools after night shift following non response to a wage dispute with management. Members were demanding a 12% salary wage increase for all employees. Management agreed to engage in continuous talks with the NUM to find a resolution to the dispute
- Nursing staff from Nelson Mandela Academic Hospital in Mthatha Eastern Cape affiliated with NEHAWU abandoned work over demands on night shift allowance. Resulting from the strike, 20 patients had to be transferred to another hospital. Nurses who did not participate in the strike were armed and locked in a boardroom at around 11:00 in the evening. Nurses who reported for night duty were ordered out leaving patients unattended. Two hospital managers were also held hostage. Nehawu ordered members to return back for duties or else face dismissal

## April 2012

- On 11 April the ILanga Newspaper workers associated with NUMSA embarked on a strike action. The strike was supported by KwaZulu-Natal National Union of Metalworkers of South Africa (NUMSA). The strike followed after journalist's demand for a living wage and improved employment conditions.
- Cape Town University students using a campus shuttle service were left stranded on Wednesday, 24 April after 47 Jammie Shuttle service bus drivers stayed away from work. Drivers went on strike following salaries dispute. Negotiations between worker's forum, the Transport and Omnibus Workers' Union took place to resolve the dispute.

## May 2012

- On 10 May hundreds of drivers affiliated with Transnet Africa downed tools and protested outside the Durban central depot. This affected thousands of Durban commuters and school pupils could not find alternative transport. The protest was in pursuit of demands which included the reinstatement of sacked and suspended drivers, provident fund, salary increase of R10 000 and UIF benefits. It is further alleged managers do not issue warnings prior to dismissing workers, they just fire workers
- Postal deliveries in Gauteng were disrupted after a massive strike by contract workers at the SA Post Office. This arose after contract worker's demand to be employed full time by the SA Post Office. Areas affected by the ongoing dispute were Central Gauteng, Vaal, East Rand, Far East Rand, North Rand and West Rand. It is said that some delivery facilities had been vandalized as a result of the strike and SA Post Office had laid criminal charges and would request a court interdict against strikers who committed acts of vandalism at the organisation's facilities
- Employees at Wits University affiliated with NEHAWU marched at the university on 16 May to protest against Royal Mnandi Catering Services, on what they perceived as "unfair and racially motivated dismissal" of 17 black workers. NEHAWU workers together with the Progressive Youth Alliance {PYA} fought tooth and nail for the reinstatement of the dismissed workers. Students also took a conscious and progressive decision to cancel their meals in solidarity with the workers
- On 16 May patients at the Durban's Inkosi Albert Luthuli Central Hospital were left unattended for seven hours after nurses went on a protest march. Nurses were demanding the acceptance of the memorandum on their grievances. The grievances included a demand for the removal of the hospital's human resources manager and system's manager. Managers were alleged to be corrupt and fraudulent in the human resources department. Patients were left confused while waiting to be attended by National Education, Health and Allied Workers' Union organiser.
- Services at Mangaung metro office in Bloemfontein were brought to a halt on 17 May by municipal workers. Workers protested on the basis of salary adjustments. They claimed the metro's executive management had already received upgraded salaries and not the workers. Salaries of councillors and new management is said to be adjusted without using a performance management system, by more than 17%, but not those of the people doing the "real work"
- Workers associated with SAMWU at the Mopani District Municipality in Limpopo embarked on an indefinite strike action. The strike emanated from a failed conciliation process which was held under the auspices of the South African Local Government Bargaining Council. Workers were demanding the Municipality to stop violating policies, reverse all appointments made against the court order granted by the Labour Court, ensure all matters relating to the transfer of former staff members are dealt with accordingly and all overtime and leave days are paid to. The strike was also to expose the harassment which workers suffered under the current Municipal Manager. The Manager is said to be ruling the Municipality with what is classified as an "iron fist" approach
- Employees at Wrapsa Packaging and Manufacturing affiliated with CEPPWAWU took to the streets on 21 May demanding wage increases. This follows after workers from Wrapsa, a pharmaceutical and healthcare organization in Centurion complained that it was a while since their wages were increased
- On 22 May, Impala Platinum (Implats) mine workers downed tools in protest over the arrest of their colleagues and leaders implicated on clashes between rival unions
- About 100 Fancourt golf estate workers went on strike on 25 May to handover their wage demands. Protesting took place outside the gates of Fancourt, the prestigious golf estate and outside the hotel in George. Workers were demanding a wage increase of 10%
- Patients at the Naledi Hospice were left unattended after doctors, caregivers and cleaners went on strike on Friday, 25 May. This follows after the unpaid salaries of workers for over a period of a year. The matter was left for CCMA's intervention
- Sol Plaatjie municipality workers brought the city of Kimberley to a standstill on a two day strike 28-29 May. Workers had a problem with the chief financial officer who was from the Eastern Cape, alleged of "nepotism" and tribalism. It is alleged she surrounds herself with people from the Eastern Cape and that when there is a vacant post in the municipality people of the Northern Cape are not afforded an opportunity to demonstrate their skills

- Doctors at the Eastern Cape Nelson Mandela Academic Hospital in Mthatha protested on 29 May after the provincial health department failed to pay doctor's salaries over a period of six months.

## June 2012

- On 4 June workers employed at Modder East Gold mine went on a protected strike where the strike was led by PTAWU. This follows after worker's wage increase demand of R6 500 from an offer of R2 100 per month. Workers urged the strike would continue until their wage demands were met. Modder East management declared that the strike action was unprotected, saying that PTAWU could not go on strike over wages as per the signed three-year wage agreement between majority union the National Union of Mineworkers (NUM) in April 2010. The company urged the no-work no pay strategy would be implemented if workers continues to down tools
- Street marshals in Polokwane downed tools on 6 June due to non-payment of salaries for a period of a month. This came in the wake of a resolution by the city council prescribing a minimum salary of R1 000 a month
- Air workers from Lanseria Airport protested and handed over a memorandum in demand for equality on workers after a white employee described African workers as "baboons who deserve to be fired". Workers alleged that if management ignores their grievances they will apply for a strike. The memorandum handed over included immediate establishment of skills development committees, right of association and that the management advisors be dismissed with immediate effect from the Airport
- Legend Lodge Golf Estate staff in Mokopane, Waterberg Area went on strike over a period of a month on what they perceived as "unfair labour practices". The workers alleged that management failed to meet their demands. Workers also claimed they haven't received pay increase, bonuses provident fund in the last years. To resolve the matters raised COSATU Provincial Secretary agreed to address the workers at Legend Lodge Golf Estate on 6 June 2012
- On 13 June members of Ace Parking Marshalls employed by Ace Parking, a company contracted by the City of Johannesburg and other councils including Cape Town metro to manage the parking services in the metro areas embarked on a strike action. Amongst others they demanded a minimum wage of R3 500, provident fund and also the end to privatizations of the roads and parking services. Workers toyi-toyed outside the Ace Parking offices at the corner of Eloff and Commissioner Streets in Johannesburg while management kept other workers locked inside the building
- More than 200 disgruntled Drake and Scull workers went on strike demanding better working conditions and a better wage offer. Workers disrupted early morning traffic when they picketed outside Durban's Inkosi Albert Luthuli Hospital
- Employees of Bushbuckridge Water Board (BWB) downed tools on the midnight of 25 June following demands on housing subsidy increment, nightshift and standby allowances. Strikers closed the facility and placed their placards at the gates of KaNyamazane Water Plant Treatment. As a result Themba Hospital in KaBokweni and the Nsikazi area got affected after more than 15 reservoirs - main plant supplier went dry due to the strike. Striking workers indicated the strike would continue until the employer meet their demands. Employees were demanding R12 per hour on night-shift allowance and R75 for standby allowance from their current pay of R6 and R35 respectively. The employer therefore offered R100 extra on their housing subsidy and R15 for standby allowance
- Over a thousand of NUM workers at Forskor Mine went on a protest march in Phalaborwa on 26 June to hand over their memorandum to management over a plethora of issues. The march was led by the NUM leadership. Their demands urged management to stop the rehiring of retired whites, to eliminate wasteful expenditure on worker's accommodation, to ensure transformation in the mine and to terminate L.A Crushers contract
- SAMWU Workers at Mafikeng municipal office in the North West downed tools on a legal and protected strike on 29 June demanding immediate dismissal of the Municipality Manager. This follows allegations that proper procedures were not followed when he was permanently appointed to his position at a monthly salary of R98 000 and that the appointment was irregular. As a result the strike led to a total collapse of municipal services such as the collection of garbage.

## July 2012

- Members affiliated with FAWU at the Komatiland Forests Pty Ltd in the Mpumalanga province, embarked on a legal strike action on 2 July. The strike emerged after CCMA proceedings failed to produce an amicable agreement to the workers wage increment demand of 15% across the board. Workers further demanded an increase in the night shift, standby, sleep out, acting and tree climbing allowance to be adjusted and be backdated to 1 April 2012. The union further demanded that the current bargaining unit be extended to accommodate all administration or non-production employees within certain bands of the company
- About 100 Samwu members in shirts and reflective vests went on protest around Keizergracht Street in Zonnebloem Cape Town on Thursday, 5 July to handover a memorandum of demands. Samwu wanted the city to hire more workers for municipal services and were also unhappy about the salaries paid to workers hired under the Extended Public Works Programme (EPWP). It is said that permanent council workers are paid about R240 a day, whereas an EPWP worker were paid R60
- About 6 000 HIV Counselors and home-base caregivers in the Gauteng health department went on strike leaving HIV patients unattended. The counsellors and caregivers went on strike after not being paid their salaries were unpaid in the last four months. The strike left hundreds of people in the province living with HIV without counseling or home-based care. A member of a task team representing the counselors said that "At the end of the day they expect each and every person to be at work. How can we manage to go to work without any payment? We are parents and bread-winners and cannot be treated unfairly"
- On 10 July about 120 Magalies Citrus workers in the town of Brits North-West, went on strike. The workers demanded a R 15 per hour wage as the lowest paid earned about R 7.50 per hour, while management offered 7% wage increase. Workers alleged they were also infuriated with the racial discrimination they were experiencing in the company, they alleged that white employees doing the same job earn R15 per hour and get a monthly production bonus. Operations at the Magaliesberg plant went on a complete standstill since the union has 99% membership
- More than 800 members of the Food and Allied Workers Union (FAWU) at Entabeni Timbadola outside Makhado blocked farm roads in protest over wages. The workers were demanding a 15% wage increases while the employer was offering only 8%
- Employees employed by the dairy producer Clover embarked on a national and legal strike on 18 July 2012. The union on behalf of its members was demanding a 11% wage increase, about R400 wage increase per month
- University of the Witwatersrand-Wits staff and students in Johannesburg protested on Thursday, 19 July, over increment of salaries. A memorandum was handed over to Wits vice-chancellor and principal.
- Several hundred municipal workers and eThekweni metro police officers staged on a protest outside the Durban City Hall on Friday, 20 July. The SA Municipal Workers Union (Samwu) was calling for the resignation of eThekweni metro police. Durban's main street Dr Pixley Ka Seme Road formerly West Street was blocked to traffic as the 400-strong group of protesters protested on the road outside City Hall. Leaders of the protest said they will continue with the protest during lunch times despite being granted permission
- Over 1 000 members of the National Union of Mineworker (NUM) downed tools at the Foskor Mine at Phalaborwa in Limpopo. Union spokesperson said they wanted the mine management to review member's medical aid scheme, long service benefits and pension funds. The spokesperson mentioned they were left with no option but to take it to the street as management was reluctant to offer what they demanded. The strike action was set to continue because they wanted to send a strong message to the company that they can no longer take it especially when their concerns were not addressed.



## August 2012

- Hundreds of workers at the Syferfonte in Magnesite mine in Folovhodwe, Limpopo downed tools over what they called “unreasonableness” over salaries. The strike came after the union rejected a 6.5% wage increase offer by the employer and after talks to resolve the matter broke down at Commission for Conciliation, Mediation and Arbitration. National Democratic Forest and Energy Workers Union shop steward claimed miners were being paid less than “farmers and taxi drivers”
- On 16 August only seven days after South Africa celebrated Woman’s Day, tragedy struck in the Platinum mine Lonmin in Rustenburg, North West Province when approximately 44 were lead to death and more than 70 people were injured and about 250 people arrested over damage and destruction to property. People were shot and killed by the police after a stand-off that lasted for days. The incidents followed an illegal work stoppage and protest march on Friday, 10 August by about 3 000 Lonmin rock drill operators, which quickly turned into criminal actions by rival rock drillers who initiated a wildcat strike in pursuit of a pay raise to R12 500 per month from a salary of R4 000, per month. “The illegal march was accompanied by incidents of intimidation and violent action against employees who wanted to report for duty”. An Inter-Ministerial Committee was made up of senior cabinet Minister to assist families during that difficult time of loss was established<sup>17</sup>
- About 2 500 students nurses affiliated with DENOSA from the Chris Hani Nursing College went on a protest march over “poor working conditions”. The department’s spokesman said that the academic programme had been suspended because of disruptions caused by student nurses
- Metro police officers went on the rampage in the Durban city centre, demanding that contract workers be appointed permanently. The officers were also demanding that metro boss be removed immediately from his position. The officers reportedly blocked roads, barged into the administration offices and threatened to burn down the city hall if their demands were not met. Members also toyi-toyed, banged on taxis and stopped cars from driving in streets around the city center. The South African Police Services were called in, to control the crowd who appeared nervous as the metro police officers were armed with service weapons. The Mayor addressed the officers and assured them the city was dealing with their grievances however temporary employees will not be converted to permanent staff in the earliest time as they are guided by rules and regulations
- Samwu members at the Nelson Mandela Bay Municipality, Mfanasekhaya Gqobose building in the Eastern Cape, embarked on a sit-in on 20 August demanding that three senior officials be fired. As a result services went disrupted where residents were unable to pay accounts and have queries answered to. It was reported management spend the day negotiating behind closed doors in a bid to resolve the stand-off
- On 22 August 1 000 Rock-drill operators at the Royal Bafokeng Platinum Mine outside Phokeng, North West, joined their counterparts in Lonmin on an “illegal” strike for better wages. Like their Lonmin counterparts, the workers who claimed to earn between R4 000 and R6 000 a month, wanted their salaries to be increased to R12 500 per month. The spokesperson indicated that a memorandum of demands was submitted to their union, the National Union of Mine-Workers, a week before to pass it on to management. The NUM spokesman relayed that management had refused to entertain demands outside the proper and agreed bargaining processes.
- On 22 August, about 12 000 employees of the East Section of the KDC Gold Fields Mine on the West Rand, Johannesburg downed tools over an unprotected wildcat strike. Based on informal feedback from employees the strike appears to be related mainly to disagreements within organised labour and related structures on the mine. The powerful National Union of Mineworkers (NUM) said its members on the mine had a number of complaints. Workers told the union that they were unhappy and had sent a message to the senior team to attend to their grievances, According to the union spokesman the strike was not because of divisions amongst union members over a leadership dispute. Among member’s complaints was a compulsory funeral cover policy which they wanted to be optional, said the spokesperson. Gold Fields, which is listed on the Johannesburg and New York Stock Exchanges, produces 3.5 million gold equivalent ounces a year. The company operates eight mines in Australia, Ghana, Peru and South Africa
- NUMSA members working at a monopoly and imperialist-owned Dunlop in Howick, KwaZulu-Natal went on a protected strike on Wednesday, 22 August. The strike action was triggered by Dunlop management’s stubbornness refusing to workers demand for improved conditions of employment and sustainable livelihoods. Amongst others strikers were demanding a two-year wage agreement; 10% increase in the 1st year, and 9% increase in the 2nd year, a two weeks’ pay bonus and a two weeks’ severance pay for each completed year.

<sup>17</sup> *State of the Nation address, President Jacob Zuma, 14 February 2013*

NUM alleged they strongly believe the demands by workers are reasonable and legitimate. NUM asked Dunlop to return to the bargaining table to try resolve the dispute

- Hospersa members at the South African Council for Social Service Professions (SACSSP) embarked on an indefinite strike on 27 August. This follows after the worker's pay rise demand of 8% and a R1 200 housing allowance
- On 27 August workers at the Free State Development Corporation went on strike after talks with MEC for economic development in June failed to reach an agreement over wage negotiations and improved working conditions. Following the impasse of the June strike, the CCMA issued a certificate of non-resolution allowing the workers to engage in a protected strike. The strike went for three weeks almost paralysing the corporation's function as the province's official agency for economic development, trade and investment. The workers initially wanted their salaries to be increased by 9% to 15% on a sliding scale. They wanted the lowest-paid worker currently earning R4 174 a month to get a 15% increase with those on R6 563 receiving a 12% adjustment. Workers also proposed that the middle earner presently on a R12 636 salary scale gets a 10% increase and the highest earner on R21 122 moves up by nine percent. But the FDC shutdown the proposal saying negotiations should be based on the 2011 average inflation rate of 5.03%. However, the workers represented by the National Education, Health and Allied Workers' Union (Nehawu) disagreed saying they preferred using the inflation figure for this year's first quarter of 2012 which is 6.1%. They argued that it reflected more accurately on today's cost of living, but the FDC insisted it was only prepared to offer a 5.5 percent wage increase across the board. Other issues that were tabled for negotiations were on housing scheme and maternity leave, where workers wanted a housing facility for employees to be reinstated and a review of the paid maternity period from the current three months to six months
- On 27 August workers at the tissue manufacturing in Industrial Park, in Phoenix went on strike against the wage paid by the company. About 50 workers gathered across the road singing songs and demanding "a living wage. According to spokesperson for the South African Commercial and Allied Workers Union (SACCAWU), "Employees were demanding a minimum wage of R780 per week wherein the company is paying them about R400 per week. Members' alleged they went to the CCMA and the Department of Labour but could not find any joy hence they embarked on a strike action
- More than 200 NEHAWU members at Limpopo Economic Development Agency (Limdev) embarked on a wage hike strike since 27 August. According to the provincial chairperson of the National Health and Allied Workers Union, the workers were demanding close to 12% salary increases after the company's offer of 7%."The matter had already been to the CCMA for conciliation after the matter could not be resolved. Workers embarking on the industrial action included cleaners, clerks, security guards, drivers and professionals in all the three parastatals.
- Pupils at Mathipe Senior Secondary School in Marite near Bushbuckridge called upon the education MEC to intervene after teachers downed chalks following their dispute with the principal on Tuesday, 28 August. This comes after the teachers accused the principal of lacking management skills. The disgruntled pupils said the teachers' strike was as a result of their personal issues and was neither related to educating pupils. Speaking to The New Age the pupils anonymously said they were concerned that the dispute between the principal and teachers was affecting them especially with their final examinations due to take place in fast-approaching October.





## September 2012

- Hundreds of patients at the clinics in Limpopo's Capricon District Hospital were turned away during nurse's strike on 7 September after nurses downed tools over wage demand. Nurses were demanding the implementation of the outstanding 3% wage increase while four other districts received increases four months ago. After the National Education Health and Allied Workers Union (Nehawu) and the National Union of Public Service and Allied Workers Union (Nupsawu) members marched to the department headquarters at College Street near Rethabile Health Centre to demand an explanation over the department's failure to implement the increase, it was realised the department was placed under administration the previous year hence the implementation could not be effected
- On 13 September more than 200 mine workers at Golfview Colliery near Ermelo downed tools following a breakdown of wage negotiations with management. The miners, who are members of the Association of Mineworkers and Construction Union (Amcu) were demanding a 10% increase on their basic wage where general workers on the mine earned R25 an hour and R1 000 more on their R700 housing subsidy. One striking mine worker said over the phone: "Mine management is refusing to meet our demands and they have threatened to retrench or shut the mine if we don't accept a 4.9% increase on the housing subsidy. Golfview Colliery operations manager was not available to comment after his office in Witbank said he was attending a course. Attempts to get comment from AMCU in Witbank were also unsuccessful as their phones went unanswered
- Anglo American Platinum (Amplats) the giant platinum producer at Thembelani mine operation 20 kilometers east of Rustenburg was hit by a strike on 13 September while more than 20 000 strikers demanded a wage hike. Workers were demanding 10% (i.e. R16 000) wage increase after they received a similar wage hike earlier during the year. Agitated protesters alleged most of them go deep inside shafts sweating for Anglo Platinum that yield no better living for them and their families. On the same day shut-down was initiated by the company to protect non-striking night shift staff who were being threatened and intimidated by unidentified strikers in and around the Rustenburg operations. Workers said they wanted a basic salary of R12 000, a R500 meal allowance, R500 "for working underground", R60 a day for transport and other benefits, which added to R16, 070 per month. If the company cannot do that we want a minimum of R12, 500 a month. Meanwhile the strike action began to spread at its operations in various parts of North West and Limpopo provinces after the company's move to dismiss the Rustenburg operation's 12 000 workers via text and email messages in early October
- Workers at Keurboschkloof export grape farm outside De Doorns in the Western Cape downed tools and staged a sit-in protest at the gates of the farm on Monday, 17 September. A vast majority of the farm's 300 permanent employees brought water bottles, snack packs and umbrellas to the entrance of Keurboschkloof and said they would stage a sit-in until their demands were met. Farmers protested against attempts by Safe - which was contracted to manage Keurboschkloof for five-year to cut their wages. In July, Safe announced that it would drop the wages of R90, R105, R110 and R127 a day to a flat rate of R64 for most of the workers (a figure that is in line with the industry minimum), explained a single mother of three who has worked on the farm for 18 years. On 14 September at the end of the negotiations, Safe announced that all but 20 of the staff would be dismissed and the news led to Monday, 17 September strike. Workers demanded that their pay be increased to R2 887 a month (R137 a day). Management promised workers that their contracts, pay and conditions of employment would not change under the management of the new company
- More than 3 500 National Union of Mineworkers (NUM) members at Samancor Chrome Western Mine, the world's second-largest chrome producer near Rustenburg embarked on a wildcat strike as a result of wage increase demand. Miners were demanding R12 500 pay after deductions excluding bonuses, said one of the workers' leaders. He further said they were demanding a R1 500 sleep-out allowance, a R1 500 underground allowance and a combination of factors including same wage for operations personnel and smelter operators
- The company later indicated it was engaging with its recognised unions in order to resolve the situation and to get the employees back to work
- Workers at AngloGold Ashanti's operations in Carltonville, North West, the South African mine embarked on an unprotected strike on 20 September preventing the commencement of the night shift on 21 September. Approximately 35 000 people are employed across AngloGold Ashanti's South African operations and this figure is inclusive of contractors and those working on two major capital projects under way at the Moab Khotsonk and Mponeng mines. The strike also spread affecting workers at the West Wits, the Vaal River Regions' operations and those at Kopanang region. The National Union of Mineworkers spokesperson reflected that

the strikers wanted a wage of R12 500 a month- about triple the amount earned as basic pay at the bottom end of the wage scale

- On Tuesday, 25 September, nearly 60 000 truck drivers embarked on a full swing nation-wide strike in demand for a wage increase. Strikers were demanding a 12% wage increase whilst the employer was offering 9%.The strike took a violent swing after a growing number of attacks on trucks and non-striking drivers. About 250 truckers went on a rampage in Pine town attacking non-striking workers and injuring several people while in Gauteng about 10 trucks and light delivery truck were set alight. In Cape Town a truck driver fought for his life after protesters set him alight in Manenberg. Motorists and people working in Alrode had to be very vigilant and avoided certain parts of the area as the strikers started throwing rocks in protest. In the mist of the strikes meetings in an attempt to resolve the strike were arranged and facilitated with CCMA between the union -SATAWU and Road Fright Employer's Association. Meanwhile the Labour Minister urged the (RFEA) to break the deadlock and reach the wage settlement after the strike has hurt the economy. The protest hit the freight industry resulting in fears of petrol shortages around the country
- Workers at the Coal of Africa's (CoAL) in Mooiplaats colliery in Mpumalanga went on a legal strike on Tuesday, 25 September. CoAL's share fell with almost 18% after its employees who are members of NUM had rejected the company's 22% pay rise offer which included increases in wages and overall benefits. Unfortunately the mediation process was not successful and resulted in the workers proceeding with the strike action the following day
- About 9 000 miners at Goldfields' Beatrix Mine in the Free State embarked on an illegal strike. Operations at their Beatrix West shaft in the Free State came to a halt over pay hike demands, better working and living conditions. Worker's demands tabled were, a salary increase of R16 000 and leave advance without permission because when we go on leave, the mine gives you R10 000 or R11 000 and when you come back the mine they deduct R3 000 or R4 000 from your salary. For negotiations miners decided to choose their own representatives for wage talks wherein none of the formal unions were involved
- Employees at Mall- Burgersfort subcontractors and general labours working for Beckers Bouaannemers Company, known as Beckers Contraction, the main contractor of the Tubatse Crossing Mall, the largest mall development in town, downed tools on 27 September in demand of wage increment. According to them they need it to be equivalent to those issued by the Department of Labour. The general labourers demand their rate to be increased from R12,50 per hour to R20,50
- Two thousand construction workers belonging to National Union of Mineworkers at the Cecillia Makiwana Hospital went on an unprotected strike on 28 September. Workers embarked on a strike demanding up to a 60% wage increase.

## October 2012

- On Monday, 1 October, Atlatsa Resources Corporation confirmed that employees at the Bokoni Platinum Mines, a joint venture with Anglo Platinum in Limpopo Province, have embarked on an unprotected industrial action over wage increase demand. Attendance at the mine went below 20% as a result of the strike action. It is alleged the mine's representative unions - Num, Tawusa and Uasa have tried to address all of their member's demands but to no success. Management indicated Bokoni had an existing agreement in place regarding conditions of employment, including wages, effective up until 30 June 2013. Bokoni management indicated that it will not negotiate any issues outside formal bargaining structures and encourages employees to work through these channels." The company announced no work, no pay principle will apply for as long as the unprotected industrial action continues
- On 2 October a handful of workers at London-listed Petra Diamond's Kimberley underground mine, in the Northern Cape embarked on a work stoppage over wage increase demand. Workers were demanding R21 500 per month. The spokesperson confirmed management was in talks with the National Union of Mineworkers in an attempt to resolve the strike
- Workers at the South African gold producer Gold One International's Ezulwini mine embarked on an illegal strike in defiance of a wage agreement signed in July 2012. Ezulwini is known to be the best marginal operation and as such, it is incomprehensible that employees can put both their jobs and future of this business at such high risk of closure. The company has reportedly put contingency plans in place to manage the impact of the industrial action
- South African Post Office employees went picketing outside the entrance of the parastatal's headquarters in Centurion on 2 October over "non-payment" of wages for the month of September. The strike continued until 3 October. Amongst others the picketing happened as permanent workers grew disgruntled, accusing management of being lax in resuming wage negotiations with the unions. The permanent employees are calling for the minimum gross monthly wages of tellers to be increased from R8 500 to R12 000 and postmen's pay from R7500 to R10 000 and R50 000 once-off payment for permanent workers. Workers alleged they have been receiving below-inflation wage hikes for the past couple of years with some of the benefits wiped out hence the demand for the R50 000 once-off payment. Striking workers threatened to employ "Marikana tactics" to get their wage demands met".
- On 3 October Africa's mining strikes have spread to the iron-ore sector, with Kumba Iron Ore's Sishen mine in the Northern Cape also hit by unprotected industrial action. The Anglo American subsidiary confirmed only 300 of its workers participated. The Kumba strike came after thousands of gold and platinum workers continued to strike, with wage demands ranging from R12 500 to R18 500. Workers at a Northern Cape diamond mine, owned by London-listed Petra, are demanding R21 500 a month. The Congress of South African Trade Unions and the National Union of Mineworkers (NUM) blamed Impala Platinum, which increased workers' salaries twice this year for the wave of strikes and called for an early review of wage agreements to normalise industrial relations
- On 3 October the majority of its 5 400 workforce at Harmony Gold's Kusasalethu mine, Carletonville on the West Rand embarked on an illegal strike. On the next day strikers started barricading the area to Kusasalethu and hindered the night-shift workers from going underground. The strike came about after the mine management received a memorandum of various wage-related demands. Operations at the mine were suspended for most of October due to the strike
- Toyota South Africa Motors (TSAM), South Africa's largest vehicle manufacturer, exporter and retailer was hit by a strike at its Prospecton plant in Durban. The strike appeared to be linked to wage demands. In an attempt to end the strike, the company's management as well as leaders of the National Union of Metalworkers of South Africa went in talks with workers in an attempt to understand the driving force behind the strike
- More than 25 workers who mostly work in the club's hospitality department at the East London Golf Club in Bunkers Hill went on strike demanding a minimum wage increase of 12% while the employer was offering 7.5%
- On Saturday, 6 October, Xtrata Platinum Mine in Brits North West, was hit by an industrial action after about 400 mine worker's downed tools. Miners' downed tools over wage increase demand of R16 000 basic salary. Amongst others striking workers were also calling for the immediate dismissal of one of the company's managers whom they accuse of being racist and the demand to management to stop taking decision on changing working conditions without consultation

- Workers affiliated with NUM at Anglo-Platinum at Northam in Limpopo downed tools on 8 October. Miners downed tools over wage increase of R16 700 salary after deduction
- On 8 October Interstate Bus Lines in Bloemfontein was hit by strike over wage increase demand by drivers. Due to the strike about 20 000 of workers and school children ferried daily between Bloemfontein, Botshabelo and Thaba Nchu were left stranded without transportation. On 9-10 October cashiers opened at Central Park, Botshabelo, and Thaba Nchu to refund unused trips on monthly tickets only. To resolve the matter, management engaged with union leaders to find possible and quick solution to the concerns raised
- On 9 October South African Bureau of Standards employees affiliated with Nehawu embarked on a strike over salary increase demand. Striking workers were demanding a 12% salary increase, R1 200 house subsidy per person as well as 75% employer contribution to medical aid. The employer indicated they can only afford to offer an 8% salary increase. SABS management made indication they were committed to finding amicable solutions and would continue negotiating with Nehawu until an agreement is reached
- Workers at the Pat Cornick Company went on strike in demand of a salary increases. Strikers picketed at the company's entrance in an attempt to gain forcible entry. The security guard assigned to the premises retaliated by shooting at the crowd with rubber bullets injuring one person and accidentally hit the rear window of a police car twice. The guard was arrested for attempted murder and malicious damage to property
- Nurses at the Polokwane's provincial hospital went on a two day picketing outside the hospital entrance after handing in a memorandum of grievance to the Limpopo health department. The grievance was mainly related to their outstanding performance bonuses. The department promised to respond formally in writing to the workers on how their issues will be resolved. Nurse's demands were reasonable but seemed to have been impacted by lack of communication
- Moqhaka workers affiliated with the South African Municipal Workers Union and independent Municipal and Allied Trade Union in Kroonstad staged on a wildcat strike pressing for the resignation of both the mayor and the municipal managers. Workers claim they had been driven to boycott work by what is regarded as "unclear promotion procedures and lack of transparency in the municipality". Promotion of staff is claimed to be biased as only close allies to management are promoted without following proper municipal procedures. The municipality considered taking measures against all workers who participated in the unprotected strike as the strike was regarded illegal
- The Cosatu members in the North West embarked on a protest action to Dairy Belle factory in Bloemhof. The protest action was to demand that the employer accedes to the workers' demands for a wage increase. The employer had previously offered the lowest paid employees an increase of about 6% which was far below the inflation rate. The workers at the factory were on strike since beginning of October 2012 without the employer's moved to the workers' demands
- On Monday, 15 October, Rea Vaya Bus services went interrupted after drivers affiliated with SATAWU decided to embark on a strike. Commuters went stranded as a result of the strike action. The strike emerged after workers' demand for an increase in salaries and better employment conditions. The union also wanted a change in the shift system because the one currently used was "strenuous, and slavery". It also called on Piotrans to pay workers' contributions to a provident fund from the time they were first employed. Striking bus drivers returned to work on Thursday, 18 October, after commuters went stranded as a result of the strike. As an interim ruling the Labour Court ruled that the bus drivers end their strike and return to work. The court gave strikers 25 days to contest the decision if need be
- On 16 October Kruger food staff members responsible for the management of restaurants in Kruger National Park embarked on a strike over unclear demands. All the camps went affected except for the Mopani and Punda Maria rest camps in the northern part of the park. Kruger park management indicated they were in discussions with Compass Group management and assured that contingency plans are in place where temporary staff has been hired to assist with the operations until the end of the strike
- Production at the Durban's Toyota Boshoku factory came to a standstill at on Wednesday, 17 October, when 480 workers went on strike. This was after negotiations between the management and the National Union of Metalworkers of SA (Numsa) deadlocked over the workers' demand of R1 500 retention bonus. The factory near Prospection, manufactures seats and door trims for Toyota vehicles. The leader of negotiations with management indicated they had been offered R300 which they had refused. The strike continued until the next day 18 October, Meanwhile members indicated they would report to the front gates of the factory and picket peacefully," in an event their demands are not met. Management further indicated the matters were being

dealt with and wish to resolve them quickly

- On 17 October, around 1 800 workers of the Petra mine near Cullinan, east of Pretoria, one of South Africa's oldest and best known diamond mines, embarked on an illegal strike over wage demand. Strikers were demanding a salary of R12 500. NUM representative stated that operations at the mine had ground to a halt, as nobody arrived for work on the day of the strike
- More than 2 000 plant workers associated with Numsa at the Eskom Medupi power plant in Limpopo staged on a protest march action on 18 October. Workers marched to Eskom offices complaining about "labour related issues". Threats of strikes were said to continue to spread after workers have given Eskom seven days to respond to their demands
- On 18 October South African Municipal Workers Union showed more workers protest outside the municipal offices in Ladanna, Polokwane Province. Workers downed tools and protested against the use of waste removal vehicles contracted from a service provider by the municipality. During their protest action workers blocked the entrance to the offices so the contracted waste vehicles could not have access into or out of the premises. The head of communication for the Polokwane Municipality announced that due to a waste vehicle shortage, the municipality made an interim arrangement with the service provider to provide the municipality with waste vehicles for the time being, while the process of public participation for the tender to supply the vehicles was taking place
- On 19 October about 40 striking health workers belonging to Nehawu and the Democratic Nurses Organisation of SA abandoned patients suffering from multi-drug resistant TB commonly known as MDR as the Modimolle TB centre nurses press for their demands. Workers' demand payment of allowances for working in a dangerous environment. Nurses claimed their counterparts in other provinces receive such allowance while they do not and that they have been requesting protective clothing and not getting them hence the strike action. The MEC declared to meet with organised labour to try to resolve the issues raised by the workers
- On 23 October Workers at Goodyear in Uitenhage, Eastern Cape province, belonging to the National Union of Metalworkers of South Africa downed tools and embarked on a protected strike. Workers embarked on a strike over what is perceived as a "Relief Allowance" when placed on staggered break. The bosses were categorised as arrogantly taking away workers' hard won benefits without following established rules of engagement as set-out in the Labour Relations Act (LRA). "The Relief Allowance is regarded as a great source of assistance or relief to the livelihoods of workers including their families. NUMSA urged Goodyear bosses to open doors of engagement with the sole intention of soliciting a settlement on the impasse
- On 24 October, 50 ADT guards in Cape Town went on strike in protest over cameras installed in their patrol vehicles. Private security firm ADT's vehicles have become less visible in some areas because of a wildcat strike. Five neighborhood watches in the Kirstenhof precinct, which included Heathfield, Bergvliet and Tokai, had increased patrols to help offset the drop in visibility of ADT patrol vehicles. Guards on strike are against cameras being installed in their cars. The sector's union, the SA Transport and Allied Workers' Union did not sanction the strike however ADT were said to continue talks with the guards and their union to resolve the matter
- On Saturday, 27 October, more than 1 000 coalmine workers at Forbes Coal in Dundee, Northern KwaZulu-Natal downed tools after their wage demands were not met. Miners were demanding a minimum wage of at least R7 000 after the lowest paid employees earned a gross salary of just less than R4 000 and outstanding truck driver allowance. The workers claimed the mine was generating huge profit while workers have nothing to show for it. Trade unions, the Association of Mineworkers and Construction Union and the National Union of Mineworkers joined forces to force the employer to improve wages and working conditions of miners. What upset the workers was that wage negotiations were supposed to have been affected in August. The process was delayed and by October the agreement had not been reached
- On 29 October, postal workers and members of the Communications Workers Union marched to the SA Post Office in Braamfontein over the reversal of union membership. Communication Workers' Union members hit the streets of Braamfontein in Johannesburg in a bid to challenge the unilateral implementation of insufficient salary increase. The union's Gauteng provincial secretary claimed the 6% salary increase agreed to by the South African Post Office (Sapo) was insulting to workers. Workers claimed they received notice of the salary increase that was decided on without any substantive negotiations". The union's demands included a R2 000 salary increase, a R1 000 housing increase and an annual bonus of up to R12 000 for all workers. Senior human resources manager accepted the memorandum on behalf of the Post Office.



## November 2012

- A crowd of up to 800 farm workers at De Doorns, along the N1 highway in the Western Cape went on a protest march on the afternoon of Monday, 5 November following a minimum wage increase demand of R150 a day from a daily pay of R69 and better living conditions. Farmworkers protest spread to Wellington in the Boland. A farmer was arrested over an attempted murder for firing shots at protestors. Police fired rubber bullets at protesters after throwing stones at patrolling officers and this resulted in two deaths and destruction of properties. On Thursday, 9 November, police used water cannon, fired rubber bullets and stun grenades in an attempt to disperse thousands of strikers who threw them with stones while a truck was hijacked and set alight on Saturday morning. A total of 125 people were arrested between in connection with the strikes, mostly for public violence. The Commission for Conciliation, Mediation and Arbitration (CCMA) offered to intervene in the strike saying it had the authority and the skills and experience to mediate a solution. A consensus was reached for the Department of Labour to review on the current Farmworker Sectoral Determination.
- Patients at the Shogwe hospital in Mpumalanga went unattended after staff went on a go-slow. Medical staff and cleaners downed tools, accusing provincial authorities of failing to meet their demands, which include addressing staff shortages and infrastructure.
- On Tuesday, 6 November, workers at the Village Main Reef Buffelsfontein gold mine, near Klerksdorp, went on an unprotected strike following a wage increase demand. The company was said to get a court interdict after the strike was considered unprotected.
- About 500 municipal workers marched to the Tshwane Metropolitan Municipality on Tuesday, 6 November 2012 at 13:31 to hand in the memorandum of demand. The protest march was against corruption and to call for the reinstatement of about 1 500 dismissed mining workers.
- On 7 November 2012 Samro members embarked on an ongoing industrial action over the unilateral change of the working conditions of members organized by the CWU. The company has unilaterally changed the working conditions of members by stopping to pay employees' 13<sup>th</sup> cheques which were benefiting employees during the past ten years. A demand was made that the company meet with the CWU and resolve the current strike within 48 hours failing which COSATU would mobilize all the progressive forces against the company.
- About 260 of workers at the Transvaal Gold Mining Estate in Pilgrims Rest, a subsidiary of Stonewall Mining downed tools over wages on Monday, 12 November. Workers were demanding a salary adjustment of more than R2 000. A wage agreement was signed before the strike could spiral out of control. The starting salary for the employees was adjusted to R5 000 although some workers were still dissatisfied.
- Staff at Xstrata Mines in Kroondal, one of the top five global producers of copper, thermal and metallurgical coal, ferrochrome, zinc and nickel, who also produces silver, lead, platinum, gold, cobalt and vanadium in North West went on a protest march following a demand action against a "white employee for assaulting a fellow black worker". The miner was allegedly assaulted for refusing to sign for a wage deal without the representation of the union. Police used rubber bullets and teargas to disperse the unruly protestors and arrested 37 after they threw stones at the passing vehicles and for burning tyres.
- South African Municipal Workers Union (Samwu) members at the Umsobomvu Municipality in Colesberg, Northern Cape, downed tools over a labour dispute case. Members protested against the permanent appointment of the current acting municipal manager. Samwu members requested that the municipal manager must not be permanently employed as he had previously failed them.
- On 19 November, hundreds of Community Work Programme (CWP) employees marched from Gompo Hall in Duncan Village to the NGO Itec building Park over unpleasant working conditions.
- Ambulance service workers, paramedics and emergency personnel, blockaded Western Avenue near Vincent in the Eastern Cape for more than two hours on 19 November. Workers protested against non-payment of their overtime, performance management and development system bonuses and discrepancies in salaries. The action left thousands of patients stranded.
- Workers employed at OK Furnisher, Home and House took to the street of Johannesburg on 20 November to demand higher wages and better working conditions.
- Thousands of mineworkers under the banner of the National Union of Mineworkers (NUM) marched to the

Randfontein Gold One branch operations to deliver a memorandum of demands to the company management. The mineworkers demand amongst others, that Gold One should remain a member of the Chamber of Mines and should adhere, abide by and implement the collective agreement reached at the Chamber of Mines in October

- A strike action took place at the Aveng Grinaker-LTA, a construction company in KwaZulu-Natal over a minimum wage demand. The workers were demanding a minimum wage of R4 000 whilst the company offered a mere R15.40 per hour. On the basic increase, workers had put forward a demand for a 12% increase across the board whilst the company was offering 8,5%
- About 1 600 workers at Early Bird Farm poultry processing plant in Olifantsfontein, north of Johannesburg went on strike over a wage dispute. Strikers were in demand of 13% pay increase. The group insisted they will continue with the strike until their demands were met
- Poultry workers at County Fair in Stellenbosch, Western Cape went on strike over wage disparity with the rest of the industry. The workers were demanding R1 500 a week to close the wage gap between County Fair, a subsidiary of Astral Foods and other farms in the area after the employer offered zero percent wage increase.

## December 2012

- About 315 employees employed through the labour broker at dairy company, Parmalat's Bonnie vale factory near Swellendam embarked on a strike action over wage increase demand. Strikers were demanding better wages and other benefits. Workers alleged they could no longer survive and support families on a weekly income of R450 that was without year-end bonuses. Workers also demanded sick leave, annual leave, provident fund, transport and protective clothing. During press neither Workforce nor Parmalat management was available to comment
- Payments to the beneficiaries of social grants in the Eastern Cape were delayed on 3 December after Fidelity security workers embarked on an unprotected strike. Money to Cash Payment Services pay points services were delayed by hours as workers downed tools demanding a wage increase
- Workers affiliated with NUM at Coal of Africa's Mooiplaats colliery South Africa embarked on an illegal strike following the suspension of four workers on Tuesday, 4 December. The strike has affected all four underground sections where if it continued the action would severely impact on the viability of the mine and could result in job losses.
- Primary health care services in Mpumalanga suffered a blow as staff at the Bernice Samuel hospital in Delmas downed tools over non-payment of overtime. The health care officials called for the Premier's immediate intervention before the hospital would face health services "shutdown"
- A large number of clinics and hospitals in the Eastern Cape's Mthatha Health Complex (MHC) experienced critical medicine shortages and stock outs due to wage increase demand by staff members. Surgery and other procedures were virtually ground to a halt due to a wildcat strike. The strikers held the sick and poor at ransom in order to get a pay raise.

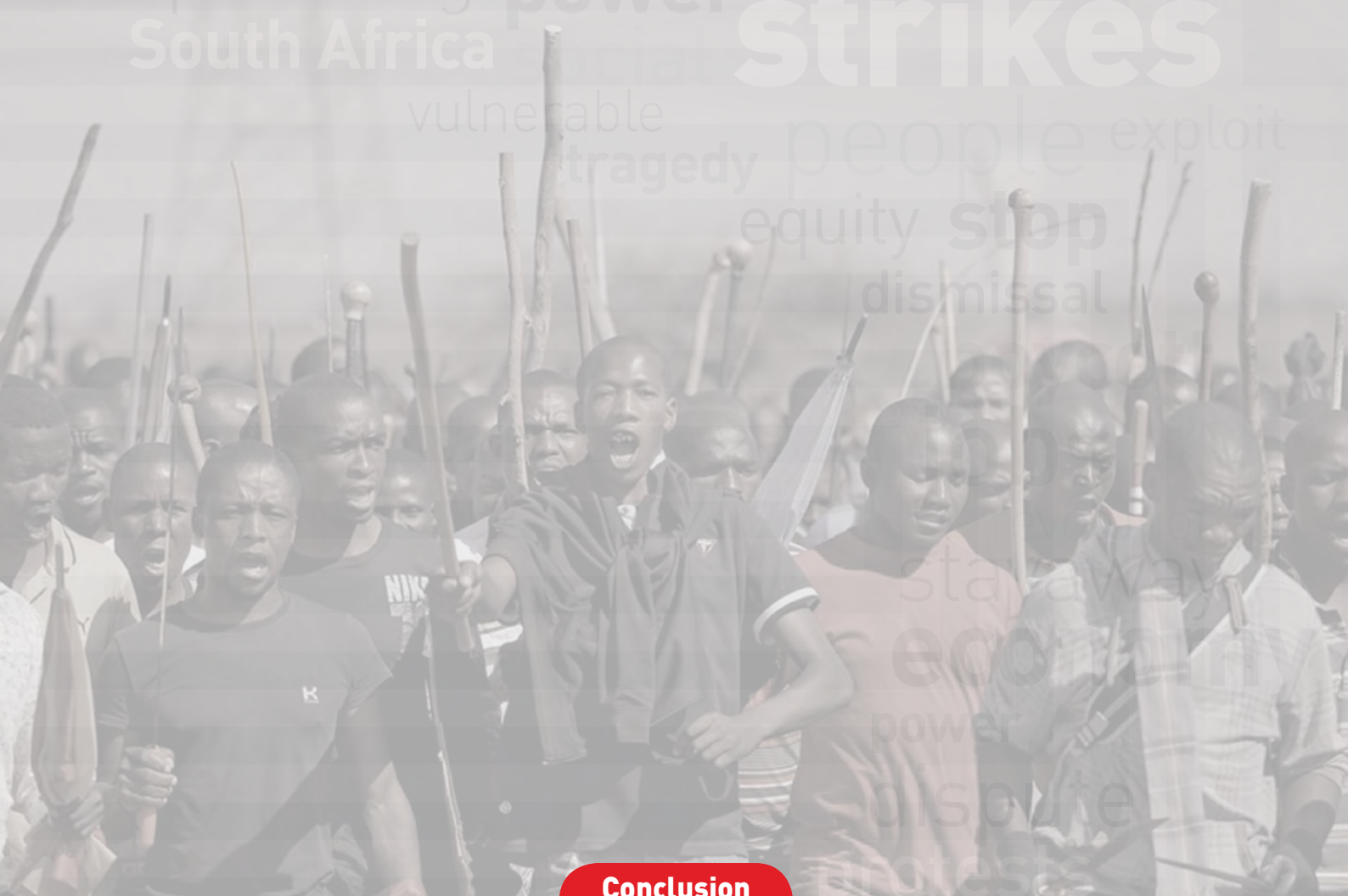


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Photograph: Kim Ludbrook, EPA

South Africa

strikes



Conclusion

aim  
workers  
dispute  
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chaos

## Conclusion and Recommendations

Statistics recorded from the 2012 strikes reflected that the country experienced more strikes at an increase of 32% as compared to 2011. More strike recordings were from the mining, community and the manufacturing industries. Following the increase in work stoppages, workers lost about R6 666 103 906 to wages from R1 073 109 003 in 2011. The strike action adversely affected the country's economy and investment in the mining sector. This year's strike season was seen as the most violent and bloodiest as compared to other years.

Unlike last year where most labour unrest occurred during the "Winter Seasons", strikes in 2012 escalated over to the Summer Season. It was evident that most strikes were wage related and for better working conditions.

Based on the analyses above the following elements are recommended in addressing the challenges faced in the labour market:

- Employers need to get more into the minds of employees over what they are thinking and know how together they can create better communities and a better future for all
- Mining companies and municipalities should increase collaboration and help government with capacity building to ensure less fighting among themselves, less defensiveness so that they can strive for improvement of the broader communities
- Change in the content and working structure is necessary within the company in order to remain relevant. The nature and character of this change must be informed by the prevailing context of socio-economic and political transformation.
- Workers need to accept traditional bargaining structures
- Government, business and labour need to meet and discuss a new roadmap for the mining sector. It is essential for government to create a sense of confidence in the sector
- Government has to relook at poverty, unemployment and inequality in line with the social condition of workers. This can be addressed by relooking at wage structure of South Africans. Economic Condition Commission recommends the government, labour, employers and other interested parties to address the growth, wage and employment issues in the sector<sup>18</sup>
- The government needs to take control of the situation and solidify practice and protocol with regard to wage negotiations before the nation's mining sector becomes un-investable as a result of the strikes that impacted on the gold, platinum, chrome, coal, diamond and now iron-ore sectors.

<sup>18</sup> Economic Condition Commission, February 2013, pg 80

## Department of Labour senior manager's views regarding the labour unrests in 2012:

### a. Issue regarding Marikana:

**DDG – LP and IR: Mr. Les KettleDas:** (i). Unions have to service their members regularly. The situation could differently be managed if the leadership could channel member's demands. In other words, better leadership was lacking on the ground

(ii). Human Resources should have effective engagement with the working structure in place in order to effectively manage the situation. It transpired that the company was not willing to talk to the employees in particular those who were not directly employed by the company

(iii). There is a need to train workers.

**Chief Director - LR: Mr. Thembinkosi MkhaliPi:** (i). the right to strike is a constitutional right, the devil is the violence. The Department will introduce a mechanism to avoid the violence strike by changing the law. There is a need for dialogue amongst all parties to address this violence issue even though other perceived violence as an instrument to achieve something

(ii). There is a need to invest enough time to educate and improve workers skills

**Director - CB: Mr. Ian Macun:** (i). what trigger the strike was the awarding of the contract outside the Bargaining Council. We need an improvement with regard to respect to procedures.

### b. Issue regarding De Doorns:

**Acting Director –ES: Titus Mtsweni:** (i). Previously, workers were paid in kind but the sectoral determination allowed the introduction of the minimum wage. It is about poverty alleviation where we need to establish a balance between employers and workers regarding affordability and the living conditions (transports, accommodation etc)

(ii) The broader challenge is that trade unions are not visible and united to negotiate effectively. There is little mobilisation at the negotiation table. There is a need for broader kind of intervention. The Nedlac should be involved in the process to deal with long term issues. In addition, there is a need to change mind of employers and workers.

(iii) In order to address the issue of minimum wage gaps for vulnerable employees the Department of Labour suggests on additional social benefits that will enable workers to meet their needs adequately. **(Titus Mtsweni)**

### c. Issue regarding Collective Bargaining:

(i). The LRA promotes the Collective Bargaining. This means that we need to ensure that all parties determine their own affairs... **(Titus Mtsweni)**

(ii). There is no question that the Collective Bargaining was not effective in the mining. It should be noted that different sectors have different ways of negotiation. In the De Doorns, all parties reached a deadlock. The Collective Bargaining could not be able to achieve what was intended to achieve... **(Ian Macun)**

(iii). There is no doubt that there are some areas to improve at the Collective Bargaining but government believes that it is the right way to go. It was for the first time in Cape Town that workers were not organised whereas in the Marikana case workers were organised... **(Thembinkosi MkhaliPi).**

#### d. Averting strikes:

(i). The role of unions is very different. In the mining sector, NUM and AMCU tried very hard to avert the strike but they were unsuccessful because of lack of trust amongst workers. Thus there is a need for unions to build good structure and increase membership on the ground and not be fearful to loose members... **(Ian Macun)**

(ii). At De Doorns, it was difficult to avert the strike because of limited coverage or the nature of farming sector. There is a need for innovation in order to deal with agricultural sector as it remains a complex economic industry... **(Les Kettledas)**

(iii). Unions are afraid to loose members, e.g. Marikana incident. It was an issue of competition... Maybe unions can take disciplinary action against their members... **(Thembinkosi Mkhaliipi).**

## References

1. Labour Law South Africa, December 2012
2. International Labour Organization Bulletin of Labour Statistics 1993-2,Annex1,xl
3. The State of the Nation address, the South African President , Mr J. Zuma, 14 February 2013
4. The Development Centre Joint Policy Dialogue enriched the debate on well-being by exploring how policies need to be reassessed and reshaped to build more cohesive societies, GDN-OECD, New Delhi, 15th Oct 2012
5. The Economist, October 20-26th 2012, p. 22
6. Recorded face to face interviews with DoL Senior managers

crisis  
 lockout  
 wages  
 rights  
 revolution  
 unemployment  
 recession  
 work  
 unions  
 riots  
 demand  
 injustice  
 negotiate  
 picketing  
 power



**Annexure**

stayaway  
 economy  
 power  
 dispute  
 protests  
 aim  
 march  
 workers  
 impact  
 chaos  
 dispute



## ANNEXURE A

### Data Appendix

The following two supplementary tables contain data not included in the main report:

**Table A1: Number of workers involved, working days lost and working hours lost by industry/sector, 2012**

Industry/Sector	Workers involved	Working days lost	Working hours lost
<b>Electricity, gas and water supply</b>	<b>1 078</b>	<b>1 484</b>	<b>10 634</b>
Electricity, gas, steam and hot water supply	875	875	5 762
Collection, purification and distribution of water	203	609	4 872
<b>Wholesale and retail, repair of motor vehicles</b>	<b>4 170</b>	<b>13 210</b>	<b>115 032</b>
Hotels and restaurants	458	2 453	18 924
Retail trade, except of motor vehicles and motor cycles; repair of personal household goods	160	513	4 118
Wholesale and commission trade, except of motor vehicles and motor cycles	3 552	10 244	91 990
<b>Manufacturing</b>	<b>56 342</b>	<b>188 804</b>	<b>1 391 357.06</b>
Basic metals, fabricated metal products, machinery and equipment	22 407	80 582	645 223.96
Coke, refined petroleum products and nuclear fuel	281	281	1 686
Electrical machinery and apparatus	5 872	5 872	43 340.5
Food products, beverages and tobacco products	7 059	31 211	256 084.6
Manufacture of furniture; manufacturing n.e.c; recycling	1 819	9 095	84 129
Other non-metallic mineral products	4 871	11 657	94 769.5
Transport equipment	13 191	48 521	252 901
Textiles, clothing and leather goods	706	706	6 190.5
Wood and products of wood and cork	136	879	7 032
<b>Community, social and personal services</b>	<b>13 877</b>	<b>108 384</b>	<b>890 441</b>
Education	3 816	65 200	539 408
Health and social work	150	150	300
Other community, social	260	1 648	13 001
Other services activities	198	2 772	22 176
Public administration and defense activities	6 751	10 465	88 784
Recruitment agency	818	9 236	76 748
Local Authority	1 243	10 883	87 064
Security Services	261	3 370	25 680
Post and Telecommunication	280	560	4 480
Recreation; cultural and sporting activities	100	4 100	32 800
<b>Mining and quarrying</b>	<b>138 993</b>	<b>2 728 359</b>	<b>19 789 693.75</b>
Coal and lignite	1 254	8 454	76 087
Metal ores, except gold and uranium	103 155	2 469 272	17 745 178.75

Industry/Sector	Workers involved	Working days lost	Working hours lost
Gold and uranium ore	34 584	250 633	1 968 418
<b>Transport, storage and communication</b>	<b>12 900</b>	<b>135 186</b>	<b>1 135 922.85</b>
Land transport, transport via pipelines	6 479	86 900	770 689
Passenger transport	3 460	21 194	168 589
Public transport	1 212	2 536	19 426.85
Air transport	15	15	120
Supporting and auxiliary transport activities; activities of travel agencies	207	2 484	21 114
Post and telecommunications	1 527	22 057	155 984
<b>Construction</b>	<b>2 793</b>	<b>10 124</b>	<b>88 495</b>
<b>Financial intermediation, insurance, real estate</b>	<b>160</b>	<b>964</b>	<b>7 687</b>
Financial intermediation, except insurance and pension funding	81	885	7 080
Other business activities	16	16	134
Other services activities	63	63	473
<b>Agriculture, hunting, forestry and fishing</b>	<b>11 078</b>	<b>123 369</b>	<b>1 106 550</b>
Agriculture, hunting and related services	81 844	49 502	907 758
Fishing, operation of fish hatcheries and fish farms	714	714	5 337
Forestry, logging and related services	1 433	21 495	193 455

Source: Department of Labour, Strikes Statistics

**Table A2: Number of working days lost by nature of organization, 2012**

Nature of organization	Working days lost
Central Government General	4 178
Government Enterprise	11 218
Local Government General	17 936
Private Sector	3 224 726
Provincial Government General	168

Source: Department of Labour, Strikes Statistics



## ANNEXURE B

### B: Methodology for monitoring industrial action

#### B1. Introduction

The collection and analysis of industrial action statistics is guided by the guidelines and practices that have been developed by the International Labour Organization (ILO). The point of departure can be found in the ILO Resolution adopted by the Fourteenth International Conference of Labour Statisticians in January 1993, concerning statistics of strikes, lockouts and other action due to labour disputes. This resolution is accommodative rather than prescriptive in its approach. It states that; "Each country should aim at developing a comprehensive programme of statistics of strikes, lockouts and where relevant other action due to labour disputes in order to provide an adequate statistical base for the various users, taking into account the specific national needs and circumstances" (ILO Bulletin of Labour Statistics, 1993-2, Annex I, XI). The Department has been provided with a legislated instrument (Form LRA 9.2) to collect data on labour disputes.

#### B2. Definitions

##### Section 213 of the Labour Relations Act, 1995 provides the following definitions:

##### A strike:

The partial or complete concerted refusal to work, or the retardation or obstruction of work, by persons who are or have been employed by the same employer or by different employers, for the purpose of remedying a grievance or resolving a dispute in respect of any matter of mutual interest between employer and worker, and every reference to work in this definition includes overtime work, whether it is voluntary or compulsory (s 213).

##### A lockout:

The exclusion by an employer of workers from the employer's workplace, for the purpose of compelling the workers to accept a demand in respect of any matter of mutual interest between employer and worker, whether or not the employer breaches those workers' contracts of employment in the course of or for the purpose of that exclusion.

##### A protest action:

The partial or complete concerted refusal to work, or the retardation or obstruction of work, for the purpose of promoting or defending the socio-economic interests of workers, but not for a purpose referred to in the definition of strike".

Barker, F et al (1996) in "South African Labour Glossary" defined the following concepts as follows:

##### Picketing:

Action by employees or other persons to publicize the existence of a labour dispute by patrolling or standing outside or near the location where the dispute is taking place, usually with placards indicating the nature of the dispute. The aim of picketing might simply be to communicate the grievance to the public or it might be to persuade other employees in that workplace not to work and to take their side in the dispute, to deter scab labour, to persuade or pressurize customers not to enter the workplace, to disrupt deliveries or drum up public support.

##### A secondary strike:

A strike in support of a strike by other employees against their employer. The strikers have no issue with their employer, but that employer might be in a strong position (due to there being a close business relationship as either an important customer or supplier) to pressurize the employer who is in dispute.

### Stay away action:

Industrial action by a group of employees in the form of absenting themselves from work without permission in support of some socio-political or socio-economic issue which does not relate to their employment situation.

### Work stoppage:

A work stoppage is made up of a series of events, all relating to the same issue. Work stoppages have two characteristics, type and degree. The type of action is either a strike (action initiated by an employee), or a lockout (action initiated by an employer). The statutory definitions of strikes and lockouts are given in the Labour Relations Act, 1995.

### Industrial action:

Action by unions, employees to pressurize the other party in the furtherance of an industrial dispute. It usually refers to strikes and lockouts but could also include picketing, product boycotts, sit-ins, go-slow strikes and other actions which disrupt the production process.

### Work hours:

Those hours during which an employee is obliged to work.

## B3. Coverage

Data collection attempts to cover the entire country, all economic activity and all sectors of the economy, legal and illegal industrial action. The system attempts to cover all industrial action due to labour disputes. The figures in this report are inclusive of all industrial actions which come to the knowledge of the Department, and the methods taken to secure information practically preclude probability of omissions of a serious nature. This is a painstaking exercise, and it is believed that the statistics indicates the conditions of labour disputes in the country with reasonable precision. Since LRA Form 9.2 has been redesigned, the Department is now in a position to cover employees both directly and indirectly involved in industrial actions separately, that is, those who participate directly or indirectly by stopping work. Workers absent from their normal place of work at the time of a strike or stoppage, for reasons such as sick-leave, vacation, business or personal reasons, whether authorized or unauthorized, are excluded from participation in industrial actions and are therefore not counted.

The LRA excludes independent contractors from the definition of employee. The LRA further excludes from the scope of coverage certain categories of workers, namely members of the National Defense Force, National Intelligence Agency and South African Secret Service. The coverage by the Department of industrial action, however, includes all of the above, provided they embarked on an industrial action in the period under consideration.

## B4. Data collection

In addition to the legal obligation on employers to report industrial action, the Department has introduced an active media monitoring programme. Through this system, media information on industrial action is used to make contact with employers and to encourage voluntary compliance with reporting requirements. Telephone and telefax communication with affected employers ensure a reasonably accurate coverage of all industrial action.

The cooperation of private sector employers also speeds up the process of data collection. After completing the form, most employers send it to the Head Office of the Department. Some employers keep blank forms with them to complete and when an industrial action arises they voluntarily complete the forms and send them to the Department.

After receiving the form either directly from the employer or from the provincial office, Head Office staff members check the form to assess if the information provided is sufficient. If the information is insufficient, Department of Labour staff contact employers with the aim of getting relevant information, after which the data is captured on a database specifically designed for monitoring industrial action. The form is designed for workers who are both directly and indirectly involved in the industrial action, excluding all those who are on leave. The method of data collection and processing has remained the same ever since. The Department has to rely on the employers affected by disputes for detailed information on such matters as size, length, reason given for striking, etc., which it requires for its records as required by the 1995 Labour Relations Act.

No attempt is made to contact other parties to disputes, e.g., unions to verify the information that has been supplied by employers. Hence at this level, employers constitute a principal source of strikes data.

## B5. Calculations

### Working days lost

All calculations are made on the basis of information recorded on the LRA Form 9.2. After capturing the data, the loss of working days is calculated by multiplying the number of workers involved in each stoppage by the duration of the stoppage in days lost and adding the totals for all stoppages during the reference period. For example, if during the reference period there is one stoppage, involving 2 000 workers and lasting three days, working days lost would be computed as follows:

- 2 000 workers x 3 days = 6 000 working days lost

### Working hours lost

Working hours lost is the aggregate number of working hours lost stemming from all work stoppages during the reference period. The statistic is calculated by multiplying the number of workers involved in each stoppage by the number of hours of the stoppage and summing the products thus obtained for all stoppages during the period. For example, if during the reference period there is one stoppage, involving 2 000 workers and lasting three hours, working hours lost would be computed as follows:

- 2 000 workers x 3 hours = 6 000 working hours lost

Estimated working time is computed by multiplying the employment for the period by the number of days typically worked by most employed workers during that period. In some cases, Saturdays (when customarily not worked), Sundays, and established holidays are excluded. It is also to determine the normal hours of work for groups of workers since LRA form 9.2 provides for this. An average eight hour day is used to represent the normal working day in the country.

### Time- loss ratio

This is the number of working days lost due to industrial action per 1 000 employees. It is the standard method that has been used to convert working days lost into a strike rate that takes account of the size of total employment. This also enables comparisons to be made across industries and provinces that differ in employment size. For example, a country with 12 488 000 employees and loosing 1 662 000 working days will have a ratio of 133 arrived at as follows:  $1\,662\,000/12\,488\,000*1\,000$

### Measurement

The criterion used to identify a single strike, lockout, stoppage or protest action, is the industrial action in question. The Department of Labour has adopted the following International Labour Organization (ILO) recommendations used to denote one industrial action:

- a temporary work stoppage, due to one industrial action, occurring among workers in one establishment at one time
- temporary work stoppages, due to one industrial action, occurring among workers in several establishments at the same time
- temporary work stoppages, due to one industrial action, occurring among workers in one establishment at different times, in which the period between stoppages is not more than two months
- temporary work stoppages, due to one industrial action, occurring among workers in several establishments at different times, in which the period between stoppages is not more than two months.

While attempts to satisfy the ILO requirements are made, the instrument of data collection (LRA Form 9.2) served as the point of departure, in order to meet the specific needs of the Department.

LRA Form 9.2  
Labour Relations Act, 1995

**READ THIS FIRST**



**WHAT IS THE PURPOSE OF THIS FORM?**

An employer must keep a record of any strike, lock-out or protest action involving its employees.

**WHO FILLS IN THIS FORM?**

The employer/or relevant employer organization.

**WHERE DOES THIS FORM GO?**

**ENQUIRIES:**

Mhlengi Makhubela-LMIS  
Department of Labour  
Private Bag X117  
Pretoria  
0001

Tel (012) 309 4004  
Fax (012) 309 4406  
E Fax 086 611 6490

E-mail: mhlengi.makhubela@labour.gov.za

**OTHER INSTRUCTIONS**

The employer must submit this form within seven days of the completion of the strike, lockout or protest action.

If a strike, lockout or protest action occurs in more than one workplace of single employer then a separate form must be completed for each

**RECORD OF STRIKE, LOCKOUT OR PROTEST ACTION**

RECORD OF DETAILS OF STRIKE, LOCKOUT OR PROTEST ACTION TO BE KEPT BY EMPLOYER IN TERMS OF SECTION 205(3)(a)

**1. EMPLOYER DETAILS**

Name: \_\_\_\_\_

Physical address: \_\_\_\_\_

Province: \_\_\_\_\_

Tel: . \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Contact person: \_\_\_\_\_

Sector/ nature of business: \_\_\_\_\_

\_\_\_\_\_  
(eg food, mining, retail)

Are wages and working conditions normally determined in a bargaining or statutory council or similar industry – level body?

Yes  No

Please explain \_\_\_\_\_

**2. EMPLOYEE DETAILS**

**2.1 Number of workforce**

Total	Male	Female

**2.2 Number of ordinary days/shifts worked per week** \_\_\_\_\_

**Number of ordinary hours worked per day/shift** \_\_\_\_\_

**3. DETAILS OF THE ACTION**

**3.1 Nature of action**

Strike in company only  Multi-employer strike

Lockout  Secondary strike

Stayaway, protest action  Picketing

Other industrial action, please specify \_\_\_\_\_

\_\_\_\_\_



If the action was a strike did the employer lockout the strikers? (defensive lockout) \_\_\_\_\_

How was the industrial action resolved? \_\_\_\_\_

Was replacement labour used? \_\_\_\_\_

**Duration**

Began: \_\_\_\_\_ Ended: \_\_\_\_\_  
 (Date) (Time) (Date) (Time)

Duration in workdays (or hours if relevant) \_\_\_\_\_

**Employees**

Number of employees directly<sup>21</sup> involved \_\_\_\_\_

Number of female employees directly<sup>1</sup> involved \_\_\_\_\_

Number of employees indirectly<sup>2</sup> involved \_\_\_\_\_

Number of female employees indirectly<sup>2</sup> involved \_\_\_\_\_

Total manhours lost \_\_\_\_\_ Total wages lost in Rands \_\_\_\_\_

**Unions**

Which unions were involved? (if more than one union, list main union first. If no union please indicate)

\_\_\_\_\_  
 \_\_\_\_\_

**Compliance with the Act**

Was the action in compliance with the Act? (eg procedural or unprocedural)

- Yes
- No
- Don't know

If no, or don't know, please explain \_\_\_\_\_

**Reasons**

Provide reasons for the action:

- Wages only
- Bonuses and other compensation
- Retrenchments/Dismissals
- Working conditions
- Socio-economic/political conditions
- Any other reason, please specify \_\_\_\_\_
- Refusal to bargain
- Secondary action from another dispute
- Grievances
- Disciplinary matters
- Organizational rights

Signature of employer: \_\_\_\_\_ Date: \_\_\_\_\_

*Compliance with the Act*

<sup>21</sup> 1: Workers directly involve are those who went on strike or were locked out as a result of a dispute

<sup>2</sup> 2: Workers indirectly involve are those not working as a consequence of the initial stoppage of work because necessary supplies or orders are no longer available.

