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REPUBLIC OF SOUTH AFRICA

Annual Report on Industrial Action in 2003





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LIST OF ACRONYMS

AWTU	Allied Workers Trade Union
AWVOSA	Amalgamated Workers Organisation of South Africa
BCAWU	Building, Construction and Allied Workers Union
CAWU	Construction and Allied Workers Union
CWU	Communication Workers' Union
CEPPWAWU	Chemical, Energy, Paper, Printing, Wood and Allied Workers Union
DENOSA	Democratic Nursing Organisation of South Africa
DUSWO	Democratic Union of Security Workers
ELISA	Education and Labour Institute of South Africa
FAWU	Food and Allied Workers Union
GIWUSA	General Industries Workers Union of South Africa
HOSPERSA	Health and Other Service Personnel Trade Union of South Africa
HOTELICCA	Hotel, Liquor, Catering, Commercial and Allied Workers Union
ICHAWU	Independent Commercial Hospitality and Allied Workers Union
HSWU	Health Services Workers Union
IMATU	Independent Municipal and Allied Trade Union
MWU	Mineworkers Union
MTWU	Motor Transport Workers Union
NASUWU	National Security and Unqualified Workers Union
NEHAWU	National Education, Health and Allied Workers Union
NETU	National Employees Trade Union
NETUSA	National Education Tertiary Union of South Africa
NEWU	National Entitled Workers Union
NMWUWU	National Meat Wholesale and United Workers Union
NSAUWU	National Security and African United Workers Union
NUFBWSAW	National Union of Food, Beverages, Wines, Spirits and Allied Workers Union
NULAW	National Union of Leather and Allied Workers' Union
NUM	National Union of Mineworkers
NUMSA	National Union of Metalworkers of South Africa
OCGAWU	Oil, Chemical, General, and Allied Workers Union
PAWUSA	Public and Allied Workers Union of South Africa
POPCRU	Police, Prisons and Civil Rights Union
PSA	Public Servants Association
PTWU	Professional Transport Workers Union
SAAPAWU	South African Agricultural, Plantation and Allied Workers Union
SACCAWU	South African Commercial, Catering and Allied Workers' Union
SACTWU	South African Clothing and Textile Workers Union
SACWU	South African Chemical Workers Union
SADTU	South African Democratic Teachers' Union
SAFATU	South African Food and Allied Trade Union
SAMWU	South African Municipal Workers Union

SARHWU	South African Railway and Harbours Workers Union
SATAWU	South African Transport and Allied Workers Union
SEIU	Services Employees International Union
SOCRU	Security Officers Civil Rights Union
SPAWU	Security Personnel and Allied Workers Union
SPU	Security Personnel Union
SU	Solidarity Union
TAWU	Transport and Allied Workers Union
TAWUSA	Transport and Allied Workers Union of South Africa
TGWU	Transport and General Workers' Union
UASA	United Association of South Africa
UTATU	United Transport and Allied Trade Union
RWU	Rea Workers Union
WCWU	West Coast Workers Union

EXECUTIVE SUMMARY

The report on industrial action in 2003 and over the period 1999 to 2003 reveals a clear downward trend in both the incidence of industrial action and in the resulting loss of workdays. There was, however, an increase in the number of strikes and workdays lost in 2003, compared to the previous four years. Some 919 780 workdays were lost due to industrial action in 2003. The 62 strikes and stoppages in 2003 represented a significant increase on 2002, although 2003 did not match the figures for 1999 to 2001. The total number of workdays lost in 2003, namely 919 780, was the second lowest since 1999.

There was considerable variation across industries and economic sectors in the rate of days lost during the period reported on. In 1999, there were 151 working days lost per 1 000 workers in the manufacturing industry, but this rate decreased to 84 in 2000 before increasing to 255 in 2001, declining again to 26 in 2002 and increasing again to 121 in 2003. In the construction industry, by contrast, the rate fell from 200 days lost per 1 000 employees in 1999 to 122 in 2003. At a more detailed level in 2003, the rate of days lost was highest in the mining industry, where the rate was 543, followed by electricity, gas and water and construction with 252 and 122 respectively. Financial intermediation and insurance industry had a negligible rate.

Key points of the report include the following:

- South Africa has experienced a significant decline in the incidence of industrial action in the period 1999 to 2002. There was a year-on-year increase in strikes between 2002 and 2003
- There has been a consistent decline in workdays lost in South Africa to the end of 2002. As was the



The total number of workdays lost in 2003, namely 919 780, was the second lowest since 1999.

case with industrial action, the number of workdays lost rose in 2003

- The highest number of workdays lost occurred in Gauteng, except for 2003 when the North West recorded the highest number of workdays lost due to protracted industrial action affecting Impala Platinum Refinery in Rustenburg and a construction strike on certain platinum mines
- Two large strikes accounted for just over half (54%) of all workdays lost during 2003. These were the strikes at Impala Platinum Refinery in the Rustenburg area and a national strike in Shoprite-Checkers.
- The main reason for industrial action remains wages
- The community, social and personal services industry (with health, social work and education particularly prominent) was the most strike-prone industry in the period 1999-2002, while in 2003, mining was the industry most affected by industrial action
- Most industrial action during the period 1999 to 2003 was procedural and in compliance with the provisions of the Labour Relations Act. The annual breakdown of procedural industrial action was as follows: 62% in 1999; 79% in 2000; 59% in 2001; 46.8% in 2002 and 76.8% in 2003
- The period 1999 to 2003 saw increased use of replacement labour by employers during strikes. The use of replacement labour rose from 35% of cases in 1999, to a high of 55% in 2002. During 2003, replacement labour was used in 36% of cases of industrial action
- In all industrial action that took place over the period 1999-2003, very few employers reported having locked out workers during strikes. One employer resorted to locking out workers in 1999, whilst only three employers reported that they locked out workers in 2000, five in 2001, six in 2002 and eight in 2003. Although small in number, this does show an increase in lock-outs of striking workers by employers.

Some analysts attribute the general decline in strike activity to the amendment of the Labour Relations Act in 1995. They argue that the attendant improvement in dispute resolution procedures has led to a greater predictability around the bargaining process and a sustained reduction in the incidence of strike activity. It is said that this development has also codified a number of issues such as retrenchment and dismissal which were previously major strike triggers. Furthermore, the majority of unions have adopted a mature and consistent approach at the wage bargaining table and there are now less strikes over wages, although it is still the major strike trigger. The lower level of strike activity might also be attributed to the fact that a large percentage of the workforce is covered by long-term agreements. These agreements ensure a period of stability insofar as wage stoppages are concerned which filters through to other sectors.

Chapter One

INTRODUCTION

This report reviews developments in industrial action in South Africa over the period 1999 to 2003. It also reports on industrial action during 2003. Industrial action as used in this report covers strikes, lockouts, stay-away's and stoppages of work. The information is obtained from reports submitted to the Department of Labour by employers affected by industrial action. Employers are required to keep records of any strike, lock-out or protest action involving its workers.¹ The Department also maintains an active media monitoring programme. Through this programme, strikes and stoppages are identified and the affected companies are contacted by the Department to ensure that the relevant industrial action is reported on. The Department monitors all forms of industrial action, that is, industrial action related to the workplace and those that are socio-economic and political in nature. Reporting also covers industrial action irrespective of duration or numbers of workers involved, although lunch-hour protests and pickets are excluded.²

Analysis of year-on-year changes and longer-term trends in industrial action is not straightforward. Annual figures are affected by; the times at which collective bargaining occur; the scope and duration of collective agreements; the state of the economy and socio-political factors which may give rise to industrial action. The willingness of employers to submit reports on particular cases of industrial action also affect the accuracy of the Department of Labour's information. Nevertheless, the following report provides as comprehensive an overview as possible for the period January 1999 to December 2003.

Industrial action is one of the most high profile aspects of labour relations, not least in terms of media coverage and public attention. It is generally viewed as an important indicator of the state of a labour relations system and employer-worker relationships. Although there is considerable year on year variation in the incidence of strikes, there has been a significant decline in strike action over the past four year period in South Africa. There was an increase in strikes during 2003, but the general decline in industrial action over the five-year period is very significant, particularly as this was a period characterised by ongoing industrial restructuring and contestation over policy, such as privatisation of state owned enterprises. Whether industrial action will continue to decline, stabilise or increase awaits to be seen.

The aim of this report is to provide a descriptive review of trends in industrial action over the five-year period, from January 1999 to the end of December 2003.

¹ Labour Relations Act (no.66 of 1995) section 205(3)

² Further information regarding methodology is contained in Annex A

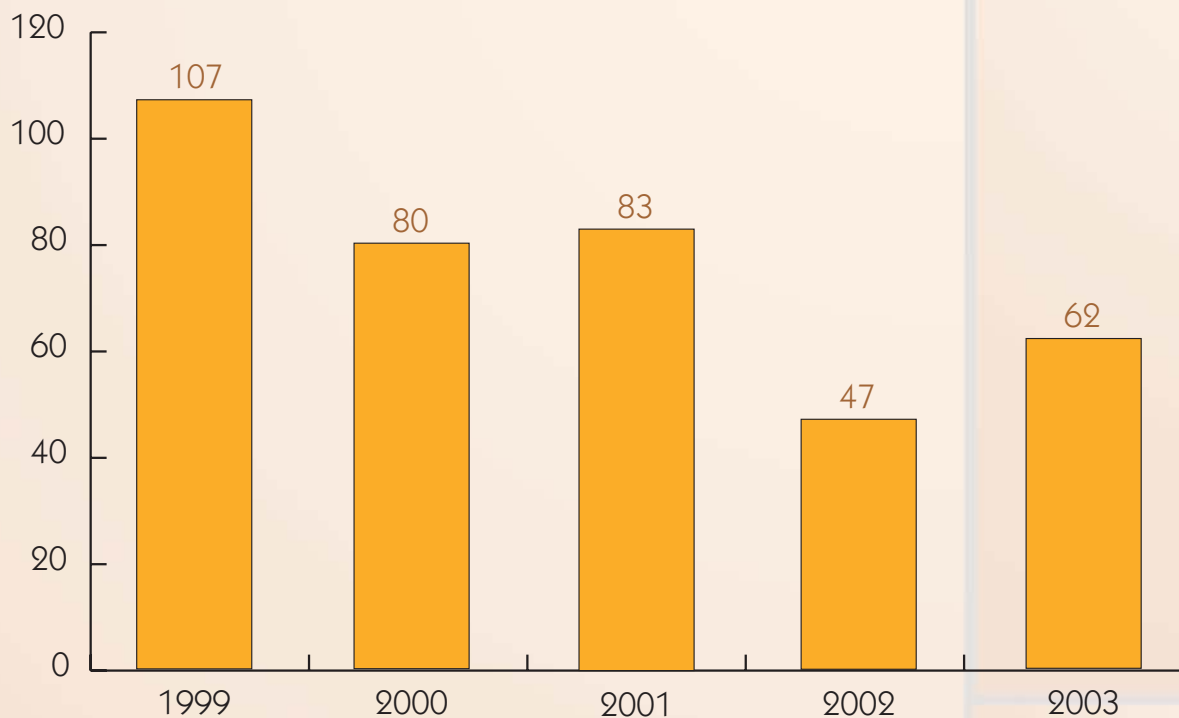
Chapter Two

BASIC INDUSTRIAL ACTION INDICATORS

2.1. Industrial action

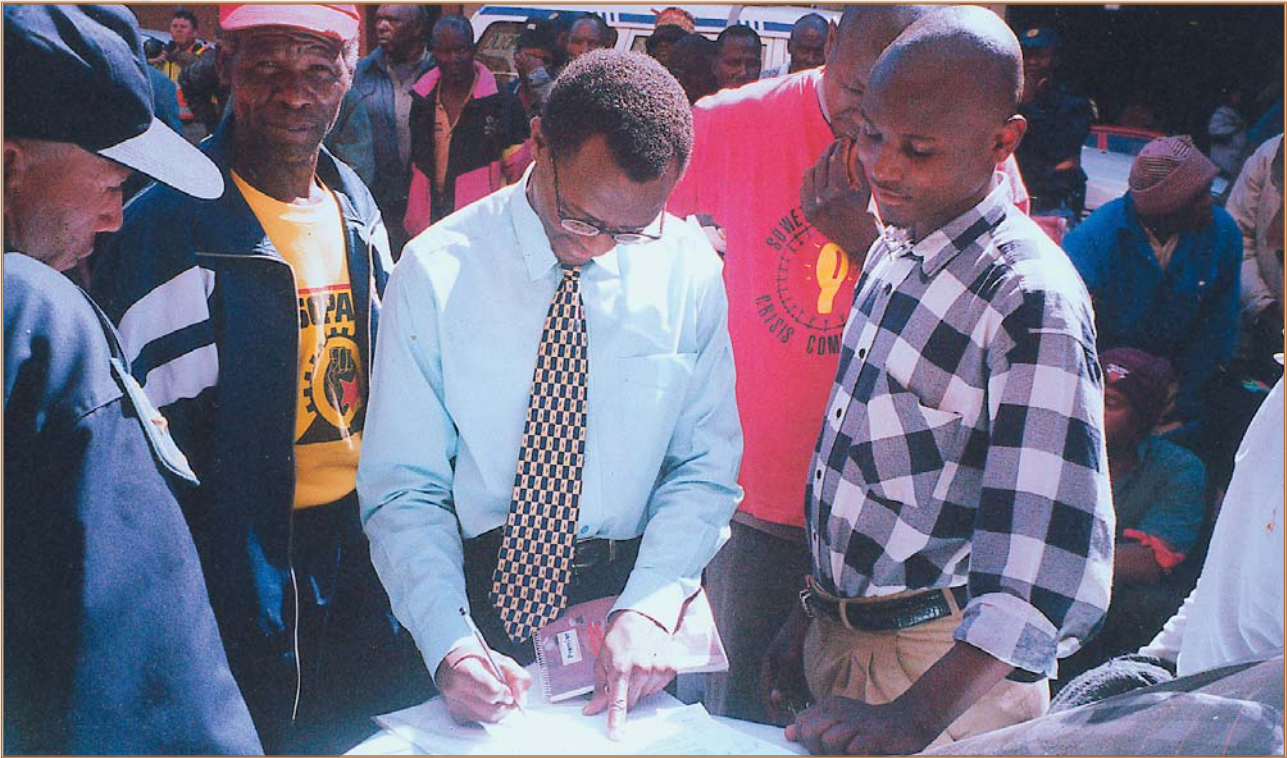
Figure 1 shows the incidence of industrial action between 1999 and 2003. There has been an overall decline in strikes and stoppages during the period, from a high of 107 cases in 1999 to 62 in 2003. What is significant, however, is the year on year variation that is evident in industrial action. During 2001 and 2003, there was an increase in the number of strikes and stoppages compared to the previous years, that is, 2000 and 2002 respectively.

Figure 1: Number of industrial actions, 1999-2003



Source: Department of Labour

Although 2003 saw an increase in industrial action compared to 2002, the year was characterised by a few large strikes, notably at Shoprite-Checkers, Impala Platinum Refinery, national strike in the clothing and textile sector, a strike at Iscor and the national construction strike affecting platinum mines in the North-West and Limpopo provinces. There were also a number of short and sudden work stoppages throughout the country during 2003. These kinds of work stoppages affected municipalities like Makhado and Ga-Segonyana, companies like Johnson Matthey, De Beers Koffiefontein Mine, Montic Dairy (Pty) Ltd, Natures Choice Farms, Pick and Pay Hypermarket, Vaal Maseru Bus Services (Pty) Ltd, Eskom in Kimberley,



Compared to 1999, the loss of workdays due to industrial action has more than halved.

Buffelsfontein mine and others. These strikes only lasted for a day or less. Makhado and Ga-Segonyana Municipalities were also affected by recurring work stoppages during 2003.

Medium sized work stoppages affected the following companies; Kraft Food SA, ABB PowerTech Transformers, Law Whole Meat, Jumbo Cash and Carry, Aza Day and Night Security (Pty) Ltd, MT Port Elizabeth, Sea Harvest Corporation Limited, Lime Chem (Mphofu) Pty Ltd, Govan Mbeki Municipality, Delta Motor Corporation (Pty) Ltd,. Workers involved in these workstoppages ranged between 50 and 1 400. The work stoppages lasted for between two and 58 days.

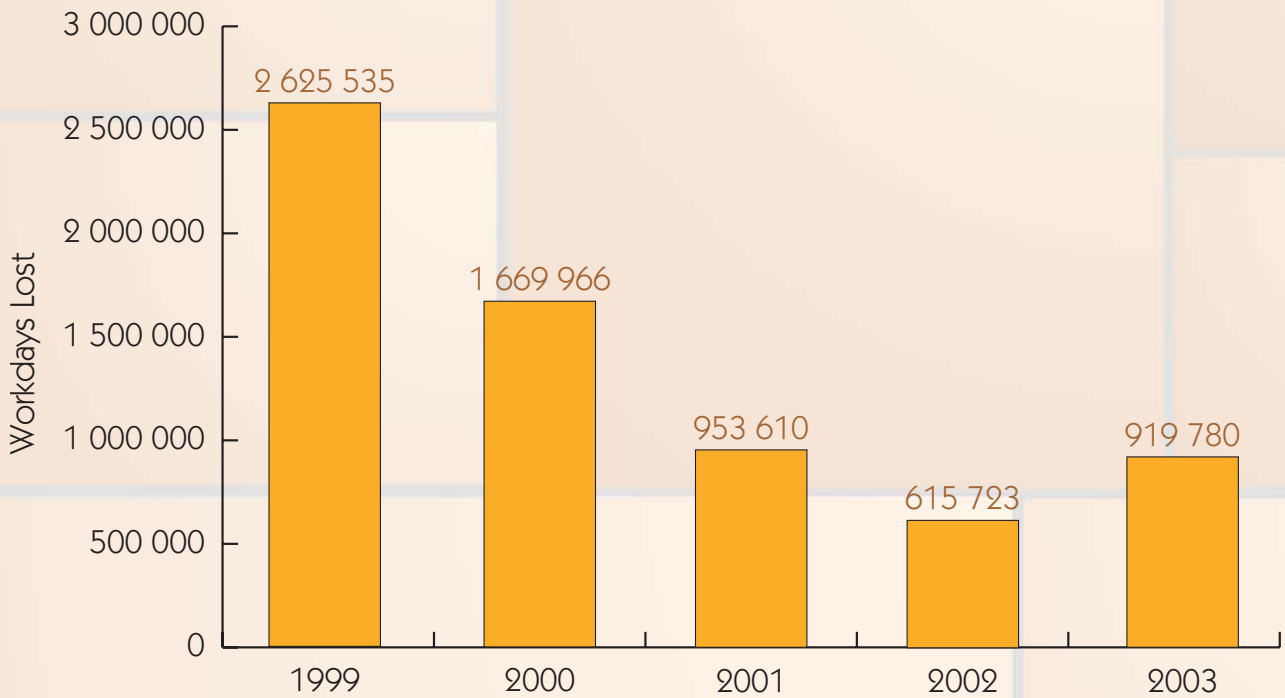
2.2. Workdays lost

Figure 2 shows that the number of working days lost due to industrial action, increased from 615 723 in 2002 to 919 780 in 2003. This represents an increase of 49.4%. This year-on-year increase is, however, slight compared to the significant decrease over the five-year period. Compared to 1999, the loss of workdays due to industrial action has more than halved. Comparing the five years under observation, there were 919 780 workdays lost in 2003, 615 723 in 2002, 953 610 in 2001, 1 669 966 in 2000 and 2 625 535 in 1999.

This downward trend in the loss of workdays between 1999 and 2002 may be attributed to a number of factors, such as:

- A decline in industrial action over restructuring and wages in 2001 and 2002 compared to 1999 and 2000
- The year 2003 was also quiet in terms of public sector labour unrest
- The effect of framework agreements which cover more than one year and cover significant sectors such as, the mining and motor sectors.

Figure 2: Workdays lost due to industrial action, 1999-2003

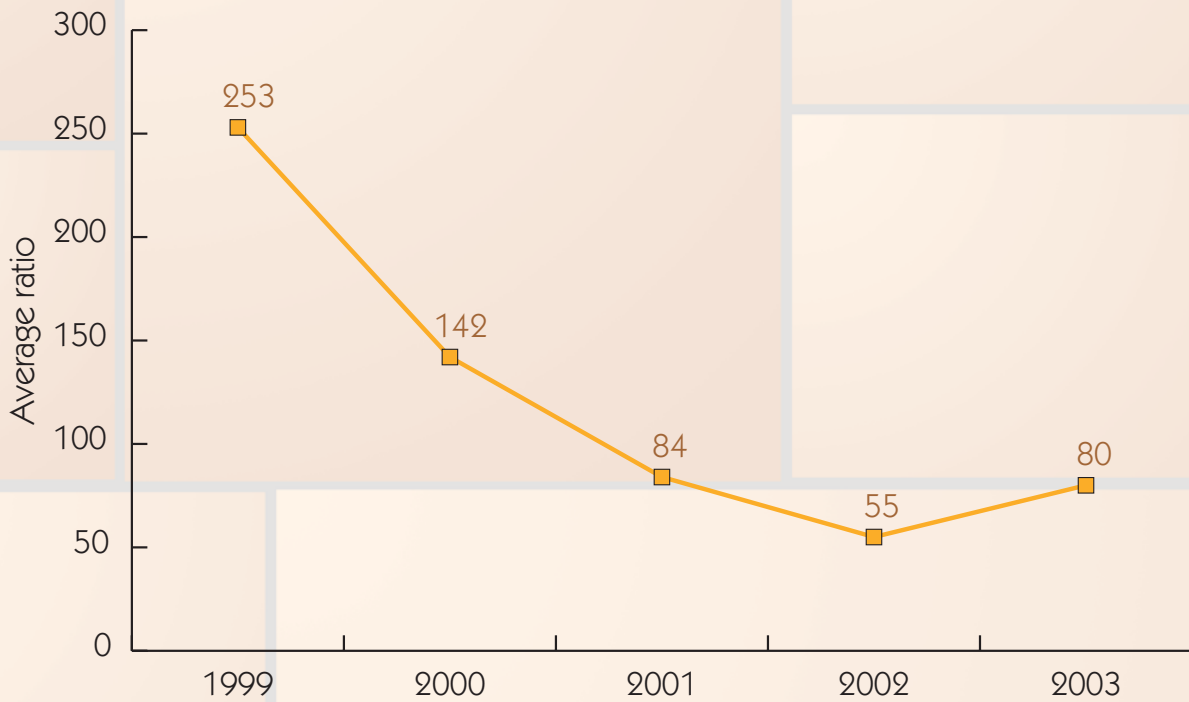


Source: Department of Labour

2.3 Time-loss ratio

Time-loss ratio, that is, the number of workdays lost due to industrial action per 1 000 workers, enables a meaningful comparison of the industrial action statistics over a period of time. Fluctuations in employment from one year to another, affects the number of workers who may participate in industrial action. The time-loss ratio is calculated by dividing workdays lost in a particular year by total number of workers (including workers in the informal sector) in that particular year multiplied by 1 000. The time-loss ratio is a useful measure of the intensity of strike activity in a country over a particular time period. This is the only indicator that can be used reliably to compare strike activity in different countries and industries. The annual ratio increased from 55 in 2002 to 80 in 2003 (see **Figure 3**). This figure (80) compares with 84 in 2001, 142 in 2000 and 253 in 1999.

Figure 3: Time-loss ratio due to industrial actions, 1999-2003



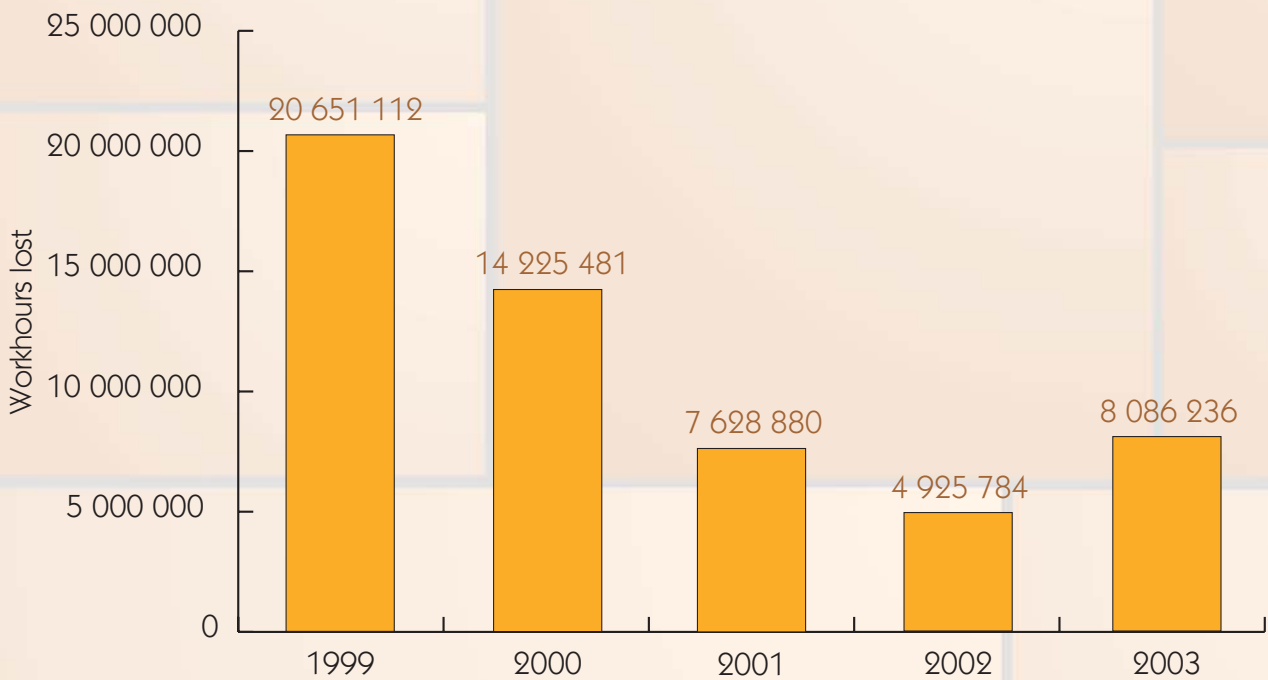
Source: Department of Labour

2.4. Workhours lost

Loss of working time due to industrial action can also be measured in workhours lost. This measure is arrived at by ascertaining the number of hours not worked in each day of a strike or stoppage and summing the totals. Workhours is an accurate measurement of time lost in industrial action as it includes the measurement of strikes and stoppages of short duration. While always exceeding workdays lost, workhours will follow the trend in workdays lost over time.

As in the case of workdays lost, workhours lost have also shown an increase from 4 925 784 in 2002 to 8 086 236 in 2003 (**Figure 4**). This figure (8 086 236) compares with 7 628 880 in 2001, 14 225 481 in 2000 and 20 651 112 in 1999. This development shows a decrease in strike duration between 1999 and 2002 and an increase in 2003. In 2002, Chubb Protective Services in Gauteng, whose workers work a 12-hour shift went on a one day strike on 14 January. A total of 230 of the workforce participated in the strike which resulted in the loss of 2 760 workhours. In August 2003, Sasol Mining whose workers work eight hours a shift went on strike for two days and 700 workers participated in the strike, giving rise to a loss of 11 200 workhours.

Figure 4: Workhours lost due to industrial actions, 1999 - 2003



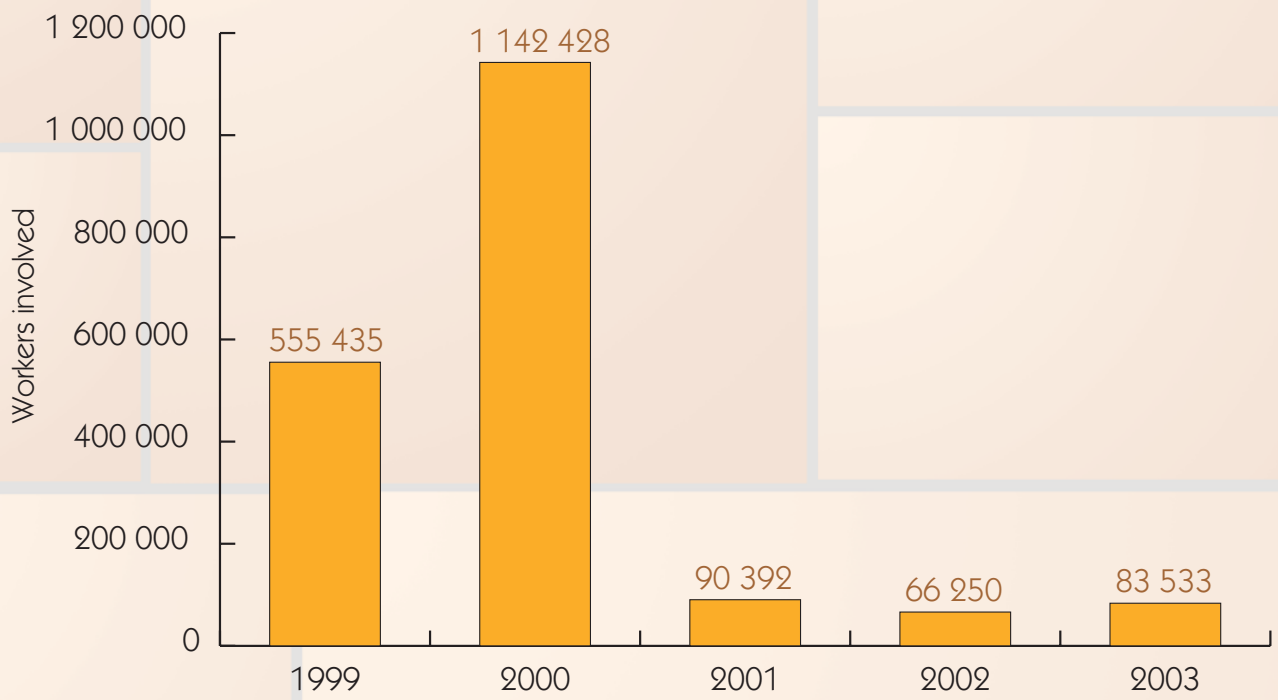
Source: Department of Labour

2.5. Workers involved in industrial actions

Figure 5 shows that the number of workers participating in industrial action declined dramatically after 2000. Although there were roughly 20 000 more workers involved in industrial action in 2003 compared to 2002, there were relatively few workers involved in industrial action compared to the high of over one million workers participating in industrial action in 2000.

The average number of workers involved in each strike decreased from 1 410 in 2002 to 1 347 in 2003. This figure (1 347) compares with 1 089 in 2001, 14 280 in 2000 and 5 191 in 1999. This pattern may be attributed to the nationwide participation of public service workers in industrial action and the intensification of protests against the privatisation of state-owned enterprises in 1999 and 2000, whilst in 2003 only few and isolated public sector and anti-privatisation protests were reported.

Figure 5: Number of workers involved in industrial actions, 1999 - 2003



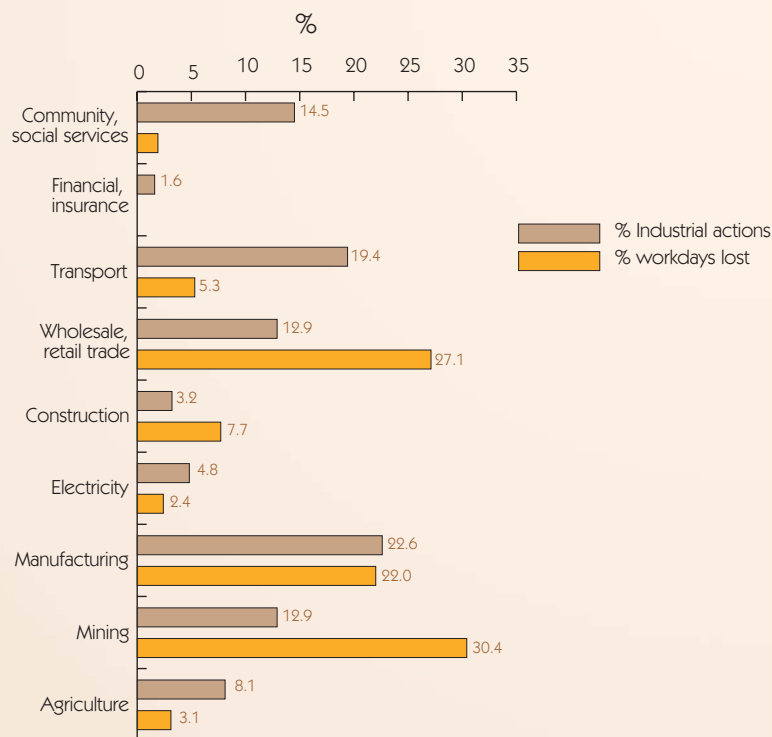
Source: Department of Labour

Chapter Three

INDUSTRIAL ANALYSIS

Industrial action is rarely spread evenly through the economy and is often concentrated in particular industries or sectors. **Figure 6** indicates the industries affected by industrial action during 2003 in South Africa. Manufacturing had the highest share (22.6%) of industrial action in 2003; followed by transport, storage and communication (19.4%); community, social and personal services (14.5%) and mining and wholesale industries with 12.9% respectively. When the total number of workdays lost is used as a measure of strike proneness in 2003, mining had the largest share (30.4%); followed by wholesale retail trade (27.1%) and manufacturing (22.0%).

Figure 6: Percentage industrial share of industrial actions and workdays lost, 2003



Source: Department of Labour

Table 1 indicates the industries affected by industrial action each year from 1999 to 2003 in South Africa. The industry most affected by strikes and work stoppages over this period was the community, social and personal services - with health, social work and education subsectors being particularly prominent. The manufacturing sector (with metalworking and food and beverage subsectors being prominent) experienced the second highest incidence of industrial action with mining, including platinum mining, experiencing the third highest number of strikes and stoppages.

In terms of the number of industrial actions over the five-year period, there was an annual average of 19 industrial actions in the community, social and personal services industry; 18 in manufacturing and nine in the mining industry. Whilst there has been lack of consistent trend regarding the number of industrial actions

in the community, social and personal services and manufacturing industries, with figures often rising and falling from year to year, the number of industrial actions in the mining industry has been showing a downward steady decline between 1999 and 2002, but 2003. ___ ?



Indeed something to smile about – less industrial action and less workdays lost – due to better labour legislation.

When the average number of working days lost is used as the measure of strike proneness between 1999 and 2003, the community, social and personal services industry had the highest number of workdays lost (575 681), followed by mining (246 711) and manufacturing (202 014). Again an overall lack of any consistent trend is evident regarding the number of workdays lost in the community, social and personal services; mining and manufacturing industries. **Table 1** further indicates the extent to which an industry may dominate the industrial action figures in a particular year. For example, one single industry, i.e. community, social and personal services accounted for more than half of all working days lost in South Africa in all the years but 2001 and 2003.

Table 1: Number of industrial actions and workdays lost by industry, 1999-2003

Industry	Industrial action					Workdays lost				
	1999	2000	2001	2002	2003	1999	2000	2001	2002	2003
Agriculture	8	15	6	1	5	93 678	10 466	13 073	4 400	28 833
Mining	14	11	7	5	8	266 581	364 210	229 042	94 547	279 176
Manufacturing	30	16	22	9	14	225 623	127 273	412 745	41 894	202 534
Electricity, gas and water	2	3	1	1	3	838	1 282	5 568	16	22 196
Construction	3	3	5	3	2	113 197	18 075	5 902	3 111	71 270
Wholesale, retail trade	12	6	2	11	8	93 843	104 537	108	15 416	249 099
Transport, storage and communications	9	6	14	4	12	443 363	121 781	188 597	4 660	48 717
Financial intermediation, insurance	1	3	0	0	1	360	20	0	0	180
Community, social and personal services	28	17	26	13	9	1 388 052	922 322	98 575	451 679	17 775
Total	107	80	83	47	62	2 625 535	1 669 966	953 610	615 723	919 780

Source: Department of Labour

Chapter Four

REASONS FOR INDUSTRIAL ACTIONS

Data collected on industrial action includes an identification of the main causes of industrial action. **Table 2** shows the main causes of industrial action in South Africa as a proportion of all industrial action, on an annual basis, for the period 1999 to 2003. Not surprisingly, the main cause of industrial actions in 2003 was disputes over wages (50.8%), followed by working conditions (18.5%), disciplinary matters (12.3%) and grievances (10.8%). Wages feature specifically among the leading issues in all the years except 2000. The year 2000 saw the main reason for industrial action being retrenchments. This could be seen in the context of the high number of people reporting retrenchment as the reason for their being unemployed in September 2000. The September 2000 Labour Force Survey (LFS) released by Statistics South Africa reported that 242 000 unemployed people cited retrenchment as the reason for their being unemployed just before September 2000. Similarly, 302 000 respondents cited retrenchment as the reason for being unemployed just before September 2001, 236 000 just before September 2002 and 202 000 just before September 2003. The year 2000 saw the second highest level of retrenchments compared to 2001, 2002 and 2003 following the responses captured by the LFS.

Over 1999-2003, wages were involved in many of the collective bargaining disputes, which were prominent causes of industrial action. Wages have been consistently the leading single issue in industrial action in South Africa. Working conditions is probably the next most important reason for industrial action in South Africa over 1999-2003. Grievances and socio-economic and political conditions comes some way behind.

Table 2: Main causes of industrial action, 1999-2003

Reasons	1999 %	2000 %	2001 %	2002 %	2003 %
Wages, bonus and other compensation	74.2	25.0	46.3	44.7	50.8
Working conditions (e.g. hours, health and safety)	5.0	1.3	21.3	23.4	18.5
Disciplinary matters	5.0	1.3	2.5	8.5	12.3
Grievances	3.6	2.5	11.3	4.3	10.8
Socio-economic and political conditions	3.3	3.8	6.3	2.1	1.4
Secondary action from another dispute	3.0	1.3	1.3	8.5	1.2
Retrenchments/redundancy	2.0	61.3	5.0	6.4	1.5
Organisational rights	1.0	1.3	0	2.1	0
Other reasons	1.3	1.3	2.5	0	0.4
Refusal to bargain	0.7	1.3	2.5	0	3.1
Not indicated	0.7	0	0	0	0
Affirmative action	0.3	0	0	0	0

Source: Department of Labour

Chapter Five

TRADE UNIONS AND INDUSTRIAL ACTIONS

Table 3 indicates that SATAWU (17.9%), NUM (13.7%) and FAWU (11.0%) have been prominently participating in industrial actions during 2003. Furthermore, the National Union of Mineworkers (NUM) and the South African Transport and Allied Workers Union (SATAWU) have been the leading two unions in terms of participation in industrial actions over the period 1999-2003. NUMSA, SAMWU and SACCAWU are probably the next leading unions in terms of taking part in industrial actions over this period. By



comparison NUM took part in 10.8% of all industrial actions in 1999, 13.1% in 2000, 13.9% in 2001, 15.0% in 2002 and 13.7% in 2003. However, SATAWU's participation in industrial actions gained momentum in 2000 after taking part in 23.3% of all industrial actions, followed by 16.7% in 2001, 12.8% in 2002 and 17.4% in 2003. This development might be attributed to the increase in strike activity in the security sector as some of the unionised workers are affiliated to SATAWU. The rest of the unions came some way behind in terms of participation in industrial actions.

SATAWU (17.9%), NUM (13.7%) and FAWU (11.0%) have been prominently participating in industrial actions during 2003.

Table 3: Percentage of trade union involvement in industrial actions, 1999-2003

Trade unions	1999	2000	2001	2002	2003
NEHAWU	12.6	3.3	5.2	0	2.7
NUM	10.8	13.1	13.9	15.0	13.7
CAWU	8.6	2.8	0.7	2.1	0
CWU	8.3	3.3	3.1	2.1	0
TGWU	7.5	0	1.4	0	0
NUMSA	6.2	7.2	14.6	6.4	8.2
SACCAWU	5.8	8.5	3.5	2.1	4.1
SAMWU	4.6	12.8	9.4	8.5	6.8
FAWU	4.0	7.1	1.4	12.8	11.0
SADTU	3.4	2.6	0.4	0	1.4
PSA	3.1	0	0.4	0	0
SACTWU	3.1	1.5	1.0	8.5	0
POPCRU	2.8	1.2	1.4	2.1	0
PAWUSA	2.2	0	0.4	0	0
SATAWU	1.5	23.3	16.7	12.8	17.9
SAAPAWU	1.2	0	1.0	0	0
TAWU	1.2	0	0	0	0
Security Personnel and Allied Workers Union, AWTU, NSAUWU, DENOSA	0	0	0	2.1	0
SOCRU, DUSWO PTWU	0	0	1.0	0	0
BCAWU, ELISA, GIWUSA, SEIU, OCGWU, NEWU, AWWOSA, HSWU, IMATU	0	0	0.4	0	0
HOSPERSA	0	0	0.4	2.1	0
CEPPWAWU	0	0	1.4	2.1	2.7
NETU, SPU	0	0	0.7	0	0
NASWU	0	0	3.1	0	0
ICHAWU	0	1.9	0	0	0
NASUWU	0	13.0	0	0	0
SAFATU, MWU	0	0	3.8	0	0
IMATU	0	1.2	0	0	2.7
NULAW	0	0	0	0	1.4
Motor Transport Workers Union	0	0	0	2.1	0
National Meat Wholesale and United Workers Union	0	0	0	2.1	0
UASA	0	0	0	0	2.7
UTATU	0	0	0	0	2.7
SARHWU	0	0	0	0	1.4
TAWUSA	0	0	0	0	1.4
WEST COAST WORKERS UNION	0	0	0	0	1.4
NETUSA	0	0	0.7	0	1.4
NUFBWSAW	0	0	0	0	5.5
SACWU	0	0	0	0	2.7
SOLIDARITY UNION	0	0	0	0	2.7
HOTELICA	0	0	0	0	1.4
None	1.8	0	0	8.5	4.1
Other unions	8.3	8.9	0	0	0

Source: Department of Labour

Chapter Six

PROVINCIAL ANALYSIS

From a geographic point of view, **Table 4** shows that the largest share of industrial action in 2003 occurred in Gauteng (25), followed by KwaZulu-Natal and the Northern Cape with 10 strikes or stoppages respectively. In terms of workdays lost, North West recorded the highest number (277 384) in 2003, followed by Gauteng (208 204) and Western Cape (113 273). Generally, over the period 1999-2003, **Table 4** shows that most industrial actions have taken place in Gauteng, followed by KwaZulu-Natal and the Western Cape. By comparison, the annual average workdays lost in Gauteng were 339 093, 189 683 in the Eastern Cape and 172 952 in the Limpopo province.



The largest share of industrial action in 2003 occurred in Gauteng (25), followed by KwaZulu-Natal and the Northern Cape with 10 strikes or stoppages respectively.

Table 4: Number of industrial actions and workdays lost by Province, 1999-2003 ³

Province	Industrial action					Workdays lost				
	1999	2000	2001	2002	2003	1999	2000	2001	2002	2003
Gauteng	35	21	33	20	25	662 689	352 292	290 263	182 018	208 204
Western Cape	18	11	13	7	5	355 035	89 648	38 745	116 222	113 273
Mpumalanga	17	7	14	3	6	198 110	25 061	101 961	6 648	35 286
KwaZulu-Natal	16	15	23	11	10	318 008	158 043	103 862	141 968	75 630
Eastern Cape	16	18	11	3	6	230 612	514 020	42 285	108 541	52 956
Limpopo	15	8	11	2	6	262 018	327 748	236 272	457	38 264
North West	14	14	13	5	6	312 704	128 321	59 334	29 725	277 384
Northern Cape	14	9	11	2	10	42 025	43 147	41 205	329	91 692
Free State	13	7	10	2	4	244 334	31 687	39 683	29 815	27 091
Total	158	110	139	56	78	2 625 535	1 669 967	953 610	615 723	919 780

Source: Department of Labour

³ The totals for industrial action in Tables 1 and 4 differ. This is due to national strikes, that may affect a number of branches or establishments in different provinces, being counted as one strike in the national total but according to the establishment affected in the provincial analysis.

Chapter Seven

CONCLUSION

The analysis of industrial action reported to the Department for the period 1999 to 2003 confirms a number of key features. Most industrial action occurred in the public sector (community, social and personal services) followed by the manufacturing and mining sectors. Most disputes arose from collective bargaining and the most common reason underlying disputes continues to be that of wages and other compensation. Although 2003 saw an increase in industrial action and therefore also in time lost due to strikes and stoppages, perhaps the most striking feature of the period has been the steady decline in industrial action. Workdays lost due to industrial action declined from 2.6 million in 1999 to 919 780 in 2003. The last industrial action report issued by the Department of Labour for 1998 reported a loss of 3.8 million workdays in that year. The decline has therefore been very significant and is borne out by independent sources, such as Andrew Levy and Associates. The Department does not have reliable information available to assess the reasons for this decline in industrial action, but it is hoped that this report and future reports by the Department will make a contribution to improved analysis and understanding of industrial action in South Africa.

ANNEXURES

Appendix A

The following four supplementary tables contain data not included in the main report.

Table A1: Industrial actions, workers involved, workdays lost and workhours lost by industry, 2003

Industry	Industrial actions	Workers involved	Workdays lost	Workhours lost
Agriculture	5	2 958	28 833	225 757
Mining	8	23 078	279 176	2 771 126
Manufacturing	14	18 021	202 534	1 709 689
Electricity, gas and water	3	4 576	22 196	215 154
Construction	2	8 730	71 270	606 637
Wholesale, retail trade	8	14 118	249 099	1 925 911
Transport, storage and communication	12	8 840	48 717	393 658
Financial intermediation, insurance	1	12	180	1 056
Community, social and personal services	9	3 200	17 775	237 248
Total	62	83 533	919 780	8 086 236

Source: Department of Labour

Table A2: Number and percentage of establishments affected by industrial actions by workforce size, 2003

Workforce size	Industrial actions	
	Number	%
Up to 49	9	14.5
50-149	13	21.0
150-299	7	11.3
300-499	7	11.3
500-999	7	11.3
1 000+	19	30.6
Total	62	100.0

Source: Department of Labour

Table A3: Number and percentage of industrial actions by sector, 2003

Sector	Industrial actions	
	Number	%
Central government general	0	0.0
Government enterprise	11	17.7
Local government general	2	3.3
Private sector	47	75.8
Provincial government general	2	3.2
Total	62	100.0

Source: Department of Labour

Table A4: Industrial actions by nature, 2003

Nature of industrial actions	Industrial actions	
	Number	%
Lockout	3	4.8
Strike in company only	46	74.2
Multi-employer strike	5	8.1
Stayaway	3	4.8
Secondary strike	1	1.6
Picketing	4	6.5
Total	62	100.0

Source: Department of Labour

Appendix B

Methodology for monitoring industrial action

B1. Introduction

The following is aimed at providing the reader of the Department of Labour's Industrial Action Report with a definition of concepts and the full methodology used in collecting, compiling and analysing data on industrial action. The Department has been provided with a legislated instrument (Form LRA 9.2) to collect data on labour disputes.

The collection and analysis of industrial action statistics is guided by the guidelines and practices that have been developed by the International Labour Organisation (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).

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 people who are or have been employed by the same employer or by different employers, for the purposes 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 workers or other people to publicise 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 the picketing might simply be to communicate the grievance to the public or it might be to persuade other workers 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 workers 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.

Stayaway action:

Industrial action by a group of workers 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 collective refusal to work which is not linked to a demand or, if so, such demand is not related to the employment relationship.

Industrial action:

Action by unions, workers 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 product process.

Workhours:

Those hours during which a worker 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, and is consistent with other economic and social statistics. The system attempts to cover all industrial action due to labour disputes. Due to the design of LRA Form 9.2, the Department is, however, in a position to cover workers both directly and indirectly involved in industrial

action, 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 authorised or unauthorised, are excluded from participation in industrial action and are therefore not counted.

The LRA excludes independent contractors from the definition of worker. The LRA further excludes from the scope of coverage certain categories of workers, namely members of the National Defence Force, National Intelligence Agency and South African Secret Service. The coverage of the Department's monitoring 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 programme, 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, Head Office 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.

B5. Calculations

Working days lost

All calculations are made on the basis of information captured 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 are 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:

- 2000 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.

Measurement

The criterion used to identify a single strike, lockout, stoppage or protest action, is the industrial action in question. The following is, therefore, 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 (Form LRA 9.2) served as the point of departure, in order to meet the specific needs of the Department.

