

ANNUAL INDUSTRIAL ACTION REPORT 2011





labour

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TABLE OF CONTENTS

Acknowledgement	1
------------------------	----------

Executive Summary	3
--------------------------	----------

Introduction	4
---------------------	----------

Chapter One	6
--------------------	----------

Strike activity measured in number of work stoppages, working days lost, time-loss ratio, working hours lost and wages lost, 2007-2011

Chapter Two	12
--------------------	-----------

Comparative analysis of work stoppages, 2010 and 2011

2.1 Provincial distribution of work stoppages	12
---	----

2.2 Industrial distribution of work stoppages	13
---	----

2.3 Industrial distribution of working days lost	14
--	----

2.4 Working days lost per 1 000 employees by industry	15
---	----

2.5 Industrial distribution of working hours lost	16
---	----

2.6 Industrial distribution of workers involved in work stoppages	17
---	----

2.7 Nature of work stoppages	18
------------------------------	----

2.8 Work stoppages by employment size of establishments	19
---	----

2.9 Duration of work stoppages	20
--------------------------------	----

2.10 Principal cause of strike activity measured in working days lost	21
---	----

2.11 Trade union involvement in work stoppages	22
--	----

2.12 Determinants identified as giving rise to work stoppages in South Africa	22
---	----

2.13 Work stoppage future outlook for 2012	23
--	----

Chapter Three **24**

Wage settlements in 2011

3.1. Wage settlements concluded in various industries in 2011	25
3.1.1 Mining and quarrying	25
3.1.2 Manufacturing	26
3.1.3 Finance, insurance and business services	27
3.1.4 Transport, storage and communication	27
3.1.5 Wholesale and retail trade	27
3.1.6 Community, social and personal services	27
3.2 Wage settlements concluded without strike incidents	28
3.3 Abandoned strike incidents	29

Chapter Four **30**

A Profile of work stoppages and protests in 2011

Conclusion **49**

References **50**

Annexure **51**

A: Data Appendix	51
B: Working days lost by trade union	53
C: Methodology for monitoring industrial actions	54
D: LRA 9.2 Form	58

LIST OF TABLES

Table 1: Distribution of work stoppages and wages lost by province, 2010 and 2011	12
Table 2: Distribution of working days lost by industry, 2010 and 2011	14
Table 3 Distribution of working days lost per 1 000 employees by industry, 2010 and 2011	15
Table 4: Distribution of working hours lost by industry, 2010 and 2011	16
Table 5: Distribution of employees involved in work stoppages by industry, 2010 and 2011	17
Table 6: Distribution of working days lost by principal cause of dispute, 2010 and 2011	21
Table 7: Median wage settlements levels in South Africa by industry, 2011	25

LIST OF FIGURES

Figure 1: Trends in the number of work stoppages in South Africa, 2007-2011 7

Figure 2: Trends in working days lost in South Africa, 2007-2011 8

Figure 3: Working days lost per 1 000 employees due to strikes, 2007-2011 9

Figure 4: Trends in working hours lost in South Africa, 2007-2011 10

Figure 5: Wages lost due to work stoppages in South Africa, 2007-2011 11

Figure 6: Distribution of work stoppages by industry, 2010 and 2011 13

Figure 7: Distribution of work stoppages by their nature, 2010 and 2011 18

Figure 8: Percentage distribution of establishments affected by work stoppages
by employment size, 2010 and 2011 19

Figure 9: Percentage distribution of work stoppages by duration, 2010 and 2011 20

ACRONYMS USED

ACSA	Airports Company of South Africa
AGM	Annual General Meeting
AMCU	Association of Mineworkers and Construction
BTR	Bus Rapid Transport
CCMA	Commission for Conciliation, Mediation and Arbitration
CEPPWAWU	Chemical, Energy, Paper, Printing, Wood 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
DPSA	Department of Public Service and Administration
EMS	Emergency Management Service
FAWU	Food and Allied Workers Union
FGWU	Food and General Workers Union
GDP	Gross Domestic Product
GIWUSA	General Industries Workers Union of South Africa
HOSPERSA	Health and Other Service Personnel Trade Union of South Africa
HOTELICCA	Hotel, Liquor, Catering, Commercial & Allied Workers Union of S.A.
HPCSA	Health Professions Council of South Africa
ILO	International Labour Organisation
IMATU	Independent Municipal and Allied Trade Union
LMIS	Labour Market Information and Statistics
MEWUSA	Metal and Electrical Workers' Union of South Africa
MTWU	Motor Transport Workers Union (South Africa)
MWASA	Media Workers Association of South Africa
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
PTWU	Professional Transport Workers Union
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
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
SATAWU	South African Transport and Allied Workers Union
SEIFSA	Steel and Engineering Industry Federation of South Africa
SU	Solidarity Union
TAWUSA	Transport and Allied Workers Union of South Africa
TEBA	The Employment Bureau of Africa
UASA	United Association of South Africa
UNISA	University of South Africa
UTATU	United Transport and Allied Trade Union



ACKNOWLEDGEMENT

A word of thanks goes to all those employers and their associations, who furnished the Department of Labour with strike information at their establishments. A special word goes to those who do not need to be reminded about their obligation and voluntarily submit the LRA 9.2 Forms. Without their cooperation, this report would not have been possible. Receiving the LRA 9.2 Forms after they have been sent by the employers is not an easy task and constant follow-ups have to be made for outstanding and incomplete information.

Appreciation also goes to the Bargaining Councils, who always assist in consolidating information from companies within their jurisdiction. This effort makes the job of the Department easy.

Last but not least appreciation also goes to the officials of the Department of Labour, who contributed to the final report in many ways, starting from the data collectors within the Department (Head Office and Provinces) who work tirelessly in making sure that the information received is as comprehensive as possible. Their efforts in alerting us to new strikes and constant follow-ups do not go unnoticed. 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

Strike activity measured in working days lost decreased slightly in 2011 with **67** incidences recorded compared to **74** in the previous year (2010). Data recorded by the Department of Labour shows that the number of working days lost to work stoppages in 2011 also decreased to **2 806 656 working days** (with 203 238 employees involved) compared to a record **20 674 737** that was lost in 2010 (with 1 191 813 employees involved).

HIGHLIGHTS OF INDUSTRIAL ACTIONS IN 2011:

- There were **2 806 656 working days** lost in 2011 as compared to **20 674 737 working days lost** in 2010. This represents a decline of 86.4%. However, the “winter period (June- September)” still remains as what is generally known as “strike season” as many stoppages occurred during this period
- The longest recorded strike in 2011 involved Sam’s Tissue Products and the union CEPPWAWU, which lasted for 67 days. The strike started on 15 September 2011 and was only resolved on 9 January 2012. About 4 898 workdays were lost during this action involving 79 workers
- The median wage settlement level as reported by the Labour Research Service in 2011 was about 8.0%, way above the level of inflation in South Africa
- About 208 working days were lost to work stoppages per 1 000 working South Africans in 2011 compared to 1 593 in 2010. This implies that for every 1 000 employees in South Africa in 2011, about 208 working days were lost to work stoppages
- The community, social and personal services industry had the highest working days lost of 1 461 123, which is just more than half (52.1%) of the total working days lost in 2011
- In 2011, electricity, gas and water supply and the construction industries experienced industrial peace, as they each recorded at most two work stoppages
- The number of employers that reported to have locked out strikers during work stoppages has remained the same between 2010 and 2011
- There were few industrial disputes in 2011 that involved many unions such as the municipal strike that was supported by SAMWU and IMATU; Anglo-gold Ashanti strike supported by NUM, UASA and Solidarity, truck drivers strike supported by TAWUSA, SATAWU, metal industries strike sanctioned by NUMSA, MEWUSA, and UASA, the chemical workers strike sanctioned by CEPPWAWU and SACWU, while the cleaners strike received support from SATAWU and Hotelicca
- In 2011, approximately **R1 073 109 003** in wages was lost due to the participation of employees in work stoppages, compared to **R407 082 302** in 2010.

INTRODUCTION

The Department of Labour is continuously collecting and publishing data on strikes that have taken place in the South African labour market. With a large number of publications, the strike data has attracted interest from different sectors in the country. Policy makers, researchers, local authorities, academics, trade union members and students are all interested in strike information for their own specific needs. Furthermore, the Department also has an obligation to submit strike data to the International Labour Organisation (ILO) in line with the Resolution on Strikes and Lockouts 1993¹.

In South Africa², the Department of Labour's Annual Industrial Action Report is not only useful to the Department and law makers as a measure of decent work within a country but also to the business fraternity especially private investors. It provides an insight to the country's labour relations environment, specifically social dialogue. The recurrence of industrial disputes is an indication of the failure of social dialogue between concerned parties in the working environment.

The negotiating process usually takes a long time and depending on the issues on the table. Different parties might find each other quicker or might result in a dispute due to opposing views. This activity is usually followed by strikes if there is a breakdown in negotiations due to opposing positions between the parties involved. Striking is the only weapon that workers normally use in advancing their demands to the employers.

- *Cheadle identifies collective bargaining as one of the mechanisms intended to implement "fair labour practices" as mandated by the Constitution, in certain situations – for example, requiring employers to endeavour to conclude a collective agreement to regulate the manner in which trade unions are to exercise their statutory organisational rights, or to consult and attempt to reach agreement with a representative trade union concerning the drafting and implementation of an employment equity plan. The effect, however, is the same: the bargaining agenda is expanded to include the implementation of broader policy objectives driven by Government and defined by law³.*

A historical account of the work stoppages that took place in South Africa during the past five years is provided in Chapter 1, followed by a two-year comparative analysis in Chapter 2 focusing on workdays lost, number of employees participating in strikes and the work loss ratio. Under these chapters, it is observed that that most of strikes processed are economic strikes in nature. This means that workers stop their work to advance their economic demands.

¹ The Department provides the ILO with data covering working days lost, number of workers involved and the number of stoppages towards the ILO statistical year book for each calendar year.

² Internationally, the Labour Disputes Survey in the United Kingdom collects information on the number of working days lost and workers involved in strike action on a monthly basis. It is conducted on a voluntary basis and is effectively a census 'selected' from a list of all known strikes in the period. Disputes are picked up from reports in the mainstream media and newspapers, with news and union websites also being a primary source of information. Where possible, the data are collected directly from the employer involved in the dispute. There are also centralised returns from large companies, public bodies and trade unions.

³ Cheadle in Godfrey, S., et al (2010), *Collective Bargaining in South Africa, Past, Present and Future*, Juta & Co, Ltd, p.5

Workers would ask for increases in wages, allowances (housing allowances and medical allowances etc.), bonus and other benefits such as increase in the number of leave.

Due to rising costs of food, electricity and transport and in the wake of escalating executive pay, workers were seen demanding double-digit wage increases well above the country's inflation rate. Coupled with the worker's demands for higher wages, were demands for the banning of labour brokers, who are perceived to be exploiting the workers.

Chapter 3 focuses on wage settlements that were agreed to in 2011. The year under review was busy as usual for negotiators as it was the end of some wage agreements especially those single term agreements, which were agreed between employers and the unions. Negotiations took place amidst a hostile economic climate in the country. These negotiations coincided with the municipal elections which is an important event in the country's political calendar. Some unions especially those within the tri-partite alliance sought to use this as the leverage and threatened to withdraw their support for the ruling party should their demands not be met.

On the other hand, businesses were struggling with recovery in production from the economic crisis. According to Statistics South Africa, the country's economy grew by 3.1% in 2011 from 2.9% in 2010. The main contributing sectors were finance, real estate and business services (0.7%), general government services and the wholesale, retail and motor trade, catering and accommodation industry (0.5% each), manufacturing (0.4%), and transport, storage and communication industry (0.3%). However, there were some agreements reached without the workers withdrawing their labour as is the case with the Public Service Sector.

In Chapter 4, details of work stoppages and protests that took place in 2011 are provided. The winter period (June to September) is still recognised as the "strike season" as most work stoppages occur during this time. There is no known cause for this other than that this is a time when negotiating parties lose patience over dragging wage negotiations. Other unions seem to take advantage of this period as this was the case with the coal sector strike, which could have resulted in the shortage of coal stockpiles.

CHAPTER ONE

STRIKE ACTIVITY AS MEASURED IN THE NUMBER OF WORK STOPPAGES, WORKING DAYS LOST, TIME-LOSS RATIO, WORKING HOURS LOST AND WAGES LOST, 2007 - 2011

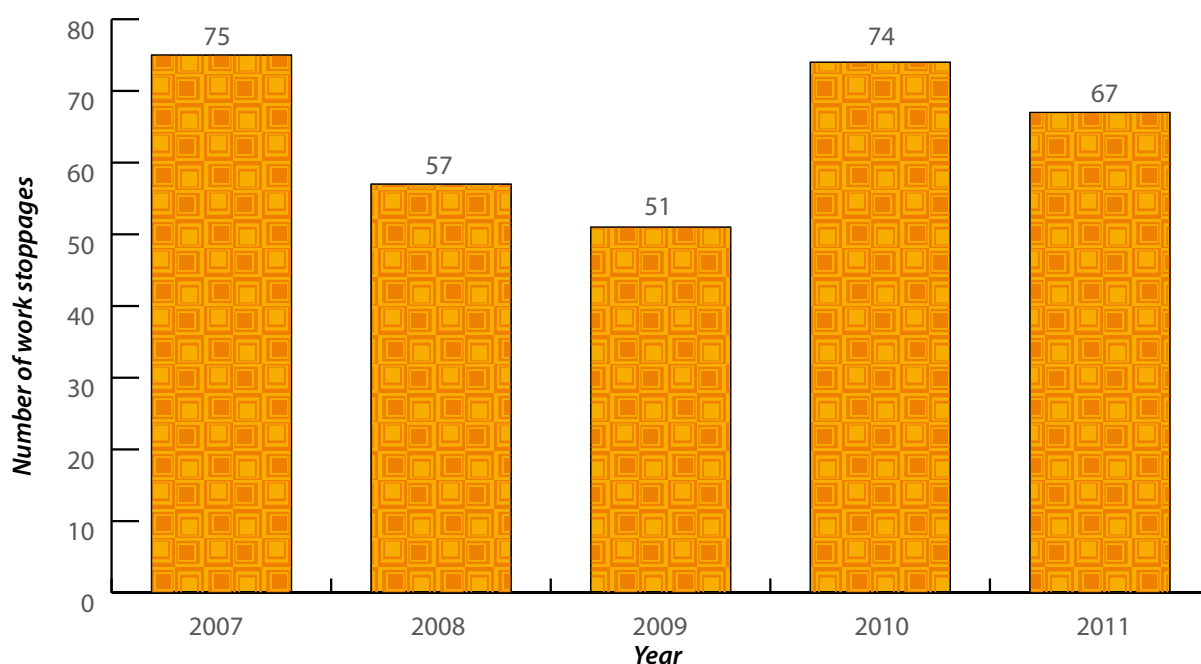
In line with the international standards, work stoppages are monitored and assessed looking at the number of work stoppages, working days lost, time loss ratio, working hours and wages lost. These are regarded as critical indicators and are also used for international comparison.

Work stoppages experienced in 2011 were fewer than the previous year. The private sector had the most and more effective stoppages than the Public Sector. This was mainly due to a strike that was averted in the Public Service with the signing of a wage agreement. Noticeable stoppages that were experienced this year were the truck drivers', which was marred by violence and intimidation. The strike nearly brought the country's economy to a standstill as there were fears of fuel shortages, but a deal was signed just before things could get out of hand.

Another noticeable strike in the private sector was the one that involved workers in the steel and engineering sector, which was backed by NUMSA and the CEPPWAWU organised strike during what is normally referred to as "strike season". The strike affected various sectors notably, chemicals, pharmaceuticals, pulp and paper, fast moving consumer goods etc. The mining industry was also affected by strikes in the gold and coal sectors, though to a limited extent as deals were also signed quickly. The coal sector strike threatened to plunge the country into darkness with a possibility of a drop in the country's coal stockpile.

On the other hand, more strikes that had an effect in the country were that of the cleaners, organised by SATAWU and HOTELICCA, which lasted for the entire month. The only public sector strike affected the municipalities was called by SAMWU and IMATU but received limited support.

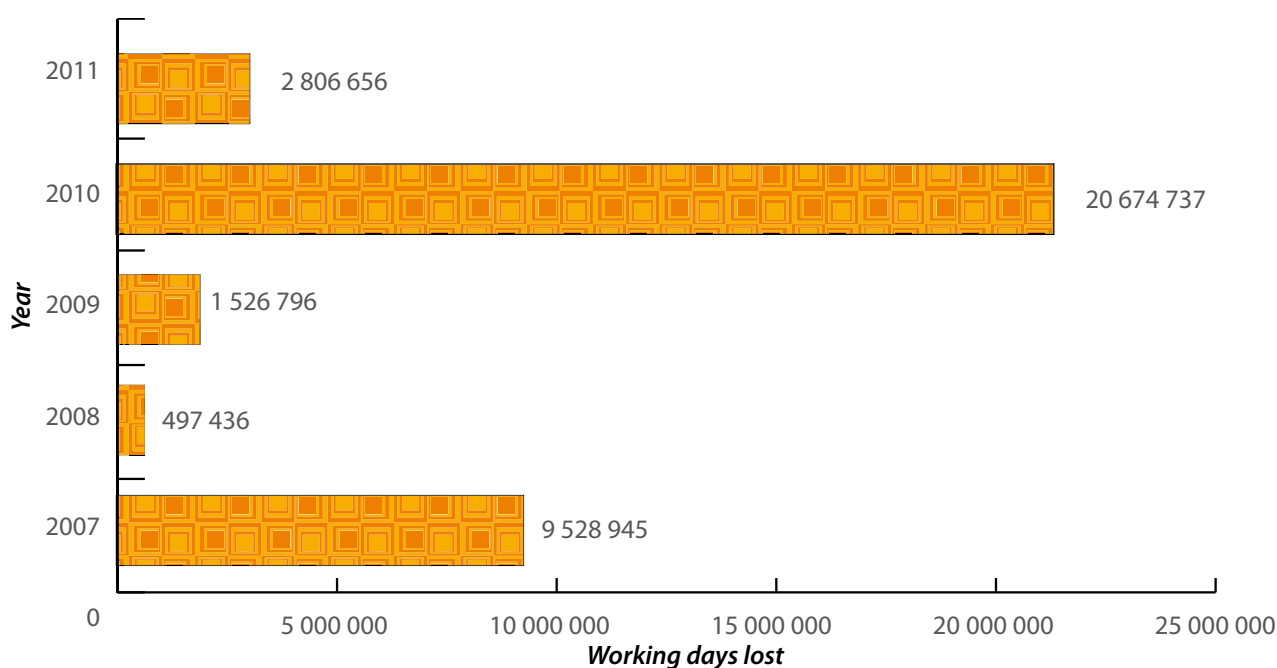
Figure 1: Trends in the number of work stoppages in South Africa, 2007-2011



Source: Department of Labour, Strikes Statistics

As illustrated in **Figure 1** strike incidents are on the decline as strikes decreased from 74 in 2010 to 67 in 2011. This is almost 10% reduction from the previous year. In addition, it was slightly above the average of 65 strikes over the five years period. However, few strikes in the country are not always an indication of lower wages lost in the economy. This is shown in other chapters in this report.

The decreasing trend in strike incidents was last seen in 2009, when 51 incidents were recorded down from 57 in the previous year. There were 172 772 workers involved in strike activity in the country with the economic impact of R235 458 414 wages lost in 2009.

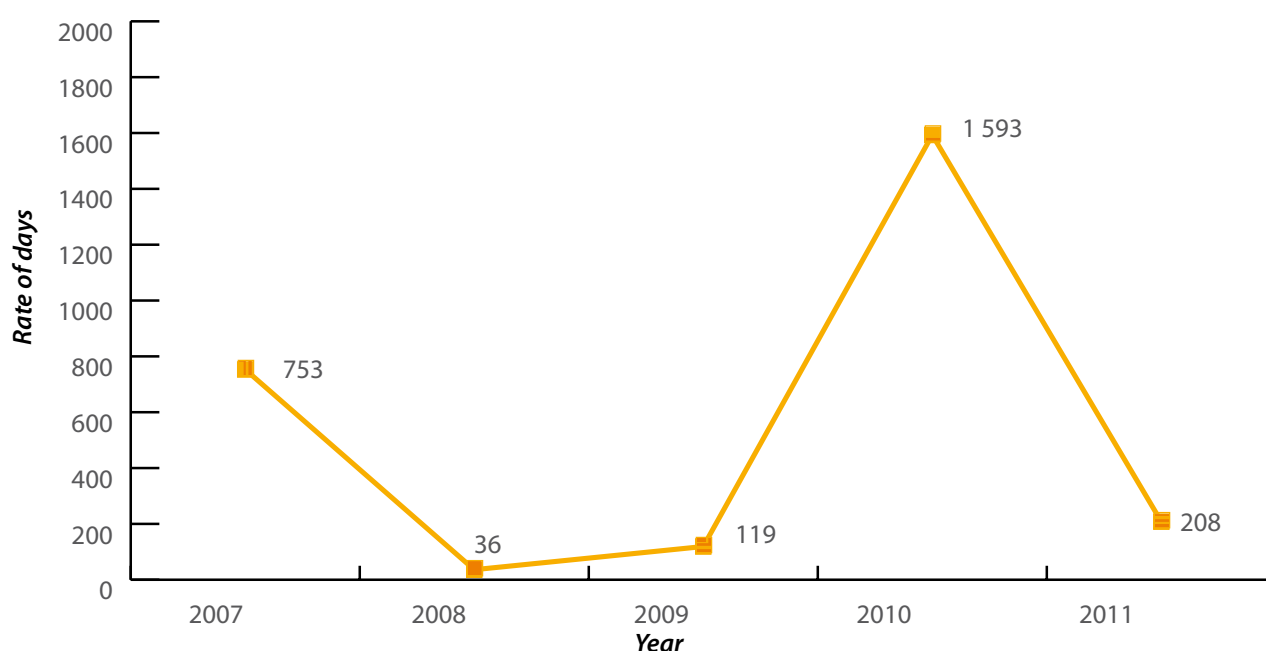
Figure 2: Trends in working days lost in South Africa, 2007-2011

Source: Department of Labour, Strikes Statistics

Figure 2 indicates a dramatic decrease in the working days lost⁴ in 2011 as there were 2 806 656 working days lost compared to 20 674 737 working days lost in 2010. The decrease in the number of working days lost can be explained because of the Public Service strike that was averted. It is known that the Public Service strike attracts a huge number of employees, as in 2010, which is followed by negative impact in the economy.

Even the biggest strikes that took place in the private sector such as the truck drivers, steel and engineering and the chemical industries were not huge enough to make an impact on the workdays lost as the strikes did not last long.

⁴ The working days lost due to strikes implies the total number of workers involved in the strike or lockout multiplied by the length of the work stoppage.

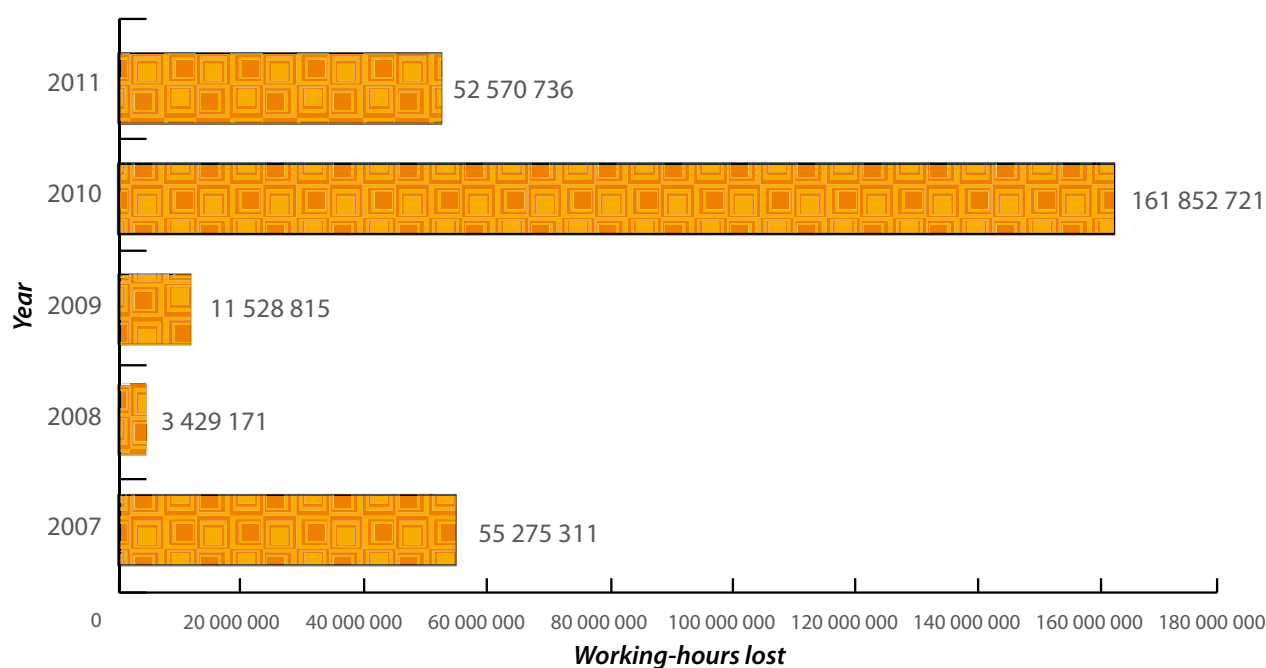
Figure 3: Working days lost per 1 000 employees due to strikes, 2007-2011

Source: Department of Labour, Strikes Statistics

Figure 3 illustrates working days lost per 1 000 employees⁵. In 2011, there were 208 working days lost as a result of labour disputes for every 1 000 workers. This figure is far below the 1 593 work days lost per 1 000 employees in 2010, which was associated with the Public Service strike.

While the private sector strikes have also had an impact on the economy, this trend signals that the Public Sector strike has much bigger impact on the economy with regards to the number of working days lost per 1 000 employees due to strike. This is true since the Public Sector strike has the potential to attract more than 1 million public servants.

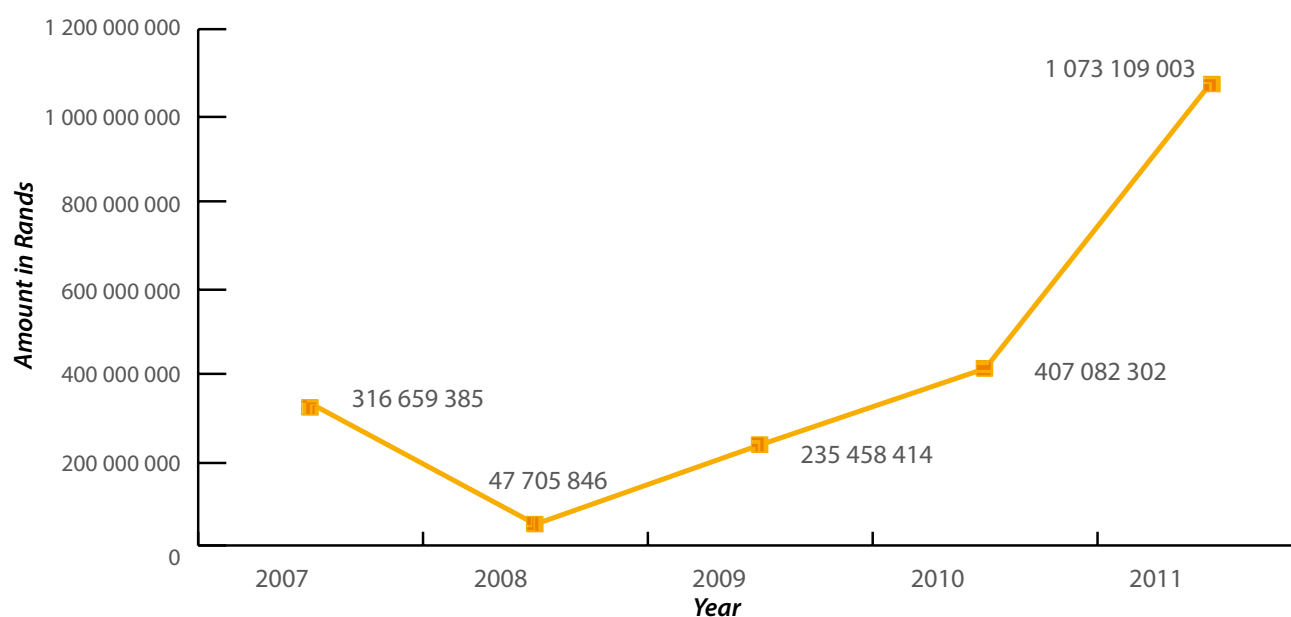
⁵ This indicator allows for international comparison in strike activity. For international comparison, the ratio distinguishes which country is strike prone when compared to another.

Figure 4: Trends in working-hours lost in South Africa, 2007-2011

Source: Department of Labour, Strikes Statistics

As expected, **Figure 4** shows a decline in the working-hours lost in 2011.

There were 52 570 736 work-hours lost last year, down from 161 852 721 working-hours that were lost to strikes in 2010. However, the 2011 figure was higher than in 2008 and 2009. Nevertheless, the absence of Public Sector strike in the economy has shown minimal impact in the labour market in terms working-hours lost as these occurred in 2007 and 2010.

Figure 5: Wages lost due to work stoppages in South Africa, 2007-2011

Source: Department of Labour, Strikes Statistics

Figure 5 shows the total amount lost by employees as a result of embarking in strikes.

As reported by employers, workers lost a record R 1 billion in wages for participating in strikes in 2011 because of the no-work-no-pay-principle. The amount surpasses any figure that has been reported before. It might happen that more “skilled workers” who are paid better wages had also downed tools during 2011. However, caution should be taken while looking at the wages lost due to work stoppages. The LRA 9.2 Forms require employers to estimate and indicate the wages lost due to company strike. In most cases, these figures are provided by the Head of Human Resources which include daily wage lost per worker that is based on no-work-no-pay-principle as a result of strike participation.

Since a no-work-no-pay-principle is applied for periods that workers are not at their work stations, the figure is an indication that employees are prepared to lose huge amounts of money in the fight for a cause they believe in. The media has also reported that workers tend to lose more in wages when they are away from work than they stand to gain from engaging in a strike.

CHAPTER TWO

COMPARATIVE ANALYSIS OF WORK STOPPAGES, 2010 AND 2011

Below is an in-depth descriptive analysis of the work stoppages over a two-year period with special reference to the details such as the frequency, the duration of stoppages, the number of employees involved and the amount of wages lost.

2.1. PROVINCIAL DISTRIBUTION OF WORK STOPPAGES

Table 1: Distribution of work stoppages and wages lost by province¹, 2010 and 2011

Province	Work stoppages				Wages lost (Rands)	
	2010	2011	% Change	Annual Average ²	2010	2011
Gauteng	32	33	3.1	33	159 753 646	609 886 832.81
Western Cape	11	12	9.1	12	30 019 007	11 783 150.00
Mpumalanga	7	9	28.6	8	24 912 778	12 871 792.66
KwaZulu-Natal	14	15	7.1	15	54 601 436	36 989 037.87
Eastern Cape	11	7	-36.4	9	45 834 665	330 874 892.30
Limpopo	17	5	-70.6	11	40 228 368	7 477 685.42
North-West	10	11	10.0	11	15 631 021	54 757 793.57
Northern Cape	6	2	-66.7	4	20 867 686	70 559.51
Free State	7	9	28.6	8	15 233 695	8 397 259.82
Total	115	103	-10.4	109	407 082 302	1 073 109 003.96

Source: Department of Labour, Strikes Statistics

Table 1 shows the provincial distribution of work stoppages. The top provinces with high economic activity (Gauteng, KwaZulu-Natal and Western Cape) accounted for more than half of the work stoppages, with Gauteng Province having the highest number of work stoppages as most companies are situated in the province because of its economic activities.

¹ The total for work stoppages in 2011 in Table 1 differs from the total of 67. 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.

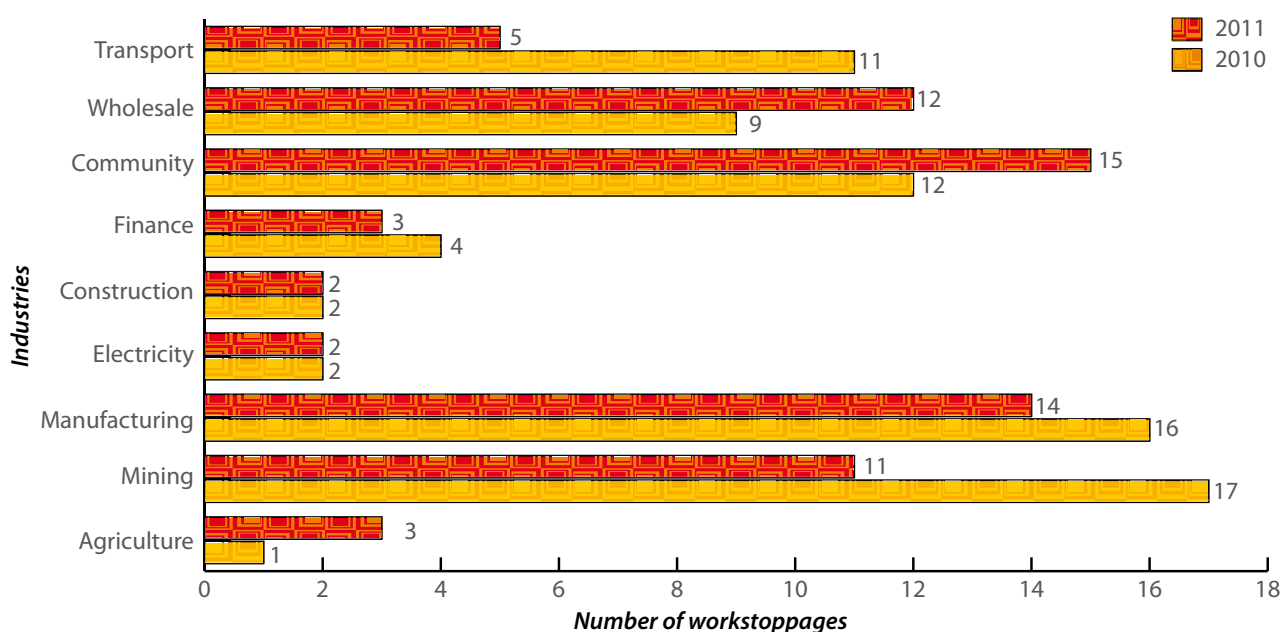
² Annual averages have been rounded to the whole number since we cannot have half a work stoppage.

The Northern Cape experienced the lowest number of work stoppages as it is a province with the least economic activity.

With regards to wages lost, Gauteng lost just more than half of the total amount for the period, while the Northern Cape lost the least because of its economic size with firms established other than mining.

2.2. INDUSTRIAL DISTRIBUTION OF WORK STOPPAGES

Figure 6: Distribution of work stoppages by industry, 2010 and 2011



Source: Department of Labour, Strikes Statistics

An analysis of strike by industry shows which economic industry was mostly affected by strikes during the period under review. As shown in **Figure 6**, the community, social and personal services industry had the highest number of work stoppages (15) in 2011 compared to only 12 in 2010. The strike by municipal workers, employees of the Department of Education in Mpumalanga, the strike by employees in the cleaning sector are worth mentioning here. This is closely followed by the manufacturing (14), wholesale and retail trade (12), mining (11) and transport (5).

The agriculture and finance were affected by three work stoppages each while the electricity, gas and water supply and the construction industries were the least affected industries in 2011 with two stoppages each, as was the case during 2010.

2.3. INDUSTRIAL DISTRIBUTION OF WORKING DAYS LOST

Table 2: Distribution of working days lost by industry, 2010 and 2011

Industry	Working days lost	
	2010	2011
Agriculture	108	16 037
Mining	361 113	370 473
Manufacturing	384 980	826 123
Electricity	7 681	70
Construction	3 787	28 034
Wholesale, retail trade	394 584	50 315
Transport	640 757	53 505
Financial intermediation	15 196	976
Community services	18 866 531	1 461 123
Total	20 674 737	2 806 656

Source: Department of Labour, Strikes Statistics

Table 2 depicts the distribution of working days lost by industry. As reflected, the community, social and personal services industry accounted for the highest number of working days lost in 2011 (1 461 133) because of the stoppages in the municipalities as well as the cleaners' strike. Following this is the manufacturing industry with 826 123 work days lost as a result of stoppages in the steel and engineering sector, which was called by NUMSA as well as the CEPPWAWU backed strike in the petroleum, chemical, paper and pulp etc. sectors.

The mining industry was also affected as it lost 370 473 work days, though to a minimal degree as the employers quickly acceded to the workers' demands in an effort to minimise disruptions in production.

The finance and electricity industries were the least affected in 2011, as Eskom managed to avert a strike by its employees.

2.4. WORKING DAYS LOST PER 1 000 EMPLOYEES BY INDUSTRY

Table 3: Distribution of working days lost per 1 000 employees by industry, 2010 and 2011

Industry	Time-loss ratio	
	2010	2011
Agriculture	0.2	25.5
Mining	1 191.8	1 132.9
Manufacturing	224.7	461.8
Electricity	77.6	0.8
Construction	3.5	26.5
Wholesale, retail trade	133.9	16.4
Transport	828.9	30.8
Financial intermediation	9.4	0.6
Community services	7 045.0	503.5

Source: Department of Labour, Strikes Statistics

Table 3 depicts working days lost per 1 000 workers in each of the industries. This is a measure, which is used internationally to compare the proneness to strikes between countries. From this, one can immediately notice that the mining and quarrying industry is one of the industries that are vulnerable to work stoppages, as it had a high work loss ratio in both 2010 and 2011, although there is a decrease from 1 191.8 in 2010 to 1 132.9 in 2011.

As previously reported, the reason for this high time-loss ratio in the mining and quarrying industry can be attributed to the fact that there is no bargaining council within the industry and companies negotiate individually with the Chamber of Mines. Most of the companies in the industry immediately acceded to worker demands and achieved 10% wage increases.

The community, social and personal services follows with 503.5 working days lost per 1 000 workers, and has significantly decreased by 93% from the previous year. The work-loss ratio for the manufacturing industry increased by 105% between the previous years from 224.7 in 2010 to 461.8 in 2011.

Other industries which reported slight increases in the number of working days lost per 1 000 workers are agriculture, construction, while electricity, gas and water supply; wholesale gas retail, transport and financial intermediation industries experienced decreases.

2.5. INDUSTRIAL DISTRIBUTION OF WORKING HOURS LOST

Table 4: Distribution of working-hours lost by industry, 2010 and 2011

Industry	Working hours lost	
	2010	2011
Agriculture	972	1 181 347
Mining	1 160 812	28 428 115
Manufacturing	3 025 595	8 685 338
Electricity	30 860	280
Construction	17 640	167 246
Wholesale, retail trade	2 523 722	2 194 513
Transport	4 238 786	405 814
Financial intermediation	168 965	7 584
Community services	150 685 369	11 500 499
Total	161 852 721	52 570 736

Source: Department of Labour, Strikes Statistics

Table 4 depicts the working-hours lost by industry. The mining industry had the most work-hours lost up from 1 160 812 in 2010 to 28 428 115 in 2011. This is a significant increase from the previous year. This is followed by the community, social and personal services with 11 500 499 work-hours lost having decreased from 150 685 369 in 2010.

The manufacturing industry experienced an increase in the number of work-hours lost from 3 025 595 in 2010 to 8 685 338 in 2011.

The agriculture and construction industries also experienced an increase in work-hours lost, as opposed to electricity, wholesale, transport and finance industries whose work-hours lost decreased significantly as there was industrial peace within these industries.

2.6. INDUSTRIAL DISTRIBUTION OF WORKERS INVOLVED IN WORK STOPPAGES

Table 5: Distribution of employees involved in work stoppages by industry, 2010 and 2011

Industry	Employees involved	
	2010	2011
Agriculture	54	2 608
Mining	12 626	47 732
Manufacturing	25 663	66 042
Electricity	3 985	70
Construction	233	2 734
Wholesale, retail trade	33 659	3 466
Transport	36 791	5 594
Financial intermediation	6 495	424
Community services	1 072 307	74 468
Total	1 191 813	203 138

Source: Department of Labour, Strikes Statistics

As shown in **Table 5**, the number of employees involved in strikes during 2011 was significantly lower than those who participated in 2010.

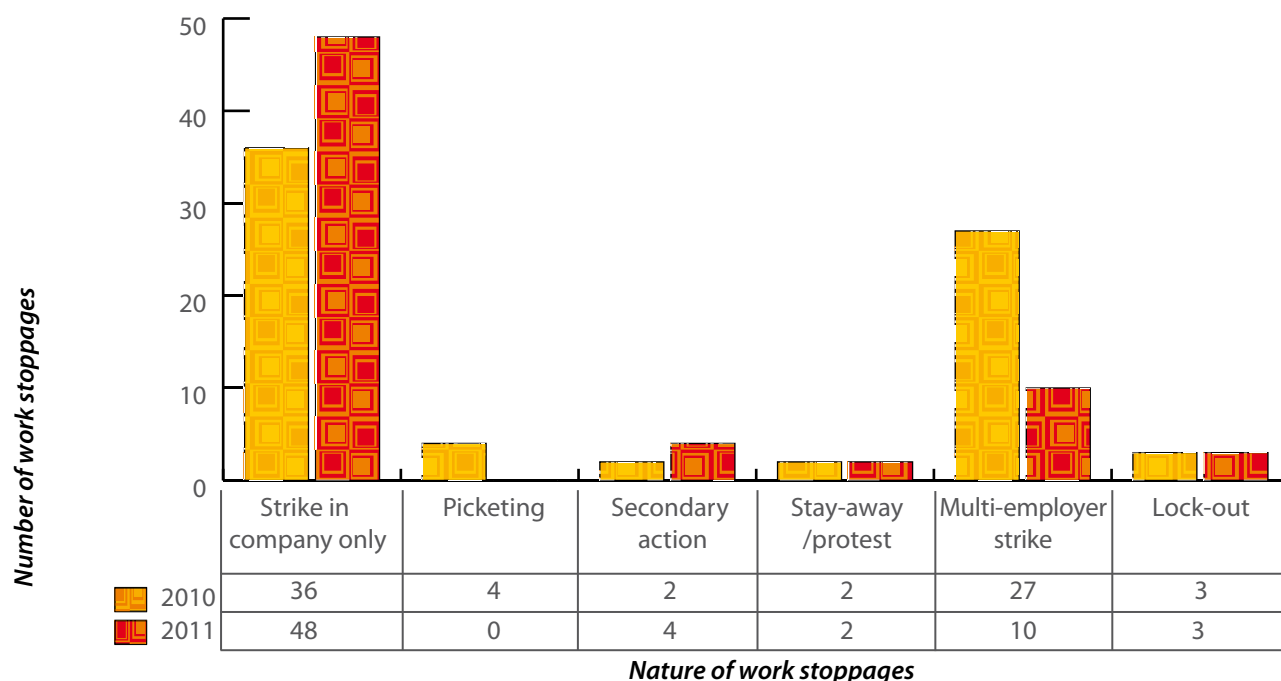
The community, social and personal services had the most employees embarking on strikes (74 468), though there was a significant decrease from those who were involved in 2010 (1 072 307), with a sizeable number employed by the municipalities and cleaning companies. This is followed by the manufacturing industry with 66 042 participants, also an increase from 25 663 in 2010.

The agriculture, mining and construction industries also had increases in the number of employees embarking in work stoppages between 2010 and 2011.

On the other hand, electricity, wholesale, transport and finance industries had few members participating as observed previously due to industrial peace in these sectors.

2.7. NATURE OF WORK STOPPAGES

Figure 7: Distribution of work stoppages by their nature, 2010 and 2011



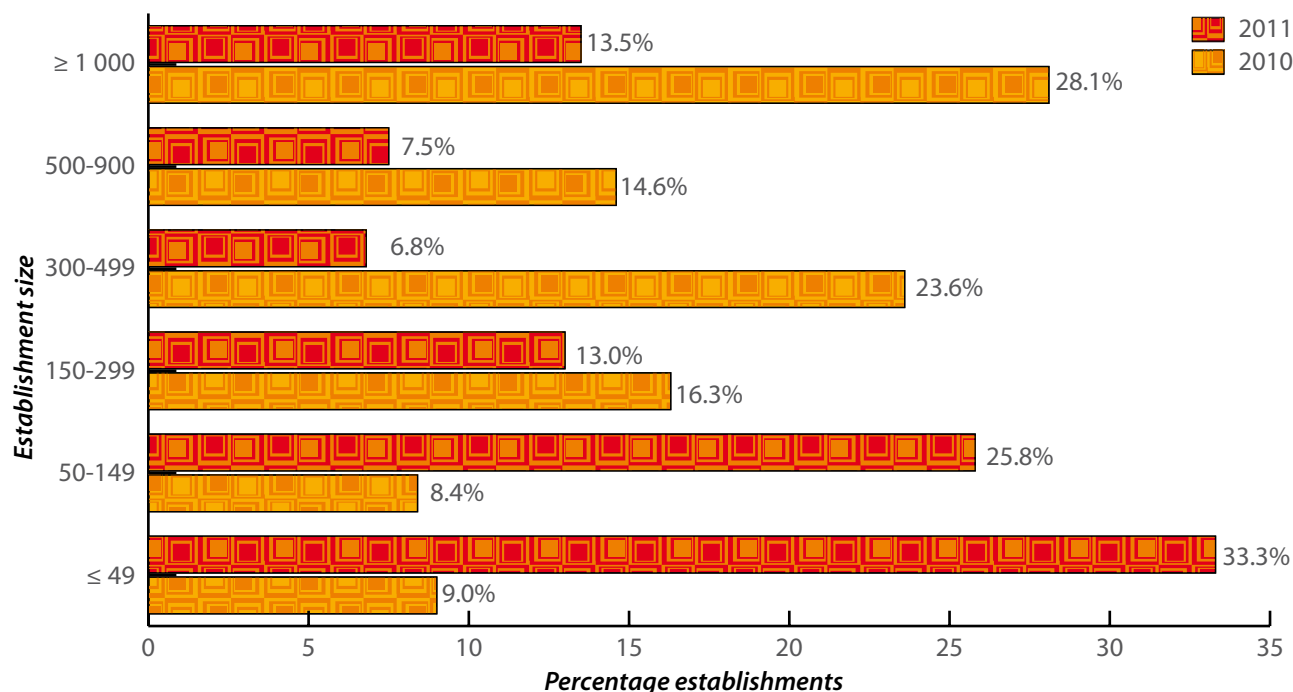
Source: Department of Labour, Strikes Statistics

Figure 7 above depicts the nature of work stoppages that affected South African companies in 2011. Strikes affecting only the company remain dominant with an increase from 36 in 2010 to 48 in 2011. This highlights the negotiating power that workers have in tackling issues they have directly with the employers. There was a decrease in the number of stoppages affecting many employers within a given sector, from 27 in 2010 to 10 in 2011. Some of the strikes in this category include the strike by workers in the transport sector, steel and engineering sector, cleaning sector, gold and coal mining where the strike called by the union CEPPWAWU and it affected many sectors. These strikes usually have a greater impact than single employer strikes as they have an effect on other sectors of the economy.

Lock-outs remained the same during both years.

2.8. WORK STOPPAGES BY EMPLOYMENT SIZE OF ESTABLISHMENTS

Figure 8: Percentage distribution of establishments affected by work stoppages by employment size, 2010 and 2011

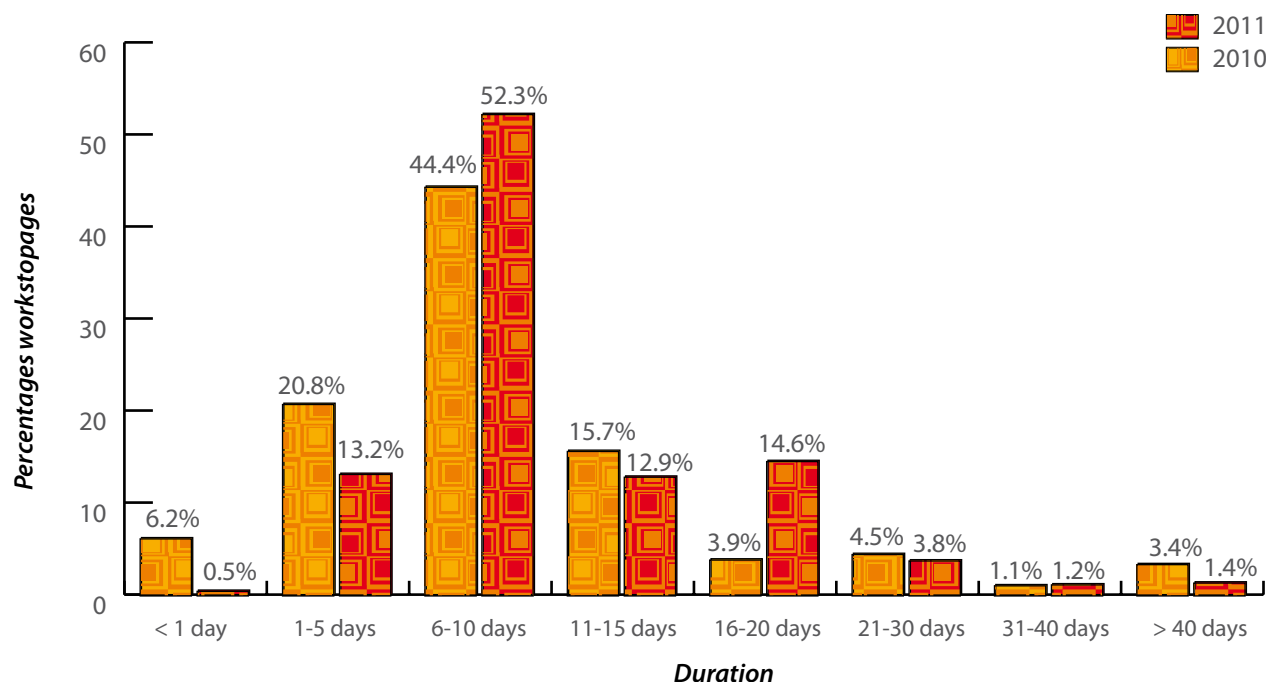


Source: Department of Labour, Strikes Statistics

Figure 8 above indicates the percentage of establishments affected by work stoppages according to their size. Almost 60% of the companies affected by strikes are those that can be classified as small enterprises employing less than 150 workers, with 33.3% employing fewer than 50 employees, while just more than a quarter (25.8%) are those employing between 50 and less than 150 workers. Only a few medium-sized to big companies were affected by work stoppages compared to the previous year, where big establishments were mostly affected by strikes. It is not known if small establishments are mostly vulnerable to work stoppages because of limited knowledge about workers' rights. Further research is needed to investigate this issue in light of labour law advocacy.

2.9. DURATION OF WORK STOPPAGES

Figure 9: Percentage distribution of work stoppages by duration, 2010 and 2011



Source: Department of Labour, Strikes Statistics

Data from the Department indicates that more than half (52.3%) of the strikes lasted between 6 and 10 days as shown in **Figure 9**, up from 44.4% in the previous year. These were the strikes involving the mining and manufacturing companies. This was followed by strikes, which lasted between 16 and 20 days (14.6%) that also increased, by 10% from 2010.

There were recorded decreases in those strikes lasting between a day and one week (7.6%), less than a day (5.7%), between 11 and 15 days (2.8%) and 21 days to a month (0.7%).

There are also strikes, though few which took longer to resolve, such as those involving cleaning companies and the longest recorded strike in 2011 by employees of Sam's Tissue Products, which lasted for 67 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, 2010 and 2011

Principal cause	2010	%	2011	%	% difference
Wages, bonus and other compensation	20 434 319	98.8%	2 687 785.5	95.8%	-3.0%
Working conditions	77 638	0.5%	4 719	0.2%	-0.3%
Disciplinary matters	1 536	0.0%	0	0.0%	0.0%
Grievances	8 040	0.0%	20 258	0.7%	0.7%
Socio-economic and political conditions	147	0.0%	3 011	0.1%	0.1%
Secondary action	138	0.0%	612	0.0%	0.0%
Retrenchments/redundancy	16 468	0.1%	618	0.0%	-0.1%
Refusal to bargain	130 103	0.6%	4 740	0.2%	-0.4%
Trade union recognition	6 348	0.0%	3 048	0.1%	0.1%
Other compensation combined with other factors	0	0.0%	56 178	2.0%	2.0%
Other reasons	0	0.0%	25 687	0.9%	0.9%
Total	20 674 737	100.0%	2 806 656.5	100.0%	0.0%

Source: Department of Labour, Strikes Statistics

There are a variety of reasons for workers to engage in strikes as it can be seen in **Table 6**. Wages remain the main reason employees embark on strike action as 95.8% of work stoppages in 2011 were due to wages, resulting in 2 687 785.5 work-days lost, though there was a decrease in stoppages resulting from this issue.

In some cases strikes are as a result of a wide range of issues, which remain unresolved over a period of time, as it is shown in **Table 6** and this resulted in the loss of 56 178 work-days in 2011.

Work-days lost resulting from grievances increased from 8 040 in 2010 to 20 258 in 2011.

2.11. TRADE UNION INVOLVEMENT IN WORK STOPPAGES

From the stoppages observed in 2011, SATAWU, Solidarity, NUMSA, CEPPWAWU, SAMWU, NEHAWU and NUM were the busiest unions. SATAWU and Solidarity accounted for the most working days lost in the country. This is due to the fact that these unions are not only restricted to one sector but also organises in various sectors, such as security, cleaning, etc.

NUMSA and the NUM featured prominently in strikes that took place in 2011, as NUMSA was involved in the manufacturing industry with the steel and engineering strike, while the NUM was instrumental in the mining strikes that took place in the gold and coal sectors (see data appendix B).

2.12. DETERMINANTS IDENTIFIED AS GIVING RISE TO WORK STOPPAGES IN SOUTH AFRICA

The negotiating table brings together opposing forces and quite often a middle ground has to be reached. Employees and their representatives hope to receive the highest price for their labour and would normally start bargaining at the highest level. Employers on the other hand would want to pay the lowest possible price for labour. The inflation rate is supposed to be the middle ground where negotiators find each other as it is a determinant of what money can buy. Other factors, which come to play at the negotiating table such as company profits, costs of living and executives pay (as has been the case this year) come into play in determining wage demands.

Employee representatives usually adopt a hard line during negotiations as a result of inequalities that persists in the country. It is assumed that the bonuses that are given to company executives perpetuate this gap. The recent economic recession that companies were faced with and the slow pace of the recovery have been advanced by the employers as the main reason for inability to afford wage demands. Whatever the reasons are, it is a perception from the workers and the unions that the employers want to maximise their profits at the expense of the workers who are mostly victimised because of increasing number of casual workers.

The employers are in agreement with many economists that it is becoming non-profitable to invest in the country due to the high costs of labour, with decreasing productivity fuelled by continued strikes. These were slowly becoming counter productive and will ultimately “lead to job losses as the employers can no longer pass the costs to the consumers³”.

3 //
Goldberg, J. (2011), *Strike Action in South Africa*

2.13. WORK STOPPAGE FUTURE OUTLOOK FOR 2012

Labour unrest is determined by the duration of wage agreements. Those employers who have concluded one-year agreements are likely to be back at the negotiating table. Depending on issues on the table and the economic environment within which these negotiations take place, many negotiations are likely to end up in strikes. Bleak economic conditions in the Euro-zone threaten to affect many African countries, including South Africa.

The Public Service negotiators should be back at the negotiating table as a number of issues remain unresolved. One of the union federations (FEDUSA) has already threatened to adopt a hard line during the next round of wage negotiations as the Public Service employers are attempting to pre-determine the outcome by setting the ceiling for wage increases to be within the CPIX range. This is a cue taken from the Public Service budget process.

The agreement which was arrived at in the security industry is also coming to an end and the possibility of a strike will be determined by the outcome of the negotiations. COSATU has also released a warning for a wave of protests if the issue of labour brokers is not done away with. This is a contentious issue between the social partners with an indication of a different route judging from the new legislative amendments. With the proposed changes to regulate, rather than banning labour brokers, it remains to be seen how this will translate in practice. Many establishments who make use of labour brokers will be put to the test to abide by the regulations to deal with the issue.

Multi-year agreements on the other hand offer a sense of stability for the duration of the agreements. However the unions and the employers have different views on this issue, especially in a climate of economic uncertainty and volatility.

CHAPTER THREE

WAGE SETTLEMENTS

Acknowledging the right of the workers to strike, it is also important to mention that all negotiations in 2011 were taking place against a backdrop of:

- Overall economic performance of the South African economy has relatively improved from the 2008/9 economic recession. The benefits of this small growth has not dramatically impacted on the number of jobs created and inequality and poverty continue to be an alarming challenge in the South African labour market
- The Consumer Price Index excluding interest on mortgage bonds (CPIX) was close to the upper band of its inflation targeting range even though some higher demand on wages were above the inflation rate.

This year was a busy time as usual for wage negotiators. A number of wage agreements were concluded in 2011 between several employers and worker representatives. A few multi-year agreements were signed in some sectors, which brought some stability in the country's bargaining scene. Some agreements were concluded without any strike incidences, while some workers had to withdraw their labour to force employers towards a satisfactory offer. There was an outcry from labour unions over excessive executive pay. This prompted some union negotiators requesting double-digit and higher than inflation wage increases. Increases of up to 10% have been granted in the mining industry. According to the Labour Research Service, the median wage increase in 2011 was 8%, with the following increases in the various industries:

Table 7: Median wage settlements levels in South Africa by industry, 2011

Industry	2010 (%)	2011 (%)
Agriculture, Hunting, Forestry and Fishing	8	7.5
Construction	8.6	8.7
Mining and Quarrying	8	8.8
Manufacturing	8.5	7.9
Electricity, Gas and Water	9.5	7.0
Finance, Insurance and Business Services	11	8.0
Transport, Storage and Communication	8.8	8.0
Wholesale and Retail Trade	9	8.0
Community, Social and Personal Services		7.6

Source: Labour Research Service, Wage settlements Trends, August 2011

Table 7 above shows the median wage levels concluded in the various industries in South Africa in 2011. The wage settlements were generally above the rate of inflation within the range of 3-6% in 2011, with minimum agreements ranging between 6 and 10%.

The settlements vary between 7% and 8.8%, with the electricity, gas and water supply receiving the lowest, while mining and quarrying received the highest.

Below are some of the agreements concluded within various industries in 2011 with or without work stoppages:

3.1. WAGE SETTLEMENTS CONCLUDED IN VARIOUS INDUSTRIES

3.1.1. MINING AND QUARRYING

- A two-year agreement has been reached between Crocodile River Mine and the NUM following an illegal strike at the mine. The agreement is 10% year on year increase from 1 March
- Nkomati Nickel Mine's 2 000 members affiliated to the NUM downed tools on 29 August, protesting over wages and salary disparities. The union has since signed a one-year deal with African Rainbow Minerals (ARM) to end the six day strike. Workers will receive a 9 - 10% increase depending on their categories. Workers at De Beers mine engaged in a strike after wage talks failed. The union wanted a 15% rise in wages, while De Beers was offering 7.5% and a once off payment of R2 500. A two year settlement was reached amounting to increases of 8% for artisans and skilled workers, and 10% for entry level workers. Another 2% stand-by allowance was also agreed. In 2012, it is also expected to increase by CPIX plus 2%.
- Following a strike in the gold sector, a settlement was reached with the Chamber of Mines. The unions representing the sector were demanding between 12 and 14% increase as opposed to the employers' 7 to 9% offer. Wage increments of between 8% and 10% were reached in the gold mining industry between National Union of Mineworkers (NUM) representing workers at AngloGold Ashanti, Gold Fields, Harmony and Rand Uranium and the Chamber of Mines. The three unions (NUM, Solidarity and UASA) had signed a two-year wage agreement. Even though there were some differences between companies, wage increases for miners, artisans and officials would be between 7.5% and 8%, for category five to eight it would be between 8.5% and 9% and the minimum entry level wage increase would be 10%
- Thousands of coal miners affiliated to NUM served their employers with an intention to strike on 24 July after failed attempts by the CCMA to mediate in the wage talks. The union was demanding 14% increase with Solidarity demanding 12%, whereas the employers were offering 8.5%. A two-year agreement was signed where 8-10.5% was agreed to. Entry-level workers will receive 10-10.5%, while other workers will receive 8-9%. Delmas Coal will pay increases of between 7,5%-10%

- NUM concluded a two-year wage deal with Exarro Coal. The agreement entails a 10.5% wage increment for grade eight, 10% for grade seven, 9% for grade five and six, as well as 8% for grades three and four. At the centre of the wage disputes was the demand that four of Exarro Coal's operations that currently do not belong to the Chamber of Mines should join it. A task team was established to ensure that this happens by 2013. These mining operations were Tshikondeni, Leeupan, Inyanda and Grootgeluk.

3.1.2. MANUFACTURING

- Beacon Sweets workers returned to work after a month-long strike over wage increases. The workers were demanding a 9% wage increase, while the agreement reached will see them receiving 7% wage increase across the board, a 1.5% adjustment and a 0.5% top-up which the workers were satisfied with
- The strike at Sunbake in Tzaneen was sparked by workers affiliated to FAWU demanding a salary increase of R 450.00, a transport allowance of R 400.00, one ration of bread loaf, shoes/boots for drivers and a basic salary of R5 000.00 and a pay day on the 25th instead of weekly. The employer agreed to all the workers' demands as well as back-pay dated to 1 September, 2011
- NUMSA affiliated workers demanded 13% wage hike down from an initial 20% demand, while employers in the steel and engineering sector offered 7%. A three-year agreement starting from 1 July 2011 to 30 June 2014 was signed with SEIFSA. The strike was concluded with a 9% wage hike agreement. Among the demands put forth by the union was, an end to the use of labour brokers. The increment would be 8% for Grade A workers such as artisans and 10% for entry-level workers. During the second year, the increment in wage rate will be 7% for grade A workers, depending on the Consumer Price Index (CPIX) of less than 8%. Should the CPIX be more than 8% then the Grade A category will be CPIX plus 1%, while Grade F-H workers will receive CPIX plus 2%
- Workers affiliated to CEPPWAWU began a massive strike which affected the petroleum, pharmaceutical, industrial chemicals, tissue and allied industries and plastics. The reason for the strike was a deadlock in wage negotiations as the union was demanding 13% wage increase while employers were offering 4% - 7%. The union was also demanding an end to the use of labour brokers
 - In petroleum, the unions and SAPIA agreed to an 8.5% increase, with a 10% increase for lower-waged workers. The minimum salary would increase to R4 400 per month up from R4 000, while the unions maintained a 40-hour work-week. Women in the petroleum sector will for the first time receive two days leave for pre-natal maternity care
 - In the pharmaceutical sector the demand was 12% while employers were offering 7.5%. Another demand was R5 500 minimum wage
 - In the industrial chemicals sector workers demanded a wage increase of 10% and a minimum wage of R 4 500 and the employers offer was 7.5% and R 4 000. A shift allowance of 18% was dismissed by employers and only acceded to an 8.5-10% deal
 - In pulp and paper, the demand was R 8 000 minimum wages and 10% shift allowance and 13% wage increase while employers were offering 5%

- In the timber and sawmilling a settlement was reached which would see female members receiving four months maternity leave, 12% of their salaries to supplement their mandated unemployment compensation and an increase in the minimum wage rate from R1 500 to R 1 775.

3.1.3. FINANCE, INSURANCE AND BUSINESS SERVICES

- NUM engaged in a strike at TEBA over a dispute about wages. The workers were demanding 15%, while employers offered them increases of between 4% and 5%. The strike that lasted for 10 days was ended after a 7% annual wage settlement was reached.

3.1.4. TRANSPORT, STORAGE AND COMMUNICATION

- The Road Freight Employers Association (RFEA) reached an agreement with the four labour unions representing workers in their employment in February. The agreement entailed a 9% all across the board wage increase during the first year and 8.5% for 2012. This would see an end to the week long strike by approximately 65 000 truck drivers, which was characterised by violence resulting in injuries and destruction to property as many trucks were burnt down during the strike. The strike that lasted for 10 days almost resulted in the petrol shortages in the country. The unions involved were SATAWU, TAWUSA and PTWU
- PRASA and SATAWU agreed on an 8% annual salary increase for all junior employees backdated to 1 April. The agreement included R4 500 per month salary for the bargaining unit and general workers (track helpers and cleaners).

3.1.5. WHOLESALE AND RETAIL TRADE

- On 1 December 2011, employees affiliated to SACCAWU started striking at Click's Stores in demand of 11% wages increase. The company on the other hand was offering 9.5%. The workers returned to work after three days without a resolution.

3.1.6. COMMUNITY, SOCIAL AND PERSONAL SERVICES

- The South African Municipal Workers Union (SAMWU) agreed to pay outstanding bonuses to employees employed by City Power following the picketing at their Booyens Offices
- Netcare, the Solidarity Union and Hospersa reached an agreement for wage increases for nursing, administrative and support staff. Employees would receive between 7.75% and 9% for the lowest paid workers
- Cleaners affiliated to SATAWU, PTAWU and HOTELICCA embarked on a strike on 1 August 2011. The employees were demanding a 12% increase, a basic salary of R4 200 per month, and a 13th cheque. The National Contract Cleaning Association on the other hand was offering increases of between 6 to 6.5% and a 13th cheque from end of 2012. They were also opposed to labour brokers, which resulted in

some workers not being protected by labour legislation. The strike was ended with the signing of a three-year wage agreement, which would see workers within the metropolitan areas receiving 8% and 8.5% for workers in smaller towns. Included in the agreement is a 13th cheque and 35-hour working week

- A two-year wage agreement was signed between the NUM and Lonmin, which is the world's 3rd largest platinum producer to negate a possible strike by workers. The agreement was well above the present inflation rate. Workers in categories 3 - 4 would receive 10% increase, while those in categories 5-9 would receive 9% during the first year. Issues relating to medical aid for immediate family members have been referred to a task team
- Employees affiliated to NEHAWU embarked on a strike at the South African Council for Educators (SACE). The employer unilaterally implemented a 7.5% increase without any benefits. Their initial demand was 11% salary increase, R700 housing allowance and R500 medical aid. The workers revisited their demands and lowered them to 9% salary increase, R350 housing allowance and R200 medical aid.

3.2. WAGE SETTLEMENTS CONCLUDED WITHOUT STRIKE INCIDENTS

- The DPSA and Public Sector Unions reached a settlement in the Public Sector for a 6.8% increase, with the signing of a one-year agreement. The agreement which covers 1.3 million workers also includes an agreement to provide a housing benefit plan for State employees to be implemented by 1 April 2012. The increase will be across the board. Issues still outstanding were on the minimum-service level agreement and housing
- Anglo Platinum, Impala Platinum and NUM signed a two-year wage agreement with increases ranging from 8.5% to 10% effective from July 2011, against the union's demand of 10% to 12.5%. The agreement allows for increases of 10% for Bands A to B, 8.5% for Bands C to D1 during the first year. For the second year 9% for Bands A to B, and 8% for Bands C to D1. In the event of a twelve month average year on year Consumer Price Index (CPIX) equals 8% in year two, the wage increase will be 8% plus 2% for Bands C and D1 and 9% plus 2% for A and B bands. This agreement was in line with similar agreements concluded in the mining industry, which have been above inflation rate. The unions representing employees at Telkom (CWU, Solidarity and SACU) are considering the parastatal's latest offer of a two year wage deal and 6.5% in 2011 against their demand of 10% and a one-year deal.

3.3. ABANDONED STRIKE INCIDENTS

- Workers employed by the Robben Island Museum called off their strike without their demands being met after workers unanimously agreed to end the strike. According to National Education, Health and Allied Workers (NEHAWU), workers will pursue the issues raised prior to the strike with management. He says the workers agreed to end the strike once they realised that the Museum needed to make money in order to meet their demands
- The Municipal workers decided to abandon their three-week strike and return to work after SALGA refused to accede to their demands for 18% and later reduced to 10% increase. This was as a result of an earlier agreement, which was still in force that allowed for a possibility of re-opening of negotiations in the event of a rise in inflation. SALGA indicated the unaffordability for the two-digit wage increase demands as they would have to raise the costs of services provided by municipalities and this would put pressure on the already burdened citizens. The strike was not effective as it also failed to attract the normal support seen from similar strikes by SAMWU. Municipal workers resorted in having to accept 6.08% increase that was agreed previously, as it was already higher than the 4-5% inflation rate.

CHAPTER FOUR

PROFILE OF WORK STOPPAGES, 2011

This chapter demonstrates the manner that the Department monitors and collects work stoppages immediately after they have been reported in the media and internet. It appears in a chronological manner in order to allow the readers to have full details of strike incidents in the South African labour market within the year under review¹. Yet despite some limitations, the Department has capacity to identify strike incidents, follow up with employers and process information received up to the final analysis and dissemination.

It is therefore important to recall that a strike occurs when employees refuse to work usually due to a breakdown in the negotiation process and a dispute declared between them and their employers. Most effective strikes occur with the support of a labour union during a collective bargaining process. The right to a protected strike is enshrined in Section 23 of the country's constitution and given further effect in the Labour Relations Act, Act No.66 of 1995 (referred to as LRA) as amended in the case of an employer's refusal to bargain. Similarly employers also have a right to lock-out employees from the workplace in an effort to force them to accept a demand on a matter of mutual interest [Section 64(1)]. Employees are exempted from dismissal during a protected strike, while employers are also not obliged to pay them during this period hence the "no-work-no-pay-principle".

¹ 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 recognised 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 the Department 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.

JANUARY 2011

- Members of the NUM engaged in a strike at TEBA on 3 January over a dispute on wages. The workers were demanding 15%, while employers offered them 4%. The deadlock occurred after the workers revised their demands to 8.5% and the employers only moved to 5%. The strike lasted for 10 days
- On 11 January workers affiliated to SAMWU at the Metsimaholo Municipality in Sasolburg (Free State) downed tools demanding the re-instatement of 91 of their colleagues, who were dismissed following their engagement in an illegal strike during the previous year. Approximately more than 500 workers took part in the strike in support of their colleagues. The strike lasted for two days
- Workers affiliated to SAMWU picketed at City Power, City of Johannesburg on 20 January over outstanding performance bonuses. This is after they were paid half of what was due to them and promised the balance at the end of October 2010. The state of discontent was quickly resolved resulting in the workers returning to work
- On 25 January bus drivers affiliated to SAMWU at the City of Tshwane failed to pitch and left workers and school children stranded. This follows the municipality instituting disciplinary measures for a variety of infringements. The stand-off also lasted for two days.



“bus drivers at the City of Tshwane failed to pitch and left workers and school children stranded”

FEBRUARY 2011

- More than 500 workers at the Brits operations of Hernic Ferrochrome (Pty) Ltd started a strike on 1 February over pay. About 600 mine workers at Hernic Ferrochrome mine protested against what they referred to as “excessive use of labour brokers” by the company. The company which is a unit of the Japan’s Mitsubishi is said to have about 80% contractors in its workforce with 500 permanent and 2 100 contract workers
- Hundreds of workers at the SGS Group in Booyssens, Johannesburg downed tools on 2 February demanding better wages and working conditions. They claimed that the company which is involved in laboratory analysis, chemical sampling and solid bio-fuel testing in various fields such as mineral, agriculture, environment and industries was putting their lives in danger due to the materials that they were exposed to. The workers were not paid decent salaries while others have been temporary for prolonged periods with periodic contract renewals. They also demanded constant medical check-ups as prescribed and not only when they become sick
- On 3 February about 50 SATAWU members of South African Airways ground staff embarked on an illegal strike at OR Tambo International Airport. The strike was as a result of the suspension of a shop steward
- A strike broke out at Johannesburg Metro-bus on 9 February over a unilateral change in their work shifts by management. Due to incidences of violence and intimidation, the municipality resorted to suspending the service. The strike lasted for five weeks

“About 65 000 truck drivers engaged on a strike after talks with the Road Freight Association deadlocked over wages”



- About 65 000 truck drivers engaged on a strike after talks with the Road Freight Association deadlocked over wages. Workers were demanding 20% wage increase while the RFA was offering 15% over a two year period. The unions involved were SATAWU, TAWUSA and PTWU. The strike was characterised by violence and destruction of property resulting in death and injury
- On 15 February SATAWU, which represents about 7 000 transport industry workers in KwaZulu-Natal joined the strike against labour brokers and hiring of consultants by companies
- Dismissed striking workers from Amalgamated Logistics marched to the Provincial Parliament opening in North West on 18 February to highlight their plight after they were dismissed for engaging in an illegal strike in January
- On 25 February workers downed tools after the Lephalale Municipality failed to pay their salaries on time. The employees normally receive their salaries on the 25th of each month. They showed their displeasure by not serving the public. The problem was resolved the same day
- Workers affiliated to SAMWU engaged in protest at Ekurhuleni Municipality on 25 February in solidarity with seven of their colleagues who were dismissed following reports of an assault of a presiding officer during a disciplinary hearing. A contract worker at the Nigel Cemetery was allegedly assaulted by the striking workers and rescued by police before he was set alight
- The City of Tshwane faced yet another bus driver strike demanding the removal of the bus service manager claiming corruption and nepotism in the bus service. Their demands were met as the manager was removed after their march to the municipal offices, which grinded the Pretoria City to a halt. A municipal worker died as a result of police action
- Over 3 000 municipal workers in the City of Tshwane went on a strike on 28 February in support of a group of suspended bus drivers who went on an illegal strike during the previous year (August 2010). Many commuters were affected as well as the removal of waste services
- Workers at JIC Mining protested against the company's labour practices, which they viewed as unfair. The company is owned by the Gupta family. The dispute followed a termination of a contract for a previous company, Redpath and subsequent contracting of JIC, which the workers signed new contracts with. The workers were told that their remuneration would now be lower than what it used to be with Redpath
- Workers at the Magwa Tea Plantation outside Lusikisiki went on a rampage after management of the Eastern Cape Development Corporation refused their demand for a 104% increase. This forced the closure of the plantation as it was turned into ruins from damaged crops.

MARCH 2011

- Construction workers employed by Andanani Construction Company downed tools on 2 March over a pay dispute. The 64 workers were not paid their wages as per agreement. The workers were employed to construct two blocks of classrooms, an admin block and feeding block at Mdabula Primary School outside Malamulele, Limpopo, on behalf of the Department of Education
- Thousands of workers at MTN embarked on a strike on 14 March against the constant use of labour brokers and recruitment agencies in the call centres. The Young Communist League of South Africa voiced its total support for the strike as the YCLSA has consistently called for the ban and immediate termination of contracts with labour brokers
- On 14 March unrest started at Weskoppies Hospital resulting in the damage of the hospital's historic administration block. The protest was as a result of "no-work-no-pay" deductions arising from strike in 2010. It was agreed that the deductions would be effected over three months but instead they were done in two months and that there was incorrect capturing of days as days of absence
- Taxi drivers affiliated to SANTACO embarked on a violent strike in Cape Town on 14 March over what was perceived as unfair targeting of their members by law enforcement officials. They also claimed delays in the issuing of operating permits by the City of Cape Town. A bread truck driver was shot dead and his truck set alight, while bus commuters were injured after the bus they were travelling in was stoned. The strike was suspended after the intervention by COSATU and the parties agreed to negotiations
- Members of S.A. Democratic Teachers Union's Gauteng Region marched to the Meadowlands Magistrate's Court on 14 March in support of their chairman, Moss Senye, who was to appear for allegedly assaulting a pupil
- On 15 March about 600 mine workers at Heric Ferrochrome mine, Brits in North West protested against what they referred to as "excessive use of labour brokers" by the company. The company which is a unit of Japan's Mitsubishi company is said to have about 80% contractors in its workforce with 500 permanent and 2 100 contract workers
- Workers embarked on a strike at the Gale Street Mortuary in Durban on 15 March. The strike spread to Pinetown, Phoenix and Kwa-Dukuza on the North Coast. Their demand was parity with their fellow workers in other provinces, which was implemented. The bone of contention was two outstanding categories of workers, who wanted recognition as forensic pathology assistants, and general assistants
- Management at Firestone Tyre producing plants locked out 1 200 members of NUMSA at two former Firestone Tyre producing plants in Brits and Port Elizabeth on 22 March. The issue was Bridgestone South Africa's defiance of a private arbitrator's award that the tyre manufacturer was bound to certain wage terms contained in a three-year collective agreement that was negotiated between NUMSA and NTMEIA that ended a 30-day strike against four tyre producers on 29 September 2010
- Basic service delivery was interrupted when 500 employees of the Gauteng Department of Health and Social Development in the Johannesburg CBD embarked on a sit-in on 23 March. The protest was against the alleged corruption in the department that deals with the funding of non-profit organisations and foster care grants

- Members from Further Education and Training Colleges affiliated to NEHAWU in Gauteng handed over a memorandum of demands to the Department of Higher Education and Training on 23 March. This is after the National Department was perceived to have failed to solve the huge problems facing the FET college sector
- Employees of the Department of Labour marched in to the Christiana Labour Centre on 29 March to protest on what they perceive as poor working conditions, sexual harassment, failure to pay benefits due to them and victimisation by management
- Staff at the South African Council for Educators (SACE) affiliated to NEHAWU downed tools at the offices in Centurion on 31 March. This is after the negotiations between the union and the employer deadlocked. Their demands included salary increases and improved conditions of service. The employer unilaterally implemented a 7.5% increase without any benefits. Their initial demand was 11% salary increase, R700 housing allowance and R500 medical aid.



“Taxi drivers embarked on a violent strike in Cape Town. over what was perceived as unfair targeting of their members by law enforcement officials.”

APRIL 2011

- CWUSA members protested outside Monte Casino on 3 March about what they perceive as unfair labour practice involving the M-Net soapie, “The Wild”. This was after the ‘unfair dismissal’ of an actor when he refused to sign a contract that stipulated that the actors would not receive royalties with the re-run of the show or when it is shown overseas. Before the event CWUSA President indicated that the picket at the launch of the show, CWUSA was sending a strong message to broadcasters not to tamper with actors’ rights
- On 5 April Academic and support staff members from University of KwaZulu-Natal went on strike. They threatened to disrupt graduation ceremonies if their demands were not met
- Refuse workers from Pikitup refused to work over allegations of corruption and tender irregularities at the company on 7 April. There were also allegations of unequal pay for work of equal value. The company is responsible for refuse collection in the City of Johannesburg. Residents in the city were left with uncollected refuse for about 10 days
- A strike at the South African Diamond and Precious Metal Regulator (SADMPR) affected the export of diamonds to the United Kingdom on 7 April. The workers were demanding 10% salary increase as well as R 1 000 housing allowance. An agreement was reached for a 9% salary increase and a R1 000 housing allowance after the intervention from the CCMA
- On 11 April workers at the building site of Lefiso Primary School brought work to a halt for about three weeks. This happened after the company failed to pay them on the set date. Lefiso is situated near Marapyane at Kwa-Mhlanga. The community liaison officer Mpho Leballo accused the owner of KJM Construction of exploiting workers, as they were supposed to have been paid on April 21 as the 25th fell on a holiday, but this did not happen

“unfair labour practice involving the M-Net soapie, “The Wild”. This was after the ‘unfair dismissal’ of an actor“



- Blind workers at the Itireleng School for the Blind in Ga-Rankuwa were locked out. The incident happened after the workers refused to take pay packages that were being forced on them as the authorities claimed that the Department of Health and Social Services can no longer afford to run their workshops due to a lack of funding
- Ferries transporting tourists to Robben Island were affected on 14 April after members affiliated to NEHAWU embarked on a go-slow. Union members had staged a picket earlier demanding the immediate dismissal of a senior manager within the Human Resources Department, who was viewed as abusing his powers. The manager has since been placed on special leave
- On 14 April more than 100 eager unemployed men, some of whom are reformed narcotics users from Mitchells Plain, managed to secure jobs at a building site, after staging a protest. This comes after the men, who are bricklayers, electricians and carpenters, demanded employment from Good Hope Construction, the company which is responsible for building a police station in Lentegour
- NEHAWU members from all South African Revenue Services offices (SARS) in Gauteng staged a picket at SARS Head Office in Pretoria on 20 April to handover a memorandum of demands. Included in the demands were the union representatives to be given observer status during staff selection and an appointment of a commission of inquiry to investigate the reasons for the agency's non compliance with the Employment Equity Act
- NUMSA members protested outside the offices of the Japanese Embassy in Groenkloof, Pretoria on 26 April urging the diplomats intervention to resolve the impasse between Bridgestone Tyre company and 500 of its employees who have been locked out of their workplaces for more than a month.

MAY 2011

- Ace Wholesalers in Limpopo were closed over the weekend due to the strike by more than 100 SACCAWU affiliated employees. The employees went on strike on 6 May over the reduction in their working hours
- Eskom's Medupi and Kusile power station building projects were affected after violent protests by approximately 500 construction workers on 6 May. Vehicles were damaged and offices set alight after workers protested against the employment of foreign welders from Asia
- Operations were temporarily suspended for about 24 hours at the Crocodile River Mine on 8 May. This was after an illegal sit-in by around 155 employees as well as an illegal strike by 480 of its employees. The sit-in followed the dissatisfaction of some employees with the revised wage offer tabled by the mine during wage negotiations between mine management and unions
- On 9 May thousands of South African Transport Workers Union went on strike, an action that could cripple port, freight rail, and pipeline operations across the country. The union called the strike after rejecting a proposed pay raise by the state-owned ports and rail company, Transnet. The union was demanding a 15% wage increase. Transnet is offering 11%. Another union, the United Transport and Allied Trade Union, said its leadership decided not to strike for two days while its 22 000 members consider Transnet's revised offer
- Meanwhile on 9 May about 100 employees of Commercial Cold Storage in Johannesburg, Durban and Cape Town downed tools in protest over the company's refusal to engage in centralised bargaining as well as wage disparities across the different cities. The majority of employees are members of the Food and Allied Workers' Union (FAWU) and workers believe that it would make much more sense for the union and the company to engage in one national bargaining process over wages and working conditions instead of negotiating for each plant as is currently the case
- NEHAWU members at the Emmanuel Old Age Home have remained resolute on their decision to withdraw their labour indefinitely from 12 May until the employer accedes to their wage increase demands
- Farm workers and farm dwellers in the Sunday's River Valley and Nkonkobe areas in the Eastern Cape marched to their respective Department of Labour offices on 14 May to hand over case studies of labour abuse
- On 17 May workers affiliated to the National Union of Mineworkers (NUM) at Lonmin's Karee Mine voting station in Rustenburg disrupted elections. This was as a result of the suspension of their branch secretary
- On 20 May members of SAMWU at Sol-Plaatje Municipality in Kimberley embarked on a protest action causing traffic chaos with streets littered with refuse. Among the demands were, the appointment of all casual workers into permanent positions as well as the placing of a moratorium on the outsourcing of work on roads, storm water drainage and pothole repairs
- Employees at JMS Meter Readers, contracted to Eskom and Johannesburg Water went on strike on 26 May as a result of allegations of racism and unequal salary distribution for different racial groups doing the same job and inability to reach agreement in relation to remuneration for the 2011/2012 year

- On 26 May the about 4 500 FAWU members at the farms and processing plants of Rainbow Chicken, South Africa's largest processor and marketer of chicken, embarked on a national strike in pursuit of a wage increase, a reduction in working hours and an increase in the minimum wage on the farms. Processing workers currently work nine-hour days - many in cold-store facilities - and are demanding a reduction in working hours. FAWU is calling for a move from a 45 to a 40-hour work week and eight-hour shifts.



“Staff at Rainbow Chickens embarked on a national strike in pursuit of a wage increase, a reduction in working hours and an increase in the minimum wage on the farms.”

JUNE 2011

- On 1 June members of the Communications Worker's Union (CWU) embarked on a strike at Total Facility Management Company over a salary increment dispute. The company which is a subsidiary of Mvelaserve was offering workers a 7% increase, which fell short of the union demand of 8%
- More than 150 workers of King Foods, a division of Tiger Brands in Potchefstroom in North West went on strike on 2 June over wages. The union was demanding 9% while the company's offer was 7%. The workers were also demanding an agency shop agreement since non-members also benefited from the union's bargaining efforts
- Members of South African Transport and Allied Workers' Union (Satawu) went on strike at Lanseria International Airport on 3 June, following a wage dispute
- On 3 June more than 3 000 FAWU members employed in the pelagic fishing sector, embarked on a legal strike at various plants in the West Coast, Gansbaai and Hout Bay. This was after CCMA negotiations failed to yield a positive outcome between the union and various employers who include Premier Fishing, Oceana, Gansbaai Marine, Suid-Oranje, Saldanha Group and Marine Products (Foodcorp) over the union's demand for a relief fund for the vulnerable seasonal workers in the industry
- Operations resumed at Platmin's Pilanesberg Mine following illegal industrial action on 12 June. Employees who engaged in the action and damage to property would remain suspended, pending disciplinary action
- Staff downed tools on 13 June at Umlazi's Mangosuthu University of Technology demanding salary increments and a housing allowance. The strikers disrupted exams at the institution

“200 doctors converged on the Union Buildings in Pretoria in protest against poor security at hospitals”



- On 15 June about 200 doctors converged on the Union Buildings in Pretoria in protest against poor security at hospitals. The protest called by the SA Medical Association (SAMA) and the Junior Doctors Association follows the fatal stabbing of a doctor by a patient in a hospital in Mpumalanga
- Strikers at Transvaal Suiker Beperk (TSB), a sugar mill in Mpumalanga converted their week long strike into a go slow over refusal by management for paying performance bonuses claiming an unproductive past year. The strike which began on 16 June was ended after a court order was obtained in an effort to thwart the industrial action
- Workers embarked on a strike over salaries at the Krugersdorp Game Reserve on 16 June
- About 2 000 FAWU members, who are employees of Sasko Grain, which is a division of Pioneer Foods embarked on a nationwide strike on 16 June regarding wages. The workers were demanding a 9% increase across the board, while employers were offering 7.25%
- On 18 June, South Africa's largest mining union, the National Union of Mineworkers (NUM), embarked on a march to the offices of Samancor Chrome to submit a list of demands, including the abolishment of racial and discriminatory practices at the company's operations
- Taxi commuters protested on 20 June in Soweto against the exclusive bus lanes which were resulting in them being late for work as taxis were not allowed to drive in it
- On 24 June SA Transport and Allied Workers Union members employed by Chuma Security in Bellville, Cape Town went on strike. The workers were demanding that their shifts should remain, that the company should pay back the money deducted from them for uniforms and stopping the union fee deduction from them in favour of another union.

JULY 2011

- Members of NUMSA embarked on a strike action on 4 July as a result of a deadlock in wage negotiations with the steel and engineering sector employers SEIFSA. This is after the union lowered its initial demand of 20% to 13% and a ban on labour brokers, while the employers were offering 7%, and extension of working hours. The strike was characterised by violence, intimidation and destruction of property
- Workers affiliated to CEPPWAWU began a massive strike which affected the petroleum, pharmaceutical, industrial chemicals, tissue and allied industries and plastics. The reason for the strike was a deadlock in wage negotiations as the union was demanding 13% wage increase while employers were offering 4% to 7%. The strike caused countrywide panic for fuel shortages as reports of intimidation prevented the delivery of fuel to service stations. The union was also demanding an end to the use of labour brokers
- Over 200 mineworkers at Chemstof Mine in Brits downed tools on 11 July after non-resolution by the CCMA. They were demanding a 15% wage increase, R1 000 living-out allowance and R800 transport allowance. In return, the employer was offering only 4%

“embarked on a strike action as a result of a deadlock in wage negotiations with the steel and engineering sector”



- Permanent and casual employees at Kees Beyers Chocolate in Isando went on strike on 13 July. Their demand was an 11% wage increase, 13th cheque and a ban on labour brokers whom they believe undermine their rights. The company on the other hand was offering 6% and two weeks bonus based on the company's discretion
- About 500 workers at Supreme Poultry abattoir affiliated to Saccawu engaged in a strike from 18 July over wages. They were demanding 15% or R550 (whichever is greater) increase with a minimum wage of R2 500 per month, introduction of provident fund with 7,5% contribution and a 13th cheque. On the other hand the company was offering an 8% across the board increase and 2% provident fund contribution

- Thousands of coal miners affiliated to NUM served their employers with an intention to strike on 24 July after failed attempts by the CCMA to mediate in the wage talks. The union was demanding 14% increase with fellow Solidarity demanding 12%, whereas the employers were offering 8.5%
- Workers at De Beers mine engaged in a strike after wage talks failed. The union wanted a 15% rise in wages, while De Beers was offering 7.5% and a once off payment of R2 500
- Workers in the gold mining sector joined their coal counterparts in pursuit for higher wages. The strike came after weeks of negotiations between NUM and the Chamber of Mines, which saw the CCMA also intervening but failed to break the deadlock. The unions representing the sector were demanding between 12 and 14% increase against the employers' 7 to 9% offer
- About 513 FAWU members engaged in a protected strike at Unilever in KwaZulu-Natal on 21 July, demanding a 14% wage increase, shift allowance, a once-off housing allowance amounting to R 15 000 and the banning of labour brokers. On the other hand the company was offering 7.2% and was prepared to settle for 8.5% at the most
- On 21 July train drivers went on strike in Johannesburg over complaints about the lack of security and high rate of abuse and harassment by commuters
- Administrative staff from the Health Professions Council of South Africa (HPCSA) embarked on a strike from 23 July. They were demanding a 9.5% wage increase and R1 500 medical aid contribution
- Mpumalanga Tourism and Parks Agency employees went on a strike on 27 July demanding a 15% salary increase, R1 500 housing allowance and R1 000 standby allowances.

AUGUST 2011

- About 250 Rea-Vaya bus drivers affiliated to SAMWU commenced with a strike on 1 August. The employer lodged two court interdicts in an attempt to declare the strike illegal whilst the union gave the requisite notice of its intention to strike. The drivers were dissatisfied with the old shift-system that had been reinstated by the company. They were demanding an eight-hour shift and overtime pay for any extra hours worked, medical aid and pension
- Cleaners affiliated to SATAWU, PTAWU and HOTELICCA embarked on a strike on 1 August. The employees were demanding 12% increase, a basic salary of R4 200 per month, and a 13th cheque. The National Contract Cleaning Association on the other hand was offering increases of between 6 and 6.5% and a 13th cheque from end of 2012. They were also opposed to labour brokers
- On 8 August about 500 FAWU members from Komatiland Forests marched from their plantation in Sabie to the Department of Labour to hand over a memorandum. The memorandum was requesting the Minister to dissolve the current SAFCOL board in the coming AGM that was scheduled for 11 August 2011
- Bus drivers operating feeder buses for the Gautrain went on strike on 8 August. They were complaining about their salaries which were not competitive in comparison to the train drivers who earn about R21 000 per month. The drivers engaged in an illegal strike were demanding a wage increase from R4 600 to R5 000 a month, transport allowance and medical aid. The workers returned to work after SATAWU distanced itself from the industrial action
- Municipal workers affiliated to SAMWU embarked on a strike on 15 August. The union initially demanded an 18% salary increase, but later lowered its demand to 10%, while SALGA remained on its offer for 6.08% agreed on in a three-year wage agreement finalised in 2009
- On 29 August, Nkomati Nickel Mine's 2000 members affiliated to NUM downed tools protesting over wages and salary disparities. The union has since signed a one-year deal with African Rainbow Minerals (ARM) to end the six-day strike. Workers will receive a 9 to 10% increase depending on their categories
- Negotiations over wages deadlocked between Roshcon and NUM as the union was demanding a 9% increase, while the employer was offering 8.6%
- A dispute was declared between the employers at Impala Platinum and NUM. The union has referred the dispute to the CCMA. It was calling for increases of between 13.5% to 14% and rejected the employer's offer of 8% to 10%, a three-year deal and a minimum wage of R5 000 in 2012
- On 30 August workers employed by Chubby Chick in Potchefstroom in the North West region embarked on a wildcat strike. Workers were up in arms over the assault of a coworker at the plant. FAWU members alleged that the white supervisors actually choked the worker because he was five minutes late for work on the morning in question
- Members of the Communication Workers Union embarked on a strike at the post office, affecting the delivery of mail and parcels, with some branches closed

SEPTEMBER 2011

- On 6 September workers downed tools at a Tiger Brands company that produces sweets and chips at Mobeni in Durban. They were picketing for better remuneration and calling for the company to get rid of labour brokers. Some workers claimed to have worked for the company in excess of 20 years on a temporary basis
- Work came to a complete standstill as a result of a demonstration by workers at the De Hoop Dam project in Sekhukhune on 8 September. This was as a result of the termination of contracts for 108 of the employees by their contractor's representatives on Monday September 6 due to an alleged breach of contract
- Delays in the call centres were experienced when about 700 Emergency Management Services (EMS) employees embarked on a strike in the City of Johannesburg on 13 September. They were protesting for the removal of their Acting Head
- On 15 September more than 93 CEPPWAWU members at Sam's Tissue Products embarked on strike over wages.



“Teachers took to the streets and demanding the dismissal of the head of Mpumalanga Provincial Education Department after failing to apply the “no-work-no-pay” principle correctly and contributing to the string of poor matric results in the province”

- A strike took place at the Spar Group's warehouse in KwaZulu-Natal on 20 September as a result of a wage dispute
- On 26 September, members affiliated to NEHAWU went on strike at the National Health Laboratory Services (NHLS) demanding a 9% salary increase and medical aid subsidy of R3 200 a month. The union also demanded that the increase be backdated to 1 May. The NHLS on the other hand was offering a 7% salary increase and R1 900 in medical aid subsidy
- Teachers in Mpumalanga took to the streets on 26 September demanding the dismissal of the head of Provincial Education Department. Teachers accused Mahlasedi Mhlabane of incompetence by failing to apply the “no-work-no-pay” principle correctly and contributing to the string of poor matric results in the province
- About 45 FAWU members, who are employed at Huiz Diaz, a retirement home in Alexandria outside Port Elizabeth went on a protected strike on the 29 September. The workers were demanding R300 wage increase which will see them earn a minimum of R 1 500.

OCTOBER 2011

- An illegal strike at Durban's Pier 1 brought container handling to a halt on 8 October. Ships had to be diverted elsewhere
- Tiger Brands Beverages workers in Cape Town began a strike on 10 October 2011. They were demanding the reinstatement of a transport allowance which has always been provided to them. The union was demanding transport for overtime workers and those who need public transport after 19:00
- On 16 October workers at X-strata Coal embarked on a strike over a dispute about the company's proposed share option. The workers were unhappy about the unequal share distribution to their members, which was viewed as discriminatory. Unionised miners at the Bafokeng Rasimone facility stopped working on 17 October in a wage dispute with their employer, JIC Mining Services, which supplies contract mining labour for Royal Bafokeng Platinum
- The Gautrain service was again affected by a strike when bus drivers embarked on an illegal strike on 25 October, which brought 125 feeder buses to a halt. The action was in sympathy of one of the bus drivers who was suspended pending a disciplinary hearing
- About 140 of the 220 workers who are members of NEHAWU at Robben Island went on strike on 26 October demanding a closure of the tourist site between Christmas and 2 January 2012, in order to allow them to spend time with their families over the festive period. They were also demanding R2 000 a month increase and vowed to continue to strike until their demands are met. The workers, who predominantly run the ferry to the island, operate ticket kiosks and shops, concentrated their action at the Nelson Mandela Gateway in V & A Waterfront, which is the departure area for the ferries to the island
- On 28 October Hemingways Casino employees demonstrated outside the mall in demand of wage increases. The employees stopped working following a wage dispute between their union and the company. Replacement staff was brought in from Queen's Casino in Queenstown to ensure continuity in operations. Fosawu was demanding 9%, while the company was offering 6%
- On 28 October municipal workers broke windows and trashed streets in Parys after storming out of the Ngwathe Municipality's offices following a salary dispute. The protest took place after salary increases approved by suspended Chief Financial Officer were held back
- On 31 October Census workers in Durban downed tools, complaining they were paid less than their counterparts in other provinces. About 100 workers picketed outside the StatsSA offices in Durban's, threatening to withhold questionnaires that were in their possession. The questionnaires were recovered with the assistance of the police.

NOVEMBER 2011

- On 1 November 2011 hotel staff marched at Crowne Plaza, in Rosebank demanding a wage increase. The Industrial, Commercial and Allied Workers' Union was demanding a 6.5% increase and overtime pay, a demand which the company claimed it could not afford
- Hundreds of municipal workers protested at Sasolburg's municipal offices on 9 November demand the dismissal of four senior managers. Windows were broken as stones were thrown to the municipal building
- Teachers marched in Bhisho in the Eastern Cape on 11 November to hand over a memorandum detailing their concerns to the Education Department. Among the demands were the re-instatement of the temporary teachers who were dismissed at the beginning of the year, payment of outstanding salaries, and the lifting of the suspension of members found to have breached departmental policy in the way they held union meetings. The teachers also wanted the Eastern Cape Education Department's head to be suspended, pending an investigation into the department's affairs
- A national strike broke out at Coca-Cola on 15 November. There were nation-wide pickets by members affiliated to FAWU over a number of work related issues, including the closing of the wage gap between different plants
- On 16 November members of the National Union of Mineworkers (NUM) went on strike at MINTEK. The workers were demanding a wage increase of 10% whilst the employer offered a performance based increase
- At the Sunbake Bread Bakery in Limpopo 63 workers went on strike on 18 November over wages. The union's demands included a salary increase of R 450 a transport allowance of R400, a ration of loaf of bread, shoes/boots for drivers and a basic salary of R 5 000 and a pay day on the 25th instead of weekly
- On 24 November members of NEHAWU working for the Gauteng Provincial Legislature marched to the legislature offices to demand an investigation into the R5 million that went missing from the workers' provident fund
- On 23 November workers at the SA Nursing Council (SANC) went on strike, demanding a 10.5 % pay rise.



“Windows were broken as stones were thrown to the municipal building”

DECEMBER 2011

- Employees from Metrorail embarked on a strike on 1 December in Cape Town against the changes in their shift roster, leaving scores of commuters having to seek alternative transport to work
- On 1 December employees affiliated to SACCAWU started striking at Click's Stores in demand of a 11% wage increase. The company on the other hand was offering 9.5%
- Employees from African Meter Reading Company, which was contracted by the City of Johannesburg and Ekurhuleni embarked on a strike from 6 December. The issues on the table were the recognition of their union SATAWU and job security. Employees claimed to have worked for the company for many years on a contractual basis.



“embarked on a strike against changes in their shift roster, leaving scores of commuters having to seek alternative transport to work”

CONCLUSION

The 2011 Annual Industrial Action Report has highlighted a decline in the number of strike incidents from the previous year. The Department recorded a decline from 74 strikes in 2010 to 67 strikes in 2011. This trend was also observed in terms of working days lost from 20 674 737 in 2010 to 2 806 656 in 2011. The absence of Public Sector strike in 2011 resulted in this trend.

There is a tendency for strikes to escalate during the middle of the year especially the winter months as most negotiators lose patience during this time and are likely to declare disputes, hence this period is referred to as the “strike season”. It can not be ruled out that some workers also exploit this period to receive attention.

Workers were mostly striking for better wages, though they also advanced other demands, such as the banning of labour brokers as they are perceived to be exploiting worker’s rights and perpetuating the casualisation in the labour market. The workers were seen demanding increases well above the consumer inflation rate prompted mostly by the rise in foodstuffs, transport and electricity prices. The widening gap between the workers’ wages and that of their bosses also led to the double-digit demands that workers were advancing during negotiations. The volatile economic climate within which these negotiations took place dictated the final agreements that were reached between the parties.

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ANNEXURES

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, 2011

Industry/Sector	Workers involved	Working days lost	Working hours lost
Electricity, gas and water supply	70	70	280
Electricity, gas, steam and hot water supply	70	70	280
Wholesale and retail, repair of motor vehicles	3 466	50 315	2 194 513
Hotels and restaurants	477	13 286	86 768
Retail trade, except of motor vehicles and motor cycles; repair of personal household goods	1 617	5 380	41 897
Wholesale and commission trade, except of motor vehicles and motor cycles	1 372	31 649	2 065 848
Manufacturing	66 042	826 123.5	8 685 338
Basic metals, fabricated metal products, machinery and equipment	13 625	141 115.5	1 546 536
Coke, refined petroleum products and nuclear fuel	24 537	471 656	580 640
Electrical machinery and apparatus	3 143	35 618	309 989
Food products, beverages and tobacco products	4 976	35 379	4 625 298
Furniture manufacturing	248	2 844	22 734
Other non-metallic mineral products	6 711	86 677	602 201.5
Pharmaceutical company	703	4 883	39 064
Radio, television and telecommunication equipment	25	214	1 762
Service activities	104	312	930
Transport equipment	1 471	15 110	44 249.5
Textiles, clothing and leather goods	9 629	9 629	34 254
Wood and products of wood and cork	870	22 686	877 680
Community, social and personal services	74 468	1 461 123	11 500 499.5
Education	11 040	21 276	113 886
Health and social work	1 290	17 675	138 956
Other community, social	45 184	1 260 446	10 015 792
Public administration and defence activities	16 129	152 674	1 158 338
Recruitment agency	69	276	1 848
Recreation, cultural and sporting activities	756	8 776	71 680

Industry/Sector	Workers involved	Working days lost	Working hours lost
Mining and quarrying	47 732	370 473	28 428 115
Coal and lignite	802	4 812	1 962 650
Metal ores, except gold and uranium	13 352	142 549	25 393 540
Other mining and quarrying	82	820	6 150
Gold and uranium ore	33 308	219 096	1 040 207
Research and development	188	3 196	25 568
Transport, storage and communication	5 594	53 505	405 814
Land transport, transport via pipelines	4 025	41 085	305 132
Passenger transport	1 149	11 580	93 302
Public transport	360	360	3 240
Air transport	60	480	4 140
Construction	2 734	28 034	167 246
Financial intermediation, insurance, real estate	424	976	7 584
Real estate activities	16	160	240
Other business activities	408	816	7 344
Agriculture, hunting, forestry and fishing	2 608	16 037	1 181 347
Agriculture, hunting and related services	2 608	16 037	1 181 347

Table A2: Number of working days lost by nature of organisation, 2011

Nature of organisation	Working days lost
Central Government General	1 713
Government Enterprise	9 107
Local Government General	182 191
Private Sector	2 591 437
Provincial Government General	22 208

Source: Department of Labour, Strikes Statistics

B: WORKING DAYS LOST BY TRADE UNION

Table B1: Working days lost by trade union, 2010 and 2011

Trade Union	2010		2011	
	Working days lost	%	Working days lost	%
AMCU	15 854	0.1	0	0.0
CEPPWAWU	4 752	0.0	58 631	2.1
CWU	12 806	0.1	1 757	0.1
DENOSA	1 129 113	5.5	0	0.0
FAWU	63 469	0.3	80 100	2.9
FGWU	888	0.0	0	0.0
GIWUSA	0	0.0	8 728	0.3
HORSPERSA	1 060 781	5.1	0	0.0
HOTELICA	0	0.0	0	0.0
IMATU	18 399	0.1	62 039	2.2
MEMUSA	126	0.0	0	0.0
MTWU	0	0.0	0	0.0
MWASA	1 971	0.0	0	0.0
NEHAWU	3 857 671	18.6	20 487	0.8
WITHOUT UNIONS	4 023	0.0	12 367.5	0.4
NUM	351 389	1.7	164 443	5.9
NUMSA	277 740	1.3	258 877.5	9.2
NUPSAW	833 637	4.0	3 920	0.1
PSA	3 387 115	16.3	0	0.0
SACCAWU	420 130	2.0	30 366	1.1
SACU	12 776	0.1	0	0.0
SACTWU	2 160	0.0	9 629	0.3
SACWU	0	0.0	8 221	0.3
SADTU	3 368 606	16.3	12 762	0.5
SAMWU	324 601	1.6	133 159	4.7
SATAWU	433 901	2.1	1 253 080	44.6
SOLIDARITY UNION	25 494	0.1	671 861	24.0
TAWUSA	14 705	0.1	12 562	0.4
UASA	0	0.0	892	0.0

C: METHODOLOGY FOR MONITORING INDUSTRIAL ACTION

C1. INTRODUCTION

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). The Department has been provided with a legislated instrument (Form LRA 9.2) to collect data on labour disputes.

C2. 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 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 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 pressurise 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 pressurise the employer who is in dispute.

Stayaway 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 pressurise 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.

C3. 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 authorised or unauthorised, 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.

C4. 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.

C5. 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 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:

- 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: $1\,662\,000/12\,488\,000 \times 1\,000$

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 Organisation (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 organisation.

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 filled in.

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:

please go to the next page

LRA-Form 9.2

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 directly¹ involved

Number of female employees directly¹ involved

Number of employees indirectly² involved

Number of female employees indirectly² 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).

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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

¹ Workers directly involve are those who went on strike or were locked out as a result of a dispute

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.

Reasons

Provide reasons for the action:

- | | |
|--|--|
| <input type="checkbox"/> Wages only | <input type="checkbox"/> Refusal to bargain |
| <input type="checkbox"/> Bonuses and other compensation | <input type="checkbox"/> Secondary action from another dispute |
| <input type="checkbox"/> Retrenchments/Dismissals | <input type="checkbox"/> Grievances |
| <input type="checkbox"/> Working conditions | <input type="checkbox"/> Disciplinary matters |
| <input type="checkbox"/> Socio-economic/political conditions | <input type="checkbox"/> Organisational rights |
| <input type="checkbox"/> Any other reason, please specify | |
-
-
-
-

Signature of employer:

Date:

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