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TEN YEAR TREND ANALYSIS



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CONTRIBUTORS

Chief-Editor: Setsomi Molapo
Editor: Abrahams Mutedi
Labour Market Information and Statistics Unit

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ACRONYMS

AMCU	Association of Mineworkers and Construction	MIBC	Metal Industries and Bargaining Council
BAWUSA	Bawsi Agricultural Workers Union of South Africa	NASECGWU	National Security Commercial and General Worker's Union
BCAWU	Building Construction and Allied Workers Union of South Africa	NEDLAC	National Economic, Development and Labour Council
BTR	Bus Rapid Transport	NEHAWU	National Education Health and Allied Workers' Union
CAWUSA	Congregated and Allied Workers Union of South Africa	NTM	National Transport Movement
CCRAWUSA	Care Centre Catering Retail and Allied Worker's Union	NUFBSAW	National Union of Food Beverages Wine
CCMA	Commission for Conciliation, Mediation and Arbitration	NULAWU	National Union of Leather and Allied Workers' Union
CEPPWAWU	Chemical, Energy, Paper, Printing, Wood and Allied Workers Union	NUMSA	National Union of Metal Workers of South Africa
CSAAWU	Commercial, Stevedoring, Agricultural and Allied Workers' Union	NUM	National Union of Mineworkers
CPI	Consumer Price Index	PAWUSA	Public and Allied Workers Union of South Africa
CWU	Communication Workers Union	PSA	Public Servants Association
DENOSA	Democratic Nursing Organisation of South Africa	PTWU	Professional Transport Workers' Union
DPSA	Department of Public Service and Administration	SACCAWU	South African Commercial, Catering and Allied Workers' Union
FAWU	Food and Allied Workers Union	SACTWU	South African Clothing and Textile Workers' Union
FMAIWU	Federated Mining & Allied Industries Workers Union	SACU	South African Communications Union
FGWU	Food and General Workers' Union	SADTU	South African Democratic Teachers Union
GDP	Gross Domestic Product	SAEWA	South African Equity Workers Association
GIWUSA	General Industries Workers Union of South Africa	SAFCEC	South African Federation of Civil Engineering Contractors
HOSPERSA	Health and Other Service Personnel Trade Union of South Africa	SALGA	South African Local Government Association
HOTELICCA	Hotel, Liquor, Catering, Commercial and Allied Workers' Union of S.A.	SAMA	South African Medical Association
ILO	International Labour Organisation	SAMWU	South African Municipal Workers' Union
IMF	International Monetary Fund	SANC	South African Nursing Council
ITU	Inqubelaphambili Trade Union	SATAWU	South African Transport and Allied Workers Union
KSCWO	Kutama Senthumule Correctional Worker's Organisation	SEIFSA	Steel and Engineering Industry Federation of South Africa
LMIS	Labour Market Information and Statistics	TAWUSA	Transport and Allied Workers Union of South Africa
MEWUSA	Metal and Electrical Workers' Union of South Africa	TOWU	Transport and Omnibus Workers' Union
		UASA	United Association of South Africa
		UTATU	United Transport and Allied Trade Union



ACKNOWLEDGEMENT

The starting point for this Industrial Action Report (IAR) remains on the reliance of the Department of Labour to collect strike information from all affected employers and their associations using the Labour Relation Act 9.2 Form, Section 205 (3)(a). Thus, the Department's appreciation goes to all affected employers and organisations for their kind support to complete and provide us with the strike statistics during the period under review.

A special word of appreciation goes to all Labour Market Information and Statistics (LMIS) officials who contributed to the development of this report. In particular to, Ms Corney Dicks, Mr Sahlukene Masombuka and Mr Mhlengi Makhubela who have played a critical role in the finalisation of this report. Without their commitment and support, this report could not be finalised on or before time.

Finally, a special thank you is extended to the leadership of the Department across different branches/ programmes that provided guidance and additional inputs during various presentations made before the report was released.



EXECUTIVE SUMMARY

One of the Department of Labour's mandates is to monitor the impact of legislation in the South African labour market. In light of strike and lockouts statistics, all employers must keep record of any strike, lock-out or protest action involving its employees and report to the Department of Labour within seven days of the completion of strike, lock-out or protest action as per the Labour Relation Act, 1995. In doing so, strike and lock-out statistics are regarded amongst others as the key indicators that allow policy makers to assess the socio-economic impact due to labour disputes for a stable labour market environment.

However, one challenge is to determine the cost of strikes in the economy. An attempt is made in this report to estimate the cost from the worker's side based on the principle of "no work, no pay" and agreement between the employers and employees to deduct any monies subsequent to the stoppage. The cost information is collected through the Labour Relation Act Form **(LRA 9.2 Form Section 205 (3)(a) – Annexure B)** which includes information related to the wages lost as a result of labour disputes in a particular company.

Recalling the requirements of the Labour Statistics Convention, 1985 (No. 160) and the Labour Statistics Recommendation, 1985 (No. 170), the Department of Labour maintains the strike database on a regular basis for various users at the national and international levels, e.g., the representative organizations of employers and workers. Furthermore, the strike database provides a number of variables that enhance comparability between countries.

In this Industrial Action Report (IAR) 2015, the analysis is made over ten year comparative analysis. In this regards, the number of strikes, working days lost and number of worker involved in strike in South Africa fluctuated in the past ten years from 2005 to 2015 with an annual average of 85 strike incidents, 5.2 million working days lost and 335 000 workers involved per annum respectively. By industry, Mining, Manufacturing and Transport industries had all seen a continued number of labour disputes in some degrees which were associated with a slow economic growth in the country after 2008/2009 recession. Most of work stoppages were specifically related to the demands for higher wages, bonuses and other compensation which according to other research findings that the demand for a double digit wage increases were in line with inflation¹.

¹ Citizen newspaper, "Raises in line with inflation", February 7, 2013

KEY FEATURES OF INDUSTRIAL DISPUTES SINCE 2005 TO 2015 ARE OUTLINED AS FOLLOWS²:

2015 strikes:

- More than 900 000 (or 77%) working days were mainly lost because of disputes relating to wages, bonus and other compensation in 2015. This remains higher than other reasons of strike such as trade union recognition (6.2%) and disciplinary matters (5.8%) in 2015. In other words, the trends show that the labour disputes due to wages, bonus and other compensation accounted for 75%, 98% and 77% in 2013, 2014 and 2015 respectively.
- The number of work stoppages increased from 88 in 2014 to 110 in 2015. This represents an increase of 25% in strike incidents in the country. This increase is also evident across all economic sectors in the country over the same period, e.g., in the Community, Manufacturing, Transport and Mining industries in 2015.
- Of the total number of strikes in 2015, 73 strikes were conducted in companies only, 21 were lock-outs and 11 of them were protests. Large employers with more than 1 000 workers were the most affected in 2015 as compared to 2014.
- An annual average of 85 strike incidents per annum was experienced in the country in the past ten years.
- The number of working days lost decreased by 91% between 2014 and 2015. The number of working days lost in 2015 was the second lowest decrease recorded in the country since 2008.
- Mining industry has consistently shown higher number of working days lost from 2013 to 2014. In 2015, however, the Transport industry as recorded the highest number of working days lost as compared to other industries.
- Gauteng was the only province which experienced higher number of work stoppages, working days lost and wages lost from 2013-2015. The trends observed by province illustrate the composition of employment in each province.
- The Northern Cape and Free State appeared to be attractive to investors because of low social impact recorded in terms of wages lost associated with low work stoppages in both 2014 and 2015.
- In every 1 000 workers who embarked in strike in 2015, only 57 working days were lost but it varies in the ten year trend analysis.
- The social impact of labour disputes in 2015 is estimated around R116 million in the South African economy. The wages lost decreased dramatically from R6 176 768 282 in 2014 to R116 546 293 in 2015. This represents a decrease of 98% in wages lost in the economy. Between 2005 and 2015, it decreased by 62%: Ten year trend analysis. This could be attributed to the lower number of workers who participated in strike and the duration of strike between the two periods.
- About 55% of the total strikes in 2015 were unprotected as compared to 48% in 2014. It shall be noted that most of the workers in small businesses are not unionised; hence they can easily embark on work stoppages without giving any notice to employers.
- More than 61% of strikes lasted between 1-5 days in 2015 as compared to 2014 (44% of strikes lasted between 16-20 days).
- Most industries settled with the wage agreement below the initial demands by worker's unions in 2015 but the settlement rate was in line with the inflation target.

2014 strikes:

- Out of 88 strikes in 2014, 48% of strikes were unprotected and 52% were protected strikes.
- The increase in the number of working days lost from 1 847 006 in 2013 to 10 264 775 in 2014 is associated with the strike duration in the Mining industry.
- Regarding the impact in the economy, about R6.1 billion in wages were lost due to strike incidents in 2014 as compared to R6.7 billion wages lost in 2013. This represents a decrease of 8.3% of wages lost between 2013 and 2014.

² The details information of each report is provided in the main published reports for ease of reference

2013 strikes:

- Working days lost were at a decrease to 1 847 006 in 2013 as compared to 3 309 884 in 2012.
- Unlike in 2012, protected strikes in 2013 amounted to 48% lesser as compared to the 54% in 2012. This might be attributed to isolated work stoppages affecting mostly small businesses.
- The Mining industry continued to experience more working days lost (515 971 in 2013) contributing about 28% to the total working days lost in 2013. This was followed by the Transport and Manufacturing industries at 477 355 and 343 222 working days lost respectively over the same period.
- About R6.7 billion in wages were lost in 2013 due to the participation of workers in strikes as compared to the R6.6 billion wages lost in 2012.

2012 strikes:

- The country's total working days lost in 2012 were estimated at 3 309 884 where 241 391 workers participated across all economic sectors. About 57% of the total workers involved in the labour unrests were from the Mining industry where a wave of wildcat actions was observed, e.g., Marikana strike incident.
- As absence from work does affect productivity, in monetary terms the country lost about R6.7 billion in wages during the labour disputes in 2012 as compared to R1.1 billion in wages lost in 2011.

2011 strikes:

- 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 CEPWAWU, which lasted for 67 working days. About 4 898 working days were lost during this action involving 79 workers.
- Approximately R1 073 109 003 in wages was lost due to the participation of employees in work stoppages as compared to R407 082 302 in 2010.

2010 strikes:

- Approximately six work stoppages (i.e. Local Government, Transnet, Prasa, Dis-chem, Public Service and Northam Platinum) accounted for 96% (19 791 189) of the total working days lost (20 674 737) in 2010.
- The work stoppage involving Dis-chem and SACCAWU was the longest in 2010 as it dragged on for about 75 working days and 1 680 workers participated in the work stoppages.
- In 2010, approximately R407 082 302 in wages was lost due to the higher participation of employees in work stoppages, compared to R235 458 414 in 2009.

2009 strikes:

- About 51 strikes were recorded in 2009 which resulted in 1 526 796 working days lost.
- The longest work stoppage that began in February 2009 was between chokka fishermen (FAWU members) and the Employer's Organisation for the Cephalopod and Associated Fisheries. It lasted for about 73 days and ended in June 2009.
- South Africa's mining and quarrying industry has traditionally been plagued by high levels of industrial action with about 413 402 working days lost.
- In 2009, about R235 458 414 in wages was lost due to the fewer participation of employees in industrial disputes as compared to R47 705 846 in 2008.

2008 strikes:

- South Africa experienced relatively industrial peace and harmony in 2008 which was attested by the negligible number of working days lost at 497 436. This was the lowest working days lost since the 1990's.
- There were a few multi-union industrial actions in 2008. These were evident during Cosatu's protests in July and August 2008 against increases in the general price levels and load shedding.
- Most of the disputes from 2005-2008 were complying with the provisions of the LRA, 1995.
- In 2008, about R47 705 846 in wages was lost due to the lower participation of workers in strikes as compared to R316 659 385 in 2007.

2007 strikes:

- The public service strike that lasted for about 25 working days resulted in approximately 8 097 175 working days lost which represents about 85% of the total working days lost in 2007.
- About R316 659 386 in wages was lost due to the participation of workers in strikes, compared to R355 492 585 in wages lost in 2006.

2006 strikes

- About 4 152 563 working days were lost from 99 stoppages of work. This rise from the number of working days in 2006 was partly attributed to the national strikes like the security guards strike, Shoprite/Checkers, contract national cleaners and Sun International. The security guards strike alone recorded about 1 296 000 working days lost, which represents about 31% of the total working days lost in 2006.
- Gauteng continued to be the province with the highest number of working days lost in the country with approximately 1 401 883 working days lost, an increase of 30% from the previous year.
- Approximately R355 492 585 was lost in wages due to the participation of workers in industrial actions in 2006, compared to R308 449 173 in 2005.

2005 strikes:

- In 2005, 2 627 953 working days lost were in the South African labour market from 102 work stoppages identified in 2005. This was largely due to the national strikes that occurred including the road freight industry strike in the beginning of the year, the municipal strike in July, glass industry strike, Pick'n Pay and the gold mining industry strike.
- Gauteng accounted for the highest number of working days lost of 1 080 267 (41.1%) as compared to other provinces.
- The gold mining industry strike alone accounted for about 932 711 workdays lost, which represents about 35% of the total workdays lost in 2005.



INTRODUCTION

Across the globe, researchers are still reporting that many working women and men have to accept low-paying jobs because globally most countries are experiencing low economic growth. Despite a decrease in the number of unemployed in some European Union (EU) countries and the United States (US), too many people are still jobless. The trends show that the global job crisis is not likely to end soon, especially in emerging economies³.

South Africa finds itself in the same situation with high unemployment, low wages and huge inequality. There is an understanding that there would be no quick fixes to the current crisis. This was stressed by the South African Minister of Finance when he said: "we are not solving the problems of inequality and unemployment and poverty in our country adequately...we must think long-term"⁴. Thus, it is understood that a diligent implementation of the National Development Plan (NDP) will lay and strengthen a foundation for more rapid future growth. The Government would like to see a higher rate of growth (5-6%) in the economy where more people especially the youth could find work and participate in the benefits of growth.

With the economic growth declining in the past, the NDP goals are probably moving further out of reach. Together with the global crisis, high wage demands by workers from various economic sectors have been recorded which underline the importance of this analysis in this report. It examines how the labour disputes impacted on the production competitiveness of various industries in the country over time. In other words, the report presents the statistical changes regarding one of the key indicators of the "social dialogue and workplace relations", namely strikes and lock-outs. This is a fundamental right of every worker to strike in line with the South African Labour Relations Act of 1995. However, the right is subject to certain limitations, e.g., workers in essential services are not allowed to strike. Thus, the Department's mandate remains critical in monitoring the impact of legislation in the South African labour market.

Prior to this strike analysis, it is also important to note the results of Professor Burger's analysis⁵ which indicate that there does not appear to have been any continual tendency for real wages to diverge from productivity from 1982 to 2015. **This is an important result in line with wage negotiations because it stresses the point that labour and business are neither losers nor winners.** In other words, it appears that the power of the unions may not have been strong enough to accomplish long-lasting upward shifts in the real wage level, relative to productivity, or to cause real wages to increase continually at a rate faster than productivity.

If unions, bargaining councils and the setting of minimum wages have a significant positive effect on real wages relative to productivity, then one would expect real wages to:

- Increase at a faster rate than productivity or
- Display one or more once-off increases in their level. The converse would apply if companies succeeded in reducing real wages relative to productivity⁶.

3 International Labour Organisation, Global Unemployment projected to rise in both 2016 and 2017, World Employment and Social Outlook-Trends 2016

4 City Press, Budget revision, 17 January, 2016

5 Mail & Guardian, wage and production even out, bussines, 29 January to 4 February 2016, p.28

6 "Mail & Guardian, op. cit"

OBJECTIVE OF THE REPORT

It is the Department's mandate to maintain and report on strike statistics on regular basis as per the Labour Statistics Convention of 1985 (no.160) and the Labour Statistics Recommendation of 1985 (no. 170). Furthermore, this report is compiled for the interest of a variety of individuals and organisations with an interest to the analysis of labour disputes and to assist policy makers in the assessment of socio-economic impact in the South African labour market.

It shall be noted that the strikes and lockouts statistics as collected by the Department of Labour is comprehensive and provide the statistical base to meet various needs at the national and international levels. The main source of strikes and lockouts statistics is the LRA 9.2 forms that are sent and completed by all affected employers by strike incidents.

Given this backdrop, this Industrial Action Report (IAR) 2015 reflects the strike trends over ten years by analysing the volatility and to what extent it affected the countries' economic performance from 2005 to 2015. In the **First Chapter**, the analysis looks at the key measures of strike activities from 2005 to 2015. In particular, it illustrates the implications of a low or high number of strikes, wages lost, working days lost, working hours lost and duration of strikes in the South African economy.

The **Second Chapter** reviews the strike characteristics in respect of their knock-on-effect on the productivity (from 2013 to 2015). The extent to which the right to strike affects industries in relation to the working days lost per union proportion, causes and nature of work stoppages. While the **Third Chapter** presents the effectiveness of reaching the wage agreements with or without strikes through the collective bargaining processes, the strikes profile are chronologically⁷ analysed in **Chapter Four**. The main policy recommendations are outlined in the conclusion of the report.

⁷ The Department of Labour's media monitoring strike database at a given calendar year.



1

CHAPTER ONE

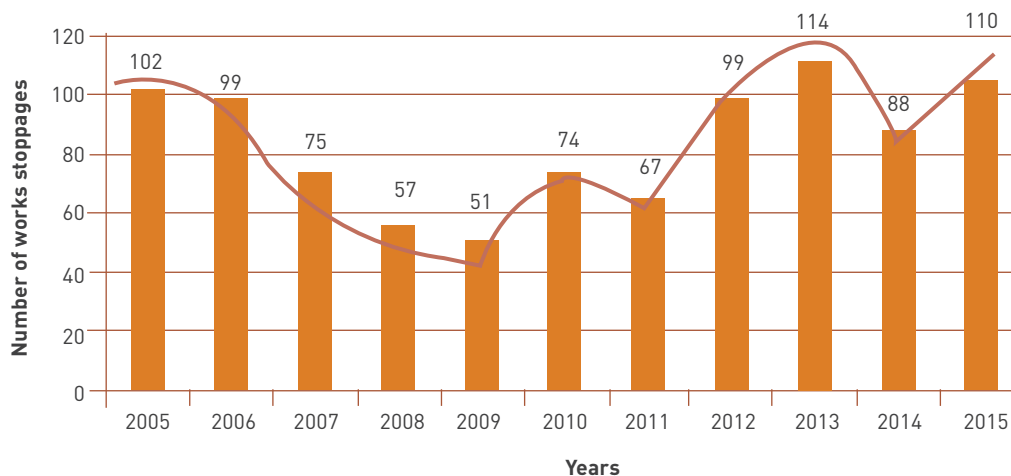
CHAPTER ONE

Overview of strike incidents in the South African labour market, 2005 – 2015

To the extent possible, the analysis in this section will try to show the trends in a number of key measures of labour disputes in relation to their impact in the South African labour market and economy. It is known that the different time in line with the economic movements in the country can yield different results through various negotiation processes. But, making efforts to avoid opposing views amongst all parties involved around the wage negotiations table can probably reduce the risk to embark in a prolong strike.

The number of strikes illustrated in **Figure 1** is derived from the fact that different parties could not find each other quicker and in some cases the resulting factor, e.g., strike was unprotected. An increase in the number of work stoppages across economic sectors was observed between 2014 and 2015. It represents about 25% of strike incidents increase on year-on-year changes. There was, however, about an 8% increase in strike incidents between 2005 and 2015 - (Ten year period). These changes are associated with the economic movements at a particular year. For example, higher inflation at a given time could be interpreted by unions as high wage demands because prices could rise faster than worker's wages.

Figure 1: Trends in the number of work stoppages in South Africa, 2005 – 2015

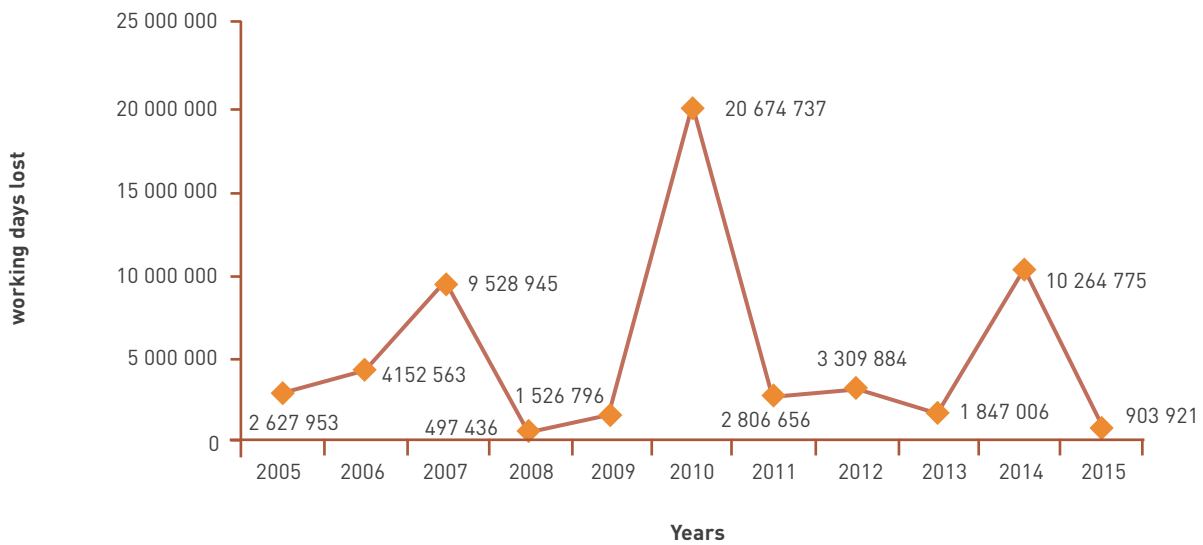


Source: Department of Labour, Strikes Statistics database

Figure 1 illustrates work stoppages in South Africa. It shows a downward trend in the five years from 2005 to 2009 then it fluctuates from 2010 to 2015 but most predominantly with an upward trend. When only excluding 64 and 88 strike incidents in 2011 and 2014, undoubtedly strike incidents were on the rise as it shows 74 in 2010 to 114 in 2013 then, a slight drop to 88 in 2014 and then it went up again to 110 strikes in 2015. However, an annual average of 85 strike incidents per annum was experienced in the country in the past 10 years.

Employers and employee's faith in the bargaining council together with the economic situation in the country could still explain these trends. For example, the effect of low economic growth in 2008/9 led to almost a half per cent reduction in the number of work stoppages from 102 in 2005 in the country. It resulted to a negligible number of working days lost in 2008.

Figure 2: Trends in working days lost⁸ in South Africa, 2005-2015



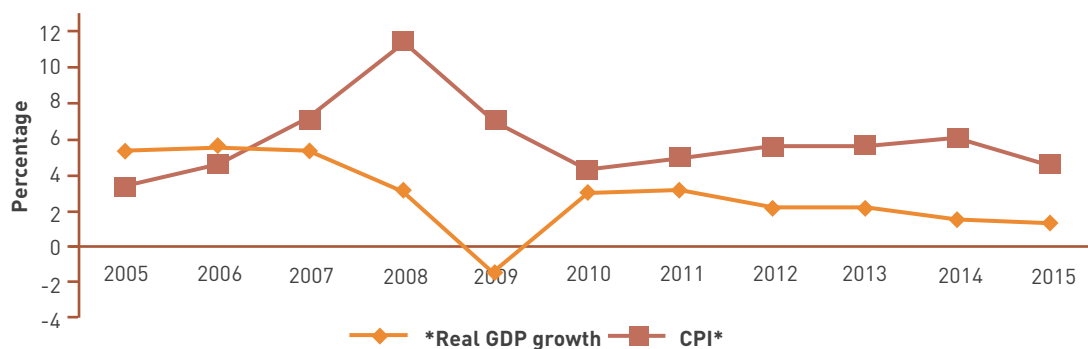
Source: Department of Labour, Strikes Statistics database

Figure 2 shows the trends in working days lost from 2005 to 2015 in South Africa. This information is important because it is associated to the losses in industrial production which could lead to a decline of the national income. It shows very fluctuating working days lost over time. However, the lowest working days lost were recorded in 2008 (497 436) and 2015 (903 921). The trends in these two periods are closely related to the slow economic growth recorded in the country in 2008 and 2015. With a lower number of working days lost in the country, one can argue that the South African economy is still attractive to investors. In 2010, with 20 674 737 working days lost, it could probably look very scary to investors.

At the macroeconomic level, the impact of labour disputes remains an important factor to consider since most of the strike incidents that occurred in the South African labour market were primarily due to wages, bonuses and other compensation. In 2015, the strike trend was difficult to be managed by the Monetary Policy Committee (MPC) of the South African Reserve Bank (SARB) because of the slow performance of the South African economy and inflation pressures. As a result, the MPC of the SARB raised the repurchase rate by 25 basis points in July 2015 and by another 25 basis points in November. It was again raised by a further 50 basis points in January 2016 to 6.75% per annum, effective from 29 January 2016⁹.

Below, some **Figures 3** illustrate the trends of the two key macroeconomic indicators: the inflation rate and the real GDP growth rate. Its relationship with the number of working days lost due to labour disputes is also discussed.

Figure 3: Trends in GDP growth and inflation rate in South Africa, 2005-2015



Source: South African Reserve Bank, Quarterly Bulletin, March 2016

*Real GDP growth: Annualised percentage change in the seasonally adjusted quarterly value added by industry and GDP at constant 2010 prices; *CPI: Average annual Consumer Price Index (The Inflation target is at a range between 3 to 6%)

An analysis of **Figure 2 and 3** illustrates that there is no direct relationship between the number of days lost due to strikes and inflation rate over time. However, it appears positive for a few specific periods between 2005-2007 and 2013-2015. On the other hand, the impact of the global financial crisis is also shown from 2008 and 2009 when South Africa experienced an economic recession.

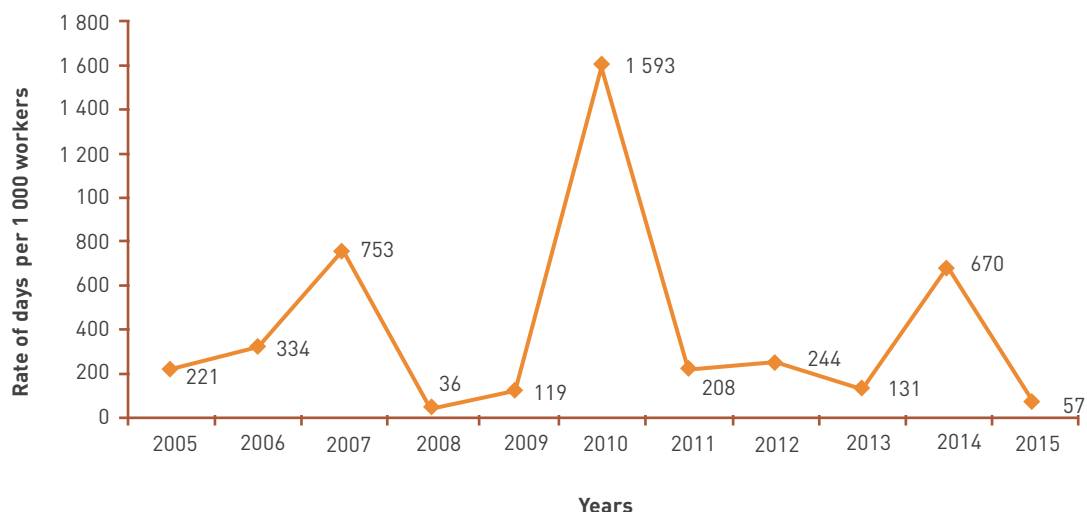
⁸ The working days lost due to strike implies the total number of workers involved directly in the strike or lock-outs multiplied by the length of the work stoppage.

⁹ South African Reserve Bank, Quarterly Bulletin, March 2016, p.3

At the national level, the implication of this result indicates that the South African economic growth was not significantly affected by the number of working days lost due to strikes. During the recession in 2008/9, the GDP growth rate decreased from 3.2% to -1.5% where only 497 436 working days were lost which was also the lowest number of working days lost since 2005.

Relatively few strikes were recorded in 2008 and 2009 where inflation rates were at 11.5% and 7.1%. Thus, this apparent increase in the number of working days lost per year is explained by the fact that strikes vary in terms of both duration and number of employees involved. The large number of working days lost in 2010 is associated with the public service strike in 2010 where more than one million workers participated in the strike.

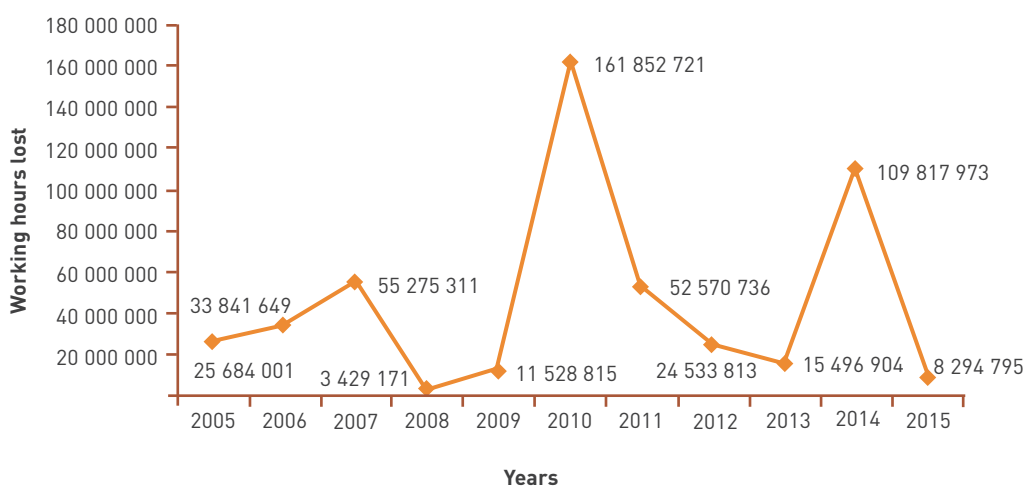
Figure 4: Working days lost per 1 000¹⁰ employees due to strikes, 2005-2015



Source: Department of Labour, Strikes Statistics database

Working days lost per 1 000 employees between 2005 and 2015 is shown in **Figure 4**. In 2015, for every 1 000 employees who embarked on a strike, 57 working days were lost. In 2008, however, for every 1 000 workers, 36 working days were lost. The effect of the public sector strike in 2010 was felt because of the large number of public servants involved in the strike (where 1 593 working days were lost for every 1 000 employees in the country). Hence, it is important to know the nature, magnitude of strike and measures used to resolve the strike to avoid a big impact in the community and economy.

Figure 5: Trends in working hours lost in South Africa, 2005-2015



Source: Department of Labour, Strikes Statistics database

¹⁰ This indicator allows for international comparison in strike activity. For international comparison, the ratio distinguishes which country is strike prone when compared to another.

Hours lost during a strike incident have a similar impact as working days lost in the country. The two indicators of the labour disputes reflect a positive relationship in terms of industry size over time. Thus, both indicators will have a direct effect in relation to industrial production, workers and household income which can aggravate the poverty rate in the country. In **Figure 5**, the trend in the working hours lost from 2005 to 2015 is illustrated. Very few hours were lost as a result of strikes in 2008 (3 429 171) and 2015 (8 294 795) as compared to other years. A decrease in the working days lost led to a decrease in working hours lost.

Figure 6: Wages lost due to work stoppages in South Africa, 2005-2015



Source: Department of Labour, Strikes Statistics database

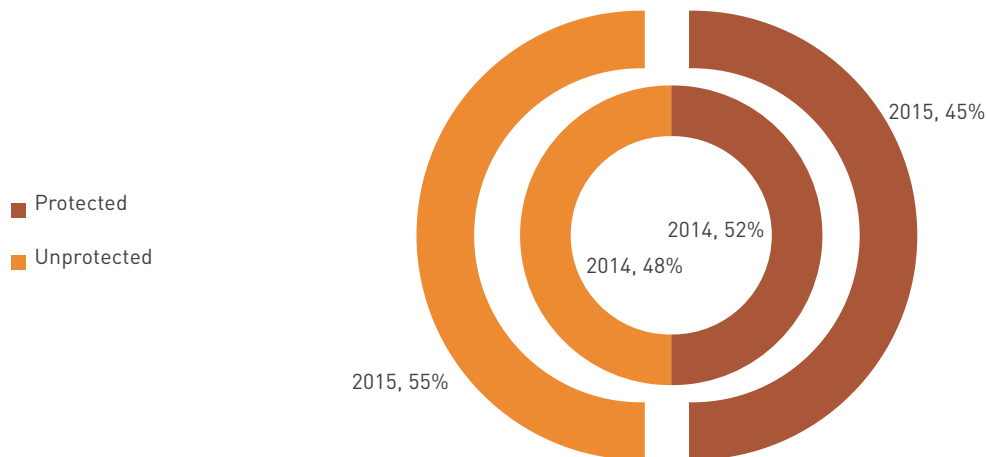
In analysing the wages lost when work stops, it is about understanding the social impact of labour disputes in the economy. This key variable remains critical in assessing the impact on workers, community and economy as a whole. An attempt can be made to understand the cost to company but it is not covered in this report¹¹. However, the results presented in **Figure 6** reflect only the impact on worker's wages lost to the extent to their families due to work stoppages. In 2015, approximately, R116 million in wages were lost as compared to R6.1 billion wages lost in 2014. This in fact reflects a decline of 98% of wages lost between 2014 and 2015. However, it represents a decrease of 62% of wages lost by workers between 2005 and 2015.

In other words, a number of labour disputes could still be resolved either at the firm level or through mediation which could stimulate workers savings. This is true because it exposes the effectiveness of the bargaining councils regarding the wage settlement rate.

Another explanation regarding the decrease in wages lost is associated with the short duration of strikes and the number of workers involved in a particular strike. But from 2012 to 2014, it looked very bleak because the social impact of labour disputes was also felt by workers and communities through loss of the workers income which affected household incomes.

¹¹ This can constitute a research topic to investigate in the future.

Figure 7: Percentage distribution of protected and unprotected¹² strikes in South Africa, 2014-2015



Source: Department of Labour, Strikes Statistics database

The increase in the number of work stoppages in 2015 was also attributed to a large number of unprotected strikes. **Figure 7** above illustrates that 55% of the total strikes in 2015 were unprotected as compared to 48% in 2014. The results indicate that not all strike incidents complied with the LRA of 1995. This might be attributed to isolated work stoppages affecting small businesses. In this case, strikers are bound to know about their vulnerability to be dismissed¹³ from work which can result to higher unemployment rate in the country.

¹² Employees who participate in a strike which does not comply with the terms of the Labour Relations Act are referred to as “unprotected” strikes.

¹³ Employers should however be mindful of the fact that the courts are reluctant to uphold the mass dismissals of strikers. In a number of cases, the employees were reinstated without retrospective effect.



2

CHAPTER TWO

CHAPTER TWO

Analysis of the key characteristics of the Labour disputes, 2013-2015

An in-depth analysis in terms of strike incidents is presented in this section. It focuses on the three-year comparative analysis with reference to the provincial distribution of strikes, number of employees involved, affected industry, duration and reasons for labour disputes.

2.1. Provincial distribution of work stoppages, 2013, 2014 and 2015

Table 1: Distribution of work stoppages and wages lost by province¹⁴. 2013, 2014 and 2015

Province	Work stoppages 2013	Work stoppages 2014	Work stoppages 2015	% Change year on year	Annual Average*	Wages lost (Rands) 2014	Wages lost (Rands) 2015
Gauteng	97	99	47	-52.5	73	686 766 498	40 716 885
Western Cape	61	26	15	-42.3	21	153 413 326	7 879 829
Mpumalanga	17	7	23	229	15	3 565 835	12 126 790
KwaZulu-Natal	44	32	30	-6.3	31	126 135 375	4 633 488
Eastern Cape	33	9	31	244.4	20	34 246 430	13 117 217
Limpopo	17	12	15	25.0	14	2 307 881 033	32 008 906
North West	12	12	8	-33.3	10	2 857 473 302	3 284 763
Northern Cape	3	-	3	-	2	-	2 568 614
Free State	18	1	4	300	3	7 286 483	209 801
Total	302	198	176	-11.1	189	6 176 768 282	116 546 293

Source: Department of Labour, Strikes Statistics database

* Note: Annual averages have been rounded to the whole number since we cannot have half a strike incident.

Table 1 shows the provincial distribution of work stoppages and wages lost. The province having the most working days lost was the Gauteng in 2015. This is also reflected in the wages lost of 35% of the total wages lost as compared to other provinces over the same period. Looking at year-on-year changes, Gauteng reflects the highest decline (around 53% of the strike incidents) and the lowest decline was recorded in KwaZulu-Natal (6%) between 2014 and 2015. To that extent, the strike results presented in **Table 1** are strongly related to the composition of employment across provinces which are considered as the major contributors to the scale of labour disputes that it experienced.

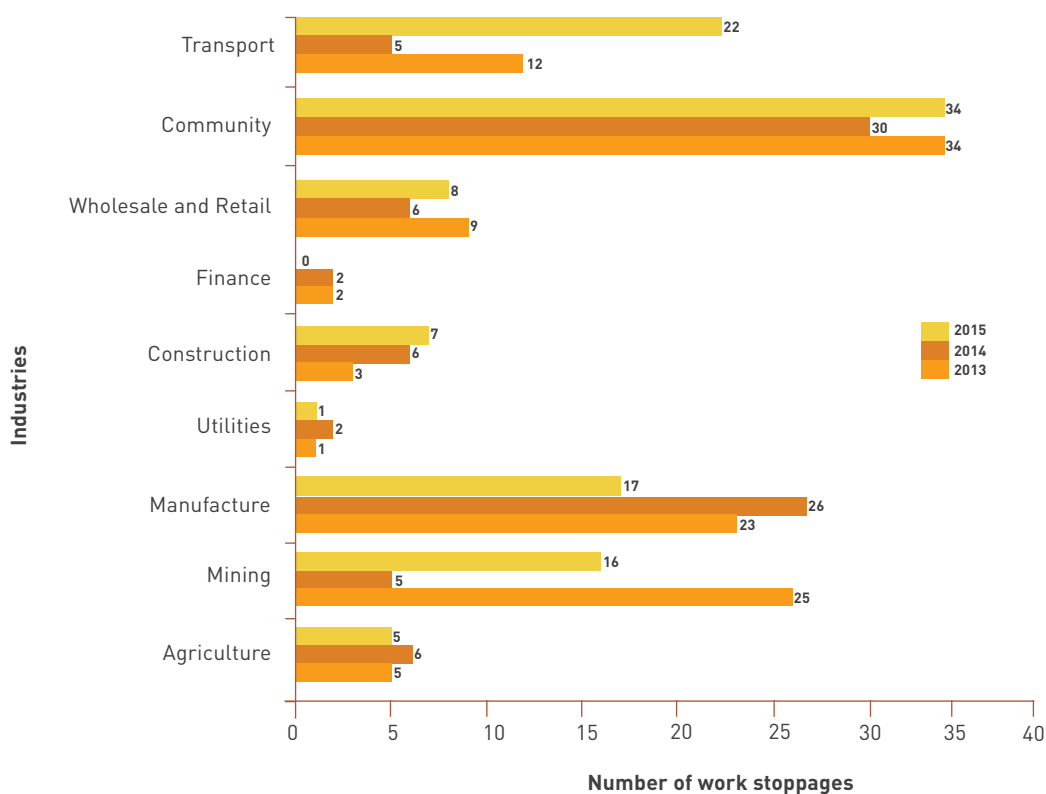
Limpopo (27%) was the second largest contributor after Gauteng with regard to wages lost in 2015, with only 15 strike incidents recorded. The Northern Cape (2.2%) and the Free State (0.2%) appear to be attractive to investors because of the low social impact (wages lost) recorded that is associated with the low number of work stoppages in both 2014 and 2015.

¹⁴ The total number of work stoppages in 2015 in Table 1 differs from the total of 110 strikes at the national level. This is due to national work stoppages that may affect a number of branches or establishments in the nine provinces, being conducted as one in the national but according to workplaces affected in several provinces being counted more than once.

2.2. Industrial distribution of work stoppages, 2013, 2014 and 2015

Some interesting patterns are also observed when this analysis is broken down into separate industries (classified according to the Standard Industrial Classification (SIC)) over time. This allows identifying those industries that have been more affected by strike incidents than others.

Figure 8: Distribution of work stoppages by industry, 2013, 2014 and 2015



Source: Department of Labour, Strikes Statistics database

Figure 8 illustrates the work stoppages by industry from 2013 to 2015. Generally, the industries which experienced the most strikes were in the Community followed by Manufacturing, Transport and the Mining industries. The least affected industries were Utilities (Electricity and Water) and Finance over the same period. In 2015, however, the Community (34) followed by Transport (22), Manufacturing (17) and Mining (16) industries reflected similar trends with a large number of work stoppages.

2.3. Industrial distribution of working days lost, 2013, 2014 and 2015

Table 2: Distribution of working days lost by industry, 2013, 2014 and 2015

INDUSTRY	WORKING DAYS LOST			% CONTRIBUTION 2015
	2013	2014	2015	
Agriculture	64 442	21 187	50 155	5.5
Mining	515 971	9 611 452	224 348	25
Manufacturing	343 222	467 513	41 594	5
Utilities	3 232	14 466	742	0.1
Construction	250 243	10 776	97 287	11
Wholesale, retail trade	47 216	40 120	74 461	8.2
Transport	477 355	25 309	244 893	27
Finance	20 415	3 062		0
Community services	124 910	70 890	170 441	19
Total	1 847 006	10 264 775	903 921	100

Source: Department of Labour, Strikes Statistics database

As shown above, **Table 2** presents the working days lost per industry. Mining industry remains the only industry with the highest working days lost in 2013, 2014 and 2015 with an estimated proportion of 28%, 94% and 25% respectively. Other industries with a substantial proportion of working days lost were the Manufacturing, Construction and Transport industries. The patterns and shifts over time are shown in **Table 2**. The industry which experienced the least working days lost in 2014 was the Finance industries with 3 062. In 2015, the Transport industry dominated all industries with a total of 244 893 (or 27%) working days lost and the lowest was in the Finance industry with no working days lost.

2.4. Industrial distribution of working hours lost, 2013, 2014 and 2015

Table 3: Distribution of working hours lost by industry, 2013, 2014 and 2015

INDUSTRY	WORKING HOURS LOST			% CONTRIBUTION 2015
	2013	2014	2015	
Agriculture	608 090	208 371	474 116	5.7
Mining	3 630 625	104 177 550	2 028 715	24.5
Manufacturing	3 337 979	3 966 611	360 393	4.3
Utilities	25 856	189 700	5 936	0.1
Construction	2 207 375	128 516	830 738	10.0
Wholesale and retail trade	458 434	329 498	668 129	8.1
Transport	3 825 742	204 561	2 497 577	30.1
Finance	163 480	24 496	0	0.0
Community services	1 239 324	588 670	1 429 191	17.2
Total	15 496 905	109 817 973	8 294 795	100

Table 3 shows the working hours lost during the strike in the past three years (2013, 2014 and 2015). The Mining industry is one of the main industries that is continuously losing production every year as a result of labour disputes. Other key industries are the Manufacturing, Transport and Community industries. These findings are critical in the sense that they alert all social partners to proactively devise intervention mechanisms that could alleviate the social conditions of workers in these industries.

The amount of working hours lost due to strike has significantly been declined in most industries except in the Community and Trade industries in 2015. The presence of workers at work implies peace and stability in the labour market that can improve the volume of production.

2.5. Working days lost per 1 000 employees by industry, 2013, 2014 and 2015

Table 4: Time-loss ratio by industry, 2013, 2014 and 2015

INDUSTRY	TIME-LOSS RATIO ¹⁵			TOTAL NUMBER OF WORKERS*		
	2013	2014	2015	2013	2014	2015
Agriculture	87.1	28.6	55.9	740 000	686 000	897 000
Mining	222.7	22 776.0	503.0	422 000	441 000	446 000
Manufacturing	193.0	262.9	23.4	1 778 000	1 741 000	1 774 000
Utilities	23.3	104.1	5.8	139 000	118 000	127 000
Construction	218.6	9.4	66.6	1 145 000	1 280 000	1 460 000
Wholesale and retail trade	14.8	12.6	23.3	3 185 000	3 197 000	3 200 000
Transport	515.5	27.3	272.7	926 000	933 000	898 000
Finance	9.9	1.5	0.0	2 060 000	2 024 000	2 160 000
Community services	37.0	21.0	47.6	3 373 000	3 514 000	3 582 000

Source: Department of Labour, Strikes Statistics database

Note: * Statistics South Africa, Quarterly Labour Force Survey, Q3-Total employment

¹⁵ This is the measure which best reconciles the number of days lost due to industrial action with the varying sizes of the countries' employed population and provides a reasonable basis for international comparisons. In this report, the Quarterly Labour Force Survey (3) of 2015, were used for the number of employed by industry.

In **Table 4**, the rate of days not worked due to industrial disputes per 1 000 workers, are presented for 2013 to 2015. It is important to note that these results are associated with the differences in employment size and changes in the number of workers that participated in the strike incidents. The trend shows that the the Mining industry had the highest time-loss ratio over time. This is mainly because the labour disputes in this industry tend to be large and last longer. For example, for every 1 000 workers in 2014, 22 776 working days were lost in the Mining industry. Manufacturing and Transport industries have also seen relatively high time-loss ratios in the three years under review. However, the Finance industry has shown the lowest ever strike time-loss ratio at an average below two:

Even though the Mining industry had the highest time-loss ratio, employment was not affected significantly. The employment trend shows a positive slope from 2013 to 2015. However, it fluctuated in other industries responsible for the largest numbers of workdays lost, namely the Manufacturing and Transport industries. Overall, the impact of strike on employment is not clearly identified because of the nature of labour disputes¹⁶.

2.6. Employees involved in work stoppages by industry, 2013, 2014 and 2015

Table 5: Distribution of employees involved in work stoppages by industry, 2013, 2014 and 2015

INDUSTRY	EMPLOYEES INVOLVED			% CONTRIBUTION 2015
	2013	2014	2015	
Agriculture	8 417	2 056	3 101	3.4
Mining	204 661	74 580	29 918	32.9
Manufacturing	21 718	25 641	5 742	6.3
Utilities	1 458	788	371	0.4
Construction	13 083	851	2 779	3.1
Wholesale and retail trade	1 939	1 500	7 914	8.7
Transport	22 331	1 224	8 856	9.7
Finance	1 066	249	0	0.0
Community services	22 520	11 677	32 391	35.6
Total	297 193	118 566	91 072	100

Source: Department of Labour, Strikes Statistics database

Table 5 presents the number of employees involved in work stoppages by industry¹⁷ from 2013 to 2015. the Mining workers were mostly affected as composed to other industries. This trend has been consistent throughout since 2005. It is also true that the social impact was prominent amongst mining workers associated with the loss of families' household income which in turn affected the community growth and sustainability.

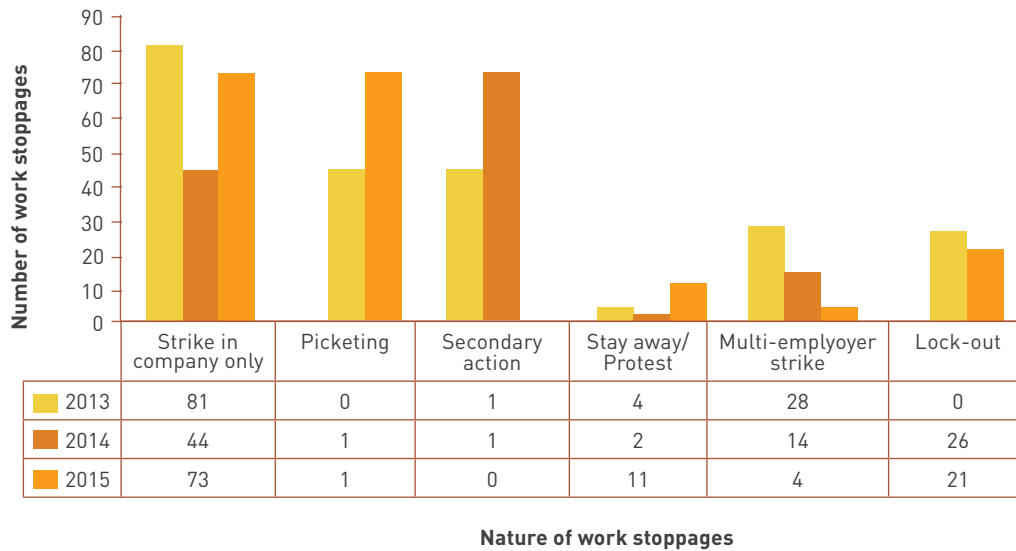
The Finance industry seems to be a peaceful industry with fewer employees who took part in strikes standing at 1 066 in 2013 and 249 in 2014. In 2015. The Community industry had the largest number of workers who participated in strikes and the lowest number of workers was in the Utilities and Finance industries.

¹⁶ This might requires in depth research analysis using a large data set on employment over a long period.

¹⁷ Figure A1 in the Annexure provides statistical trend on the number of workers involved in strike over 10 years

2.7. Nature of work stoppages, 2013, 2014 and 2015

Figure 9: Distribution of work stoppages by their nature, 2013, 2014 and 2015



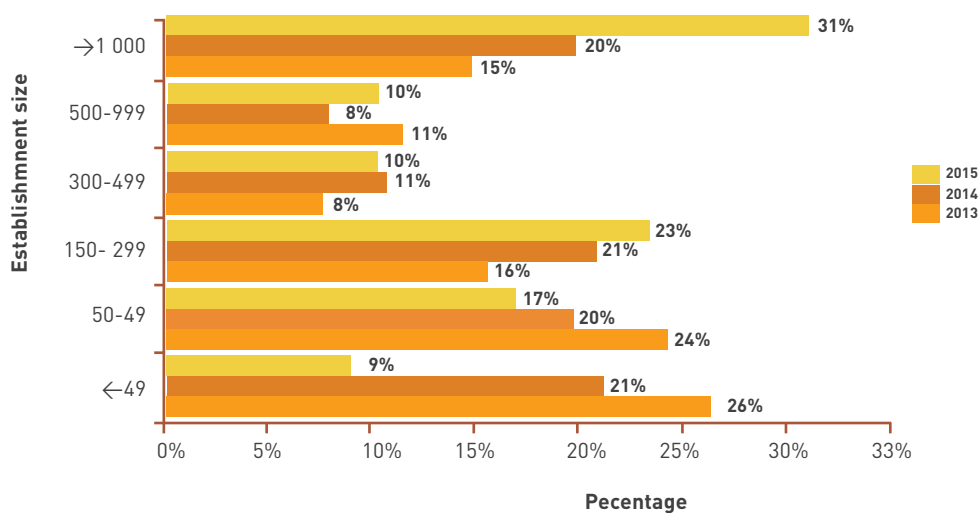
Source: Department of Labour, Strikes Statistics database

Figure 9 shows the kind of strike that took place in the last three years, 2013, 2014 and 2015. “Strike in company only” is more common than other types of strikes. There were at 81 strike incidents (in this category) in 2013, 44 in 2014, and then it increased to 73 in 2015. Lock-outs by employers were high in 2014 and 2015 with 26 and 21 respectively, e.g., Lock-outs recorded at the Johannesburg Roads Agency, Ceres Fruit Growers (Pty) Ltd and Syferfontein Carbonates (Pty) Ltd in 2015.

The multi-employer strikes type were more prominent in 2013 with 28 incidents and less in 2015 with 4 incidents which represents an 86% reduction on multi-employer strikes type over the period. The other kind of stoppages like picketing, secondary action and stay-away were very minimal with the exception of 11 stay-away¹⁸/protests that were recorded in 2015 as compared to the previous years.

2.8. Work stoppages by employment size of establishments, 2013, 2014 and 2015

Figure 10: Percentage distribution of establishments affected by work stoppages by employment size, 2013, 2014 and 2015



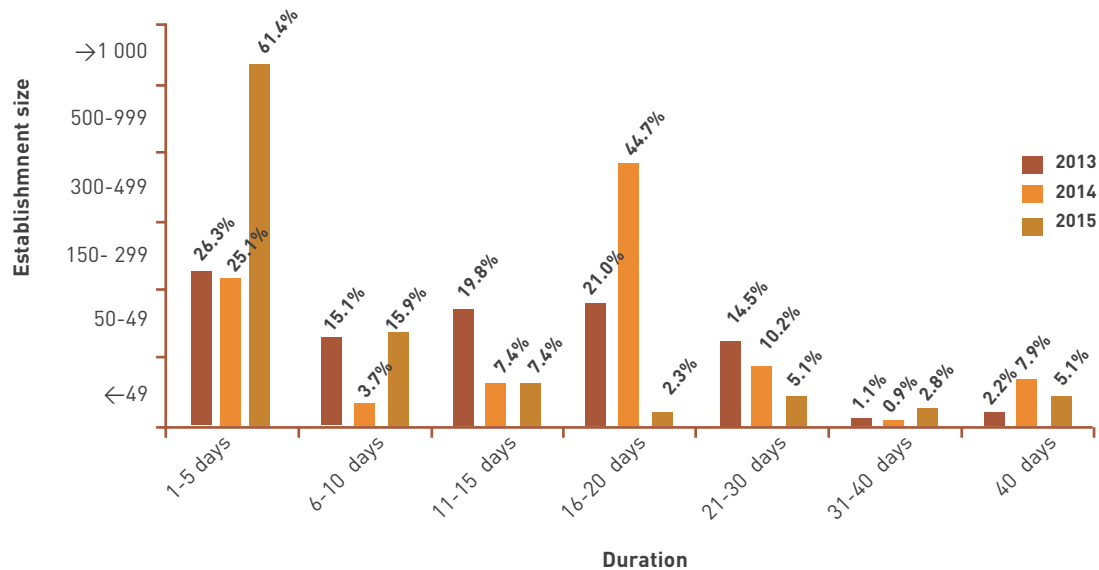
Source: Department of Labour, Strikes Statistics database

¹⁸ This is classified by industry and it is also important to consider the date when the incident took place in one establishment before one can classify the nature of strike, e.g., stay away/protest

A comparison of work stoppages by employment size from 2013 to 2015 is shown in **Figure 10**. While 2013 and 2014 were significantly affected by work stoppages from small (<49 to <150) and medium (>150 to <500) industry size, it was relatively different in 2015 with medium to large (>500 to >1 000) industry size being affected with work stoppages. These results imply that certain industries have been more susceptible to strike action than others at a given time. In 2013 for example, about 26% of industries with less than 49 employees were mostly affected than other establishment sizes. In 2015, establishments with more than 1 000 employees were the most affected at 31%.

2.9. Duration of work stoppages, 2013, 2014 and 2015

Figure 11: Percentage distribution of work stoppages by duration, 2013, 2014 and 2015



Source: Department of Labour, Strikes Statistics database

Figure 11 illustrates the percentage of work stoppages duration from 2013 to 2015. The results show that more than 61% of work stoppages lasted between 1-5 days in 2015, 44.7% in 2014 [between 16-20 days] and 26.3% in 2013 [between 1-5 days]. When looking at 2015 and 2014, large companies as in 2015, tend to have shorter work stoppages associated with a small number of employees who participated in strikes than in 2014. Caution must be taken since this might not hold true in every work stoppages analysis.

For more than 40 days duration, it was observed that over 30 000 members of the National Union of Mineworkers did embarked on strikes in the coal industry for three and half months in 2015. The union rejected the employer's offer of between 5.5% and 8.5% and demanded an increase of about 13% or 14% for categories 4 to 8. At the end, a two-year agreement was signed. In terms of this agreement, the lowest paid workers will get a wage increase of between R750 and R1 000 per month in year one and guaranteed increases of 7.5% in year-two. Employers in higher categories could receive increases of between 5 -7% in both years.

2.10. Principal cause of strike activity measured in working days lost, 2013, 2014 and 2015

Table 6: Distribution of working days by principal cause of dispute, 2013, 2014 and 2015

PRINCIPAL CAUSE	2013	%	2014	%	% DIFFERENCE	2015	%	% DIFFERENCE
Wages, bonus and other compensation	1 378 351	74.6	10 096 653	98.4	23.8	697 810	77.2	-21.2
Working conditions	34 933	1.9	1 776	0.0	-1.9	26 226	2.9	2.9
Disciplinary matters	17 450	1.0	38 129	0.4	-0.6	52 460	5.8	5.4
Grievances	120 431	6.5	25 625	0.3	-6.2	43 922	4.9	4.6
Socio-economic and political conditions	30 713	1.7	167	0.0	-1.7	9 448	1.0	1.0
Secondary action	3 532	0.2	3 500	0.0	-0.2	2 812	0.3	0.3
Retrenchment/ redundancy	176	0.0	201	0.0	0.0	4 145	0.5	0.5
Refusal to bargain	1 818	0.1	8 784	0.1	0.0	7 228	0.8	0.7
Trade union recognition	67 203	3.6	0	0.0	-3.6	55 624	6.2	6.2
Other compensation combined with other factors	155 095	8.4	24 620	0.2	-8.2	0	0.0	-0.2
Other reasons	37 304	2.0	65 320	0.6	-1.4	4 246	0.5	-0.1
Total	1 847 006	100	10 264 775	100	100	903 921	100	0

Source: Department of Labour, Strikes Statistics database

Table 6 shows work stoppages by principal cause over three years. It shows that working days lost were due to disputes over wages, bonus and other compensation, accounted for 75%, 98% and 77% in 2013, 2014 and 2015 respectively. Put differently, 697 810 working days were mainly lost in 2015 because of disputes relating to wages, bonuses and other compensation. This trend is also observed across most of the countries, e.g., developed and developing countries. Retrenchment remained the lowest cause of the strike incidents in both 2013 (176 or 0%) and in 2014 (201 or 0%). It recorded an increase of 0.5% in 2015.

Disputes about grievances and trade union recognition were also high after wages, bonus and other compensation in the three year comparative analysis. Overall, these results are associated with the effectiveness of labour laws implementation, e.g., LRA and BCEA. Thus, it has a greater importance to place the Department of Labour's inspectorate in the fore-front to promote job security and better working conditions for all workers.

2.11. Trade union involvement in work stoppages, 2014 and 2015

The relative shares of working days lost across trade unions is analysed in this section. It is observed that NUM, NEHAWU and SADTU had the largest shares of working days lost in 2015.

Table 7: Working days lost by trade union 2014 and 2015¹⁹

	2014 Work days lost	%	2015 Work days lost	%
AMCU	9 464 385.0	92.2	6 824.0	0.8
BCAWU	-	-	702.0	0.1
CAWUSA	-	-	1 600.0	0.2
CCRAWUSA	-	-	73.0	0.0
CEPPWAWU	15 791.0	0.2	3 965.0	0.4
CSAAWU	-	-	15.0	0.0
CUWUSA	1 974.0	0.0	-	-
CWU	-	-	56 595.0	6.3
DENOSA	-	-	37.0	0.0
DEPACU	-	-	97.0	0.0
EL SHADDAI	-	-	61.0	0.0
EMTFF	-	-	985.0	0.1
FAWU	54 635.0	0.5	29 182.0	3.2
GIWUSA	417.0	-	-	-
HOSPERSA	132.0	-	18.0	0.0
HOTELLICA	679.0	0.0	-	-
IICUOSA	-	-	128.0	0.0
IMATU	2 428.0	0.0	9 965.0	1.1
ITU	23.0	-	23.0	0.0
JAMAFO	-	-	12.0	0.0
KAWU	627.0	0.0	-	-
KSCWO	516.0	0.0	-	-
MEWUSA	17 294.0	0.2	-	-
MTWU	-	-	552.0	0.1
NAPTOSA	-	-	102 396.0	11.3
NASECGWU	890.0	0.0	-	-
NASRAIEU	8 595.0	0.1	-	-
NEHAWU	36.0	-	124 060.0	13.7
NOT SPECIFIED	20 703.0	0.2	24 636.0	2.7
NUFBSAW	48.0	-	-	-
NUFPSAW	-	-	1 241.0	0.1
NULAWU	5 730.0	0.1	-	-
NUM	143 911.0	1.4	136 768.0	15.1
NUMSA	265 393.0	2.6	35 811.0	4.0
PAWUSA	48.0	-	-	-
POPCRU	-	-	72.0	0.0
PSA	-	-	103 236.0	11.4
PTAWU	-	-	5 300.0	0.6

¹⁹ The total number of days lost by trade union membership does not tally with the total number of working days lost in 2014 of 10 264 775) and in 2015 of 903 921. Not all employers were able to provide breakdowns per union membership participation.

SACCAWU	14 563.0	0.1	22 748.0	2.5
SACTWU	40 349.0	0.4	137.0	0.0
SADTU	-	-	115 110.0	12.7
SAEPU	-	-	150.0	0.0
SAEWA	4 900.0	0.1	-	-
SAMWU	73 678.0	0.7	71 636.0	7.9
SAPWU	-	-	97.0	0.0
SARWHU	81.0	-	-	-
SATAWU	24 786.0	0.2	31 917.0	3.5
SOLIDARITY	11 557.0	0.1	5 049.0	0.6
TAWUSA	-	-	54.0	0.0
TIWU			49.0	0.0
TOWU	-	-	4.0	0.0
UASA	2 604.0	0.1	4 934.0	0.5
UNADEWO	-	-	4 305.0	0.5
UTATU	124.0	-	-	-
WAR	540.0	0.0	-	-

Source: Department of Labour, Strikes Statistics database

An attempt is made to analyse working days lost per trade union membership participation, as shown in **Table 7**. The evidence shows that AMCU recorded the highest working days lost in 2014 with 92.2% than in 2015 at 0.8%. However, few trade union membership participation from NUM, NEHAWU, SADTU, PSA and NAPTOSA displayed the shares of working days lost at above 10% in 2015. In this regards, NUM was ranked the top at 15.1% in 2015.

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

It could be a concern that the strike trends seen from 2005 to 2015 are not impressive. These trends are fundamentally rooted in the slow economic growth and the social dynamics that had been recorded in the South African labour market where the Gini-coefficient remains persistently high. If the trends continue to a large scale, it would continue to impact negatively on the economy therefore to workers.

2.13. Work stoppage future outlook for 2016

In the State of Nation Address, the South African President stressed that "When the economy grows fast, it delivers jobs. Workers earn wages and businesses make profits²⁰". Yet despite continuing economic and social efforts by the South African Government, the lives of millions of South Africans are still challenged by long-term unemployment, poverty and inequality.

In 2016, the economic situation is also projected to be weak as most trading partners such as United Kingdom (UK), United States (US) and China are well affected by the global economic crisis. Furthermore, the International Monetary Fund (IMF) and the World Bank predict that the South African economy will grow by less than one per cent. This suggests that the economy might not deliver the right number of jobs and workers might again strengthen muscles for higher wage demands. However, the framework to stabilise the labour market by reducing the length of strikes and eliminating violence during strikes is being finalised at the National Economic Development and Labour Council (NEDLAC). On the other hand, a number of multi-year wage settlements were concluded in 2015 from June-July 2015 which might be another reason to have relatively a stable labour market environment in 2016.

²⁰ President J. Zuma, the State of Nation, 11 February 2016, South Africa



3

CHAPTER THREE

CHAPTER THREE

Disputes arising from collective bargaining and wage settlements, 2013 - 2015

The analysis that follows is intended to give a picture of wage settlements through the collective bargaining processes. Wage agreements are reached after constructive negotiations by all parties involved. This provides a fair increase to workers and a degree of certainty to productive operations over time. It is reported that the bargaining councils' ability to resolve disputes has improved considerably from below 30% to more than 50%. In line with this, about 56% of all Cosatu unions had agreed to a 7% salary adjustment for 2015/16 and CPI plus 1% in 2016/17 and 2017/18 for public servants in October 2015. This led to the strike to be settled earlier than expected.

Generally, it is now observed that the wage settlements were relatively above inflation with limited impact on productivity growth, e.g., output has increased faster than wages.

Surprisingly, the Quarterly Labour Force Survey (September, 2015) results show that 56% of workers reported that employers only had the power to fix annual salaries, 8.1% of workers said annual salaries were negotiated through bargaining councils and 21% of workers claimed that it was done between unions and employers²¹.

Table 8: Median wage settlements levels in South Africa by industry, 2013-2015

INDUSTRY	2013 (%)	2014 (%)	2015 (%)
Agriculture	7.3%	7.5%	7.7%
Construction	8.0%	8.7%	6.3%
Mining	9.0%	7.6%	10.0%
Manufacturing	8.0%	7.5%	7.4%
Utilities	–	8.5%	8.5%
Finance	8.0%	8.0%	6.1%
Transport	8.0%	8.0%	7.3%
Wholesale and Retail Trade	8.0%	7.5%	7.5%
Community services	7.2%	7.1%	7.0%

Source: Labour Research Service, Wage settlements Trends, December 2015

Table 8 shows the median wage levels concluded in the various industries in South Africa in 2013, 2014 and 2015. These have been set in an environment where the labour absorption and economic growth rates have been slow moving rates over time. In 2015, the highest median wage settlement level was recorded in the Mining industry (10%) and the lowest was in the Finance industry (6.1%). Although one would probably predict that the economic challenges to continue in 2016, largely due to the fragility of the European economy, it can be said that the median wage settlements will still be close to the same levels as in 2015 per industry.

²¹ Statistics South Africa, Quarterly Labour Force Survey, Quarter three of 2015, p.53.

3.1. Wage settlements concluded with strikes in various industries, 2015

Table 9: Distribution of wage settlement in various industries

INDUSTRY	SECTOR/ EMPLOYER	AGREEMENT DATE	INITIAL REQUEST	EMPLOYER'S OFFER	SETTLEMENT	PROTECTED	UNPROTECTED
Agriculture	Haygroven Heaven (Pty) Limited	May	15.5%	8.5%	8% (March to August 2015),9% (Sept to Feb2016)	Protected	
Community	Colliery raining College	February	10%	7%	7.5 %	Protected	
Construction	Joubert Building Constructions	February	R150	R130	R110	Protected	
	Huguenot Tunnel	February	14.46%	9.96%	9.96%	Protected	
Manufacturing	Timrite (Pty) Limited	February	R1 000 per month transport allowance	R200 per month	R400 in Feb, R430 in April and R480 in July	Protected	
	Polokwane Vleislapa	March	18% to 23%	8%	8% effective from March 2015 plus 2% increase in July 2015	Protected	
Transport	MTN	July	10%	5%	8% bonus payment in 2015 and 12% in 2016		Unprotected
	Gateway Airport Authority	September	7%	6%	6%	Protected	
Wholesale and Retail Trade	Three Star Cash and Carry	June	11%	9%	10%, laundry allowance of R12.00 per person	Protected	

As shown in **Table 9**, wage settlements were lower in most of the industries from the initial wage demands by unions. This trend could alert policymakers to dismiss the reason of prolonged strikes. This requires that all parties can still to conduct an in depth analysis of the economic conditions and negotiate in good faith and facts, that will promote the protection of workers employment security and sustainability of employers business cycle in the long-run.

3.2. Wage settlements concluded without strike incidents

- AMCU and Lace Diamond Mines signed a multi-year wage agreement of four years on 17 February 2015. According to the agreement there will be an 8% basic salary increment for four years allocated to most categories. The lowest categories of workers were allocated a progressive lift in the basic salaries to R12 500 per month for the four-year period. There is an opinion that contends that this long-term agreement will provide industrial relation stability at the Lace Diamond Mines during the critical mine start-up years and it demonstrated a solid maturing of relationships between the union and management.
- HOSPERSA and Life Healthcare's Westville Hospital reached a wage settlement on 12 February 2015. The terms of the settlement were that the salaries would be increased by 7.0%, a once off payment of R870 and the income of those who earn less than R4 500 income would be reviewed in June 2015. This agreement was reached after the trade union approached the CCMA to intervene on the deadlock with the employer. The trade union tabled a demand of 9% wage increase whilst on the other hand employers offered a 7% wage increase.
- Solidarity and Comair concluded a multi-year wage agreement of three-years on 6 March 2015. The union tabled a demand of 13% wage increase whilst employers on the other side offered an increase of either 7.5% on total cost packaged or 8% on conditions that overtime would be only be calculated after 125 hours a month. This settlement was reached after Solidarity had obtained a certificate to strike. The terms of the deal were that workers would get 8% pay rise on year-one and 7.5% salary hike on year-two and year-three. The parties agreed that the deal will be implemented retrospectively from 1 January 2015.

- NUM and Goldfields concluded a separate multi-year wage settlement for a three-year period with the support of the Chamber of Mines on 10 April 2015. The agreement states that it was signed separately from the collective bargaining arrangements coordinated under the auspices of Chambers of Mines due to the uniqueness of the South Deep Mine which is a highly mechanised mine with a different skills base. The parties agreed that the settlement will be effective from 1 April 2015 and expire on 31 March 2018. The settlement awarded a different increment for different occupational levels or categories.

The terms of the agreement are as follows:

- Category 4-8 was awarded a wage increase of 21.46% in 2015, an increase of 14.76% in 2016 and wage hike of 12.97% in 2017
- Miners, Artisans and Officials were awarded a two-year increment of 8% in 2015 and 2016, and 9% wage increase in 2017 as well as other benefits

- A multi-year agreement was signed by SAMWU and Water Solutions South Africa (WSSA) on 26 May 2015. In terms of the settlement salaries would go up by 6% across the board on year-one effective from 1 July 2015; additional 1% to be paid on January 2016; and CPI plus 1% hike for both year-two and year-three; 13th cheque to be equal to 10% of the worker's wages; and allocation of 9.5% employer contributing towards pension fund with workers contributing 6%. The parties agreed that the deal would be effective from 1 July 2015 and expire on 30 June 2018.

- On 19 May 2015, the public sector trade unions (DENOSA, NAPTOSA, NEHAWU, NUPSAW, POPCRU, PSA, SADTU and, SAPU) and the State reached a multi-year agreement of a three-year period after seven months of protracted negotiations.

The terms of the agreement amongst others were as follows:

- Salary Adjustment – Year-one (2015) effective from 1 April 2015 to be 7% (average projected CPI of 4.8% plus 2.2%), year-two (2016) average projected CPI + 1% and year-three (2017) average projected CPI + 1%
- Government Employees Housing Scheme from R900.00 to R1 200.00 – subject to conditions.

- On 17 June 2015, Solidarity and Arcelor Mittal signed a multi-year agreement of three years. According to the deal, workers were awarded 6.2% or 6.5% wage increase depending on job level for year-one and CPI rate plus 1% of the previous year's remuneration. Increment calculation would be applied in year-two and year-three.

- On 25 June 2015, under the auspices of National Textile Bargaining Council for the carpet sector, a wage increment deal was concluded. Parties, SACTWU and Carpet Sector agreed to a wage increase of 6.25% across the board effectively from 1 July 2015 and a further 0.75% from 1 January 2016. The beneficiaries of the settlement were approximately 1 000 workers from four (4) factories nationally.

- On 2 June 2015, trade unions SATAWU, UNTU and Employer Transnet reached a multi-year agreement of three years.

The terms of the settlement were as follows:

- On year-one (2015-2016) workers were awarded a 7% wage hike across the board, 19% (R1 100) increase on night shift and standby allowances and, 34.1% rise in medical aid
- On year-two (2016-2017) there will be 7.5% increment across the board allocated on wages, nightshift and standby allowances, a 9.1% hike on housing allowance and medical aid
- On year-three (2017-2018) workers to receive 8.25% increase across the board on wages, night shift and standby allowances, a 8.3% rise on housing allowance and medical aid subsidy that will both amount to R1 300 per month.

- The parties under the auspices of National Textile Bargaining Council for the Leather Manufacturing Industry of South Africa consisting of SACTWU and Southern African Footwear and Leather Industries Association (SAFLIA) concluded a wage agreement on 26 June 2015. The settlement covered 7.5% wage increase effectively from 1 July 2015, improvements in shop stewards time off for trade activities and in the agency fee provisions applicable to the sector. The duration of the agreement was for a 12-month period.

- On 8 July 2015, NEHAWU and Parliament ended their wage dispute by signing a multi-year agreement of two years. According to the agreement, workers will receive a 9% increase on year-one with effected from 1 April 2015 and get 3% above inflation increase on year-two (2016).

- SAMWU and Amatole Water reached a one-year agreement on 8 July 2015. The agreement included a R1 500 increase on all employees within the bargaining unit and housing allowance of R1 450. The parties agreed that the settlement would be effective from 1 July 2015 and expire on 30 June 2016.

- On 6 July 2015, Bloem Water and two unions NEHAWU and SAMWU concluded a one-year agreement. The parties agreed that the deal will be effective from July 2015 and expire on 30 June 2016. According to the deal it will be 7.5% salary hike across the board; new minimum wage of R7 500 per month; and R1 450 housing allowance for all employees. In addition, four months paid maternity leave with the option of taking an additional two months on an unpaid basis and five days family responsibility leave.

- A one-year agreement was signed by two unions MESHAWU and SAMWU and the employer Lepelle Northern Water on 29 July 2015. In terms of the settlement, salaries would increase by 8% across the board; the housing allowance would go up by R100 to be R1 800, shift allowance to be increased proportionally as the monthly basic salary and standby allowance to rise by CPIX (R610). The deal would be effective from 1 July 2015 to 30 June 2016.
- A multi-year agreement of three years was signed between NUM and Northam Platinum on 30 July 2015. The parties agreed the settlement to be effective from 1 July 2015 and expire on 30 June 2018.
The terms of the agreement included the following:
 Employees in bargaining unit both surface and underground employees (category 2–8) would receive a basic monthly minimum rate increase of R1 000 (13%) across the board in 1 July 2015 – 30 June 2016, 1 July 2016– 30 June 2017, and 1 July 2017 – 30 June 2018;
 - Employees in category 9–10 would be awarded a 7.5% pay hike in the duration of the agreement
 - Employees in both category 2–8 and B4–B6 would get 6% living out allowance
 - Employees in category C1–C5 to receive 4% living out allowance.
- The parties concluded a multi-year wage agreement of two-years on 27 July 2015. Three trade unions NUM, Solidarity and UASA and employer Village Main Reef reached a wage deal that underground workers would be awarded a R1 000 pay hike; surface workers on Category 4 to 8 wages to go up to R800 and miners, artisans and officials to be given an increase of between 5.5% and 6.5%. The agreement indicates that the living-out allowance would rise to R110 in 2015 and to R116 in July 2016; meal allowance to increase by 5.5%; both Rock Drill Operators and Water Jet Operators to be awarded 5.5% pay hike operator allowance. Furthermore, the deal says that there would be 6.5% increase for all employees in other bargaining units for July 2015 and 5.5% in July 2016.
- On July 2015, NUM and Samancor signed a multi-year wage agreement of three years. The beneficiaries of the deal are employees in all Samancor mine operations in Rustenburg known as Samancor Western Chrome and Samancor Eastern Chrome mine. The settlement included three implementation periods of 1 July 2015 to 30 June 2016, 1 July 2016 to 30 June 2017, and 1 July 2017 to 30 June 2018 in the following terms:
 - Year-one which is effective from 1 July 2015 to 30 June 2016
 - Employees in category or grade A14 would receive 14% pay rise
 - Employees in categories or grades B1 and B2 to be awarded 13% salary increase
 - Employees in categories or grades B3, B4 and B5 to be given 12% pay hike
 - Employees in categories or grades C1 and C3 would be offered 11% salary rise and Employees in category or grade C4 would receive 10.7% salary hike
 - Year-two (1 July 2016 to 30 June 2017) and Year-Three (1 July 2017 to 30 June 2018). The salaries will be increased by 10% in each of these two periods; and the agreement included medical aid, travelling rate, salary scales, job grades allowances and skills development.
- The two trade unions NUM and Solidarity and employer Samancor Smelter (Tubatse, Ferro mental and Middelburg) signed a multi-year agreement of three years on 2 July 2015. The agreement was structured in three periods of 1 July 2015 to 30 June 2016, 1 July 2016 to 30 June 2017, and 1 July 2017 to 30 June 2018 with the following terms:
 - Year-one which is effective from 1 July 2015 to 30 June 2016; Workers on L1/B1, B2, L2/B3, L3/B4 were awarded 11% wage increment; Workers on L4/B5/C1 would receive 10.8% wage hike; Workers on L5/C2/CL wages to go up by 10.5%; Workers on L6/CM/C3 and CU/C4/C5 were awarded 10%
 - Year-two 1 July 2016 to 30 June 2017 and Year-Three 1 July 2017 to 30 June 2018; Workers will get 10% pay rise on each of these two periods
 - The settlement covered conditions of employment like medical aid and transport at Tubatse Smelter.
- On 16 July 2015, NUMSA and Wescoal reached a one-year settlement. The deal included 7% basic salary hike, introduction of medical aid and taxi transport allowance. The parties agreed that the agreement will be effective from 1 April 2015.
- On 14 August 2015, SAMWU and Mhlathuze Municipality concluded a one-year wage settlement. The parties agreed the deal will be implemented retrospectively from 1 July 2015 and expire on 30 June 2016. The terms of the deal include:
 - Salary to rise by 8%
 - Fixed monthly allowance would be improved to R1 500.
- NEHAWU and National Health Laboratory Services concluded a three-year agreement on 17 August 2015. According to the agreement there would be a pay hike of 7% for workers on A-C band and 5.5% for those on D band; medical aid subsidy to go up to R2 285.50 per month and housing allowance would be R1 200 per month. The parties agreed the settlement would be effective from 1 April 2015 and expire on 31 March 2019.

- The two unions SAMWU and IMATU and employer SALGA or the state concluded a three-year wage agreement on 2 September 2015. In accordance with this, the agreement would effectively commence on 1 July 2015 and expire on 30 June 2018.

The terms of the agreement are as follows:

- Salary adjustment – Year-one (effective from 1 July 2015), workers would get 7% across the board and there would be sectoral minimum wage of R6 014.93 and, year-two and year-three, workers will get CPI +1%
 - Medical Aid – there would be retention of the 60:40 employer contribution to the maximum increase of R3 971
 - Housing Allowance – new housing allowance system for low earners who were not servicing bonds and R700 home owners allowance. It is important to indicate that the unions tabled 11% salary increase whilst on the other hand the employer offered just 5.9%.
- SACTWU and Clothing Industry reached a wage settlement for the benefit of about 85 000 clothing workers in 2015. In terms of the wage agreement, the higher percentage adjustments were awarded to workers outside of the big metros where salaries are usually lower than in the cities. Consistent with this, 10% wage increase was allocated to workers in the non-metro areas and 7.4% wage increase for workers in metro areas. The settlement was to take effect on 1 September 2015 in accordance with the normal due date for annual wage increase in the industry.
 - On 21 September 2015, SAMWU and Magalies Water reached a one-year wage settlement. The parties agreed the deal to be effective from 1 July 2015 and expire on 20 June 2016. The terms of the agreement were that workers on peromnes 7-9 were awarded 7.5% increment on total cost to company; standby and shift allowance to rise by 1%; and housing allowance would go up by R300 in 2015 and rise by R200 for both 2016 and 2017. However, the medical aid would remain unchanged at 60% employer's contribution and 40% worker's contribution.
 - A wage settlement was concluded between CWU and SABC on 16 July 2015. According to the deal, salaries would go up by 8%; Subsistence and Travel Allowance to rise from R250 to R290 and Meal Allowance to be increased from R45 to R60 and Paternity Leave to be extended from five working days to 14 calendar days and this would be implemented in accordance with the SABC Leave Policy. The parties agreed the deal to be effective from 1 April 2015 to expire on 31 March 2016.

3.3. Abandoned strike incidents

- On 16 March, Hospitality and Tourism Academy workers led by NEHAWU embarked on a strike over unpaid December bonuses. The strike involved various actions including the blockade of gates to the Hospitality and Tourism Academy by use of burning tyres and rocks, turning back of lectures who were reporting for duty and camping outside the premises. The strike ended on 27 March 2015 and as a result workers returned to work on the 30 March 2015 even though the dispute was still unresolved.
- Workers of Vhembe District Municipality downed tools and barred the Political Management Team and Councillors from entering the premises on 26 January. This was caused by the non-payment of January salaries to an undisclosed number of essential services workers who were meant to be paid between 23 and 25 January 2015. On 26 January 2015, the salaries were paid and subsequently workers returned to work.
- On 31 March, workers of the KwaZulu-Natal Department of Health went on strike over wage related issues. However, workers returned to work after they were threatened with ultimatums instructing them to return or face disciplinary hearings and dismissals. The issues were left unresolved.
- On 27 February, SAMWU members embarked on a strike action against the Johannesburg Roads Agency (JRA). The strike was caused by lack of agreement on matters that SAMWU and JRA management have not been able to reach consensus on. These matters of dispute included a demand for the introduction of a pay progression system in the JRA starting with a once-off structural adjustment of salaries of all employees in Levels 6-9 a demand for the increase in the Locomotion Allowance for Inspectors from R4 500 to R8 500 and the removal of one Depot Manager in Region F where there are two Depot Managers assigned to the Full Region and Inner City. On 8 April 2015, the JRA secured an interim interdict at the Labour Court declaring the strike unprotected. Subsequently, workers returned back to work on 9 April 2015.



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CHAPTER FOUR



CHAPTER FOUR

Profile of work stoppages, 2015

January 2015

- On 2 January, eThekweni Municipality issued a statement informing commuters that the bus service would be disrupted in all areas due to the strike by about 300 employees of Transnat Africa and the municipal bus operator. The drivers went on strike over their unpaid December salaries and annual bonuses. The management reported that it planned to meet the shop stewards and employees because the company has paid them even though it was done late.
- Workers at the Bongani Specialized TB Hospital in Hazy-view, Mpumalanga downed tools and locked the main gate on 5 January. They claimed that they were not paid overtime since 2014 and accused management of maladministration. Workers also said that they were working without protective clothing for a period of four months.
- On 9 January, the National Union of Metalworkers of South Africa (NUMSA) members on Dedisa Power Plant at Coega IDZ embarked on a strike against Group Five over labour grievances. Management sent a letter to workers claiming that the strike was unprotected and that a policy of no work, no pay would be applied. The letter also threatened workers with disciplinary action and dismissal if they failed to report for work on the stipulated deadline.
- NUMSA members working at Giflo Engineering (PTY) Ltd T/A Excalibur Vehicle Accessories, Ga-Rankuwa, downed tools and embarked on strike action on 12 January. The strike followed after management took a unilateral decision to cut workers rates of pay between 1% and 60% per hour and the adjustment of working hours from 40 hours to 45 hours per week.
- On 13 January, over 7 000 workers lead by National Union of Mineworkers (NUM) downed tools in a wildcat strike at Northam Platinum's Zondereinde mine in Limpopo. NUM reported that workers were demanding higher wages.
- About 34 workers affiliated to Association of Mine and Construction Union (AMCU) staged an underground sit-in at the Zululand Anthracite Colliery Mine in Ulundi, northern KwaZulu-Natal on 16 January. The action took place after the company retrenched 69 workers and they demanded their jobs back. The mine management claimed that the company could only employ 10 workers and they addressed other concerns raised by workers.
- On 19 January, workers at timber company Timrite in Mpumalanga embarked on a strike. The strike came against the back-drop of the workers' demand of an increase of transport allowance from R100 per month to R1 000 per month and improved working conditions while the company offered their R200 per month.
- Municipal workers downed tools at waste collection services in Nelson Mandela Bay Municipality over alleged unfair labour practices on 21 January. They complained that a manager was only allowing certain workers to work and claim overtime, while the rest were overlooked. The workers indicated that they tried on numerous occasions to bring their grievances to the attention of the council and relevant authorities since 2013 but they were ignored. Subsequently, the dispute was resolved between workers and senior management. Management reported that they agreed to improve communication in the workplace.
- On 21 January, drivers led by Transport and Allied Workers Union of South Africa (TAWUSA) embarked on a strike against the Maluti Bus Service. TAWUSA indicated that workers engaged on the protest in order to force management to resolve their grievances such as salary increments based on years of service, poor and unsafe staff buses that transport them, unreasonable shifts, and unfair treatment by management.
- The workers affiliated to the South African Municipal Workers Union (SAMWU) from Bela Bela; Vhembe and Mopani municipalities in Limpopo embarked on a 'stay away' on 26 January. This followed the non-payment of January salaries that were supposed to be paid between 23 and 25 January 2015. However, it was reported that workers were also upset that the salaries of senior management and councilors were not affected as they received their January salaries. According to SAMWU, Mopani Municipality workers were paid on the night of 28 January 2015, but in the spirit of solidarity, they continued with the stay away until all other Limpopo municipality workers were paid. Bela Bela Local Municipality workers received their salaries three days in arrears while Vhembe Municipality workers received only a portion of their salaries on 29 January 2015.
- On 29 January, about 100 employees affiliated to National Education, Health and Allied Workers Union (NEHAWU) downed tools and blockaded the Cooperative Governance and Traditional Affairs Administration Headquarters' (Department) main entrance in Bhisho, Eastern Cape to prevent the Head of Administration from entering. This followed the return of the Head of Administration to work after he received correspondence from the Department's legal services that his suspension was lifted. The suspension was lifted just before the Head of Administration took the authorities to the Labour Court to fight for his position after the Public Service Commission recommended he be reinstated. NEHAWU indicated that workers were not officially informed of the return of the Head of Administration.

- Eastern Cape Midlands College lecturers affiliated to NEHAWU embarked on strike after the middle of January demanding fair remuneration and permanent positions. NEHAWU reported that lecturers made their grievances known to the Department of Higher Education. However, instead of addressing the staff demands, the College dismissed about 66 lecturers in the beginning of February 2015.

February 2015

- About 200 paramedics affiliated to Public Servants Association (PSA) in the eThekweni region, in KwaZulu-Natal (KZN) downed tools on 2 February. PSA indicated that the strike came after repeated “broken promises” from the Department of Health regarding failure to pay outstanding overtime that was due in December 2014 as well as gratuity payments.
- On 2 February, Nelson Mandela Bay Municipality infrastructure workers downed tools and staged a sit-in at the Lillian Diedericks Building. They demanded management to stop hiring private companies to fix broken pipes, leaking taps, grass cutting, and meter reading. Workers alleged that some of the companies hired to do the work often do not do a proper job, and as a result workers have to do the job again that the companies were hired to do. Therefore, workers wanted the municipality to let them work overtime and pay them an allowance instead of outsourcing the work.
- Rea-Vaya bus drivers embarked on a strike on 2 February due to their unhappiness with management. Management reported that they summoned the bus drivers on 3 February 2015 to provide reasons why they should not be suspended and disciplinary proceedings were already started.
- Gautrain bus drivers embarked on a wildcat strike against the Bombela Concession Company which is managing the Gautrain on 4 February. The company claimed that it did not know the reasons that led the bus drivers to go on strike.
- On 4 February, workers at Lear Corporation, which produces seats for Mercedes-Benz South Africa, downed tools demanding the company to pay them salaries on par with those of 2013 as the hourly rates were reduced from R46 to R22 in 2014. It was reported that workers went on strike for the same demand in 2014, but NUMSA withdrew it because the company threatened to file an interdict. Workers also demanded the ban of labour brokers and medical aid deductions to be stopped.
- On 16 February, employees belonging to NEHAWU embarked on strike against the Eastern Cape Office of the Premier. NEHAWU reported that workers were protesting over management’s failure to implement salary adjustments that would move level nine to 10 and Level 11 to 12. The union claimed that the resolutions of upgrading salary levels were taken in the bargaining council and the Department of Public Service and Administration (DPSA) had already endorsed the adjustments, with other departments in the province already having implemented the changes.
- The teachers at The Colliery Training Collage went on strike over a wage dispute on 18 February. It was reported that the wage dispute started in November 2014. Solidarity reported that teachers demanded an 8% pay hike. Management indicated that the demand was not unreasonable, however they could not afford it and as a result they proposed a revised offer.
- On 23 February, workers under the leadership of NEHAWU embarked on unprotected strike at Dr Rubusana College of Education Centre in Mdantsane. NEHAWU stated that workers were demanding management to address a number of grievances amongst them were overtime payment for special school staff salary grading consistency and bursaries for district level staff. It was reported that management held a meeting with the union to deal with the matters raised.
- Workers belonging to SAMWU at John Taolo Gaetsewe District Municipality embarked on lunch hour protests on the last week weeks of February to before 16 March) the Mayoral Committee and Council ignored their request. SAMWU reported that workers complained about allegations of corruption, maladministration and ill-treatment of workers by the management. They also demanded the resignation of a councillor Municipal Manager; Senior Political Administrator and Economic Development Director because they were accused of their involvement in the submitted allegations.

March 2015

- On 2 March, doctors at Diepkloof Government Mortuary in Soweto went on strike. They protested against the reinstatement of a doctor, who was suspended in November 2013 following accusations of stealing body parts from the mortuary.
- Workers affiliated to SAMWU went on strike against the Johannesburg Road Agency (JRA) on 3 March. According to SAMWU, workers demanded the introduction of a pay progression system in the JRA starting with a once-off structural adjustment of salaries of all employees on certain levels; increase of travel allowance for inspectors from R4 500 to R8 500 and the removal of a Depot Manager in Region F. The board and management claimed in a statement that they believe the issues raised did not necessarily justify strike action because management had provided clear and viable processes to address the concerns.

- Dedisa Group Five mechanical site workers affiliated to NUMSA embarked on strike at the Dedisa power plant in Coega, Nelson Mandela Bay on 4 March. NUMSA indicated that workers downed tools over unfair labour practices from the main site contractor, Group Five. This included preferential treatment given to workers from other provinces at the plant, while workers from Nelson Mandela Bay were exploited by being paid smaller hourly rates (R39.92) whilst their counterparts from other provinces were paid R120. Management reported that they tabled an offer to workers during their meeting.
- Workers in the Ventersdorp Municipality embarked on a strike on 4 March. COSATU reported that workers raised a number of issues concerning them including nepotism; poor performance by the majority of unqualified directors who are related to politicians and councillors; lack of training for workers, in particular in the engineering department; lack of promotions to workers who have worked in the department for many years, whilst those close to politicians and directors were promoted; harassment of workers on racial grounds; failure to address grievances submitted to the Human Resources Director; lack of protective clothing for workers; perpetual use of the service providers who are close to the directors and politicians and render workers redundant; corruption; and alleged selling of government state land by directors without council resolutions.
- On 5 March, outsourced workers staged a sit-in at MJL Electrical Offices in the University of Witwatersrand (Wits) campus. MJL Electrical is an outsourced company by Wits. Workers were protesting against the failure by the company to pay their salaries for four weeks. During the sit-in the company manager locked the workers in the offices. It was reported that the campus control unlocked the door of MJL Office after they received information from one of the workers who was outside. Wits officials organised payment of R400 per worker as a temporary measure.
- Workers affiliated to NUMSA embarked on strike against a Limpopo Toyota car dealer in Polokwane on 6 March. This was sparked by the suspension of five shop stewards. NUMSA indicated that workers were demanding the resignation of the company management, accusing them of corruption and conducting their own business against company policy. They claimed that when they confronted management about this, management threatened them with retrenchments.
- The municipal workers embarked on strike against the Letsemeng Municipality on the first week of March 2015 over the employment of senior personnel. They claimed that all the senior personnel in the municipality were appointed from outside, some even from Limpopo.
- On 9 March, workers who are members of the Catering, Care and Retail Allied Workers Union of South Africa (CRRAWUSA) downed tools and engaged on strike against the University of Pretoria's High Performance Centre. CRRAWUSA reported that workers were demanding salary adjustments, provident fund and medical aid.
- Workers and NEHAWU members at Bela-Bela Hospital downed tools and embarked on a strike on 9 March. NEHAWU reported that the strike followed the failure by management to respond to workers' demands. They also reported that some workers were not being paid overtime.
- On 11 March, workers of Ezemvelo KZN Wildlife held picketing over the restructuring of the workplace. However, the workers protest was not supported by NEHAWU and Health and Other Service Personnel Trade Union of South Africa of South Africa (HOSPERSA), the recognised trade unions in the organisation. Despite this however, two Board of Director representatives met with the workers and discussed their grievances.
- Workers at MTN embarked on an unprotected strike and protested outside the company's Johannesburg Headquarters on 11 March. It was reported that they were protesting over the reduction from 30% bonus of annual salaries to 4% bonus of the annual salaries. In the light of this, they demanded a thirteenth cheque or an ex-gratia amount above 4%. It was reported that management met with the workers to resolve the dispute.
- On 16 March, workers under the leadership of Food and Allied Workers Union (FAWU) at Polokwane Vleislapa Butchery embarked on a protected strike. FAWU reported that workers were demanding at least R500 pay hike per month whilst management was offering R180 per month or 8% across the board. They also demanded seven days family responsibility leave and the Blockman adjustment to be R4 500. The union held a meeting with management for further negotiations on the dispute.
- Workers of Oudtshoorn Municipality engaged in a strike on 16 March. This followed after workers heard allegations that the municipality had stolen their pension and medical aid contributions.
- On 16 March, workers affiliated to NEHAWU embarked on strike action against Mpumalanga Regional Training Trust that runs Hospitality and Tourism Academy a temporary campus offering hospitality to University of Mpumalanga students. NEHAWU reported that workers were protesting over unpaid December 2014 bonuses.
- On 18 March, security guards employed by Hlimbyi Trading Enterprise embarked on protest action over non-payment of salaries in January 2015. This was after the Gauteng High Court Division in Polokwane set aside the awarding of a multi-million Rand security tender to Hlimbyi Trading Enterprise.

- Workers led by the Communication Workers Union (CWU) embarked on a strike and protested outside the Telkom head office in Pretoria on 20 March. The union reported that workers closed down call centre systems during working hours. The strike happened after the company announced plans to shut down a number of its stores, outsource some operations and retrench workers.
- On 23 March, a number of mineworkers protested outside Northman Platinum's Zondereinde mine. Management claimed that they intended to find out what workers grievances were through their engagement.
- Workers under the leadership of NUMSA embarked on a strike at Medupi Power Plant on 25 March. According to NUMSA, workers were protesting for higher pay and against workplace racial discrimination.
- On 26 March, workers went on strike against the Coastlands Umhlanga Hotel in Durban. It was reported that they demanded payment of their bonuses they did not receive.
- Workers at Hotazel Manganese Mines, a subsidiary of BHP Billiton embarked on strike action on 27 March. According to NUM, workers demanded the company to pay them bonuses before the disinvestment of BHP Billiton and takeover by another company goes ahead. In addition, the union indicated that workers also protested against the suspension of a NUM member and allegations of Employee Share Ownership Scheme that was set up in 2007. NUM called on all workers to return to work and allow discussions between the management and NUM to continue.
- On 31 March, workers went on an unprotected strike in Forever Resort Badplaas in Mpumalanga. They were protesting against the dismissal of the FAWU leader and suspension of two workers. Management claimed that workers ignored both the management ultimatum for them to report to duty and a court order and continued with the protest.

April 2015

- On 3 April, workers lead by SATAWU embarked on a strike at N1 and N2 Toll Gates against PT Operation a company contracted by the Bakwena to operate certain highway toll gates. According to SATAWU, workers demanded R4 500 wages per month; free transport to work; R65 shift allowance and; above CPI increase on benefits. Whilst on the other hand the employer offered R2 000 wages per month and CPI increase to be added to the R2 000 per month.
- On 16 April, a number of workers affiliated to SAMWU protested against TOC at the City of Cape Town Metropolitan. According to SAMWU workers complained about racism, victimization and, preservation of white privilege in the TOC Call Centre. The union demanded the implementation of the Miles' Commission Report and removal of white management at TOC Call Centre.
- The public sector employees belonging to seven unions affiliated to COSATU engaged on protest action by marching to National Treasury and Department of Public Service and Administration in Pretoria on 23 April 2015. According to COSATU workers were demanding 10% pay hike plus a R1 500 housing allowance.
- On the third week of April, workers under the leadership of NUM embarked on strike against Good Hope Construction. According to NUM, workers demanded the provision of quality protective clothing; remuneration of workers that were un-procedurally laid-off; remuneration of workers according to the correct "trade or category" as prescribed in the BIBC main agreement and payment of overtime.
- Teachers led by SADTU in Limpopo marched and presented a memorandum of grievances to the Office of the Premier in the Limpopo Provincial Government on 28 April. According to SADTU, teachers were protesting over the reduction of salaries of Adult Basic Education Teachers and the shortage of teachers at some schools in the province.

May 2015

- On 4 May, workers affiliated to SAMWU in the City of Cape Town Metropolitan went on an indefinite strike. SAMWU indicated that workers demanded an 11% wage hike, provision of transport for employees and withdrawal of the shift system that was changed without consultation. The South African Local Government Association which is the employer reported that it raised its offer from 4.4% to 5.4%.

June 2015

- On 1 June, workers under the leadership of SACCAWU, supported by COSATU embarked on strike against the Three Star Cash and Carry in Rustenburg, North West. COSATU reported that workers were demanding a 13th cheque and laundry allowance. They also claimed that workers were protesting against the non-compliance with many laws of such as the Occupational Health and Safety and Basic Conditions of Employment Act. In addition, COSATU North West called on the Department of Labour to intervene and investigate on the improper working conditions of workers, who were unregistered by the employer.

- On 17 June, municipal workers affiliated to SAMWU went on an unprotected strike against the Nelson Mandela Bay Metropolitan. They blocked off sections of the city centre, parked and abandoned several garbage trucks and council vehicles and disrupted traffic.
- Traffic Cops protested against the Buffalo City Metropolitan through a blockade of the main street on 23 June. They demanded the payment of outstanding responsibility allowances from December 2014. The demonstrators held a meeting with the Metro management to discuss the grievances. They complained that some of the work they were instructed to do fell outside the National Road Traffic Act.

July 2015

- On 3 July, members of NUM went on strike at Anglo Platinum's Twickenham Mine in Limpopo. According to NUM, workers were demanding the reinstatement of 165 employees whose contracts were terminated by the mine.
- About 10 Johannesburg fire fighters engaged on an unprotected strike against Emergency Management Services on 17 July. It was reported that the fire fighters were demanding better overtime regulations and payment. However, instead of addressing the problem the management punished the fire fighters by applying for a court interdict and suspension.
- On 24 July, workers at the Energy and Electricity Department went on an unprotected strike against the Nelson Mandela Bay Municipality. It is reported that this was a protest against the allowance policies and against the 2015/16 budget cut of R500 million on salaries for vacant positions and special skills levies and R123 million for maintenance.

August 2015

- On 19 August, workers went on strike at Almar Investments Limited which is contracted to operate the material handling mobile equipment by International Ferro Metals Ltd in its facilities in the North West. It was reported that this came after the labour unrest affected other mining operations in the province.
- Workers of Passenger Rail Agency of South Africa (PRASA) protested at PRASA House in Pretoria on 19 August. It was reported that workers were demanding the reinstatement of the Chief Executive Officer who was fired by the Board of PRASA in July 2015.
- On 27 August, workers under the leadership of NUM embarked on strike at Long Meadow a subsidiary of Corobrik near Pietermaritzburg after their demands were not met. NUM reported that workers were demanding a 10% (R300) salary increase across the board whilst on the other hand management offered a 7% salary hike. They also demanded improvement in family responsibility leave and a "top up" of the maternity benefits provided by the Unemployment Insurance Fund. Furthermore, workers were demanding a housing scheme through the provision of free building materials in order for workers to be able to build their own houses.

September 2015

- On 9 September, workers affiliated to FAWU downed tools against Ceres Fruit Growers over wages. It was reported that workers protested outside the company's gates and barricaded roads with burning tyres. FAWU reported that workers were demanding a 12% wage hike whilst employers offered 6%.
- The bus drivers belonging to SAMWU went on an unprotected strike on 10 September, against the Tshwane Municipality over working conditions. According to the Tshwane Municipality, the bus drivers abandoned vehicles in the Pretoria Central Business District. The management reported that they held a meeting with SAMWU to resolve the matter.

October 2015

- Over 700 workers at the Woolworths Johannesburg Distribution Centre went on a legal labour strike on Monday 12 October. According to union representatives, various operations at the Woolworths distribution centre were affected, impacting several Woolworth's stores in the Gauteng area. Woolworth's workers went on strike demanding fair pay, affordable medical aid, education allowances, housing allowances as well as better working conditions. Union leaders have informed BDS SA that Woolworths workers are currently earning at least 200% less than what workers at comparable retailers/companies are earning (workers at Woolworths Distribution Centre currently earn approximately R2 800 - R3 600). The leadership of BDS South Africa were set to meet with the workers and union leadership to explore ways of supporting the workers in their legal labour strike.

November 2015

- On 4 November workers at the Kingsway campus of the University of Johannesburg started protesting about alleged unfair labour practices and other issues. The protest occurred just when South African universities seemed to have restored order after almost two weeks of demonstrations. Workers employed by the private company, Elite Cleaning Services, were upset because their employer allegedly sold the company to the Servest Group without their consent, leaving the future of some workers unclear. Workers downed tools and demanded the university not to outsource but employ them on a full-time contracts.
- More than 2 000 workers at the Mpumalanga-based organic banana producer Umbhaba Banana Estates Farms, which account for 20% cent of the local market was hit by a five day strike. Food and Allied Workers Union (FAWU) general secretary reported that they were fighting to get the banana producer to allow employees to exercise their rights to join labour unions.
- Disgruntled Nyoni Projects workers downed tools on 30 November after their salaries scheduled to be paid on 27 November were not paid. The chairperson of the Alexandra Development Steering Committee pronounced he was disappointed with the way workers had been treated and he vowed to fight for them until their demands were met.

December 2015

- On 1 December, hundreds of Eastern Cape residents and government facilities, including prisons and hospitals, were faced with water challenges after workers from Amatola Water downed tools. The workers were demanding a payout of R10 500 each amid allegations that Amatola Water failed to update salary spreadsheets, had not conducted job evaluations for more than 10 years and had "illegally" increased salaries of 32 workers in 2012.
- On 1 December 2015 workers at the Diamond Bed Factory in Kimberley downed tools and picketed on the premises after questioning provident and holiday fund deductions which were not paid over to the bargaining council.
- Pikit-up employees strike erupted on 2 December as the Johannesburg Metro Police Department confirmed that services were affected at all the licensing and testing stations in Johannesburg. The City of Johannesburg spokesperson said the staff members were disgruntled because the department advertised positions externally and not internally. Due to the strike, motorists were urged to use the post office to renew license discs.



CONCLUSION

An attempt was made in this report to look at the labour disputes over 10 years, from 2005 to 2015, to explore the changes regarding the main indicators of the labour disputes, namely number of strikes, working days lost, wages lost and working days lost per 1 000 employees. Furthermore, the report illustrates a three-year comparative analysis for other specific labour dispute indicators per province and industry. Interestingly, the trends observed are closely linked to the social dynamics and business cycle in the country. There Labour disputes during economic slowdown were less likely to be successful and have been relatively low regarding the number of work stoppages, e.g. 2008-2009.

The main findings are that the number of strikes, working days lost and workers affected due to strike incidents in South Africa have fluctuated over time, from 2005 to 2015, with an annual average of 85 strikes, 5.2 million working days lost and 335 000 workers involved in strikes per annum over the ten-year period.

Unlike in 2014, 45% of the total strikes in 2015 were protected strikes. The tendency is that small businesses could still embark on unprotected strikes while notices were not given to employers. In this case, strikers are bound to know about their vulnerability to be dismissed from work which can also result in a higher unemployment rate in the country.

Policy considerations

Some of these policy pointers need to be considered²²:

- Employers need to get more into the minds of employees to consider what they are thinking and how they can create better a labour market environment, communities and better future for all, together
- There is a need to consider how all parties can appropriately exercise their constitutional rights during strikes and lock-outs
- To explore different forms of workplace engagement structures for the purpose of production
- To explore measures that will assist resolving the labour disputes as speedily as possible, while recognising the Constitutional right to strike as a legitimate exercise of power to pursue demands.

Progress made to improve on labour disputes:

- The NEDLAC discussion by social partners is still continuing. What makes the process long is that NEDLAC constituencies have different interests and positions regarding how to address issues on the national minimum wages and the labour relations conflict in the workplace
- On the National Minimum Wages (NMW) discussion, the parties have agreed that in the scope and application of the NMW, it will cover the entire Republic of South Africa. The NMW shall be the legal floor, guaranteed by law below which no worker may be paid in South Africa; and collective agreements, including bargaining council agreements, sectoral determinations and contracts of employment may not make provision for a wage that is lower than the NMW but may vary wages upwards; NMW legislation will make provision for an exemption process. The greatest challenge for the parties will be to agree on the levels of the NMW
- In addressing the labour relations conflict in the workplace, the parties have agreed to embark on legal drafting on balloting to help minimise a number of strikes and protracted strikes; and to the introduction of codes of good practice for the parties on how to conduct themselves during strikes as well as to reinvigorate workplace forums so as to repair labour relations.

References

1. The Citizen newspaper, Raises in line with inflation, February 7, 2013
2. International Labour Organisation (ILO), Global unemployment projected to rise in both 2016 and 2017, World Employment and Social Outlook –Trends 2016
3. City Press newspaper, Budget revision, January 17, 2016
4. Mail and Guardian, Wages and productivity even out, Business, 29th January to 4th February 2016, p.28
5. Statistics South Africa, Quarterly Labour Force Survey, Quarter three, p.53.

22 Most of these issues are currently being debated at the NEDLAC and good progress has been reported so far.

ANNEXURE A

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, 2015

Industry/Sector	Workers involved	Working days lost	Working hours lost
Electricity, gas and water supply	371	742	5 936
Collection, purification and distribution of water	371	742	5 936
Wholesale and retail, repair of motor vehicles	7 914	74 461	668 129
Hotels and restaurants	7 219	64 971	584 739
Retail trade, except of motor vehicles and motor cycles; repair of personal household goods	50	5 300	47 700
Sale, maintenance and repair of motor vehicles and motor cycles; retail trade in automotive fuel	108	1 620	14 580
Wholesale and commission trade, except of motor vehicles and motor cycles	232	415	3 740
Wholesale trade in agricultural raw and materials & livestock	50	150	1 200
Wholesale trade in food, beverages & tobacco	255	2 005	16 170
Manufacturing	5 742	41 594	360 393
Basic metals, fabricated metal products, machinery and equipment	2 035	3 903	32 153
Coke, refined petroleum products and nuclear fuel	72	792	7 128
Electrical machinery and apparatus	94	94	783
Food products, beverages and tobacco products	594	11 753	105 722
Manufacture of furniture; manufacturing n.e.c; recycling	20	20	180
Other non-metallic mineral products	623	8 368	66 944
Transport equipment	1 802	2 387	19 096
Textiles, clothing and leather goods	212	212	1 802
Wood and Products of wood and cork	275	13 750	123 750
Publishing, Printing & Reproduction of Recorded	15	315	2 835
Community, social and personal services	32 391	170 441	1 429 191
Activities auxiliary of financial intermediation	260	24 180	193 440
Education	13 266	55 978	468 915
Health and social work	2 823	12 641	144 783
Public administration and defence activities	3 016	24 235	193 772
Research and development	98	980	7 840
Local Authority	12 573	50 812	407 256
Hotels and restaurants	210	1 470	11 760
Recreation; cultural and sporting activities	70	70	525
Security Services	75	75	900
Mining and quarrying	29 918	224 348	2 028 715
Coal and lignite	16 085	139 151	1 321 721
Gold and uranium ore	4 341	6 254	50 032
Metal ores, except gold and uranium	9 183	70 268	568 306
Other mining and quarrying	309	8 675	88 656
Transport, storage and communication	8 856	244 893	2 497 577

Activities auxiliary of financial intermediation	30	1 590	12 720
Land transport, transport via pipelines	442	8 549	76 896
Passenger transport	1 212	2 851	23 815
Public transport	614	4 990	38 926
Air transport	470	2 588	21 824
Other services activities	138	8 142	378 672
Other community, social and personal services activities	31	31	279
Post and telecommunications	5 919	216 152	1 944 445
Construction	2 779	97 287	830 738
Construction	930	48 410	435 957
Construction of other structures	1 662	44 874	358 992
Construction of buildings	141	3 525	31 725
Construction of civil engineering structures	46	478	4 064
Agriculture, hunting, forestry and fishing	3 101	50 155	474 116
Agriculture, hunting and related services	3 101	50 155	474 116

Source: Department of Labour, Strikes Statistics database

Table A2: Number of working days lost by nature of Organisation 2014, 2015

NATURE OF ORGANISATION	WORKING DAYS LOST 2014	WORKING DAYS LOST 2015
Central Government General	-	16 326
Government Enterprise	23 214	2 762
Local Government General	54 223	54 033
Private Sector	10 187 290	802 667
Provincial Government General	48	28 133

Source: Department of Labour, Strikes Statistics database

ANNEXURE B

B: Methodology for monitoring industrial action

B1. Introduction

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

B2. Definitions

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

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

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

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

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

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

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

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

Work hours: It refers to those hours during which an employee is obliged to work.

B3. Coverage

Data collection attempts to cover the entire country, all economic activity and all sectors of the economy, legal and illegal industrial action. The system attempts to cover all industrial action due to labour disputes. The figures in this report are inclusive of all industrial actions which come to the knowledge of the Department, and the methods taken to secure information practically preclude probability of omissions of a serious nature.

This is a painstaking exercise, and it is believed that the statistics indicates the conditions of labour disputes in the country with reasonable precision. Since LRA Form 9.2 has been redesigned, the Department is now in a position to cover employees both directly and indirectly involved in industrial actions separately, that is, those who participate directly or indirectly by stopping work. Workers absent from their normal place of work at the time of a strike or stoppage, for reasons such as sick-leave, vacation, business or personal reasons, whether authorized or unauthorized, are excluded from participation in industrial actions and are therefore not counted.

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

B4. Data collection

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

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

After receiving the form either directly from the employer or from the provincial office, Head Office staff members check the form to assess if the information provided is sufficient. If the information is insufficient, Department of Labour staff contact employers with the aim of getting relevant information, after which the data is captured on a database specifically designed for monitoring industrial action. The form is designed for workers who are both directly and indirectly involved in the industrial action, excluding all those who are on leave. The method of data collection and processing has remained the same ever since. The Department has to rely on the employers affected by disputes for detailed information on such matters as size, length, reason given for striking, etc., which it requires for its records as required by the 1995 Labour Relations Act. No attempt is made to contact other parties to disputes, e.g., unions to verify the information that has been supplied by employers. Hence at this level, employers constitute a principal source of strikes data.

B5. Calculations

Working days lost

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

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

Working hours lost

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

2 000 workers x 3 hours lost x 3 days worked = 18 000 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 losing 1 662 000 working days will have a ratio of 133 arrived at as follows:

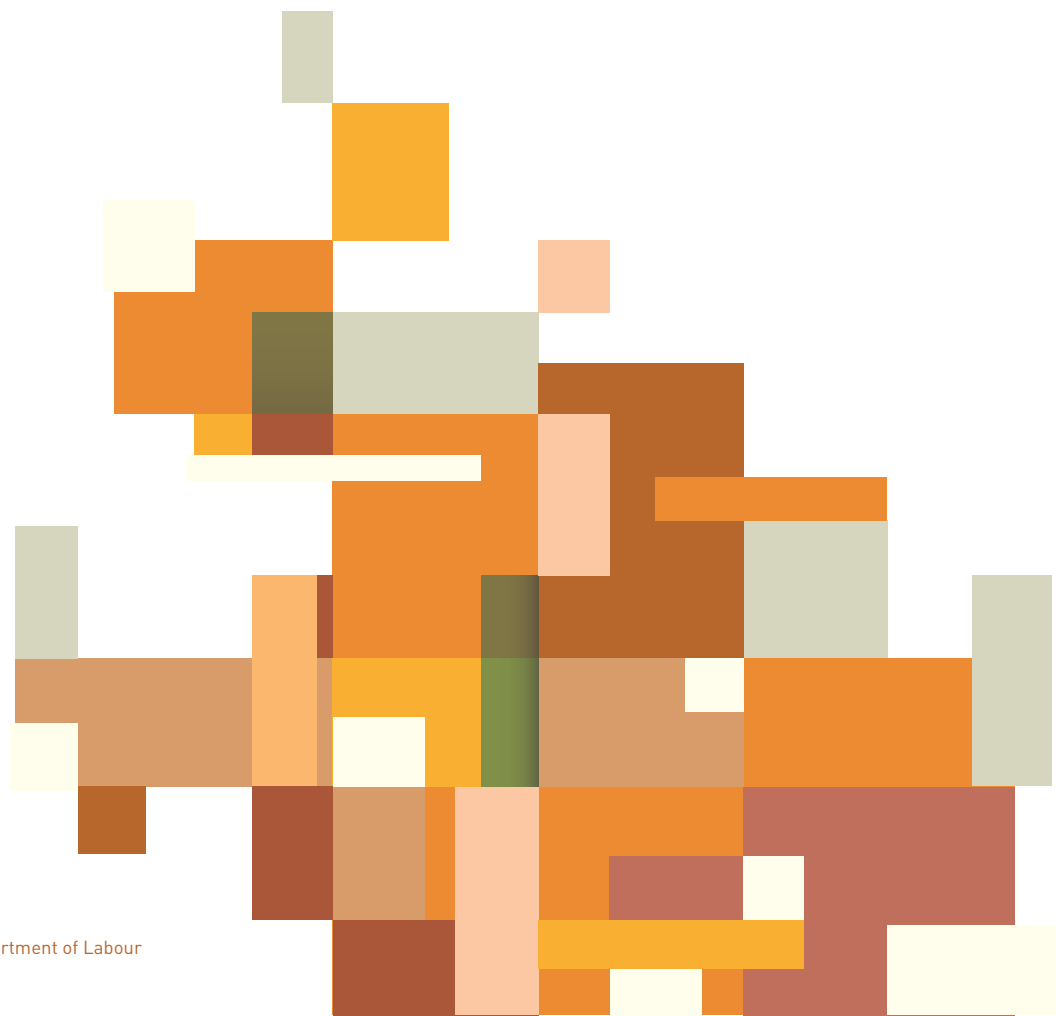
$$1\,662\,000/12\,488\,000*1\,000$$

Measurement

The criterion used to identify a single strike, lockout, stoppage or protest action, is the industrial action in question. The Department of Labour has adopted the following International Labour 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 organization.

WHERE DOES THIS FORM GO?

ENQUIRIES:

The Director-General,
Department of Labour
Private Bag X117
Pretoria
0001

Tel: (012) 309 4004
Fax: (012) 309 4406
E-mail: strikes@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

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:

Industry:

Sector/ Nature of business:

.....

2. EMPLOYEE DETAILS

2.1 Total number of workforce:

2.2 Working time **(Please complete where applicable)**

Number of ordinary hours worked per day/shift:

Number of ordinary days worked per day/shift

3. DETAILS OF THE ACTION

3.1 Nature of action

- Strike in company only
- Multi-employer strike
- Lockout
- Stay-away, protest action
- Secondary strike
- Picketing
- Other industrial action, please specify

.....

.....

please go to the next page →

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

Yes No

How was the industrial action resolved?

Was replacement labour used?

Was a replacement labour used? Yes No

3.2 Strike duration

Began: Ended:
(Date) (Time) (Date) (Time)

Duration in workdays (or hours if relevant)

3.3 Employees involved

Number of employees participating¹:

Number of female employees affected²:

Total work-hours lost:

Total wages not paid (in Rands):

3.4 Unions involved

NAME OF TRADE UNION	NUMBER OF EMPLOYEES INVOLVED PER UNION
Total	

please go to the next page →

3.5 Compliance with the Act

Was the action in compliance with the Act? (e.g., procedural or un-procedural)

Yes

No

Don't know

If no, or don't know, please explain

3.6 Strike reasons

Provide reasons for the action:

Wages only (if the action was a wage strike, kindly indicate the following

Percentage demanded by union:

Percentage demanded by employer:

Percentage demanded by both parties:

Bonuses and other compensation

Disciplinary matters

Grievances

Retrenchments/Dismissals

Refusal to bargain

Socio-economic/political conditions

Secondary action from another dispute

Organisational rights

Working conditions

Any other reason, please specify

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.

Name of employer (In full):

Signature of employer.....Date.....