

INDUSTRIAL ACTION REPORT



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CONTENTS

Acronyms	vi
Acknowledge	vii
Executive Summary	viii
Introduction	ix

CHAPTER ONE:

Overview of strike incidents in the South African labour market, 2016	1
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CHAPTER TWO:

Analysis of the key characteristics of the labour disputes, 2016	7
2.1. Provincial distribution of work stoppages, 2016	7
2.2. Industrial distribution of work stoppages, 2016	8
2.3. Industrial distribution of working days lost, 2016	9
2.4. Industrial distribution of working hours lost, 2016	9
2.5. Working days lost per 1 000 employees by industry, 2016	10
2.6. Employees involved in work stoppages by industry, 2016	10
2.7. Work stoppages by employment size of establishments, 2016	11
2.8. Duration of work stoppages, 2016	12
2.9. Principal cause of strike activity measured in working days lost, 2016	12
2.10. Trade union involvement in work stoppages, 2016	13

CHAPTER THREE:

Disputes settled through collective bargaining and wage settlements, 2015 - 2016	17
3.1. Wage settlements concluded with strikes in various industries, 2016	18
3.2. Wage settlements concluded without strike incidents	19
3.3. Abandoned strike incidents	20
3.4. Annual salary increment negotiations, 2016	20

CONCLUSION	23
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REFERENCES 25

ANNEXURE A

Profile of work stoppages, 2016 27

ANNEXURE B

Data Appendix 31

ANNEXURE C

Technical note 33

LIST OF FIGURES

Figure 1: Trends in the number of work stoppages in South Africa, Q1 to Q4 of 2016	1
Figure 2: Distribution of work stoppages by their nature, Q1 to Q4 of 2016	2
Figure 3: Trends in working days lost in South Africa, Q1 to Q4 of 2016	2
Figure 4: Working days lost per 1 000 employees due to strikes, Q1 to Q4 of 2016	3
Figure 5: Trends in working hours lost in South Africa, Q1 to Q4 of 2016	3
Figure 6: Wages lost due to work stoppages in South Africa, Q1 to Q4 of 2016	4
Figure 7: Percentage distribution of the protected and unprotected strikes in South Africa, Q1 to Q4 of 2016	4
Figure 8: Distribution of work stoppages by industry, Q1 to Q4 of 2016	8
Figure 9: Percentage distribution of work stoppages by employment size, Q1 to Q4 of 2016	11
Figure 10: Percentage distribution of work stoppages by duration, Q1 to Q4 of 2016	12

LIST OF TABLES

Table 1: Distribution of work stoppages and wages lost by province, Q1 to Q4 of 2016	7
Table 2: Distribution of working days lost by industry, Q1 to Q4 of 2016	9
Table 3: Distribution of working hours lost by industry, Q1 to Q4 2016	9
Table 4: Time-loss ratio by industry, Q1 to Q4 of 2016	10
Table 5: Distribution of employees involved in work stoppages by industry, Q1 to Q4 of 2016	10
Table 6: Distribution of working days by principal cause of dispute, Q1 to Q4 of 2016	12
Table 7: Working days lost by trade union, 2015-2016	13
Table 8: Median wage settlements levels in South Africa by industry, 2015-2016	17
Table 9: Distribution of final wage settlement in various industries	18
Table 10: Distribution of how annual salary increment were negotiated	20

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	SACCA	South African Cabin Crew Association
FAWU	Food and Allied Workers Union	SACCAWU	South African Commercial, Catering and Allied Workers' Union
FMAIWU	Federated Mining & Allied Industries Workers Union	SACTWU	South African Clothing and Textile Workers' Union
FGWU	Food and General Workers' Union	SACU	South African Communications Union
GDP	Gross Domestic Product	SADTU	South African Democratic Teachers Union
GIWUSA	General Industries Workers Union of South Africa	SAEWA	South African Equity Workers Association
HOSPERSA	Health and Other Service Personnel Trade Union of South Africa	SAFCEC	South African Federation of Civil Engineering Contractors
HOTELICCA	Hotel, Liquor, Catering, Commercial and Allied Workers' Union of S.A.	SALGA	South African Local Government Association
ILO	International Labour Organisation	SAMA	South African Medical Association
IMF	International Monetary Fund	SAMWU	South African Municipal Workers' Union
ITU	Inqubelaphambili Trade Union	SANC	South African Nursing Council
KSCWO	Kutama Senthumule Correctional Worker's Organisation	SATAWU	South African Transport and Allied Workers Union
LMIS	Labour Market Information and Statistics	SEIFSA	Steel and Engineering Industry Federation of South Africa
MEWUSA	Metal and Electrical Workers' Union of South Africa	TAWUSA	Transport and Allied Workers Union of South Africa
		TOWU	Transport and Omnibus Workers' Union
		UASA	United Association of South Africa
		UNTU	United National Transport Union
		UTATU	United Transport and Allied Trade Union



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A special word of appreciation also goes to the senior management of the Department of Labour who provided useful inputs that have been used to improve the quality of this report, prior to the dissemination.

Lastly, a special thank you goes to the Labour Market Information and Statistics (LMIS) officials in the Department who contributed to the development of this report. These officials played a critical role in the development of the report and in the incorporation of inputs gathered from different forums and through research papers on labour disputes.

EXECUTIVE SUMMARY

The South African labour market still presents a gloomy picture as characterised by a high unequal labour force. It is also measured by the Gini coefficient that is close to 0.771. With this, the labour unions have a reason to deepen their muscles in higher wage demands higher than inflation so that their workers feel some improvement in their living standards.

This Industrial Action report has one primary objective, to examine the labour dispute behaviours of the South African labour market and its impacts on the South African households. The report provides a detailed account of companies affected by work stoppages and disaggregates information by province, duration, industries, nature and reasons of strikes. It is continuously produced by the staff of the Labour Market Information and Statistics (LMIS) directorate in line with the department strategic objective of monitoring the impact of legislation.

With regard to the results of the industrial action report of 2016, a total of 122 strikes were recorded for the entire year. This represents a 10% strikes increase as compared to a total of 110 strike incidents recorded in 2015.

The results further report that 59% of workplace disputes were unprotected leaving 41% of strikes to be protected in 2016. However unprotected strikes decreased from 79% in quarter one to 46% in quarter four of 2016, while the protected strikes increased from 21% to 54% in the same reporting period.

Key features of industrial disputes in 2016 are outlined as follows²:

- More work stoppages were experienced during the “strikes seasons” that are the second and third quarters of the year. More strikes during this period resulted in more work days lost
- By nature of strikes, “strikes in company only” were predominantly higher contributing to 56% of strikes that took place in 2016. This was followed by those workers who were locked-out at 26% across work places
- The South African labour market lost a total of 946 323 working days as a result of 122 work stoppages. This represents 4.7% increase in working days lost in 2016 as compared to 903 921 days lost in 2015
- The time-loss ratio was at 59 working days lost per 1 000 employees
- A total of 7 613 267 working hours were lost in 2016 as compared to a total 8 294 795 working hours lost in 2015
- There were 90 228 workers involved in labour disputes in 2016, the lowest figure since strike records captured in 2013
- In term wages lost, the South African labour economy lost approximately R161 million due to work stoppages in 2016 as compared to R116 million in 2015. This reflects an increase of 38.2% in wages lost due to work stoppages (year on year analysis)
- Of the nine provinces in the country, some provinces with relatively high performance economic activities had experienced, more strikes in all the four quarters of 2016. These provinces include Gauteng and KwaZulu-Natal provinces
- By industry, the community industry was highly affected by strike incidents followed by manufacturing and transport industries in 2016
- Establishments with more than 1 000 employees were mostly affected by industrial actions during quarter two and three of 2016 at 41 and 40% respectively
- Most of work stoppages were due to wages, bonus and other compensation demands
- As reported by the Labour Research Services, the average median wage settlement from various industries in 2016 was marked close to 8%.

Strike incidents and the National Development Plan (NDP)

The NDP refers to the high number of strikes as an indicator of the labour relations environment having become “particularly fraught”. In this regard, the results in this report indicate that:

- The share of unprotected strikes in the total strike action is still high in 2016³. This pattern of strikes does provide cause for concern in the labour relations environment
- From the time of recession in 2008, the number of working days lost decreased substantially by 38% in 2016 as a result of work stoppages.

Strikes and job loss

- In quarter four, the statistics as collected by the Department of Labour reflected that a total of 18 454 workers were retrenched where most of retrenches were noticeable from the mining, building/construction and food and beverages sectors at 6 421, 2 117 and 1 632 respectively⁴. On the other hand, 26 strike incidents with 233 402 working days lost were observed in the same period. By looking at the correlation, one can argue that this might not have a direct link with the number of retrenchments in the different industries but the trend indicates an overall of 55.1% of employees being retrenched over the same period.

1 The World Bank reveals that the Gini coefficient is 0.77, on a scale of 1 (where one person has all the income) to zero (where income is equally shared making us the world's most unequal society)

2 Details information of each report is provided in the main published reports for ease of reference.

3 As per the MTSE, this needs to be reduced by 50%. There is a need to strengthen dispute resolutions mechanism in labour market with a view to reducing tension and violence.

4 Department of Labour, Annual Performance Plan report (2017-2018) workshop, Labour Policy and Industrial Relations Branch Presentation, unpublished, 2nd and 3rd of March 2017

INTRODUCTION

The current South African labour market environment has shown relatively low investment confidence with reasons emerging from labour disputes that have become unduly tense and sometimes violent. In other sectors, it is inconceivable that the economy evolve in a more labour-intensive manner if these conditions persist. On 17 June 2014, President Zuma called for social partners to deliberate on how to address low wages, wage inequality, violent and protracted strikes. The President stressed that the National Development Plan (NDP) Vision 2030 envisages for measures to strengthen labour stability and collective bargaining that is an important step in creating a more equal, just and prosperous society.

Recently, the President had indicated that our labour market environment is showing signs of stability, due to cooperation by social partners. In this spirit, representatives of government, business, the community sector and the labour federations represented at National Economic Development Labour Council (NEDLAC) signed agreements on measures to strengthen labour stability and collective bargaining and on modalities for the introduction of a national minimum wage⁵. Minimum wages have been defined in the ILO as “the minimum amount of remuneration that an employer is required to pay wage earners for the work performed during a given period, which cannot be reduced by collective agreement or an individual contract”. According to the ILO, the purpose of minimum wages is to protect workers against unduly low pay. Recent evidence shows that when they are effective, minimum wages raise the wages of low-paid workers and the incomes of their families⁶.

On this note, the Department of Labour plays an important role to administer the Labour Relations Act (LRA), 66 of 1995. It promotes economic development, social justice, labour peace and democracy in the workplace. Thus, the Labour Market Information and Statistics (LMIS) unit within the Department has therefore a mandate to monitor the impact of legislation in the South African labour environment. In this respect, it can be said that the LMIS unit has a mandate to assess progress on whether there is reduction of tensions and conflicts in the workplace. This is done by reporting on strike statistics on an annual basis as per the Labour Statistics Recommendation of 1985 (no.170).

The layout of the remainder of the report is as follows: the **First Chapter** presents important indicators which form the basis of strike analysis as measured in the number of work stoppages, working days lost, time-loss ratio, working hours lost and wages lost. The relevance of this analysis is based on a comparative trend analysis over the four quarters of 2016 to examine how strike incidents have been changing throughout the year and its impact thereof in the South African economy.

The discussion in **Chapter Two** focuses on a comparative analysis of work stoppages during the 2016 calendar year. It looks at the trend of strikes activities within the four quarters of the year. To some extent, the 2015 strike trend results will be compared to the current year's strike trend activities. This chapter also provides insight into various strike aspects regarding strike trends across provinces, industries, employment size, duration and trade unions involvement. Finally, **Chapter Three** examines wage settlements in recognition to the right of workers to strike. This will be followed by a brief conclusion. In Annexure A, the report profiles the work stoppages over twelve months of 2016 as captured and monitored by the Department of Labour.

⁵ Deputy President, C Ramaphosa' speech on National Minimum Wage, 8 February 2017

⁶ Belman and Wolfson, The New Minimum Wage, 2014

CHAPTER 1



CHAPTER ONE:

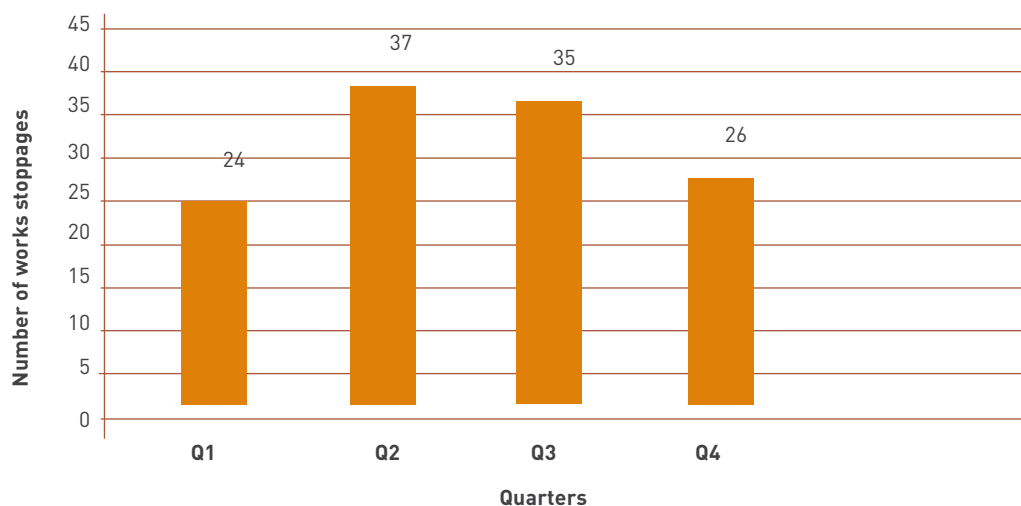
Overview of strike incidents in the South African labour market, 2016

A strike is a powerful weapon used by trade unions and other labour associations to get their demands accepted. It generally involves quitting of work by a group of workers for the purpose of bringing the pressure on their employers so that their demands get accepted. When workers collectively cease to work in a particular industry, they are said to be on strike.

This industrial action report takes an in-depth analysis to review the quarterly strike activities during the 2016 calendar year. A comparison between 2015 and 2016 will also be reflected in some degree in the report. In 2016, South Africa observed a total number of 122 strike incidents. More work stoppages were experienced during the “strikes seasons”, the second and third quarters of 2016.

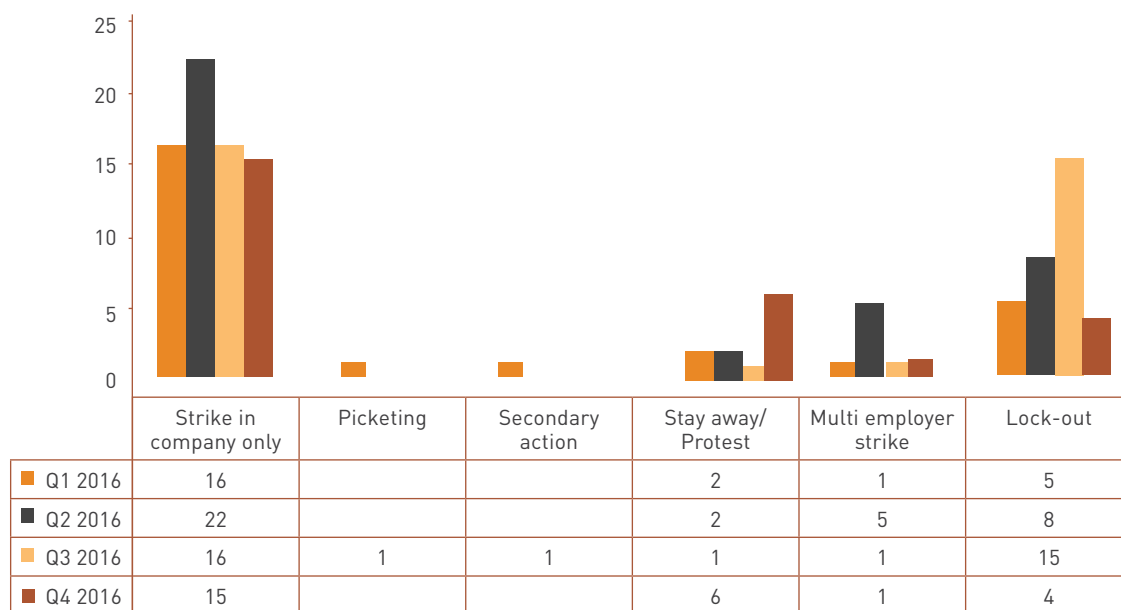
The Government and the private sector had the most effective industrial disputes during the mid-quarters of the year. This was mostly due to salary increment and unpleasant working conditions. Strikes that had the most effect during these quarters were those from the local government as organised through SAMWU.

Figure 1: Trends in the number of work stoppages in South Africa, Q1 to Q4 of 2016



Source: Department of Labour, Strikes Statistics database

Figure 1 above illustrates the number of work stoppages over the four quarters of 2016. A total of 122 strikes were recorded for the entire year. This represents a 10% strikes increase as compared to a total of 110 strikes recorded in 2015. A hike of industrial disputes was recorded during mid-year, generally referred to as “strikes seasons”. Amongst them, there were strikes recorded from the local government where workers went to the streets to protest over “unpleasant working conditions”. The figure further shows a downward swing during the fourth quarter by 26% from quarter three of 2016.

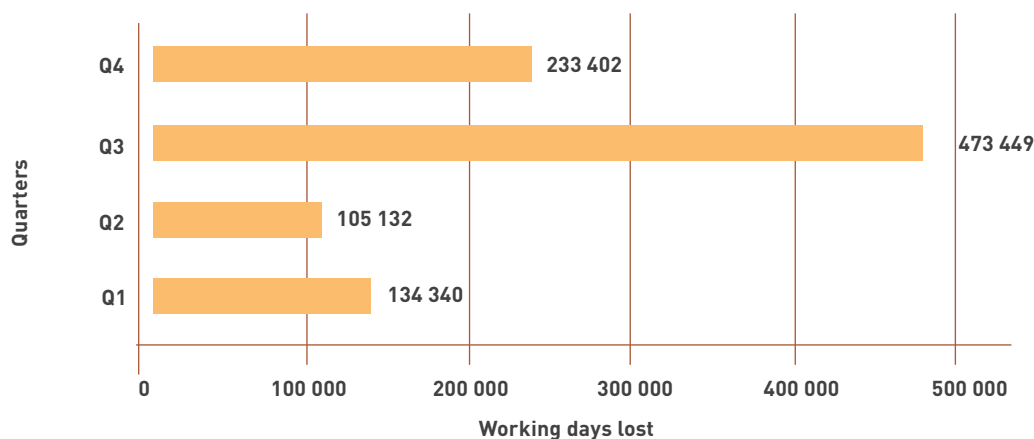
Figure 2: Distribution of work stoppages by their nature, Q1 to Q4 of 2016

Source: Department of Labour, Strikes Statistics database

Workers involved in industrial action are characterized into two categories: workers who were directly involved are those who went on strike or were locked out as a result of workplace dispute. Workers who were indirectly involved are those not working as a consequence of the initial stoppage of work because the necessary supplies or orders are no longer available.

Figure 2 illustrates the distribution of how strikes took place in 2016. By nature, “strikes in company only” were predominantly higher in all quarters of 2016. As shown in the figure above, it contributed about 56% of strikes that took place during the said period. This was followed by those workers who were locked-out at work places at 22%. The data shows that more workers were locked-out during the Eskom Holding strike where workers were demanding wage increment.

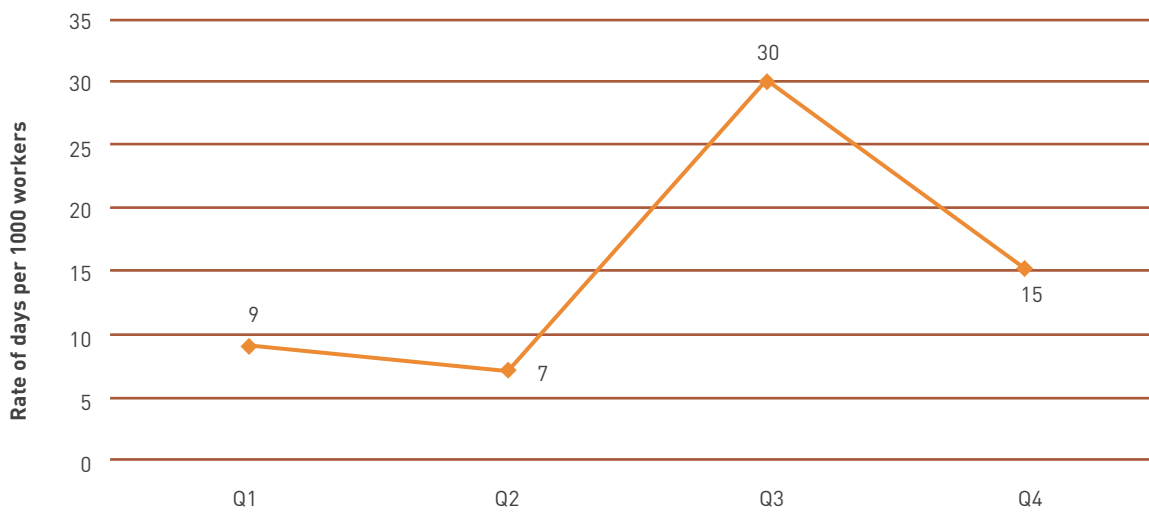
Fewer strikes were noticeably from the “secondary action and picketing”.

Figure 3: Trends in working days lost¹ in South Africa, Q1 to Q4 of 2016

Source: Department of Labour, Strikes Statistics database

In 2016, the South African labour market lost a total of 946 323 working days as a result of 122 work stoppages. This represents 4.7% increase in working days lost as compared to 903 921 working days lost in 2015. **Figure 3** shows that more working days lost in 2016 were mostly observed during the third quarter at 50% as compared to others quarters of 2016. During the third quarter, Telkom SA in Gauteng lost 30 days of work where employees were in demand for wage increment.

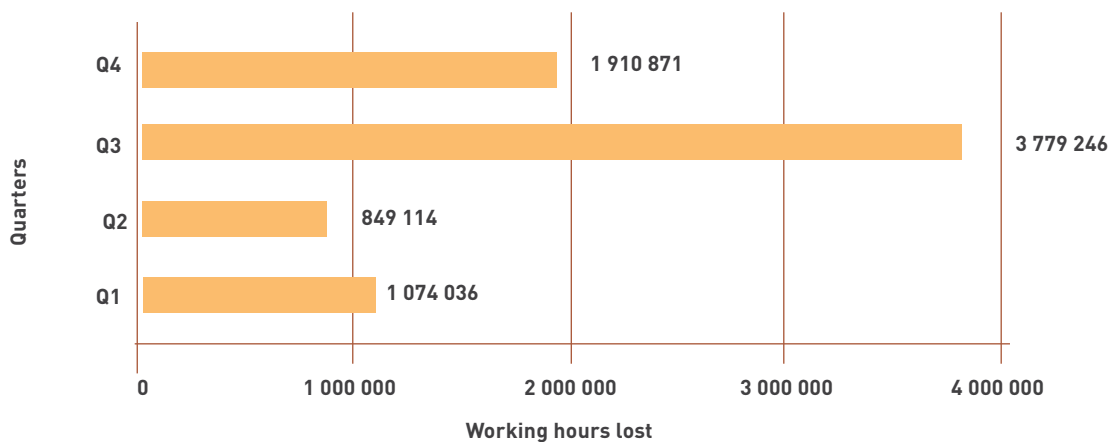
¹ The working days lost due to strike implies the total number of workers involved directly in the strike or lock-outs multiplies by the length of the work stoppage.

Figure 4: Working days lost per 1 000² employees due to strikes, Q1 to Q4 of 2016

Source: Department of Labour, Strikes Statistics database

With South Africa having employed a total of 16 069 000 persons in labour market in the fourth quarter of 2016 (October-December)³, then the country recorded 58.8 working days lost per 1 000 employees. **Figure 4** shows that quarter three had the highest time lost ratio of 30 working days in 2016 followed by quarter four at 15 working days lost per 1 000 employees.

The lowest time ratio was estimated in quarter two of 2016.

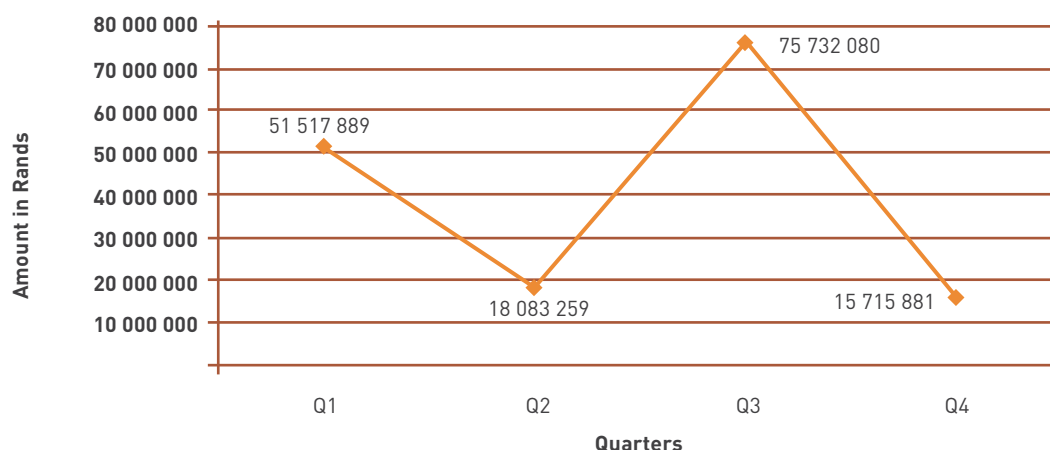
Figure 5: Trends in working hours lost in South Africa, Q1 to Q4 of 2016

Source: Department of Labour, Strikes Statistics database

Loss of working time due to industrial action can also be measured in work hours lost. This measure is derived from the number of hours not worked due to a strike action. **Figure 5** illustrates that a total of 7 613 267 working hours were lost in 2016 as compared to a total of 8 294 795 working hours lost in 2015. This represents a decrease of 8.2% of working hours lost between the two years. Again, this figure shows that quarter three of 2016 has realised more working hours lost at 3 779 246 than other quarters in 2016 due to work stoppages. The results signal that strikes took more hours lost than the number of working days lost on quarter to quarter analysis.

² This indicator allows for international comparison in strike activity. For international comparison, the ratio distinguishes which country is strike prone when compared to another country

³ Statistics South Africa, Quarterly Labour Force Survey, Quarter four of 2016, p.53.

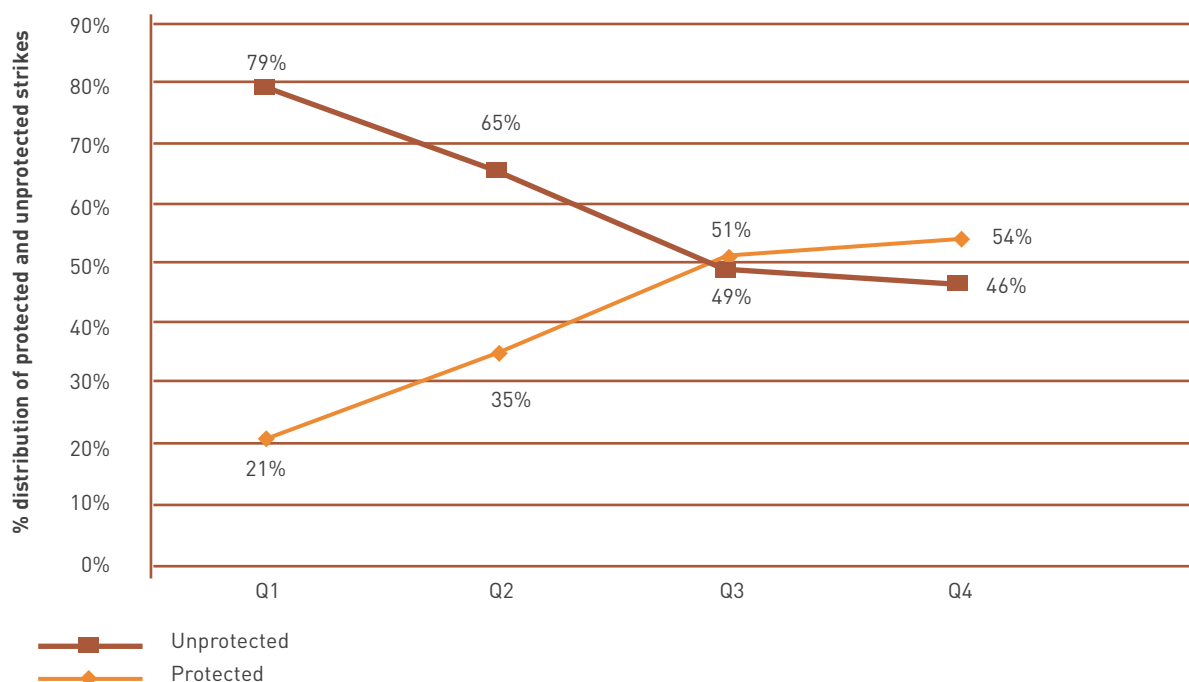
Figure 6: Wages lost¹ due to work stoppages in South Africa, Q1 to Q4 of 2016

Source: Department of Labour, Strikes Statistics database

Strikes are costly, not only to employers but also to employees and their families, in particular on those families that buy on credit. On the basis of the Departments strike database, the South African economy lost a total of R161 049 109 from worker's wages due to work stoppages in 2016 as compared to R116 546 293 in 2015. This reflects an increase of 38.2% in wages lost due to strikes. This took place at the time when the country was experiencing very low economic growth, where the National Treasury predicted a 0.5% growth rate for 2016, rising to 1.3% for 2017.

Economically, business suffered production and financial loss with consumer confidence adversely affected. The trend in **Figure 6** shows that approximately more wages R75 732 080 was lost during the third quarter of the year. Consequently, more wages were lost as a result of more time the workers spend unproductive during quarter three of 2016.

Figure 7: Percentage distribution of the protected and unprotected strikes in South Africa, Q1 to Q4 of 2016



Source: Department of Labour, Strikes Statistics database

¹ There is a need for a case study to gather data from a number of companies that were affected by the strike activity in order to estimate the cost of strike to company. This can be a case study for the Research unit in the future.

As observed in the year 2015, more unprotected work stoppages were also observed in 2016. Out of 122 strikes in 2016, 59% of work stoppages were unprotected leaving 41% of strikes to be protected. The rate of unprotected strikes follows the trend of strikes from the Marikana strikes in 2012 which led to the “workers death massacre”, the Doorns strikes in the Western Cape in 2012/2013 where workers embarked in long unprotected strikes over wage demands. The community industry saw more unprotected strikes during the first quarter of the year. However, **Figure 7** shows that unprotected strikes decreased from 79% in quarter one to 46% in quarter four of 2016, while the protected strikes increased from 21% to 54% in the same reporting period.

In fact, some union leaders are of the belief that violence is the only method of winning justice for the working man².

CHAPTER 2



CHAPTER TWO:

Analysis of the key characteristics of the labour disputes, 2016

An attempt was made in this chapter to provide an in-depth analysis of work stoppages in respect of provincial and industrial distribution. It further gives an overview of causes of work stoppages, percentage of work stoppages by duration and size of establishment.

2. 1. PROVINCIAL DISTRIBUTION OF WORK STOPPAGES

Table 1: Distribution of work stoppages and wages lost by province¹, Q1 to Q4 of 2016

PROVINCE	Work stoppages 2016				Total	Wages lost (Rands) 2016				Total (R)
	Q1	Q2	Q3	Q4		Q1	Q2	Q3	Q4	
Gauteng	7	11	15	10	43	45 645 610	1 867 112	55 446 158	6 552 448	109 511 328
Western Cape	2	2	10	8	22	1 423 754	128 487	5 091 046	5 543 341	12 186 628
Mpumalanga	4	1	3	4	12	2 716 340	5 291 263	3 121 832	2 375 400	13 504 835
KwaZulu-Natal	4	7	8	7	26	3 300	3 399 227	6 506 465	32 946	9 941 938
Eastern Cape	3	7	7	6	23	1 128 851	1 493 409	5 447 650	205 223	8 275 133
Limpopo	2	6	1	2	11	0	2 001 582	0	532 825	2 534 407
North West	3	4	0	4	11	600 034	3 893 100	0	473 698	4 966 832
Northern Cape	0	0	0	0	0	0	0	0	0	0
Free State	0	3	1	1	5	0	9 079	118 929	0	128 008
Total	25	41	45	42	153	51 517 889	18 083 259	75 732 080	15 715 881	161 049 109

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 reflects on how provinces were affected by work stoppages during the period under review. It should be noted that comparisons by provinces depends on the method to which the media was able to cover such strike incident. For example strikes from large provinces are most likely to be covered by the media than small sized provinces, especially where national strikes are concerned.

A large province with high economic activities experienced more strikes in the four quarters of 2016. These provinces include the Gauteng and KwaZulu-Natal provinces. In this regard, workers from the City of Johannesburg's waste management company Pikitup in Gauteng embarked on a strike to demand salary adjustments and other benefits such as housing subsidies to enable them to meet the high cost of living. On the other hand, the KwaZulu-Natal province was highly affected by the national strike in the petroleum sector during the third quarter of the year. Both provinces have lost about R119 million to wages due to the industrial disputes.

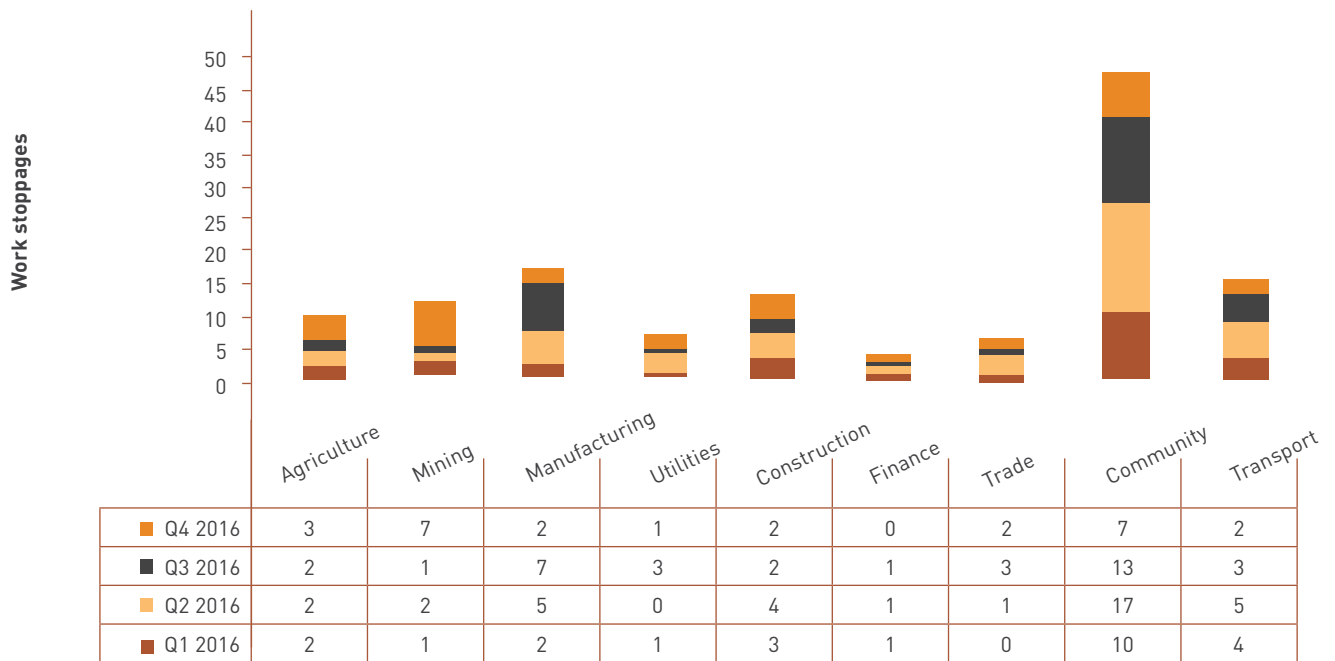
Medium sized provinces Limpopo and North West, each recorded 11 strike activities over time. The results further show that the Northern Cape experienced a peaceful strikes in 2016 with no strikes activities recorded.

¹ The total number of work stoppages in 2016 in Table 1 differs from the total of 122 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 counted 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

In general, the shutting down of a business might spell disaster for every worker concerned. It is for this reason that both employers and employees need to know how to deal with conflicts and strikes at work places. Below, the distribution of work stoppages and its characteristics are presented by industry. The results reveal some interesting patterns and shifts over the four quarters of 2016.

Figure 8: Distribution of work stoppages by industry, Q1 to Q4 of 2016



Source: Department of Labour, Strikes Statistics database

An analysis by nine industrial groups (Standard Industrial Classification) shows which industries have been more prone to strike action than others during the period under review. As shown in **Figure 8**, the community industry was highly affected by work stoppages followed by manufacturing and transport industries over time. Of the total 122 work stoppages, the community industry recorded (38%), manufacturing (13%) and transport (11.5%). Most strikes from these industrial groups occurred in the second and third quarters of 2016.

For example, the manufacturing industry included a nationwide strike where the petroleum employees braced the cold weather to demand 9% wage increment. The finance (3), utilities (5) and trade (6) industries experienced an industrial peacetime with less strikes within the industries.

2.3. INDUSTRIAL DISTRIBUTION OF WORKING DAYS LOST

The community (22%) and mining (22%) industries are both the second largest sectors in terms of number of working days lost, while the transport has risen to the largest, accounting for 30% of the total working days lost in 2016.

Table 2: Distribution of working days lost by industry, Q1 to Q4 of 2016

Industry	Working days lost 2016					Total 2015	% change
	Q1	Q2	Q3	Q4	Total 2016		
Agriculture	4 630	3 300	11 336	21 835	41 101	50 155	-18.1
Mining	1 668	26 987	3 712	175 374	207 741	224 348	-7.4
Manufacturing	730	8 101	54 156	10 672	73 659	41 594	77.1
Utilities	89	0	51 415	2 198	53 702	742	7137.7
Construction	6 849	8 560	325	158	15 892	97 287	-83.7
Trade	0	3 150	15 925	730	19 805	74 461	-73.4
Transport	3 736	7 139	273 461	321	284 657	244 893	16.2
Finance	3 588	1 712	30 864	0	36 164	0	0.0
Community services	113 050	46 183	32 255	22 114	213 602	170 441	25.3
Total	134 340	105 132	473 449	233 402	946 323	903 921	4.7

Source: Department of Labour, Strikes Statistics database

From **Table 2**, it is clear that the transport industry lost more working days (284 657) albeit fewer work stoppages in 2016. However, there was a drop in working days lost from the construction, trade, agriculture and the mining industries between 2015 and 2016. In the same spirit, the South African President applauded on the manner in which parties conducted and carried themselves during the wage negotiations in the platinum sector¹ as compared to the previous trends in the mining industry.

2.4. INDUSTRIAL DISTRIBUTION OF WORKING HOURS LOST

Table 3: Distribution of working hours lost by industry, Q1 to Q4 2016

Industry*	Working hours lost 2016					Total 2015	% change
	Q1	Q2	Q3	Q4	Total 2016		
Agriculture	41 670	20 900	132 288	196 731	391 589	474 116	-17.4
Mining	8 622	215 896	29 696	1 427 708	1 681 922	2 028 715	-17.1
Manufacturing	6 693	69 400	435 918	86 559	598 570	360 393	66.1
Utilities	712	0	313 200	17 584	331 496	5 936	5484.5
Construction	55 941	70 153	3 087	1 543	130 724	830 738	-84.3
Trade	0	34 650	32 198	5 848	72 696	668 129	-89.1
Transport	20 178	54 755	2 322 691	2 567	2 400 191	2 497 577	-3.9
Finance	32 292	13 696	246 912	0	292 900	0	0
Community services	907 928	369 664	263 256	172 331	1 713 179	1 429 191	19.9
Total	1 074 036	849 114	3 779 246	1 910 871	7 613 267	8 294 795	-8.2

Source: Department of Labour, Strikes Statistics database

*Note: The Private household sector is excluded because of zero work stoppages was recorded.

As seen in **Table 3**, the number of working hours lost by industry during 2016 was significantly lower than those hours lost in 2015. Hours lost dropped at 8.2% year on year analysis. The trade and construction industries drastically experienced a decrease in working hours between the two years. By quarter, the mining industry lost more working hours than other industries during the fourth quarter of 2016. High working hours lost was also recorded in the community industry during the first and second quarters and the transport industry was affected in the third quarter of 2016.

¹ President J. Zuma, the State of the Nation Address, 9 February 2017, South Africa

2.5. WORKING DAYS LOST PER 1 000 EMPLOYEES BY INDUSTRY

Table 4: Time-loss ratio¹ by industry, Q1 to Q4 of 2016

Industry	Time-loss ratio				Total number of workers*			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Agriculture	5.3	4.0	12.9	23.8	869 000	825 000	881 000	919 000
Mining	3.5	60.4	8.5	416.6	471 000	447 000	438 000	421 000
Manufacturing	0.4	4.7	32.2	6.2	1 645 000	1 712 000	1 683 000	1 727 000
Utilities	0.8	0.0	435.7	16.8	110 000	111 000	118 000	131 000
Construction	5.0	6.2	0.2	0.1	1 362 000	1 388 000	1 491 000	1 483 000
Trade	0.0	1.0	5.0	0.2	3 158 000	3 136 000	3 198 000	3 222 000
Transport	4.1	8.3	298.9	0.3	901 000	862 000	915 000	961 000
Finance	1.6	7.7	13.3	0.0	2 227 000	2 220 000	2 323 000	2 329 000
Community services	30.8	13.0	9.2	6.2	3 671 000	3 544 000	3 499 000	3 571 000

Source: Department of Labour, Strikes Statistics database

Note: * Statistics South Africa, Quarterly Labour Force Survey, Q4 of 2016 -Total employment (Private households excluded)

Table 4 shows the working days lost per 1 000 employees in each industry. The results show that the industries with relatively large time ratio rate were mining, utilities and transport in 2016. The strike rate varies from quarter to quarter analysis. The utilities (435.7) and transport (298.9) industries were the most affected with work stoppages per 1 000 employees as they had high work time loss ratio in quarter three of 2016. In quarter four of 2016, the mining industry was extremely affected with the time ratio at 416.6 as compared to other industries.

2.6. EMPLOYEES INVOLVED IN WORK STOPPAGES BY INDUSTRY

Table 5: Distribution of employees involved in work stoppages by industry, Q1 to Q4 of 2016

Industry	Employees involved 2016					Total 2015	% change
	Q1	Q2	Q3	Q4	Total 2016		
Agriculture	408	1 320	806	757	3 291	3 101	6.1
Mining	336	3 963	928	13 856	19 083	29 918	-36.2
Manufacturing	210	1 050	3 847	1 073	6 180	5 742	7.6
Utilities	89	0	11 279	314	11 682	371	3 048.8
Construction	1 019	879	325	118	2 341	2 779	-15.8
Trade	0	350	4 459	180	4 989	7 914	-37.0
Transport	847	1 874	9 136	321	12 178	8 856	37.5
Finance	299	428	643	0	1 370	0	0
Community services	8 809	5 453	4 271	10 581	29 114	32 391	-10.1
Total	12 017	15 317	35 694	27 200	90 228	91 072	-0.9

Source: Department of Labour, Strikes Statistics database

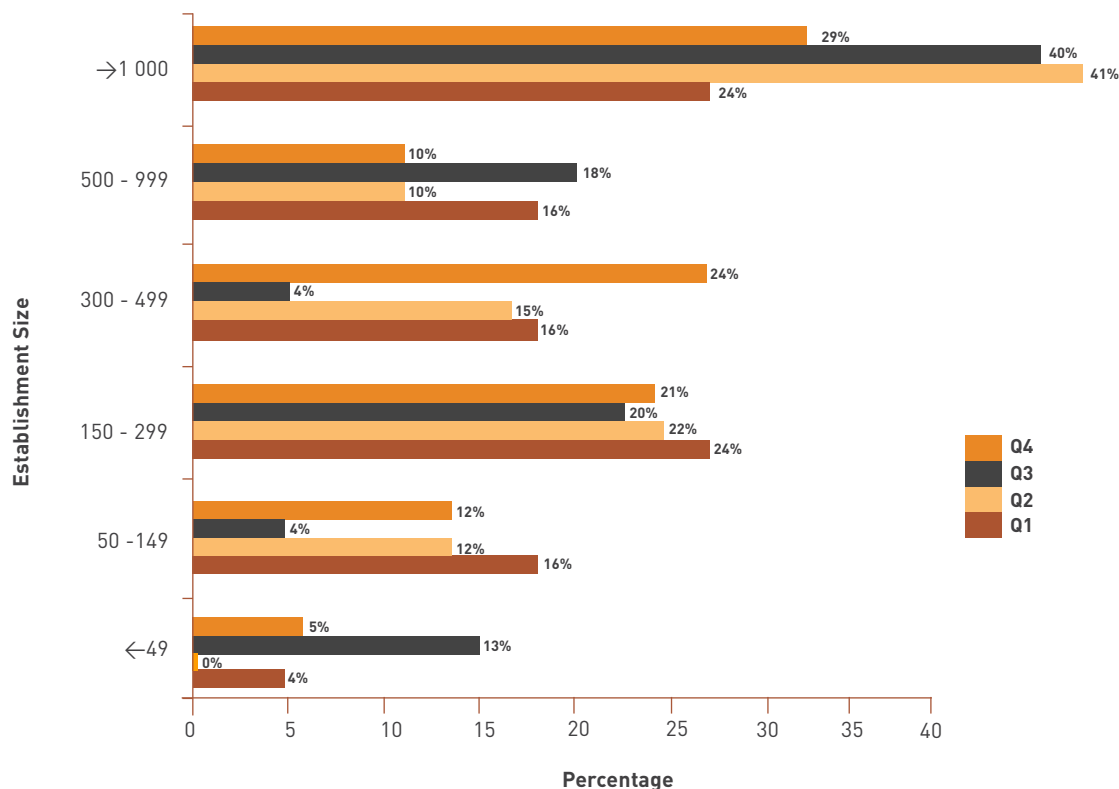
Table 5 shows the number of employees who participated in work stoppages from different industries by quarter. In 2016, a total of 90 228 workers reported to be involved in work stoppages as compared to 91 072 workers who participated in the strike activities in 2015. This represents a decrease of 0.9% between 2015 and 2016. It is clear from the results that most workers involve in strike in 2016 were from the community and mining industries at 29 114 and 19 083 respectively.

¹ 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 (4) of 2016, were used for the number of employed by industry.

By quarter four of 2016, the mining companies' saw the largest number of employees involved in work stoppages as compared to other industries. Amongst the reasons for the strikes were to lodge grievances against the employer and to complain about unpleasant working conditions. Furthermore, when you conduct quarter to quarter analysis, the third quarter of the year saw more workers (35 694 or 39.5%) being involved in work stoppages. The quarter one of 2016 has shown only 12 017 workers who participated in work stoppages. This quarter was the lowest as compared to other quarters in terms of number of workers who participated in work stoppages.

2.7. WORK STOPPAGES BY SIZE OF ESTABLISHMENTS

Figure 9: Percentage distribution of work stoppages by employment size, Q1 to Q4 of 2016

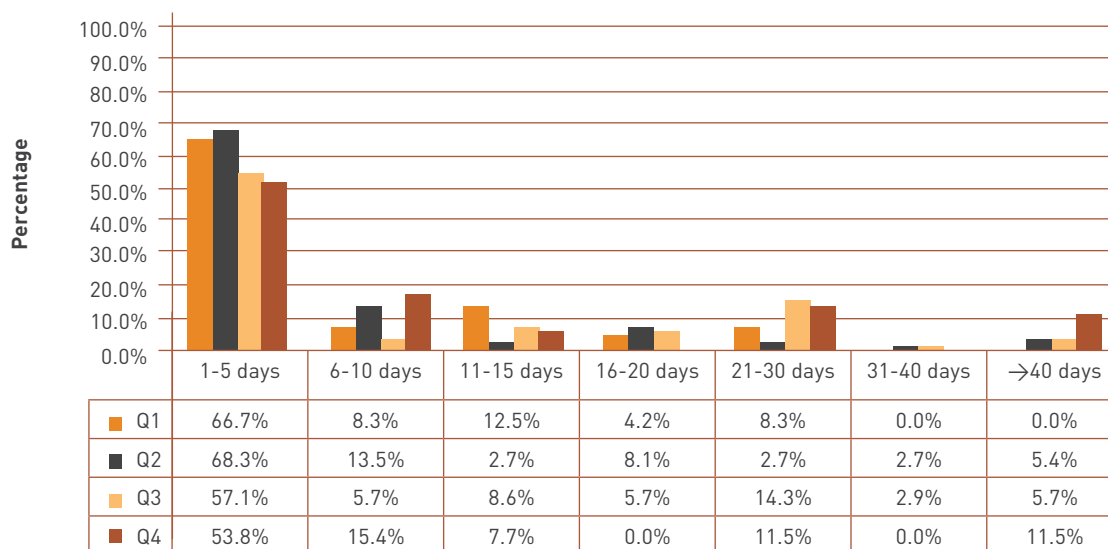


Source: Department of Labour, Strikes Statistics database

Industrial action can occur in small, medium and large sized work places. Irrespective of different quarters in 2016, **Figure 9** illustrates that those companies with more than 1 000 workers were mostly affected by work stoppages than other companies. Establishments that employed 49 workers and below were less affected by strike actions over time.

2.8. DURATION OF WORK STOPPAGES

Figure 10: Percentage distribution of work stoppages by duration, Q1 to Q4 of 2016



Source: Department of Labour, Strikes Statistics database

The LRA 9.2 Form asks a question regarding the duration in workdays (or hours if relevant). The results are presented in **Figure 10**. Accordingly, most of the work stoppages were recorded for a period from 1 to 5 working days during the 2016 calendar year. The quarterly analysis shows that about 68.3% of strike incidents lasted between 1-5 working days in quarter 2 of 2016 followed by 66.7% in quarter one and 57.1% in quarter three of 2016. Furthermore, only a few strikes lasted between 31 and more working days. This includes the case with the strike that lasted for 67 working days in the at Sasol in quarter four of 2016.

2.9. PRINCIPAL CAUSE OF STRIKE ACTIVITY MEASURED IN WORKING DAYS LOST

Table 6: Distribution of working days by principal cause of dispute, Q1 to Q4 of 2016

Principal cause	Q1	Q2	Q3	Q4	Total 2016	Total 2015	% change
Wages, bonus and other compensation	107 034	36 819	445 041	189 980	778 874	697 810	11.62
Working conditions	13 370	40 656	1 361	5 360	60 747	26 226	131.63
Disciplinary matters	80	268	4 400	0	4 748	52 460	-90.95
Grievances	4 624	17 177	19 832	9 249	50 882	43 922	15.85
Socio-economic and political conditions	650	376	1 353	6 001	8 380	9 448	-11.30
Secondary action	0	23	1 362	0	1 385	2 812	-50.75
Retrenchment/redundancy	1 668	591	100	0	2 359	4 145	-43.09
Refusal to bargain	5 574	2 765	0	13 012	21 351	7 228	195.39
Trade union recognition	205	6 457	0	9 800	16 462	55 624	-70.40
Other reasons	1 135	0	0	0	1 135	0	-
Total	134 340	105 132	473 449	233 402	946 323	903 921	4.69

Source: Department of Labour, Strikes Statistics database

Data collected on industrial action include the main causes of industrial actions. **Table 6** shows the number of work stoppages by main causes during the four quarters of 2016. The results further show that wages, bonus and other compensation benefits continued to be the top main reason why workers went on strike. It increased by 11.6% as compared to 2015. Other critical reasons for working days lost in the country were due to the poor working conditions, grievances and retrenched at the workplaces.

2. 10. TRADE UNION INVOLVEMENT IN WORK STOPPAGES

Table 7: Working days lost by trade union, 2015-2016

	2015 Work days lost	%	2016 Work days lost	%
AMCU	6 824	0.75	39 117	4.13
AWU	-	-	5 310	0.56
BCAWU	702	0.08	54	0.00
CAWUSA	1 600	0.18	-	-
CCRAWUSA	73	0.01	-	-
CEPPWAWU	3 965	0.44	27 721	2.93
CSAAWU	15	0.00	14 652	1.55
CWU	56 595	6.26	10 978	1.16
DENOSA	37	0.00	40	0.00
DEPACU	97	0.01	-	-
EL SHADDAI	61	0.01	-	-
EMTFF	985	0.11	-	-
FAWU	29 182	3.23	11 208	1.18
FEDCRAW	-	-	1 100	0.11
GIWUSA	-	-	5 217	0.55
HOSPERSA	18	0.00	-	-
IICUOSA	128	0.01	-	-
IMATU	9 965	1.10	3 839	0.40
ITU	23	0.00	-	-
JAMAFO	12	0.00	-	-
KAWU	-	-	3 432	0.36
KSCWO	-	-	1 332	0.14
MTWU	552	0.06	-	-
NAPTOSA	102 396	11.33	-	-
NCFAWU	-	-	5 600	0.59
NEHAWU	124 060	13.72	4 833	0.51
NTM	-	-	3 696	0.39
NONE	24 636	2.73	20 457	2.17
NUFPSAW	1 241	0.14	12	0.00
NUM	136 768	15.13	40 587	4.29
NUMSA	35 811	3.96	4 860	0.51
POPCRU	72	0.01	-	-
PSA	103 236	11.42	138	0.01
PTAWU	5 300	0.59	-	-
SACCAWU	22 748	2.52	1 774	0.19
SACTWU	137	0.02	948	0.10
SACU	-	-	8 761	0.93
SADTU	115 110	12.73	-	-
SAEPU	150	0.02	-	-
SAMWU	71 636	7.93	147 808	15.62
SAPWU	97	0.01	-	-
SATAWU	31 917	3.53	10 526	1.11
SOLIDARITY	5 049	0.56	-	-

	2015 Work days lost	%	2016 Work days lost	%
TAWUSA	54	0.01	45	0.00
TIWU	49	0.01	-	-
TOWU	4	0.00	-	-
UASA	4 934	0.55	1 914	0.20
UCIMESHAWU	-	-	1 595	0.17
UNADEWO	4 305	0.48	-	-
UUMU	-	-	24	0.00

Source: Department of Labour, Strikes Statistics Database

- The trend in working days lost per trade union membership participation is examined in **Table 7** above. Members from different trade unions participated in strikes and thus affected working days lost during the period under review. The results show that members from three main unions were predominantly involved in the strikes during 2016. These trade union members were mainly from SAMWU, NUM and AMCU. Most of the SAMWU members (15.62%) who participated in the strikes action in 2016 were from the municipal sectors across the country
- In fact, a union is likely to lose the support of its members to another union if it does not achieve the benefits its members want.

CHAPTER 3



CHAPTER THREE:

Disputes settled through collective bargaining and wage settlements, 2015 - 2016

Collective bargaining is a process of negotiation between employers and a group of employees aimed at agreements to regulate salaries, working conditions, benefits and other aspects of workers' compensation and rights. The interests of the employees are commonly presented by representatives of a trade union to which the employees belong. The collective agreements reached by these negotiations usually set out wage scales, working hours, training, health and safety, overtime, grievance mechanisms and rights to participate in work place or company affairs.

This chapter provides broader results of how wages were settled through collective bargaining¹ processes in respect of wage settlements concluded with strikes in various industries. As part of resolving work place disputes, the Commission for Conciliation, Mediation and Arbitration (CCMA) facilitated and assisted in resolving a number of public interest matters from a largest single dispute involving 250 000 employees who belonged to the South African Municipal Workers' Union (SAMWU)².

However, this report represents also some wage settlements that were concluded without strike incidents while some strikes were abandoned. An analysis of how annual salary increments were negotiated with data sourced from Statistics South Africa is also analysed in this chapter. Even though 2016 saw more industrial disputes over wage demands, some of the strikes had to be abandoned after agreements could not be reached between the parties.

On the other hand, multi-year wage agreements were settled through the National Union of Metal Workers of South Africa. The union signed a three year wage agreement with Retail Motor Industry Organisation and the Fuel Retailers Association on the 18 November 2016 where workers were set to receive 7% wage increase in all consecutive three years.

Table 8: Median³ wage settlements levels in South Africa by industry, 2015-2016

Industry	2015 (%)	2016 (%)
Agriculture	7.7%	7.0%
Construction	6.3%	6.0%
Mining	10.0%	9.0%
Manufacturing	7.4%	9.0%
Utilities	8.5%	10.0%
Finance	6.1%	6%
Transport	7.3%	8%
Trade	7.5%	7%
Community services	7.0%	8%

Source: Labour Research Service, Wage settlements Trends, December 2016

Table 8 shows that the median wage settlement differed in both years by industry⁴. In 2016, the median wage settlement rate from various industries stood close to 8% as compared to 7.4% in 2015. It was high above the predicted salary increments of 6.1% for 2016 in South Africa. The highest median wage settlement rate was 10% in the utilities industry and the lowest median wage settlement rate was 6% in both construction and finance industries in 2016.

¹ The method most often employed by union and management in settling disputes does not always obtained the desired results.

² Cameron Morajane (CCMA's Director), Department of Labour, Idol- Issue 01:2017, February 2017

³ The median is the number which found in the middle of a range of numbers. For example: if the range of numbers is 2, 4, 6, 8, 10, 12, 14, 16, 18 then the median is 10.

⁴ Labour Research Service, Wage settlements Trends, December 2016

3. 1. WAGE SETTLEMENTS CONCLUDED WITH STRIKES IN VARIOUS INDUSTRIES

Table 9: Distribution of final wage settlement in various industries

INDUSTRY	SECTOR/EMPLOYER	AGREEMENT DATE IN 2016	INITIAL REQUEST	EMPLOYER'S OFFER	SETTLEMENT	PROTECTED/ UNPROTECTED
Agriculture	Nutri-Feeds	October	38%	7%	7.6%	Protected
Community	Teti Traffic Management	May	130%	7%	7%	Protected
	Eastern Cape Liquor Board	March	15%	5.6%	5.6%	Protected
	PIKITUP	April	R10 000	R750 once off	R750 once off	Unprotected
	Tshwane University of Technology	February	R10 000	R5.000	R5 000 –R10 000 by 2018	N/a
Construction	Johannesburg Road Agency	February	7%	6%	6%	Unprotected
Utilities	Eskom	August	12% and 13%	7% and 9%	8.5%	Unprotected
Mining	Izimpiwa Coal	May	R12 500	8%	8%	Protected
Manufacturing	Lafargeholcim	February	13%	8%	8%	Protected
	National Petroleum Employer's Association	August	12% and later 9%	7%	7%	Protected
	Alpha Pharm	August	10%	7.5%	7%	Protected
	South African Nuclear Energy Corporation	July	12%	7% and 6.1% for employees earning R600 001	R600 000 would receive 7%, those earning above R600 000 above would receive 6.1%	Protected
	Bacalum Manufactures	November	10%	7%	7.5%	Protected
Finance	Automobile Association of SA	August	18%	8%	8.5%	Protected
Transport	COMAIR	April	30%	7.5%	10% in 2016.7% in 2017 and 6% in 2018	Protected
Wholesale & Retail Trade	Fourie's Poultry Farms	May	15%	7%	8.5%	Protected

Source: Department of Labour, Strikes Statistics database

Table 9 shows the wage settlement rates concluded with strikes from various industries. Evidently so, the result indicates that most of the wages negotiated were settled on the basis of the employer's offer as oppose to the initial wage increment demand by either the unions or employees. In an attempt to resolve some of the wage demands by workers, the CCMA managed to bring the workers from PIKITUP and the City of Johannesburg to the table and agreed over salary increments to end the five week long strike. It is also evident that some of the unions opted to minimize the length of the strike by accepting the employer's offer at hand.

3.2. WAGE SETTLEMENTS CONCLUDED WITHOUT STRIKE INCIDENTS

Looking at the data processed by the Department of Labour, it is apparent that the wage agreements concluded in 2016 were either a single or multi-year agreements. Furthermore, the wage increases reflected the impact of real inflation on the worker's wage demand. Below some selected wage settlement cases concluded without strike incidents are presented:

- On 8 April 2016, a statement was released that the public servants who fall under the Public Service Coordinating Bargaining Council (PSCBC) would receive a 7.6% salary increase. The three-year agreement concluded under the PSCBC in 2015 provided for a 7% increase in 2015/16 financial year, while it was agreed that the salary adjustment for 2016/17 and 2017/18 would be based on the average projected Consumer Price Index (CPI) plus 1%.
- The parties such as Satawu, Tawusa and Ptawusa managed to reach a multi-year agreement effective from 1 March 2016. In year 1, current EBU to Patterson B3 got 9%; current EBU grades to Patterson B4 to C1 will get 8%. In year 2, current EBU to Patterson B3 will get 8.5%, current EBU grades to Patterson B4 to C1 will be 8%. In year 3, current EBU to Patterson B3 is set to get 8.5%, current EBU grades to Patterson B4 to C1 will get 7.5%.
- The two parties, Sactwu and Woven Cotton Textile sector averted a strike and reached a two year agreement under the auspice of the National Textile Bargaining Council with employers represented by the South African Cotton & Textile Processing Employers' Association on 18 July 2016. The 8.25% wage settlement increase was agreed and will be effective from 1 July 2016.
- Transnet SOC, Satawu and UNTU sealed a multi-year agreement with implementation from 1 April 2015 to 31 March 2018. In year 1, Transnet employees' salaries falling within the bargaining unit below level G, was increased across the board by 7%. In year 2, employees within the bargaining unit below level G, would receive 7.5% salary increase. In year three, permanent employees under level G were set to receive 8.25%.
- The CWU union and Film Publication Board concluded and signed the wage agreement on the 27 September 2016. The parties reached a settlement where all bargaining unit members would be eligible for an annual salary adjustment of 7.5%. The adjustment was to be backdated from 1 April to 30 September 2016. The wage deal was to take effect from 1 April 2016 to March 2017.
- UNTU and Gautrain (Bombela Operating Company) averted a strike after parties deadlocked in April over wage increment. The union was demanding 9% pay hike while the employer was offering 7%. The parties finally reached a two year agreement on 20 September 2016. They agreed on 8.4% salary increase and R100 housing allowance in 2016 and 2017.
- The Expanded Public Works Programme (EPWP) participants and the Department of Public Works resolved their dispute by agreeing to a wage increment of R83.59 per day/per task performed. The wage increase was to effect on 1 November 2016.
- A long outstanding dispute between the SOE Sentech and CWU over the payment of bonuses was resolved on 28 July 2016. The parties agreed that by the end of August 2016, workers would get their bonuses which were equal to 60% of their monthly salaries. Both parties further agreed to a salary increase of 7% across the board. The commencement date was agreed to be from 1 July 2016 to 30 June 2017.
- NTM, SACCA, NUMSA, UASA and SAA finally reached an agreement on 14 June 2016. This agreement will be applicable from April 2016 until 31 March 2017. The agreement came after the unions demanded the following:
 - 11% increase on basic salary, housing and medical aid
 - Top 100 managers to take a pay freeze and below 100 managers to have 2.7% wage increase
 - A guarantee of non-retrenchments for the next 24 months.

Upon the agreement the employer offered the unions the following options:

- 8% on Housing allowance
- 8% on Basic salary
- 8% on Medical Aid contributions.
- The SABC and the CWU managed to conclude their salary increment negotiations on 20 May 2016. Both parties agreed on a 7% salary increment and the ex gratia payment. The agreement was applicable to all CWU members and non-unionised employees. The payment was to be implemented at the end of May 2016 with backdates from April 2016.

3.3. ABANDONED STRIKE INCIDENTS

- SAMWU employees at Water Solutions Southern Africa embarked on a strike on 22 March demanding a wage increase of 100%. No agreement was reached as the employer did not make an offer to the employees. Since the employer decided not to table any offer, employees decided to abandon the strike and returned back to work.
- Johannesburg Zoo's employees went on an unprotected strike from the 3 to 7 March demanding normalisation of salary disparities, salary pay progression and other demands such as grading of certain posts. Since, all salary related matters are national competency, no agreement was reached but rather clarity was given to the employees on how collective bargaining structures within work environment works.
- The Johannesburg Road Agency's employees, also members of the Municipal Workers' Union were urged to report back to work on 9 April after the Labour Court declared the strike unprotected. This came after employees embarked on a strike following failure between SAMWU and the Agency to reach consensus on the demand for introduction of a pay progression system in the company and an increase on the locomotion allowance.

3.4 ANNUAL SALARY INCREMENT NEGOTIATIONS, 2016

Table 10: Distribution of how annual salary increment were negotiated

	Oct-Dec 2015	Jan-March 2016	April-June 2016	July – Sept 2016	Oct-Dec 2016	Year on Year change (%)
Individual and employer	1 236 000	1 137 000	1 124 000	1 094 000	1 036 000	-200
Union and employer	2 955 000	2 966 000	2 945 000	2 946 000	2 969 000	14
Bargaining council	1 133 000	1 058 000	1 054 000	1 076 000	1 086 000	-47
Employer only	7 691 000	7 561 000	7 359 000	7 595 000	7 676 000	-15
No regular increment	683 000	684 000	694 000	736 000	798 000	115
Other	41 000	51 000	49 000	64 000	80 000	39

Source: Statistics South Africa, QLFS 2016

According to the Quarterly Labour Force Survey (QLFS) as at December 2016¹, it is clear that wage increments were best settled at the level of employers' only. From January to December 2016, more than half of workers reported that their salary increments were initiated and settled by the employers. **Table 10** further shows a marginal decrease of 15% of workers who reported that salary increment was settled by employers over the last two years. This was followed by negotiations between unions and employers to settle salary increment for workers.

¹ Statistics South Africa, Quarterly Labour Force Survey, Quarter four of 2016, p.53.

CONCLUSION



CONCLUSION

The 2016 industrial action report reflects that strike incidents were shorter but more. The number of strike incidents in 2016 increased by 10% from the previous year. High proportion of unprotected strikes (59%) was nationally recorded in 2016 than in the previous year. There were 90 228 workers involved in labour disputes, the lowest figure since strike records captured in 2013.

Furthermore, the strike trend in this report shows that more strikes were prone during mid-season of the year. This was noticeable on the number of work stoppages, working days lost and wages lost during the third quarter of the year. Most SAMWU members from all over the country filled the streets to demand proper working conditions and salary increments for the workers in 2016.

Most strikes lasted for a period not longer than five working days. It was further observed that strikes affected establishments that employ more than 1 000 employees in all quarters in 2016. Workers continued to embark on strikes due to economic reasons as most workers went to the street to protest over wages, bonus and other compensations benefits. Unlike in the previous years where most working days were lost due to strikes were from the private sector, the 2016 working days lost were mostly lost from the public sector, e.g., government enterprise. Despite the rise of industrial actions in 2016, it is clear that wage increments were best settled at the level of employer's only. In addition, the CCMA also made strides to collectively resolve and manage the labour disputes referred for intervention.

The economic impact of strike action on workers was estimated in terms of wages lost which was almost R161 million in 2016. This represents an increase of 38% from the previous year. The Gauteng province was mostly affected in terms of wages lost as compared to other provinces over the same period.

Policy considerations

Some of the policy pointers that need to be considered:

- Union leaders at the collective bargaining are bound to hold meetings in affected areas to address un-procedural actions and unprotected strikes
- There is a need for a paradigm shift from dispute resolution to dispute management and prevention in order to deal with the challenges facing the South African labour market.

Progress made at Nedlac to improve on labour disputes:

- On the National Minimum Wages (NMW), the introduction of a NMW of R20 an hour was agreed by different parties. This will be implemented and enforced from 1 May 2018 and will probably improve the lives of the lowest paid workers and begin to address the challenge of wage inequality with provisions that enable small and large businesses to apply for exemption on the basis of affordability
- As part of a comprehensive set of measures to improve labour stability, the social partners signed an Accord on Collective Bargaining and Industrial Action in which all social partners commit to take all steps necessary to prevent violence, intimidation and damage to property and improve the capacity of the social partners and other agencies to resolve disputes peacefully
- Pending amendments to the Labour Relations Act which will enforce the secret strike ballots as well as "advisory arbitration" when strikes are judged to have got out of hand¹. In Canada for example, the majority of employees (of those who voted) must have approved the strike. An equivalent provision holds for lock-outs².

Limitations of the strike data coverage

The following limitations were acknowledged in this report:

- Strike coverage is limited since not all strikes are made public to media, in particular strikes from small companies
- Some employers receive and refuse to complete LRA 9.2 Forms upon end of the strikes despite follow ups because the legislation is not enforceable on them.

¹ The secret ballot amendment will require unions to hold an anonymous vote of members before embarking on a strike. The registrar of labour will have to oversee these ballots.

² OECD (2015), South Africa 2015/Issue for discussion, pg 15

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ANNEXURES



ANNEXURE A

Profile of work stoppages, 2016

Below, the report profiles strike incidents from January to December 2016. This is an attempt to show the readers how the Department monitors labour disputes through the media on daily basis¹.

January 2016

- Workers at Msobo Coal went on strike on 9 January after the company issued letters of termination on 23 November 2015. The NUM, the Department of Mineral Resources and Msobo Coal met on 11 January in an attempt to resolve the dispute that has seen NUM members embark on a strike over Lay-Offs. NUM alleges that the employer did not consider avoidance measures as per the stakeholder agreement signed by the Chamber of Mines, organising labour and Government
- Gautrain bus service went disrupted in Tshwane after drivers embarked on a wildcat strike on 10 January. Bus commuters had to make alternative arrangements to get to work following a labour dispute by drivers

February 2016

- On 11 February, the municipal workers downed their tools at Umjindi Local Municipality. This came after municipality employees demanded a progress report from management regarding the bonuses and shifts allowances which they raised a year ago
- LafargeHolcim South African's 2 000 workers went on strike over pay increase demand on 11 February. The NUM members were demanding a pay increase of 13%, more than two times the official inflation rate
- Service delivery at the Master of the High Court office in Pietermaritzburg ground to a halt on Thursday 19 February as staff staged a picket inside the building while members of the public watched in dismay. Between 150 and 200 protesting employees demanded their grievances be addressed by the Master and the national office. One of the issues of contention included the merit and notch performance payments that the union said should have been paid in June 2015. Apart from the non-payment, staff alleged they were also experiencing unfair treatment based on race and lack of advancement. It is further alleged that there was a lack of communication between management and employees. Shop stewards were asked to meet with representatives from the national office in an attempt to resolve the situation
- Approximately 1 000 Democratic Nursing Organisation of South Africa members wearing red T-shirts filled the streets of Bisho singing protest songs and holding placards against the treatment of nurses in the province. Workers marched to the provincial health department to hand in a memorandum of grievances demanding improvements in health services. These issues include that; all funded nursing students be migrated from the bursary system to the persal system; establishment of a nursing directorate to deal with nurses issues; improvement of working conditions; conducive learning environment and accommodation for students; continuous skills development for nurses and an annual intake of nursing students at Lilitha College of Nursing. It was admitted that some of the issues had existed for some time but that did not mean the department wasn't doing anything about them
- Nearly 200 workers at the Botshabelo Mall construction site in the Free State embarked and vowed to continue with their strike action until their demands were met. Strikers downed tools over pay increase. They demanded to be paid R28 a day, while the employer's offer was just over R15 a day. Angry workers mentioned they have been sent from pillar to post by their employer whereas negotiations over improved rates started in October last year. Instead of resolving the problem, workers were threatened to be fired
- South African Municipal Workers Union members in Baviaans downed tools on a month long strike since January complaining about pay disparities among staff in the infrastructure and technical service departments. Baviaans municipal manager resolved that "no-work no-pay" rule will be applied for all the striking employees. As a result of the strike, services like refuse collection, suctioning of septic tanks and fixing burst pipes were not being provided. Casual workers were employed to do the work. Samwu shop steward announced that members would continue with the strike until Baviaans was amalgamated as proposed with the Camdeboo and Ikwezi municipalities.
- On 25 February protest erupted at the University of KwaZulu-Natal's Westville campus. The Varsity Drive into the university's Westville campus was closed as vehicles were stoned by striking workers who were demanding to be employed by the university. It is believed that the protesters were contract staff and primarily cleaners who were demanding to be employed on a full-time basis.

¹ Not all strike incidents are chronologically presented here but few of them that were considered important.

March 2016

- A ReYeng bus' drivers began their strike action on the morning of 2 March. The reasons for downing tools were unclear, however there were speculations that the strike was over salaries and that drivers did not want to begin their shifts at 5 am. The strike is believed to be the first for A ReYeng bus' drivers not including the periods when they had to stay away from work for fear of victimisation during the Tshwane Metro Bus drivers' strikes. Commuters were urged to make alternative transport arrangement. Management continued to engage the drivers for a resolution on the matter
- Disappointed children were turned away from the Johannesburg Zoo on 4 March after it closed its doors as workers embarked on an unprotected strike. The strike was related to salary demand. It is said that the closure was to ensure safety of visitors. In particular the closure affected busloads of school children who were supposed to visit the zoo on a field trip
- Over 200 workers from a maize milling company in Delareyville, North West were jobless after a three-week strike for pay demands. Workers wanted pay to be increased by 400%. The workers lost their jobs after they defied an interdict the Labour Court had granted Botselo Mills, instructing striking workers to return to work on 26 March or face dismissal. Apart from better pay, workers had demanded several other benefits, such as travelling allowance, medical aid, sleep-out allowance and annual bonuses.

April 2016

- On 4 April, more than 90% of the 1 000 strong workforce at the distribution centre owned by Africa's largest food retailer Shoprite, downed tools in protest over poor pay and outsourcing. It is alleged that on March 17, a memorandum was submitted to the management demanding an end to outsourcing and a minimum wage of R10 000. Management replied seven days later rejecting any responsibility for the workers
- On Monday 11 April, members of SAMWU and IMATU at Makhadu municipality embarked on a go-slow in protest of the benchmarking of salaries process. The issue of benchmarking served before Council on 8 October 2015 with the aim of "standardizing" employees' salaries in municipalities. Council realized that they were not in the financial position to afford such a dramatic increase in their salary bill and then took a resolution that the benchmarking of salaries be done through job evaluation under the auspices of the SALGA
- About 600 workers at the Kutama-Sinthumule Correctional Centre in Makhado in Limpopo went on strike on 27 April amid complaints about working conditions, salary adjustments and leave days. The Police and Prisons Civil Rights Union (Popcru) provincial secretary blamed the situation on the fact that the prison was run by a private entity instead of the state. Due to the strike, the prisoners were left starving. The prison's director reported that management would continue to engage with workers until an agreement was reached
- Close to 30 disgruntled workers at Wimpy in Margate KwaZulu-Natal downed tools and went on strike since beginning of April. The restaurant had to shut down as staff picketed outside, threatening to continue with the strike until their demands were met. The strikers were unhappy about various issues including change rooms, not getting a 13th cheque and for being employed as "casual workers" for more than 15 years. The restaurant's owners reported that an agreement had been reached with the striking workers after trade union Cosatu had intervened.

May 2016

- Teti Traffic, the traffic incidents management company of the SA National Roads Agency Limited (Sanral)'s employees went on strike on 3 May. The strike took effect after a deadlock over salary negotiations for an increase of 130 percent. Meanwhile, the employer was offering a 7% wage increase. Satawu's striking members were urged to "refrain from intimidating none strikers and damaging property". The strike was resolved after mediation at the Commission for Conciliation, Mediation and Arbitration offices
- On Friday 6 May hundreds of commuters were left stranded in Pretoria, Brits, and Rustenburg as Thari bus drivers went on strike over unpaid salaries. Several schools, in Jericho, Mothutlung, Majakaneng and other areas remained severely affected. It was reported that the delay on salaries was as a result that the company entered the new financial year wherein the paying system was opened on April 26.
- Tens of workers at Jinko Solar in Epping Industrial staged an unprotected strike on 10 May. Their dispute was about pay, shift hours and the warning system. Workers who have been with the company since 2014 were angry about the lack of change in their income
- On 11 May, approximately 15 workers responsible for around 80% of the company's deliveries in the Hawkes Bay region at the South African-owned food distribution company Bidvest, went on a strike action as the company refused to negotiate a wage increase for workers. The action was likely to affect supply to local cafés, restaurants in and around Napier and Hastings
- AMCU members at the Sibanye platinum mine went on an "unlawful and unprotected" strike. The biggest union in South Africa's platinum industry started a strike at platinum mine Sibanye Gold on 25 May over transport, bonuses and safety pay. The Association of Mineworkers and Construction Union commenced the stoppage at Kroondal in Rustenburg, 120 kilometers North West of Johannesburg. AMCU spokesman said in a text message "Management rejected their demands hence the strike".

June 2016

- About 100 Nehawu members at the University of the Free State in Bloemfontein went on protest on 1 June. Workers sang and danced outside the Bloemfontein campus demanding a 7% wage increase and for outsourcing to be stopped. The university management emphasises that the principle of “no-work, no-pay” will be applied.
- LSG Sky chefs in Jet Park, Gauteng went on a protected strike on Monday 20 June over ‘ill-treatment of workers’. About 550 workers from LSG Sky Chefs which provides catering services to international airlines went striking against alleged “bullying and shouting” at staff. The unions’ basket of grievances also included allegations of favouritism towards certain employees, unfair discrimination as workers were not allowed to wear religious, cultural jewellery or hand bands. It is reported the company tried to interdict the strikers but they were overruled by the Labour Court decision.

July 2016

- About 300 employees at the Automobile Association of South Africa downed tools over a nationwide strike from 1 July. The strike action came after wage negotiations between the employer and employees reached a deadlock. Affected employees included those responsible for towing, patrols and emergency response. The employer was offering a 6% across the board wage increase while workers were demanding a 12% increase across the board, R9 000 minimum wage, a 13th cheque and the insourcing of 50 outsourced employees. They were also demanding that the AA should make a 60% contribution to the pension fund and medical scheme
- Fifty ICASA employees embarked on a protected strike on 4 July. ICASA spokesperson told IT Web the strike was planned and there was communication between the regulator and its employees prior to the strike. The motive of the strike was due to salary compensation
- On Friday 8 and Monday 11 July, commuters were left stranded as the Johannesburg Metrobus drivers downed tools and embarked on an unprotected strike. The reason for the strike was that the Managing Director wanted to outsource the work for ticket examination and close off the inspection department completely. Drivers questioned why the department would be outsourced if the drivers always excelled in their job. Due to the strike, 200 Metrobus routes were shut down
- On Tuesday, 26 July, it was reported that numerous Solidarity and Numsa members working for Denel on the East Rand and in Pretoria participated in sporadic protest action over the arms manufacturer’s proposed late payment of performance bonuses. According to Solidarity’s sector coordinator for the defence and aviation sectors, bonuses are paid around June or July each year to eligible employees. However, on 1 July, Denel’s management informed trade unions and employees that payment would be postponed to October due to cash flow problems
- About, 2 600 SACCWU members at JD Group went on a three-day protected strike starting on 29 July. The strike came from an unresolved wage dispute with JD Group. The strike took place in the context of a ruthless retrenchment programme, coupled with a brutal assault on terms and conditions of employment of workers which has been driven with military precision since the take-over of the JD Group by Steinhoff. More than 10 000 workers have already been retrenched over the past two years, whilst most secure full-time jobs have been informal through the engagement of lay-bye specialists and freelancers at store level. It is alleged the company has reneged from its earlier commitment to negotiate a new commission structure for sales people where its current wage offer would only serve to worsen inequality and undermines all efforts aimed at driving the decent work agenda. Whilst the union was demanding an across the board increase of R600 per month, the employer offered a mere 6.25% ,which translates to an increase of R125 per month for the lowest paid worker at R2 002 per month. It is alleged the employer was also refusing to meet the demand of a minimum wage of R 4 500 per month
- Members of Ceppwawu embarked on a nationwide strike on 28 July demanding a better living wage in the Petroleum industry. The union was seeking an increase of 9% while the Chemical Industry was offering an increase of 6.5%. In their statement the union indicated that they wanted the employers to agree on a one year agreement because of the instability of the economy, however the industry wanted a multi-year arrangement which is not feasible to the current economic situation. It was further alluded that the union was also fighting for all shift workers to be compensated 18% of the normal wage at all shifts including night shifts.

August 2016

- South Africa’s National Union of Mineworkers (NUM) at Eskom embarked on a protected strike on 8 August. About 15 000 members at Eskom, almost a third of the utility’s 48,000 employees including contractors, drivers and electricians participated on the strike over pay increment. NUM alleged that it had reduced its initial demands to 13% for the lowest paid members from 18% and to 12% from 16% for the rest of the workers. The union said Eskom was unmoved from a 7% offer which was described as “an insult”
- On 10 August, more than 100 workers for JMV Textile in Verulam protested outside the company premises demanding a 12% wage increase. The striking workers affiliated to the Southern African Clothing and Textile Workers’ Union downed tools and vowed to continue protesting until they come to an agreement with the employer. Among other things that the workers were complaining about was that employees who have worked for more than 15 years are being underpaid while new workers get more. KwaZulu-Natal regional secretary of SACTWU reported that bilateral talks between the union and the employer were underway to strive for a resolution

- Workers at PharmaQ, Industria West, braved the bitter August cold weather to embark on a strike action against their employer over wage increment. Workers went on strike to demand 10% wage increase and job security while the employer was offering 7.5% wage increase. It was also voiced that temporary employees' employment status had not changed after being in the company's employ for a period of three months, adding that this affected their job security and was in direct contravention of the Labour Relations Act (LRA). According to the spokesperson the show of solidarity spread to branches in East London and Port Elizabeth with more branches expected to join their colleagues in taking the strike action to a national level.

September 2016

- On 6 September, close to 500 workers at the White River Saw Mill in Mpumalanga went on strike over wage increase demand and proper working conditions. The strike came after workers were allegedly offered a 78 cents wage increase. One of the workers made a statement that they wanted a basic salary of R5 000, medical aid and proper working conditions. The Association of Mineworkers and Construction Union's Mpumalanga regional secretary reported that they would continue fighting for workers' rights until their demands were met.
- Following a week of lunch time pickets, workers associated with NEHAWU protested outside two Parliament entrances in Cape Town on 8 September. The protest is part of an on-going dispute between the workers and Parliament secretary who they accuse of being arrogant.
- Rubbish piled up in Nelson Mandela Bay after Municipal workers went on strike since the beginning of the week of 12 September. The striking workers are demanding unpaid wages, production bonuses and a risk allowance for working from early morning hours. They were also demanding the immediate resignation of the executive director of public health waste management, back pay since the year 2000 when workers were not paid for working through lunch and tea breaks. Workers also demanded that contract workers be hired permanently.
- Members of a union representing more than half the workers at Impala Platinum Holdings' refinery in South Africa started a strike on 27 September after talks over pay and benefits broke down. About 500 people associated with NUM never reported for duty after five rounds of talks with the world's second-biggest platinum producer broke down. The NUM was seeking a 9% increase with the company offering only 7.5%.

October 2016

- More than 368 workers aligned to Samwu withdrew their labour on 5 October leaving communities without water supply. Workers embarked on an unprotected strike in the Eastern Cape Province. Water cuts escalated to areas around the Buffalo City Metro, Mthatha, Bhisho, Grahamstown, Alice, Port Alfred and Stutterheim and St Albans Prison in Port Elizabeth. The wildcat strike was about work politics and not about pay or work conditions.
- The NUM members at Anglo American's Mogalakwena platinum mine outside Mokopane in Limpopo went on strike on 27 October over wages. The union members were against the 7% wage agreement signed by the mine management and workers union AMCU. Workers argued that the agreement did not include benefits such as housing allowances.

November 2016

- CSIR workers in Pretoria staged a protest on 4 November. Workers raised allegations of racism during the CSIR excellence award ceremony where employees were honoured for their outstanding performance. It is alleged that black people have been working on contracts for more than 10 years while their white counterparts get employed full-time.

December 2016

- Ten construction workers of BopCons Civil and Earth Company downed their tools on 2 December due to alleged outstanding pay. The employees, who are working on the construction of the K101 Le Roux Road in Midrand, were hired on a nine-month contract commencing in March and ending on 30 November. Workers claimed that BopCons promised them an increment in August, backdated from July. Speaking on behalf of the workers, the spokesperson reported that they were made to sign the increment agreement on their wage cards detailing a rise from R150 a day to R217 a day in August.
- Members of the National Health Education and Allied Workers Union and nurses at the Letaba Regional Hospital outside Tzaneen in Limpopo downed tools on 21 December. The nurses were demanding bonuses and were complaining about poor working conditions. Day patients were turned away because of the strike.
- The strike by the mine workers at Vantage Goldfields Barbrook Mine near Barberton in Mpumalanga took effect on the first week of December over unpaid November salaries. The 400 mine workers downed tools after the employer failed to pay them their November salaries. The mine management met with the Association of Mineworkers and Construction Union and made a commitment that all workers will receive their salaries on 8 December.

ANNEXURE B

Data Appendix

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

Table B1: Number of workers involved, working days lost and working hours lost by industry/sector, 2016

Utilities	11 682	53 702	331 496
Collection, purification and distribution of water	427	2 359	18 872
Electricity, gas, steam and hot water supply	11 255	51 343	312 624
Wholesale and retail, repair of motor vehicles	4 989	19 805	72 696
Hotels and restaurants	37	1 603	13 630
Retail trade, except of motor vehicles and motor cycles; repair of personal household goods	25	575	4 600
Pharmaceutical Company	130	1 430	11 440
Wholesale and commission trade, except of motor vehicles and motor cycles	4 300	12 900	7 200
Wholesale trade in food, beverages & tobacco	497	3 297	35 826
Finance	1 370	36 164	292 900
Financial intermediation, except insurance and pension funding	299	3 588	32 292
Insurance and pension funding, except compulsory social security	643	30 864	246 912
Security services	428	1 712	13 696
Manufacturing	6 180	73 659	598 570
Basic metals, fabricated metal products, machinery and equipment	301	3 665	29 869
Coke, refined petroleum products and nuclear fuel	1 635	25 494	189 148
Construction	376	1 128	9 926
Electricity, gas, steam and hot water supply	398	398	3 184
Food products, beverages and tobacco products	1 086	11 236	90 984
Manufacture of furniture; manufacturing n.e.c.; recycling	80	80	680
Other non-metallic mineral products	304	5 860	57 664
Textiles, clothing and leather goods	586	2 206	19 619
Wood and Products of wood and cork	584	8 760	78 840
Pharmaceutical Company	830	14 832	118 656
Community, social and personal services	29 114	213 602	1 713 179
Education	100	400	3 200
Health and social work	533	1 694	13 552
Public administration and defense activities	708	1 562	12 496
Research and development	15	15	120
Local Authority	20 067	103 225	825 088
Hotels and restaurants	99	4 059	36 531
Recreation; cultural and sporting activities	1 841	6 404	52 048
Other business activities	26	78	624
Other community, social and personal services activities	5 725	96 165	769 520
Mining and quarrying	19 083	207 741	1 681 922
Coal and lignite	3 009	14 675	132 758
Gold and uranium ore	5 258	13 738	118 154
Metal ores, except gold and uranium	9 639	100 469	878 997
Other mining and quarrying	1 177	78 859	552 013
Transport, storage and communication	12 178	284 657	2 400 191

Land transport, transport via pipelines	33	33	267
Passenger transport	1 539	7 146	45 872
Public transport	134	268	2 010
Air transport	283	1 698	13 584
Publishing, printing and reproduction of recorded media	133	3 458	27 664
Post and telecommunications	10 056	272 054	2 310 794
Construction	2 341	15 892	130 724
Construction	25	65	598
Construction of buildings	712	1 792	16 511
Construction of civil engineering structures	304	1 335	12 015
Local authority	950	5 700	45 600
Other services activities	350	7 000	56 000
Agriculture, hunting, forestry and fishing	3 291	41 101	391 589
Agriculture, hunting and related services	2 271	26 261	226 829
Fishing, operation of fish hatcheries and fish farms	650	10 400	124 800
Manufacturing of food products	370	4 440	39 960

Source: Department of Labour, Strikes Statistics database

Table B2: Number of working days lost by nature of Organisation, 2016

NATURE OF ORGANISATION	WORKING DAYS LOST 2016				
	Q1	Q2	Q3	Q4	Total
Central government general	438	0	1 124	0	1 562
Government enterprise	90 000	2 402	321 343	97	413 842
Local government general	29 608	39 495	28 584	18 277	115 964
Private sector	13 958	63 235	120 886	215 026	413 105
Provincial government general	336	0	1 512	2	1 850
Total	134 340	105 132	473 449	233 402	946 323

Source: Department of Labour, Strikes Statistics database

ANNEXURE C

Technical note:

C1. Methodology for monitoring industrial action

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 (LRA 9.2 Form) to collect data on labour disputes.

C2. Definitions

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

A strike:

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

A lockout:

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

A protest action:

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

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

Picketing:

Action by employees or other persons to 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.

C3. Coverage

Data collection attempts to cover the entire country, all economic activity and all sectors of the economy, legal and illegal industrial action. The system attempts to cover all industrial action due to labour disputes. The figures in this report are inclusive of all industrial actions which come to the knowledge of the Department, and the methods taken to secure information practically preclude probability of omissions of a serious nature. This is a painstaking exercise, and it is believed that the statistics indicates the conditions of labour disputes in the country with reasonable precision. Since LRA 9.2 Form 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.

C4. Data collection

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

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

C5. Calculations

Working days lost

All calculations are made on the basis of information recorded on the LRA 9.2 Form. 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 4 000 workers and lasting four days, working days lost would be computed as follows:

- 4 000 workers x 4 days = 16 000 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 4 000 workers and lasting four hours and four days working hours lost would be computed as follows:

- 4 000 workers x 4 hours lost x 4 days worked = 64 000 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 9.2 Form 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 16 069 000 employees in December 2016 and loosing 946 323 working days will have a ratio of 58.89 arrived at as follows:

- $946\,323 / 16\,069\,000 \times 1000$

Measurement

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

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

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

**LRA FORM 9.2
LABOUR RELATIONS ACT, 1995**

READ THIS FIRST



WHAT IS THE PURPOSE OF THIS FORM?

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

WHO FILLS IN THIS FORM?

The employer/or relevant employer organisation.

WHERE DOES THIS FORM GO?

ENQUIRIES:

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 →

☐ Yes ☐ No

Was replacement labour used?

Was a replacement labour used? ☐ Yes ☐ No

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

Duration in workdays (or hours if relevant)

Number of employees participating¹:

Number of female employees affected²:

Total work-hours lost:

Total wages not paid (in Rands):

[illegible]

please go to the next page →

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.....