



# **INDUSTRIAL** **ACTION REPORT**



**IAR 2018**



# INDUSTRIAL ACTION REPORT



**labour**

Department:  
Labour  
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# **INDUSTRIAL ACTION REPORT**

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# ABBREVIATIONS

<b>AMCU</b>	Association of Mineworkers and Construction Union
<b>APSA</b>	Academic and Professional Staff Association
<b>BAWUSA</b>	Building and Allied Workers Union of South Africa
<b>BCAWU</b>	Building Construction and Allied Workers Union of South Africa
<b>CCMA</b>	Commission for Conciliation, Mediation and Arbitration
<b>CEPPWAWU</b>	Chemical, Energy, Paper, Printing, Wood and Allied Workers Union
<b>CPI</b>	Consumer Price Index
<b>CWU</b>	Communication Workers Union
<b>DETAUWU</b>	Democratised Transport Logistics and Allied Workers' Union
<b>DPSA</b>	Department of Public Service and Administration
<b>FAWU</b>	Food and Allied Workers Union
<b>GIWUSA</b>	General Industries Workers Union of South Africa
<b>HOSPERSA</b>	Health and Other Services Personnel Trade Union of South Africa
<b>ILO</b>	International Labour Organisation
<b>IMATU</b>	Independent Municipal and Allied Trade Union
<b>LMIS</b>	Labour Market Information and Statistics
<b>LRA</b>	Labour Relations Act
<b>NEDLAC</b>	National Economic Development and Labour Council
<b>NEHAWU</b>	National Education Health and Allied Workers' Union

<b>NTM</b>	National Transport Movement
<b>NUMSA</b>	National Union of Metalworkers of South Africa
<b>NUM</b>	National Union of Mineworkers
<b>OECD</b>	Organisation for Economic Cooperation and Development
<b>PAWUSA</b>	Public and Allied Workers Union of South Africa
<b>PSA</b>	Public Servants Association
<b>PSCBC</b>	Public Service Coordinating Bargaining Council
<b>PTWU</b>	Professional Transport Workers' Union
<b>POPCRU</b>	Police and Prisons Civil Rights Union
<b>SABC</b>	South African Broadcasting - Corporation
<b>SACTWU</b>	South African Clothing and Textile Workers' Union
<b>SACU</b>	South African Communication Union
<b>SADTU</b>	South African Democratic Teachers Union
<b>SALGA</b>	South African Local Government Association
<b>SAMWU</b>	South African Municipal Workers' Union
<b>SANC</b>	South African Nursing Council
<b>SATAWU</b>	South African Transport and Allied Workers' Union
<b>SOCRAWU</b>	Security Officers Civil Rights and Allied Workers Union
<b>TASWU</b>	Transport and Services Workers Union
<b>TAWUSA</b>	Transport and Allied Workers Union of South Africa
<b>TWU</b>	Transport Workers Union
<b>UASA</b>	United Association of South Africa



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This edition of the Department of Labour Industrial Action report 2018 was produced by the Labour Market Information and Statistics (LMIS) team. The LMIS team worked tirelessly to expand the coverage and scope of the strikes information through various networks to collect and follow up on the strikes information.

Our words of appreciation goes to all the employers and to those worker organisations' for providing detailed strike information into the Labour Relations Act (LRA) 9.2 form to the Department seven days after the strike ended. This permitted the development of this Industrial Action report which was also internally peer reviewed by the Department of Employment and Labour senior management and other officials in the Labour Market Policy (LMP) in the Department.

Last but not least, a special word of appreciation is extended to our users for their support and willingness to engage with us towards the development of this Industrial Action report 2018. The report comprehensively reviews the strike trends with a strong focus on its impact in the South African society in 2018.

# EXECUTIVE SUMMARY

The Department of Employment and Labour recognizes that social peace is one of the most important locational advantages to invest and produce in South Africa. Providing the South African strike update information could effectively enable policy makers and other users of the strike information to have a deep understanding of progress made in moderating work place conflicts and dealing with wage inequality<sup>1</sup>, “violent and protracted strikes”. However, starting from a low level of industrial action in 2014 at 88 work stoppages, this strike report shows a consistent increase in the number of working days lost due to strikes and lockouts up to 165 work stoppages in 2018.

Against this background, it is important to note that more than 9.5 million of workers had reported that they were not members of trade union in December 2019<sup>2</sup>. This is significant as a result of the current slow employment growth in particular in the traditional strongholds of the trade union membership, e.g., the manufacturing and mining industries. Thus, in the face of a growing low wage sector, the role of the South African government in setting the National Minimum Wage<sup>3</sup> (NMW) and working standards is commended.

Regarding the analysis provided in this report, the strike dynamics as well as other characteristics that allow various stakeholders to understand the levels and causes of labour disputes in the sphere of the South African labour relations<sup>4</sup> are presented in different chapters. **Thus, the key changes in Industrial Action report in 2018 are summarised as follows:**

- The number of work stoppages increased to 165 in 2018 from 132 in 2017. This represents 25% increase in strikes from the previous year. This was 3.5 times more than in 2014. ***It is the highest recording over the past five years of the Department of Employment and Labour strike monitoring;***
- By nature of strikes across workplaces, “strikes in company only” followed by stay away and lockouts in workplaces were the highest form of why workers embarked on strike activities in 2018. A particular attention is shown with the number of lockouts in 2016 and 2017 at 32 and 30 respectively;
- In 2018, most workplace disputes at 81.8% were resolved internally with the employers. The result was consistent over the past two years followed by the intervention of the CCMA and other bodies;
- The duration of most strikes lasted for an average less than 11 working days in 2018 at 74% of the total strikes;
- In 2018, more than one million (1 158 945) of working days lost were estimated due to 165 industrial disputes, an increase of 20.7% compared to 960 489 working days lost from 132 strikes in 2017. ***The strike determination<sup>5</sup> in 2014 shows that a single striker was on strike for 86.57 days on average as compared to 8.41 days on average in 2018.*** Consequently, a striker determination has decreased over time;
- The impact on workers involved in the strike activities was approximately estimated at more than R266 million in wages lost in 2018 as compared to more than R251 million in 2017. There were 137 712 workers involved in labour disputes in 2018, close to 11% more than in 2017. However, a dramatic decrease on worker’s wage lost has been recorded from 2014 and 2018;

1 It further finds that South Africa has a Gini coefficient for wage inequality of 0.63 (Based on income data World Bank, 2015). The Gini coefficient is a measure used to show income or wealth distribution of a nation’s residents. A Gini coefficient of Zero express perfect equality, while a Gini coefficient of 1 (100%) express maximum inequality.

2 Statistics South Africa, Quarterly Labour Force Survey, quarter 4, p. 70

3 The modalities for the introduction of a national minimum wage of R20 an hour, which will probably improve the lives of the lowest paid workers and begin to address the challenge of wage inequality. There is provision that enable small and large businesses to apply for exemption on the basis of affordability.

4 The Department of Employment and Labour uses the LRA 9.2 form to draw data directly from the employers or trade union federations after the strikes or lock outs have been identified by the LMIS officials from various media sources in the country. The data includes also notifications from employers which are voluntarily sent to the Department of Employment and Labour.

5 A strike determination is measured by dividing the number of days lost over the number of workers involved in the strike. This indicates the average time spent on strike by each worker. (Aligasakis, M. (1997)).



- Unlike in 2017 where workers in the mining industry lost wages for more than R137 million, the transport industry in 2018 recorded the highest wage lost at R131 million.
- Over the five years (2014-2018), the demand over wages, bonus and other compensation benefits<sup>6</sup>, grievances lodged against employers and unpleasant working conditions were the main reasons why workers went on industrial disputes. In 2018, the majority of workers, 68% went on strike to demand for high wages, bonus and other compensation benefits;
- The private sector saw more working days lost than the public sector in 2018, e.g., the passenger transport sector lost 278 516 working days due to strikes;
- Unlike in 2017, the number of protected strikes dropped from 52% to 41% in 2018, while the level of unprotected strikes increased from 48% in 2017 to 59% in 2018. This is due to a high number of workers in the community industry who went on strikes and decided not to comply with the labour laws;
- Workers involved in strikes from National Union Mineworkers, National Union of Metalworkers of SA and National Education Health and Allied Workers' Union accounted for 13%, 12.8% and 10.9% respectively.

### The impact of 2018 strike incidents in the South African society

- The South African labour market has been affected with more strikes in 2018 than in the last five years. However, the “strike determination” had declined over the same period. This had also resulted to more workers to sacrifice their wages in 2014 as compared to 2018;
- Regarding the compliance with the labour laws, the impact is clear that the level of protected strike decreased from 2017 to 2018. This might be the result of so many small companies which were included and affected by work stoppages as the strike coverage was better conducted this year than in the previous years;
- In all strikes recorded by the Department of Employment and Labour, some level of compliance to the Accord on Collective Bargaining and Industrial Action was promoted where all steps were taken to prevent violence, intimidation and damage to property and disputes. Some strikes were resolved peacefully and expeditiously over the period under review;
- The impact on workers due to work stoppages was more than R266 million in wage lost, an increase of 6.1% from 2017 (R259 million). This implies that a large number of households had to give up their salary during the duration of strike to expect an acceptable “settlement wage” that could improve their living conditions;
- The decline of the South African trade union membership had probably an effect in the reduction of labour's bargaining power;
- Across industries, employers were able to settle with less than the initial wage demands tabled by the workers and the unions;
- The last four-year key trends in a chronological way are summarised as follows:

<sup>6</sup> This is a pattern where the unions have complained about for years and while the gap between executive and non-executive pay has been narrowed in the process, the existing gulf between the pay of bosses and the earnings of workers has widened year by year: Business Report, Economy, 15 July 2011.

## 2017 strikes:

- Successfully, the Department of Employment and Labour noted high compliance with the Labour Relations Act (LRA) in 2017 where 57% of the total strike incidents (132) were protected than in 2016 with only 41% of protected strike incidents;
- About 960 889 working days were lost by companies which resulted to more than R251 millions of worker's wage lost because of the "no work, no pay principle" as per the South African Constitution. The demand of higher wages by low pay workers and other economic conditions are cited as one of the main causes to forgo their wages for better wage settlement in the economy which is currently faced with the triple challenges: high unemployment, inequality and poverty;
- The public sector saw more working days lost than the private sector work stoppages in 2017, e.g., health and social services strikes. In this spirit, less than 30% of the company affected by strikes used replacement of labour.

## 2016 strikes:

- A new dynamic in the South African labour market resulted to 8% increase in work stoppages in the country from 110 in 2015 to 122 in 2016. Consequently, 903 921 working days lost were recorded in 2015, an increase of 1.5 % from 2016 (946 323 working days lost);
- By industry, the community industry was highly affected by strike incidents followed by manufacturing and transport industries.

## 2015 strikes

- About 25% increase in strike that was observed between 2014 (88 strikes) and 2015 (110 strikes). The living wage demands was mostly the main reason of strikes in the community, manufacturing, transport and mining industries in 2015;
- A total of 903 921 working days lost were estimated for 118 566 workers involved in strike incidents in 2015. This was 8.9 times higher than in 2014 in terms of working days lost;
- A dramatic decrease in terms of worker's wage lost was estimated at 98% between 2014 and 2015. This was attributed to the lower number of worker's participation during the work stoppages in 2015.

## 2014 strikes

- Out of 88 strikes in 2014, close to 48% of strikes were unprotected and 52% were protected strikes;
- An increase in the number of working days lost from 1 847 006 in 2013 to 10 264 775 in 2014. This was associated with the high strike duration in the mining industry;
- Regarding the impact in the economy, more than R6.1 billion of worker's wage lost due to work stoppages in 2014 were recorded by the Department of Employment and Labour as compared to more than R6.7 billion worker's wage lost in 2013.



# INTRODUCTION

As per the South African Labour Relations Act (LRA), a strike is any concerted withholding of labour by a group of employees in support of a demand made by them to the employers. In an event of work stoppages, the employer is likely to lose profits due to delayed service to clients or to lost production time while the employee will lose their pay due to the “no work, no pay principle.”

Over the years the numbers of work stoppages in the South African labour market has relatively been increasing and has economically impacted on the livelihood of many households because workers were willing to sacrifice their times and salaries for a better settlement wage rate<sup>7</sup>.

Thus, in an effort to moderate the workplace disputes, the then Minister of Labour, Mildred Oliphant, published guidelines on **secret balloting for strikes or lockouts in terms of Section 95(9) of the Amended [LRA] 66 of 1995**<sup>8</sup>. The purpose of these guidelines was simply to give effect to one of the key amendments relating to secret balloting. The registrar of labour will have to oversee these ballots. However, a question remains whether any trade union or employer’s organisation will take advantage of and make use of these guidelines in order to demonstrate that their intended action is indisputably well supported<sup>9</sup>. In this context, this report examines what might account for a change of this guideline in future.

Considering the framework of the International Labour Organisation (ILO), the layout of this 2018 Industrial Action report is presented as follows: The **First Chapter** looks at the key features of the South African strike trends. In particular, it gives an overview of strikes in terms of total number of work stoppages, working days lost per 1 000 employees, duration of strikes and worker’s wage lost as a proxy of the economic impact of the strikes in the country in a form of loss of revenue. The **Second Chapter** of the report illustrates the strikes activities in respect of industries and the power of trade union membership in terms of strike determination rate. It also reflects on the working days lost per union proportion, causes and nature of work stoppages. The **Third Chapter** then examines different ways in which wage settlements were reached in order to moderate workplace conflicts<sup>10</sup>. It also outlines the analysis on the median wage settled by industry. Then, the report provides concluding remarks and some policy considerations in **Chapter Four**.

Lastly on the Annexure, a detailed breakdown of strike activities that occurred and monitored in the Department of Employment and Labour’s media monitoring data system in the last twelve months of 2018 is presented.

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<sup>7</sup> The workers may lose their pay for the days they are in the strike but they gain in the long run.

<sup>8</sup> The guidelines compel every trade union or employer’s organization to conduct a ballot of members before calling for a strike or lockout and spell out, among others, the voting system, member rights in regard to failure or refusal to participate, a requirement for a trade union to obtain the consent of the employer to hold a ballot and procedures to be followed when conducting a secret ballot. The guidelines also have an effect of responsibility and accountability against trade unions or employer organization’s when a decision to go on strike or to lock out striking members has been taken.

<sup>9</sup> Osborne Molatudi, Partner, and Zinhle Mokoena, Hogan Lovells News, 24 January 2019

<sup>10</sup> This refers to wage settlements concluded without strike incidents or abandoned strike action and workers revert back to work.







**IAR 2018**



# CHAPTER 1

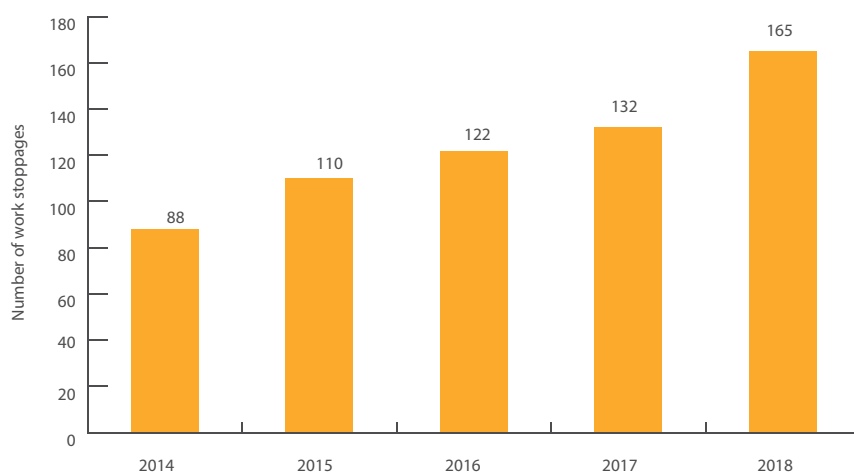
OVERVIEW OF STRIKE  
INCIDENTS IN THE SOUTH  
AFRICAN LABOUR MARKET,  
2018

## CHAPTER ONE: OVERVIEW OF STRIKE INCIDENTS IN THE SOUTH AFRICAN LABOUR MARKET, 2018

This chapter presents mainly the key measurements of labour disputes in 2018. This is done by assessing the number of work stoppages, working days lost, time loss ratio (working days lost per 1 000 employees), working hours and worker's wage lost. Where possible, strike data is compared from 2014 to 2018.

Looking at the work stoppages over the past five years (2014-2018), it is observed that 2018 experienced high number of work stoppages than the previous years. The winter months in South Africa are mostly known as 'strike season' because of the inevitable number of wage disputes that occurred in most years due to the renewal of wage agreements. The rise in the number of strike in 2018 came at a time when the country was hit by a technical recession and the country's Gross Domestic Product (GDP) had negatively performed in the second quarter of 2018. South Africa was hit with major nation-wide strikes: the one day South African Federations Trade Union strike where thousands of workers from various industries went to the streets to demand for the minimum wage to be raised above R20 per hour; the bus strike over wage increment; the North West provincial health services shutdown over bonuses and improved working conditions and Eskom employees who went on strikes over wage increment. Overall, the strike statistics indicate that the private sector was mostly affected than the public sector in 2018 with the number of working days lost. By industries, the community industry was, however, hit by more strikes in 2018 and 2017 as compared to other industries.

**FIGURE 1: TRENDS IN THE NUMBER OF WORK STOPPAGES IN SOUTH AFRICA, 2014 -2018**



*Source: Department of Labour, Strikes Statistics database, 2014-2018*

**Figure 1** illustrates the trend in the total number of work stoppages over the past five years. Generally, the picture shows an upward pattern of strike incidents over the period under review. Interestingly, the year 2018 reflects the highest number of strikes at 165 strike incidents. This represents an increase of 25% in strikes as compared with 2017. It was a substantial growth rate between 2014 to 2018 at 87.5%. It can be concluded that 2018 realised an "unstable year in terms of strikes incidents" (which include a large number of small companies) as compared to the previous years. However, there is hope for change with the introduction of significant amendments to the LRA as a way of responding to the ever changing labour market environment. These amendments include, amongst others, the proclamation of the NMW that are critical for the labour market stability and industrial peace, the secret ballot which will come into effect in July 2019 and the CCMA to come up with an impartial deal for the employers and workers to consider where a strike causes a "national crisis".



**TABLE 1: DISTRIBUTION OF EMPLOYEE'S PARTICIPATION IN WORK STOPPAGE BY INDUSTRY, 2018**

Industry	Number of workforce 2018*	Employees involved 2018	Percentage distribution of employees involved
Agriculture	4 525	3 646	80.6
Mining	3 147	2 499	79.4
Manufacturing	28 022	19 761	70.5
Utilities	48 444	6 012	12.4
Construction	17 002	5 193	30.5
Trade	162 665	45 118	27.7
Transport	53 409	19 550	36.6
Finance	1 035	365	35.3
Community	332 985	35 568	10.7
<b>Total</b>	<b>651 234</b>	<b>137 712</b>	<b>21.1</b>

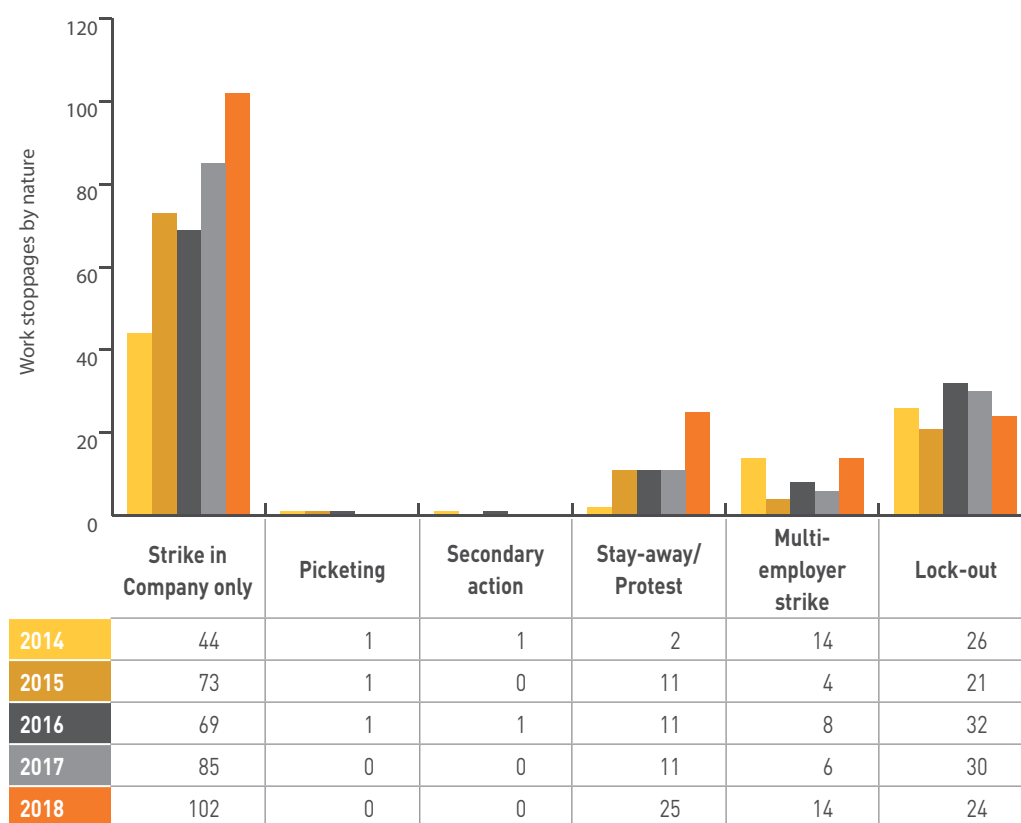
Source: Department of Labour, Strikes Statistics database, 2018

\*As reported by the employers on the LRA 9.2 form

**Table 1** highlights the relationship between the number of workforce and employees involved during the strikes in 2018. By the end of December 2018, only 137 712 (21.1%) of employees participated in strike action from a total workforce of 651 234 across industries. This represents 9% increase from those employees who participated on strikes in 2017 (125 125 employees) from a total workforce of 472 447. While the increase is observed, it could be argued that the trade union are slowly losing some power in maintaining the same momentum from the start till the end at the negotiation tables because unions are probably using confrontational tactics and employers are changing the negotiating structure.

Following this, in 2018, the strike determination amongst workers was mostly pronounced with employees in the agriculture, mining and manufacturing industries which show a representation of 80.6, 79.4 and 70.5% of the total employees involved respectively. In terms of percentage, the least employees who participated in strike activities were from the utilities and community industries at 12.4% and 10.7% respectively.

**FIGURE 2: DISTRIBUTION OF WORK STOPPAGES BY THEIR NATURE, 2014-2018**



Source: Department of Labour, Strikes Statistics database

Data from the Department of Labour makes a distinction between the different kinds of strikes. **Figure 2** presents strikes incidents by its nature in the past five years “with Strikes in company only” dominating against other forms of strikes. This was followed by those employees who stayed away from work and those who were locked-outs by the employers. The implications of this trend of strike in company only reflects a good signal of the existence of a large number of union membership in most of those labour-intensive industries, e.g. mining industry. In 2018, close to 62% of work stoppages took place in “companies only” followed by 15% of workers who stayed away from work and 14 % of employees who were locked-outs from the workplaces.

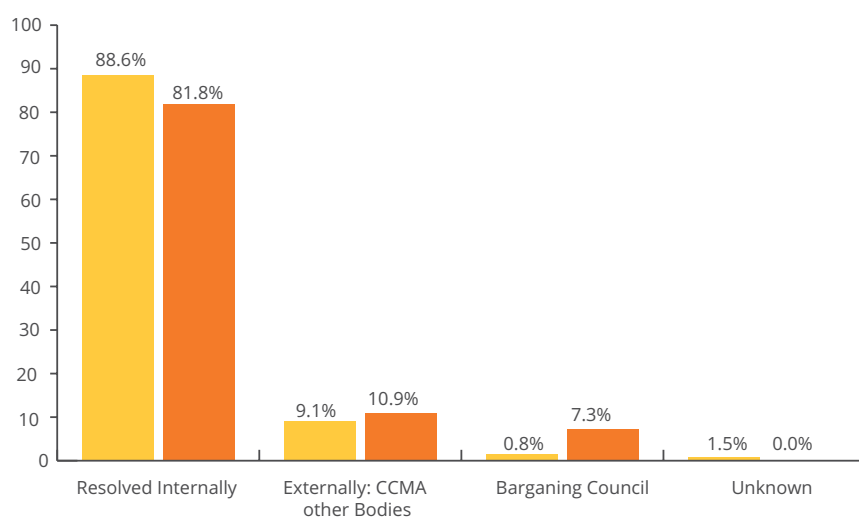
**TABLE 2: DISTRIBUTION OF WORKING DAYS LOST BY PRINCIPAL CAUSE OF DISPUTE, 2014-2018**

Principal cause	2014	2015	2016	2017	2018
Wages, bonus and other compensation	10 121 273	697 810	778 874	540 966	789 198
Working conditions	1 776	26 226	60 747	50 292	128 890
Disciplinary matters	38 129	52 460	4 748	10 120	22 729
Grievances	25 625	43 922	50 882	177 605	139 762
Socio-economic and political conditions	167	9 448	8 380	26 156	15 708
Secondary action	3 500	2 812	1 385	0	0
Retrenchment/redundancy	201	4 145	2 359	12 865	11 840
Refusal to bargain	8 784	7 228	21 351	132 219	13 313
Trade union recognition	0	55 624	16 462	10 266	11 304
Other reasons	65 320	4 246	1 135	0	26 201
<b>Total</b>	<b>10 264 775</b>	<b>903 921</b>	<b>946 323</b>	<b>960 489</b>	<b>1 158 945</b>

Source: Department of Labour, Strikes Statistics database

Workers call out for an industrial action at workplaces for various reasons as shown in the table above. Over the five years, strikes data presented in **Table 2** indicates that the demands over wages, bonus and other compensation benefits, grievances lodged against employers were the top main reasons why workers went on industrial disputes. The majority of workers, 68% went on strike to demand for wages, bonus and other compensation benefits in 2018 and it was 98% in 2014. This reason seems to be visible in an emerging economy where low wage, e.g., high inequality is a common characteristic of most of the workers in the labour market.

Disputes over workplace grievances against the employers and unpleasant working conditions are also being reported as a source of working days lost. Working conditions as one of the principal causes of industrial disputes has increased from 2014 to 2018.

**FIGURE 3: PERCENTAGE DISTRIBUTION OF HOW DISPUTES WERE RESOLVED, 2017-2018**

Source: Department of Labour, Strikes Statistics database, 2017-2018

Given the strike characteristic described above, **Figure 3** illustrates that the majority of disputes are heavily resolved internally without engaging other external collective bargaining bodies. This could imply that strikes were on short duration and less violent. In 2018 and 2017, close to 89 and 82% of workplace disputes were resolved internally with the employers only. This was followed by those disputes resolved through the arbitration clauses, e.g., the CCMA and the bargaining councils.

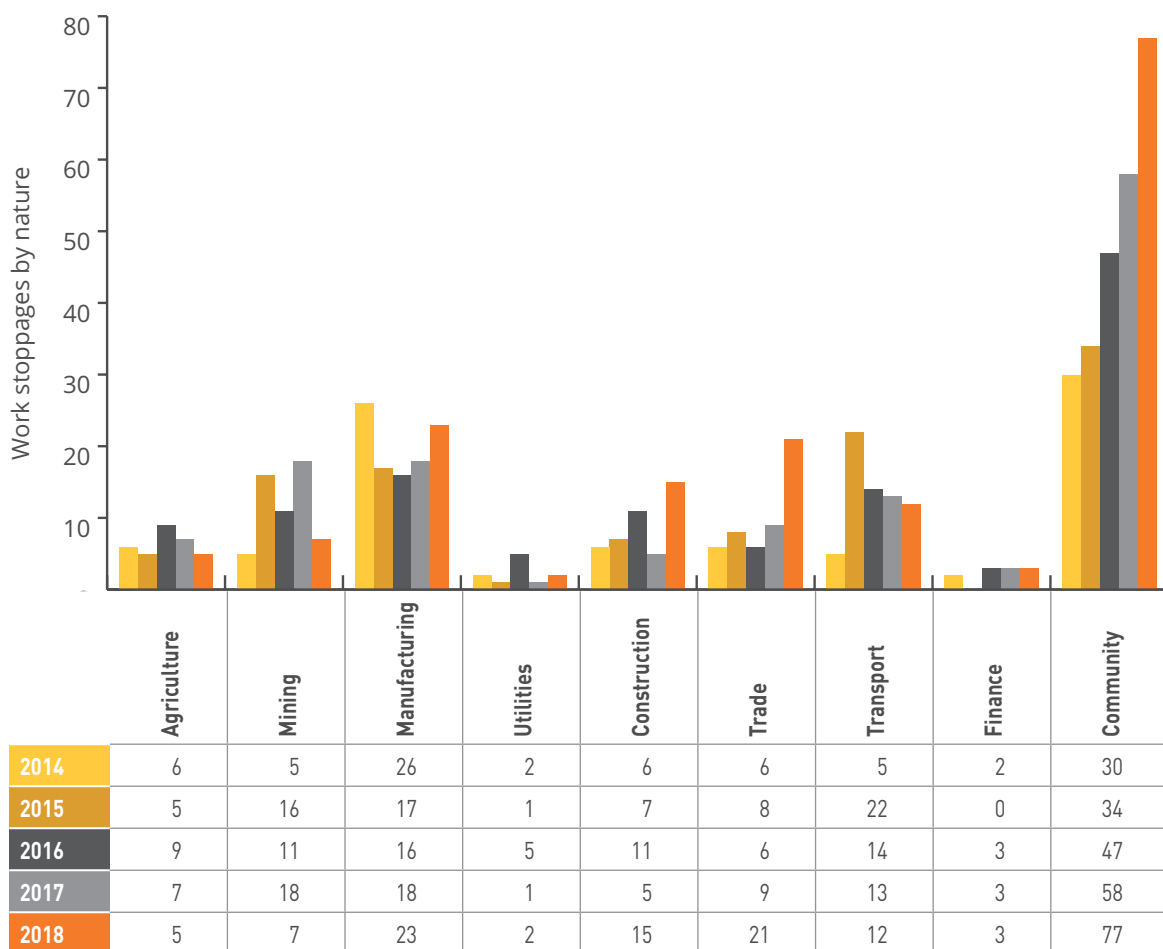
**TABLE 3: DISTRIBUTION OF HOW ANNUAL SALARY INCREMENTS WERE NEGOTIATED 2018**

	Oct-Dec 2017	Jan-March 2018	April-June 2018	July-Sept 2018	Oct-Dec 2018	Year on Year change (%)
Individual and employer	1 032 000	1 105 000	1 098 000	1 035 000	1 176 000	14.0
Union and employer	3 023 000	3 072 000	3 141 000	3 156 000	3 102 000	2.6
Bargaining council	1 140 000	1 142 000	1 119 000	1 025 000	1 069 000	-6.2
Employer only	7 702 000	7 754 000	7 570 000	7 651 000	7 592 000	-1.4
No regular increment	777 000	881 000	864 000	904 000	964 000	24.1
Other	103 000	80 000	68 000	70 000	89 000	-13.6

Source: Statistics South Africa, QLFS, quarter 4 of 2018

The results in **Table 3** supports the outcome in **Figure 3** above. It shows that in every quarter of 2018, employees reported that salary increments continued to be settled by employers only<sup>1</sup>. Clearly, the results reflect the power and relationship that employers had with employees in resolving salary increment at the workplace. It is also suggesting that unions had a fair opportunity to represent the employees during salary increments at the bargaining council negotiations.

However, the year on year comparisons indicates that the number of employees who reported that salary increments were negotiated by employers only also decreased by 1.4% .

**FIGURE 4: DISTRIBUTION OF WORK STOPPAGES BY INDUSTRY, 2014-2018**

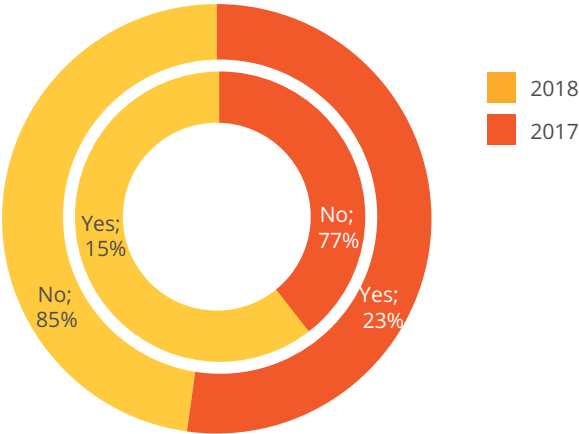
Source: Department of Labour, Strikes Statistics database, 2014-2018

<sup>1</sup> Statistics South Africa, Quarterly Labour Force Survey, Quarter 4 of 2018, p-70

**Figure 4** shows that, the community industry in the public sector had recorded the most strikes over the last five-year periods. In 2018, the community industry recorded (77 strikes and 303 119 working days lost) the highest number of industrial disputes which resulted mainly from the health and social services and municipality workers who downed tools over grievances that were lodged against the employers for unpleasant working conditions in the sectors. The manufacturing industry, on the other hand, was the second highest with 23 strikes and 227 040 working days lost due to high wage demands by workers, while it is currently regarded as a key sector in the governments’ job creation plans.

The trade industry followed the manufacturing industry with 21 strikes and 180 588 working days lost in 2018. This was due to the high number of unresolved grievances and wage demands.

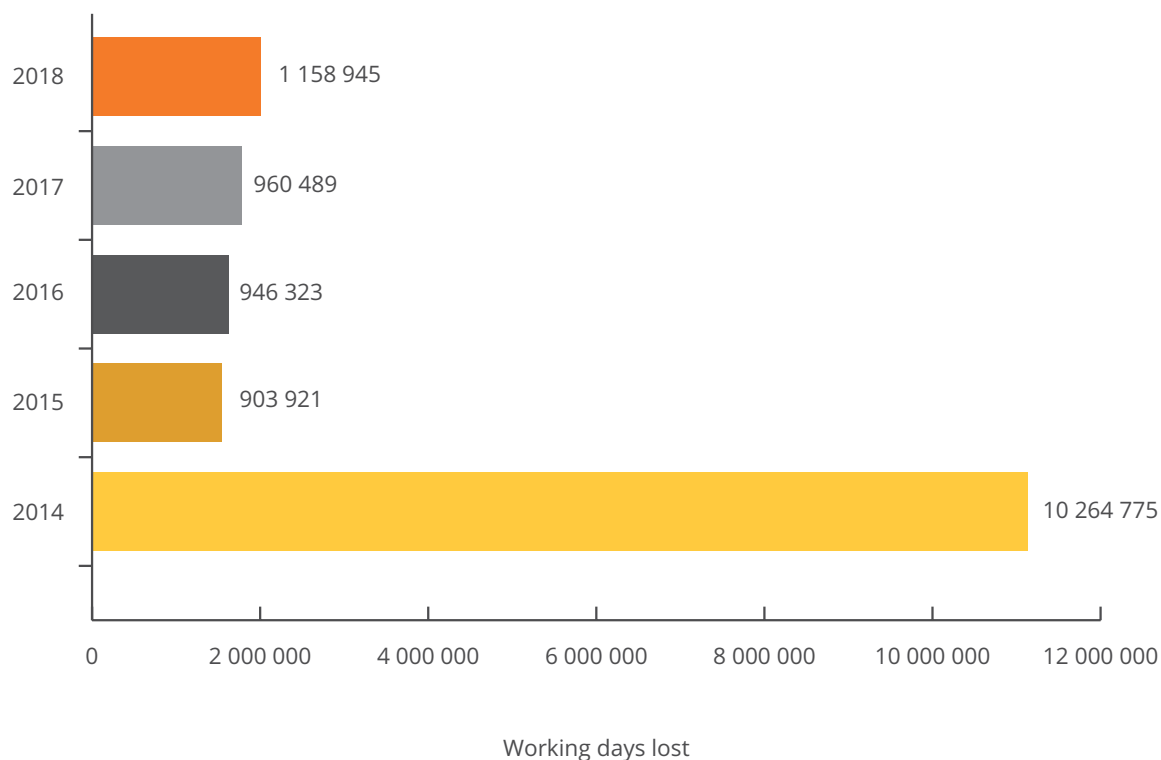
**FIGURE 5: PERCENTANGE DISTRIBUTION OF REPLACEMENT LABOUR USED, 2017-2018**



*Source: Department of Labour, Strikes Statistics database, 2017-2018*

Sometimes the management of companies on strike hires workers to do the jobs of the workers on strike. **Figure 5** represents the proportion on whether replacement labour was used or not used during the strike activities over the past two years. According to the data collected as at end of 2017 and 2018, replacement labour was less used by most companies during the strikes activities. Meanwhile, the majority of employers who used replacement labour during the strikes in 2018 were from the trade and the manufacturing industries.

**FIGURE 6: TRENDS IN WORKING DAYS LOST<sup>2</sup> IN SOTH AFRICA, 2014-2018**



*Source: Department of Labour, Strikes Statistics database*

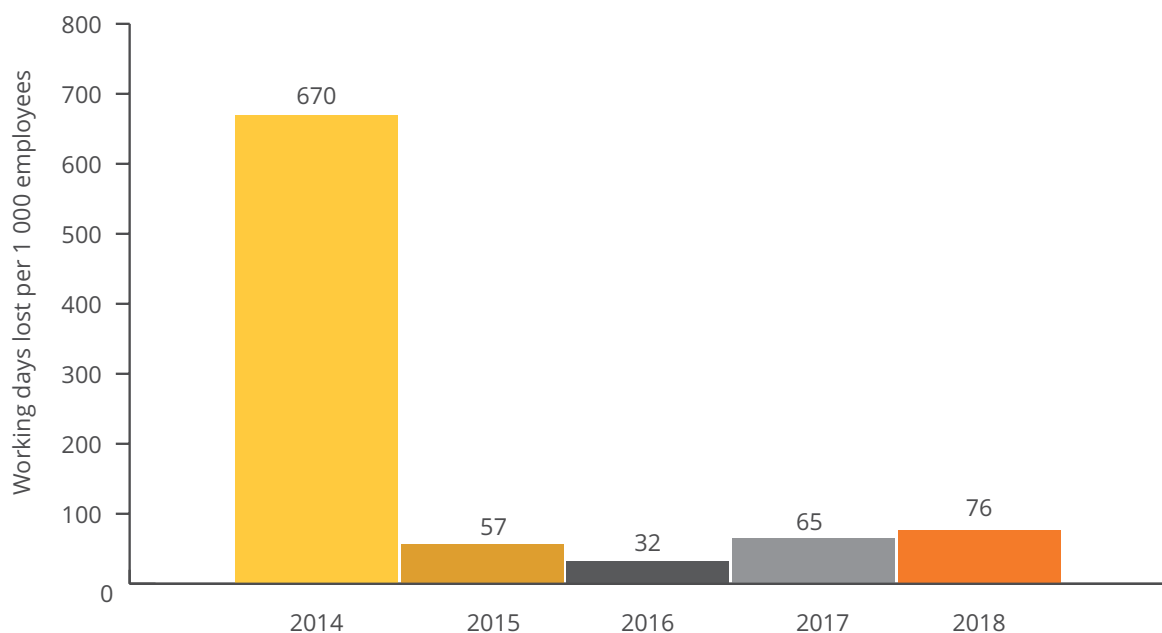
**Figure 6** presents an increase in the working days lost 1 158 945 due to 165 industrial disputes in 2018 compared to 960 489 working days lost from 132 strikes in 2017. This represents about 20.7% increase in working days lost between 2017 and 2018. High number of workers involved in strikes can explain the increase in working days lost in 2018 and the length of the strikes as compared in 2017. In addition, the large companies from the private sector saw more people going on strike due to wage demands in 2018.

The highest number of working days lost over the five-year periods is shown in 2014 where the strike duration in particular the mining industry was longer with the highest number of workers (74 580) who participated to the strike than other industries. At the same time, the mining industry lost 9 611 452 working days in 2014.

Looking at the “strike determination rate” between the two periods, a single striker was on strike for 86.5 days on average in the early 2014 as compared to 8.4 days on average in 2018. Consequently, a striker determination has decreased over time.

<sup>2</sup> 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 7: WORKING DAYS LOST PER 1 000 EMPLOYEES<sup>3</sup> DUE TO STRIKES, 2014-2018**



*Source: Department of Labour, Strikes Statistics database*

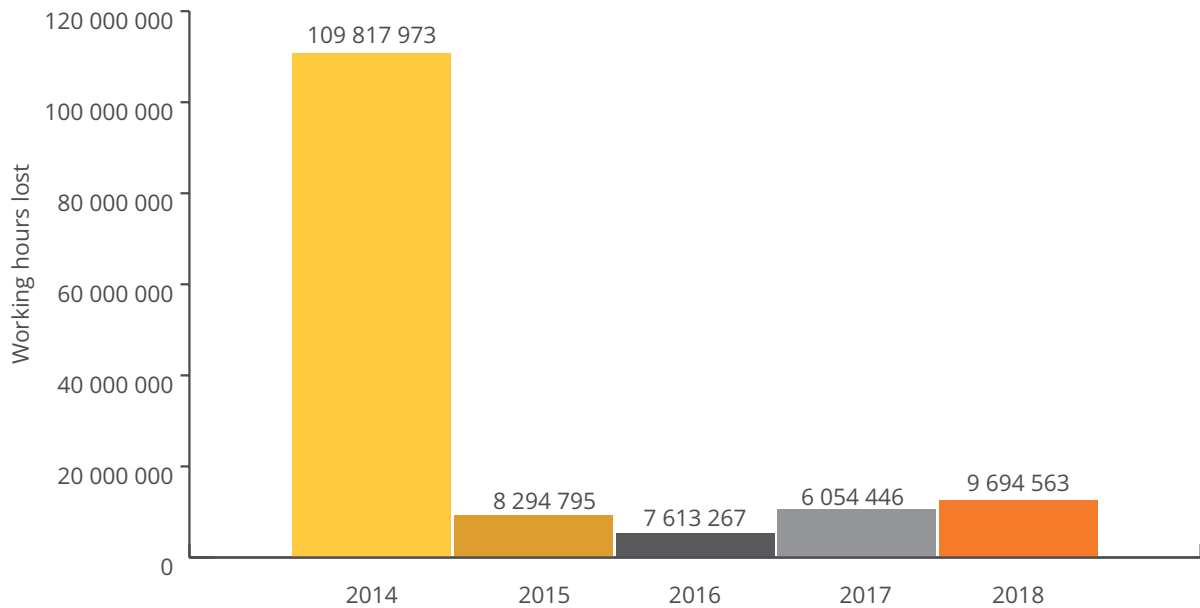
Interestingly, the working days lost per 1 000 employees is the most reliable and comparable indicator used internationally in the analysis of industrial action. It can give a wide span of results if compared with other developed and emerging countries.

Generally, the number of working days lost per 1 000 employees increased from 2016 to 2018 in South Africa. However, **Figure 7** depicts interesting result where the number of working days lost per 1 000 employees shrunk from 670 in 2014 to 76 in 2018. The degree of improvement is impressive as far as the peaceful labour environment in 2018 while high number of strikes were identified from smaller companies. Despite this, 76 working days lost per 1 000 employees in 2018 could not signify that South Africa is a 'strike prone' country when compared with other emerging countries. These number of days lost per 1 000 employees involved on strikes follows incidents of strike actions recorded from small, medium and large company establishments.

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<sup>3</sup> This indicator allows for international comparison in strike activity where data is available. For international comparison, the ratio distinguishes which country is strike prone when compared to another country.

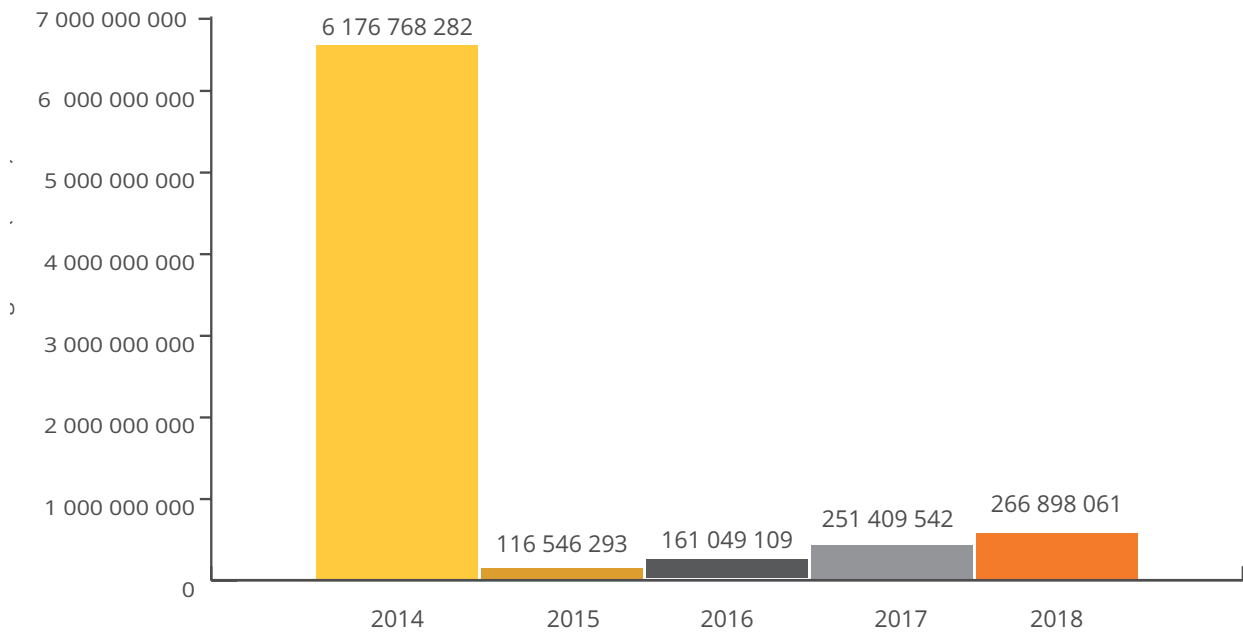
**FIGURE 8: TREND IN WORKING HOURS LOST IN SOUTH AFRICA, 2014-2018**



Source: Department of Labour, Strikes Statistics database

As expected, **Figure 8** shows an increase in the number of working hours lost in 2018. There were 9 694 563 working hours lost in 2018 up from 6 054 446 working hours lost due to strikes in 2017. More working hours lost in 2018 resulted from a high number of working days lost due to strikes. The figure shows also a decline in the number of working hours lost between 2014 to 2018.

**FIGURE 9: WAGES LOST<sup>4</sup> DUE TO WORK STOPPAGES IN SOUTH AFRICA, 2014-2018**



Source: Department of Labour, Strikes Statistics database

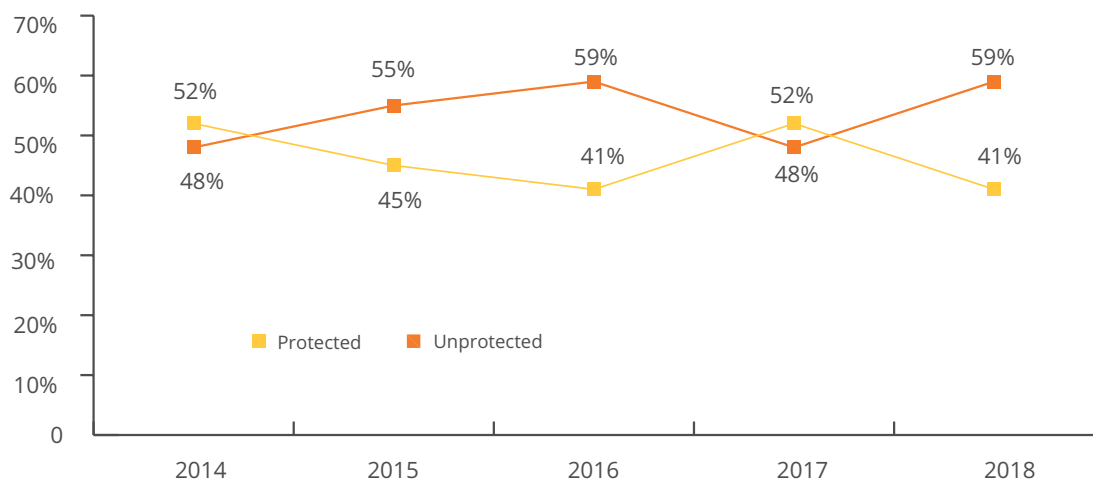
<sup>4</sup> There is a need for a case study to gather data from a number of companies that were affected by the strike activity in order to estimate the cost of strike to company. This can be a case study for the Research unit in the future.



**Figure 9** illustrates the total worker's wage lost as a result of embarking on strikes. As reported by the employers, workers lost more than R266 millions of wages due to 165 work stoppages in 2018. This is 6% more than R251 409 542 wages lost from 132 strikes in 2017. Transport and manufacturing industries suffered more than other industries in terms of worker's wage lost in 2018 where bus service and the textile companies were hit with long strikes due to wage demands. Regarding the impact in the economy, the 2018 strike season was better than in 2014 where more than R6.1 billion in worker's wages were lost than R266 8987 061 in 2018 due to strike incidents.

To the extent, the President's call on the social partners to deliberate on low wages and wage inequalities since the Labour Relations Indaba of 2014 had yielded some commitments with regard to the implementation of a National Minimum Wage (NMW) by January 2019. The impact will be monitored, analyzed and reported in the 2019 industrial action report.

**FIGURE 10: PERCENTAGE DISTRIBUTION OF THE PROTECTED AND UNPROTECTED STRIKES IN SOUTH AFRICA, 2014-2018**



Source: Department of Labour, Strikes Statistics database

In the strike questionnaire (LRA 9.2 form), an employer is asked to indicate their companies strike compliance with the LRA. The results over the past five years are analysed and presented in **Figure 10** above. It demonstrates up and downward trends both in the number of protected and unprotected strikes over the years. The level of protected strikes shows an increase from 2016 and 2017 until it dropped in 2018. The number of protected strikes dropped from 52% in 2017 to 41% in 2018 while the level of unprotected strikes increased in from 48% in 2017 to 59% in 2018. Amongst others in 2018, a high percentage of unprotected strikes was as the results of the strike in the community industry (60%) where municipality and health services workers embarked on strikes for various reasons. This could be changed in the process of moderating workplace conflicts in the country in line with the implementation of the amendments of LRA, e.g., the secret ballots.



**IAR 2018**



## CHAPTER TWO

ANALYSIS OF THE KEY  
CHARACTERISTICS OF  
THE LABOUR DISPUTES, 2018

## CHAPTER TWO: ANALYSIS OF THE KEY CHARACTERISTICS OF THE LABOUR DISPUTES, 2018

For the purpose of this chapter, strikes incidents by industry, duration and employment size in the last two years are examined and compared with the previous years to give a better picture regarding the impact of labour disputes in the South African labour market. It conveys the image of the country's efforts to moderate workplace conflicts. Thus, the strike data suggests that the transport, community, manufacturing and trade industries were highly impacted regarding wages lost in 2018. In contrast, the community and manufacturing were mostly affected in 2017.

### 2.1. INDUSTRIAL DISTRIBUTION OF WORK STOPPAGES AND WAGES LOST BY INDUSTRY, 2017-2018

The estimates of worker's wage lost within industry could provide an indication on the production lost as a result of the total worker's wage lost during the strike and lockouts in the country.

**TABLE 4: DISTRIBUTION OF WORK STOPPAGES AND WAGES LOST BY INDUSTRY, 2017-2018**

Industry*	No. of work stoppages 2017	No. of work stoppages 2018	Worker's wage lost (Total 2017 (Rand's))	Worker's wage lost (Total 2018 (Rand's))
Agriculture	7	5	5 949 706	2 403 746
Mining	18	7	137 416 148	8 658 658
Manufacturing	18	23	37 771 505	50 489 827
Utilities	1	2	240 350	17 847 462
Construction	5	15	845 961	6 510 822
Trade	9	21	5 025 606	27 143 936
Transport	13	12	18 378 367	131 610 683
Finance	3	3	5 478 960	1 094 515
Community	58	77	40 302 939	21 138 412
<b>Total</b>	<b>132</b>	<b>165</b>	<b>251 409 542</b>	<b>266 898 061</b>

Source: Department of Employment and Labour, Strikes Statistics database, 2017-2018

\*Note that the Standard International Classification (SIC) was used (excluding the Private sector).

The strike has economic effects to both employer and employees. The employers are likely to lose profits due to delayed service to clients or loss of production time. The employees will lose their pay due to "no work, no pay principle" and that has a direct impact in their communities and families as well.

Distribution of work stoppages and wages lost by industry are presented in **Table 4**. Industries that felt a financial pinch were community, manufacturing and trade industries due to the volume of work stoppages in 2018. In terms of the impact on worker's wage lost, transport and manufacturing industries accounted for 68% of the total worker's wage lost in the country in 2018. While the community industry was most impacted with work stoppages in 2018, the total worker's wage lost was almost 7 times less than the transport industry in 2018.

Unlike in 2017, the mining industry with potential for economic growth and labour absorption lost more worker's wage at approximately 55% of the total worker's wage lost in 2017.

## 2.2. INDUSTRIAL DISTRIBUTION OF WORKING DAYS LOST, 2017-2018

**TABLE 5: DISTRIBUTION OF WORKING DAYS LOST BY INDUSTRY, 2017-2018**

Industry	Working days lost		
	2017	2018	% change
Agriculture	52 235	8 015	-84.7
Mining	143 808	24 837	-82.7
Manufacturing	125 421	227 040	81.0
Utilities	239	35 622	14 804.6
Construction	5 327	30 976	481.5
Trade	30 246	180 588	497.1
Transport	87 559	347 318	296.7
Finance	37 919	1 430	-96.2
Community	477 735	303 119	-36.6
<b>Total</b>	<b>960 489</b>	<b>1 158 945</b>	<b>20.7</b>

Source: Department of Employment and Labour, Strikes Statistics database

As reflected in **Table 5**, the community, transport and manufacturing industries accounted for the highest number of working days lost (75%) within 2018. This is largely because of the work stoppages and participation of workers in strike particularly in the bus service, textile and clothing as well as the health services sectors.

The community industry could have been more affected with work days lost as the public sector managed to avert the strike in July 2018 and reach an agreement on the eve of the planned nation-wide strike over wage increment. Concerning the utilities industry, more workers participated in strikes in 2018 compared to 2017. The finance industry was less affected as it lost 1 430 (0.1%) working days in 2018.

## 2.3. INDUSTRIAL DISTRIBUTION OF WORKING HOURS LOST, 2017-2018

**TABLE 6: DISTRIBUTION OF WORKING HOURS LOST BY INDUSTRY, 2017-2018**

Industry*	Working hours lost		
	2017	2018	% change
Agriculture	143 126	67 979	-52.5
Mining	1 183 581	231 070	-80.5
Manufacturing	1 019 532	1 932 993	89.6
Utilities	1 912	284 976	14 804.6
Construction	41 636	334 483	703.4
Trade	207 705	1 515 838	629.8
Transport	645 314	2 815 611	336.3
Finance	314 872	11 140	-96.5
Community	2 496 768	2 500 473	0.1
<b>Total</b>	<b>6 054 446</b>	<b>9 694 563</b>	<b>60.1</b>

Source: Department of Employment and Labour, Strikes Statistics database

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

The total number of working hours rose by 3 640 117 (60.1%) on a year on year basis, as shown in **Table 6**. By industry, transport (2 815 611), community (2 500 473) and manufacturing (1 932 993) lost more working hours in 2018 compared to 2017. The lowest drop of 11 140 working hours lost was recorded in the finance industry, followed by a fall of 67 979 working hours lost in the agriculture industry over the same period.

## 2.4. WORKING DAYS LOST PER 1 000 EMPLOYEES BY INDUSTRY, 2017-2018

**TABLE 7: TIME-LOSS RATIO<sup>15</sup> BY INDUSTRY, 2017-2018**

Industry	Time-loss ratio		Total number of workers*	
	2017	2018	2017	2018
Agriculture	0.0	9.4	849 000	849 000
Mining	16.9	56.7	411 000	438 000
Manufacturing	<b>21.3</b>	<b>128.6</b>	1 791 000	1 766 000
Utilities	0.0	265.8	149 000	134 000
Construction	0.0	20.9	1 390 000	1 481 000
Trade	0.0	54.4	3 240 000	3 320 000
Transport	<b>43.6</b>	<b>359.9</b>	1 001 000	965 000
Finance	0.0	0.6	2 373 000	2 611 000
Community	4.2	<b>83.6</b>	3 691 000	3 624 000

Source: Department of Employment and Labour, Strikes Statistics database

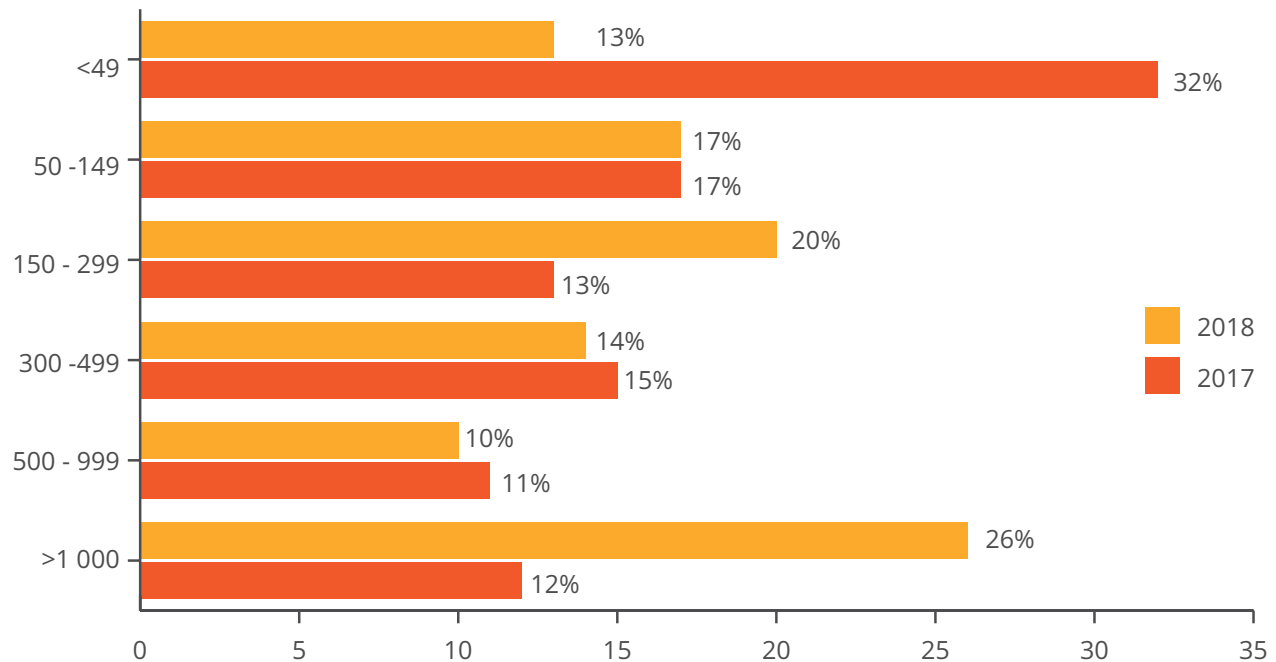
Note: \* Statistics South Africa, Quarterly Labour Force Survey, **Q4 of 2018** -Total employment (Private households excluded)

**Table 7** illustrates the working days lost per 1 000 employees by industry in 2017 and 2018. The transport industry remains the only industry that shows workers were mostly unhappy for various reasons. On average, strikes in the transport industry lasted longer than in any other industries in 2018 with 359.9 days as opposed to 43.6 days in 2017. Manufacturing and community industries were also prone to strike incidents in both years. Strikes in the finance industry lasted for fewer days at 0.6 on average in 2018. This is associated with the number of employees who had participated and the short duration of strike.

<sup>15</sup> 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 2018, were used regarding the number of employed by industry.

## 2.5. WORK STOPPAGES BY EMPLOYMENT SIZE OF ESTABLISHMENTS, 2017-2018

FIGURE 11: PERCENTAGE DISTRIBUTION OF WORK STOPPAGES BY EMPLOYMENT SIZE, 2017-2018

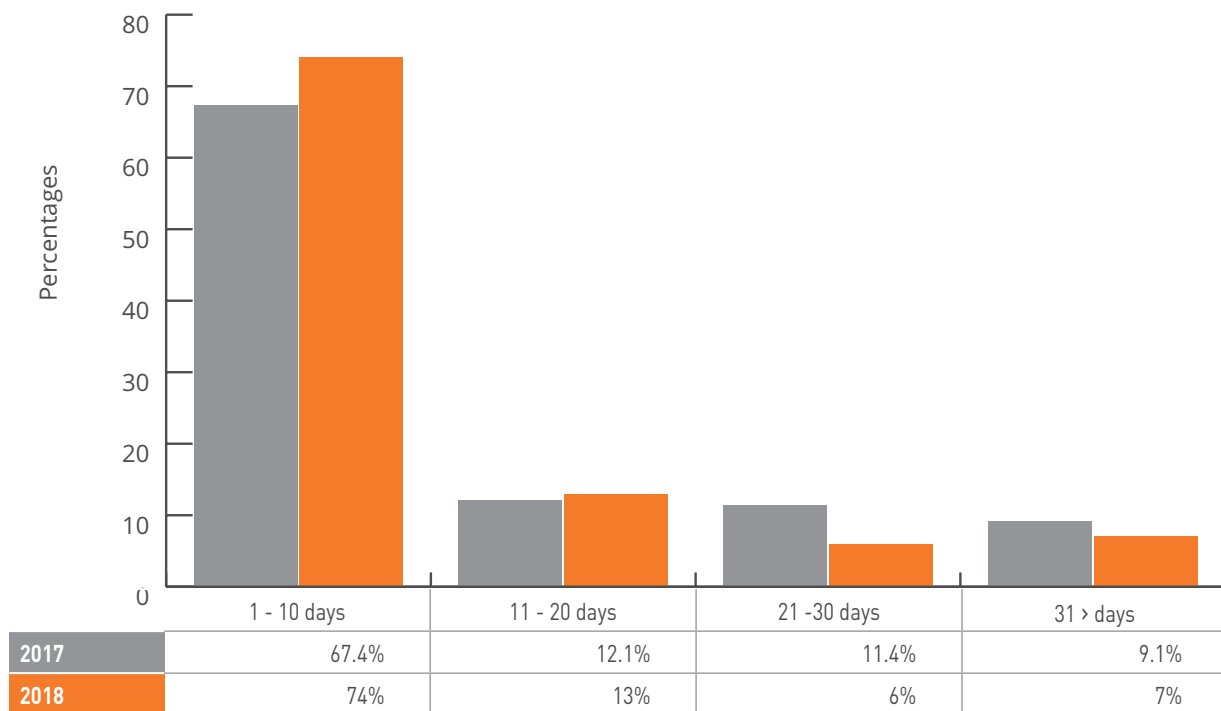


Source: Department of Employment and Labour, Strikes Statistics database

**Figure 11** illustrates how the employment size had influenced the volume of strike incidents in 2017 and 2018. In this respect, 26% of the companies that were mostly affected by strike incidents had more than 1 000 employees in 2018, however, it was 32% in 2017 with less than 50 employees. Medium-sized companies were moderately affected by work stoppages in both 2017 and 2018. Although the figures may not be exhaustive, they indicate how strike action is also characterised by the company's size over time.

## 2.6. DURATION OF WORK STOPPAGES, 2017-2018

FIGURE 12: PERCENTAGE DISTRIBUTION OF WORK STOPPAGES BY DURATION, 2017-2018



Source: Department of Employment and Labour, Strikes Statistics database

Another key indicator in the analysis of industrial action is the duration of strike. Employers provide the starting and ending dates of the strike in the LRA 9.2 Form which is analysed and reported. The results in **Figure 12** show that most strike incidents 67.5% in 2017 and 74% in 2018 lasted between 1 to 10 working days. Strikes that went for more than 21-30 days declined from 11.4% in 2017 to 6% and those that lasted for more than 31 days declined from 9.1% in 2017 to 7% in 2018.



## 2.7. TRADE UNION INVOLVEMENT IN WORK STOPPAGES, 2018

**TABLE 8: DISTRIBUTION OF WORK DAYS LOST BY TRADE UNION MEMBERSHIP INVOLVED, 2017 AND 2018**

Union	2017 work days lost per union	%	Number of employees involved 2018	2018 work days lost per UNION	%
AMCU	47 963	4.99	1 995	22 517	1.94
APSA-UNISA	3 567	0.37	0	0	0.0
BAWUSA	1 110	0.12	0	0	0.0
BCAWU	0	0.00	675	7 531	0.65
CEPPWAWU	22 800	2.37	1 650	16 199	1.40
CWU	44 412	4.62	2 957	31 627	2.73
DENOSA	157	0.02	549	18 454	1.59
DETAWU	10 476	1.09	188	3 187	0.27
FAWU	9 221	0.96	4 189	27 805	2.40
GIWUSA	13 873	1.44	426	22 290	1.92
HOSPERSA	2 940	0.31	329	2 034	0.18
IMATU	3 498	0.36	1 936	8 632	0.74
NEHAWU	279 199	29.07	12 182	126 355	10.95
NONE unionized	16 555	1.72	33 814	142 804	12.30
NTM	2 906	0.30	256	4 323	0.37
Not reported*	300 441	31.3	5 041	125 544	10.8
NUM	44 853	4.67	7 873	150 609	13.00
NUMSA	25 478	2.65	17 237	148 463	12.81
POPCRU	90	0.01	22	66	0.01
PSA	2 448	0.25	1 829	24 360	2.10
SACCAWU	0	0.00	15 787	42 269	3.65
SACTWU	62	0.01	1 291	15 856	1.37
SADTU	18 879	1.97	4	4	0.00
SAMWU	96 156	10.01	6 655	83 662	7.22
SATAWU	16 103	1.68	2 927	67 313	5.81
SCMAWU	7 788	0.81	0	0	0.0
SOCRAWU	9 177	0.96	0	0	0.0
SOLIDARITY	401	0.04	1 391	3 036	0.26
TAWU	807	0.08	0	0	0.0
TAWUSA	4 913	0.51	338	18 492	1.60
TIWU	501	0.05	1 073	21 827	1.88
UASA	141	0.01	25 180	23 686	2.04

Source: Department of Employment and Labour, Strikes Statistics database, 2017-2018

\*Note: Not all LRA 9.2 Forms provided accurate estimates in terms of number of employees involved per union membership names. Follow ups were made with employers but limited responses were received by the time of writing the report. Thus, readers must take the "not reported figures" with caution.

Looking at **Table 8** above, NUM (13%) and NUMSA (12.8%) trade unions were relatively effective than other unions in 2018. In contrast, NEHAWU (29.1%) and SAMWU (10%) were the leading trade unions which accounted for more working days lost in 2017. The effectiveness and involvement of trade unions in work stoppages could also be associated with the number of union memberships registered. The National Union of Metalworkers (NUMSA) is Siftu's largest affiliate with 300 000 members; the union that saw a large membership participation during the one day SAFTU strike demanding the minimum wage to be raised above the R20 per hour. Of all the workers who went on strike in 2018, 12.3 % were non-unionized due to lack of trust that the workers had on the trade unions leadership in some unions.



## CHAPTER 3

THE ROLE OF  
COLLECTIVE BARGAINING  
IN WAGE SETTLEMENTS

## CHAPTER THREE: THE ROLE OF COLLECTIVE BARGAINING IN WAGE SETTLEMENTS

Wage agreements in 2018 were agreed to despite the slow economic growth following the technical recession in South Africa. Collective bargaining bodies had to find a way of settling wage demands notwithstanding various economic challenges faced in the country. In some instances, trade unions had to avert strikes action and opt for what the employers could afford to benefit both the company production and employee's demands. For instance, unions affiliated to Cosatu agreed to a three-year wage agreement deal in the public service sector with government, by effectively averting the chances of a prolonged strike that could cripple the public services with more than 1.3 million employees. The government and some public sector unions reached an agreement securing employees pay increases of 6 to 7% for 2018 and 2019<sup>16</sup>.

### 3.1. WAGE SETTLEMENTS CONCLUDED AFTER THE STRIKES ENDED IN VARIOUS INDUSTRIES, 2017-2018

TABLE 9: MEDIAN<sup>17</sup> WAGE SETTLEMENT IN VARIOUS INDUSTRIES, 2017-2018

Industry*	2017 (%)	2018 (%)
Agriculture	7.0%	7%
Construction	6.0%	6%
Mining	8.0%	9%
Manufacturing	6.0%	8%
Utilities	8.0%	8%
Finance	8.0%	7%
Transport	11.0%	7%
Trade	8.0%	8%
Community services	8.0%	7%

Source: Labour Research Service, *Wage settlements Trends, December 2018*

The median wage settlement from different industries are presented in **Table 9**. The median wage settlement rate in all industries was at an average of 7.4% in 2018 compared to 7.7% in 2017. Looking at the community industry, fewer wage agreements were agreed to even though there was a high number of strikes in 2018. Furthermore, wage settlements were higher in the mining (9%) followed by the manufacturing, utilities and trade (8%) industries during the year of 2018. In 2017, the trend was slightly different where transport industry had the largest median wage settlements at 11 % compared to other industries.

<sup>16</sup> The deal was implemented despite some unions remaining against it but they had decided to sign the agreement, meaning over 50 percent of workers' represented at the bargaining council were on board. Nehawu's announcement came after 10 months of negotiations and heated exchanges between unions aligned to Cosatu and those outside the country's largest labour federation.

<sup>17</sup> 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.

**TABLE 10: DISTRIBUTION OF FINAL WAGE SETTLEMENT IN SELECTED INDUSTRIES, 2018**

Industry	Employers	Agreement date in 2018	Initial Request	Employer's Offer	Final Settlement	Protected/ Unprotected
Agriculture	Sundays River Valley Citrus	June 2018	R20 an hour	R20 an hour	R20 an hour	Unprotected
	Greys marine cc	September 2018	10 %	7 %	Sliding scale of 7.1 – 30 %	Unprotected
Community	KZN Trainers Association	July 2018	25 %	7.5 %	10 – 11 %	Unprotected
	Sol Plaatjie University	February 2018	10 %	7 %	7 %	Protected
	Wits University	January 2018	6.8 - 8 %	6 %	7 - 9.2 %	Protected
	UNISA	January 2018	12 %	4.5 %	7.5 %	Protected
	National Lotteries Commission	August 2018	8.5%	7%	7%	Protected
	Fort Hare University	August 2018	12 %	7 %	7 %	Protected
	Walter Sisulu University	June 2018	8 %	6.3 %	6.6 %	Protected
	Durban University Of Technology	February 2018	10 %	5.5 % and later 5.7%	7 %	Protected
	Market Theatre Foundation	September 2018	12 % and later dropped to 6 %	3 %	5 %	Protected
Mining	Idwala Carbonates	April 2018	15 %	7 %	7-7.25%	Protected
	Matsopa Minerals	January 2018	121 %	7.0 – 8.75 %	7.0 – 8.75 % (sliding scale)	Protected
	Murray & Robberts Cementation	November 2018	21 %	9.8 %	14 %	Protected
Manufacturing	Tongaat – Hulett Group	January 2018	10.5 %	6.5 %	7.1 % - 8.5 %	Protected
	Khayelitsha Cookies	October 2018	17 %	9 %	9 %	Unprotected
	Amafongo's Brick & Block	June 2018	20 %	6 %	R20 an hour	Unprotected
	Cape Laminators	August 2018	9.5 %	6.2 5%	7.5 %	Protected
	Southern African Footwear and Leather Industry	August 2018	9.5 %	6.25 %	7.5 %	Protected
	Parmalat Plant	July 2018	12 % later demanded 9 % and finally 7.5%	7.3 %	7.75%	Protected
	Blue Ocean Mussels	August 2018	12 %	4.6 %	6 %	Protected
Transport	Intertoll Africa	March 2018	7 000 – 11 000	3970 - 7066	Minimum wage of R5 022 and 7 % for those already paid more than the minimum wage	Protected
	South African Bus Employers Association	May 2018	12 %	4.7 %	9 %	Protected
	Bombela Concession Company	August 2018	10 %	8 %	8 %	Protected
	South African Post Office	July 2018	12 % and later 6%	0 %	6.5 %	Protected
Utilities	Abengoa South Africa	March 2018	20 %	2 – 4 %	2 – 4 %	Protected

Industry	Employers	Agreement date in 2018	Initial Request	Employer's Offer	Final Settlement	Protected/ Unprotected
	ESKOM	August 2018	9.5 % and 12 %	0 %	7.5 % in 2018; 7 % in 2019 and 2020 and a once off of R10 000	Unprotected
Construction	COROBICK	May 2018	30 %	6 %	6 %	Protected
	Rodcor PTY LTD	April 2018	R10 per hour	R10 per hour	R10 per hour	Unprotected
	Tongaas Asphalts CC	31 August	13 %	5 %	5 %	Unprotected
Trade	Flemingo Duty Free	September 2018	12 %	4-5%	7 %	Protected
	ALPHA PHARM	September 2018	9 %	6 %	6 %	Protected
	Pick n Pay (RIVERPARK)	August 2018	10 %	5.5 %	5.5 %	Protected

Source: Department of Employment and Labour, Strikes Statistics database, 2018

The **Table 10** above is a quick reflection on how the final wage agreements were concluded in some industries during wage negotiations between trade unions and the employer representatives. Across industries, employers were able to settle with less than the initial wage demands tabled by the workers and the unions. Only a few employers were able to settle close to the percentage margin of the union wage demands, e.g. Bombela Concession Company employees settled at 8% from an initial wage demand of 10% against the employer in 2018.

### 3.2. WAGE SETTLEMENTS CONCLUDED WITHOUT STRIKE INCIDENTS, 2018

The Department's strike database does also provide strike information that could not take place because amicable wage agreements could be found from the initial stage, consequently, the intention to embark on strike was expressed by unions. In this report, some few examples of those cases are provided below:

- On 14 May, the Southern African Clothing and Textile Workers' Union (SACTWU) reported that it had averted a strike and they had settled on a one-year wage agreement in 2018 into the General Goods and Handbags (GGH) leather sector. The wage settlement was negotiated under the auspices of the National Bargaining Council for the Leather Manufacturing Industry of SA where all parties at negotiating table agreed to an increase of 8% wage;
- The parties, CEPPWAWU, UASA, SOLIDARITY, SAPPI Southern Africa and Lignotech South Africa averted a strike and signed a one-year wage agreement on 16 June 2018. The agreement was that the wage would increase by 7.75% on basic wages across the board for all the employees in the Bargaining unit with effect from 1 July 2018, at a minimum wage of R7 250 per month;
- Following months of negotiations, SATAWU and Passenger Rail Agency of South Africa (PRASA) have signed a one-year wage agreement on 30 May 2018. The parties reached a wage settlement of 8% across the board on total the guaranteed package to start from 1 April 2018 to 30 March 2019. This came after the employer's initial wage offer of 5.7 and 7.3% salary increase meanwhile the union were demanding a 13% salary increment;
- The wage negotiations were concluded at Dust-a-Side company on 12 April 2018 after parties managed to halt the strike. All officials and management received a 6.5% wage adjustment from an initial wage increase demand of 7.5%. The effective date of implementation was agreed to be from 1 April 2018;
- The United National Transport Union managed to sign a multiple three-year wage agreement for its members with SATAWU members on 13 April 2018. The agreement was backdated to 1 April 2018 and the housing allowance and the medical aid allowance was also increased by 7.1% with no forced retrenchments over the next three years. The latest offer by the employer included a 6.5% for 2018; 7.25% for 2019 and 7.5% for 2020 increased to 7.75% with no retrenchments for the next three years with other benefits. This agreement resulted from the unions initial wage demands of 12% salary increase for each of the next three years.

### 3.2.1. AVERTED STRIKE INCIDENTS

- The parties IMATU and SAMWU vs SA Local Government (Employer Body) avoided a strike and reached a three-year wage agreement on 17 August 2018, effective from 1 July 2018 to 30 June 2021. The signed agreement was thus there will be a 7% salary increase across the board for all employees, an additional 0.5% salary increment for employees earning below R9 000, projected Consumer Price Index (CPI) plus 1.5% in 2019, projected CPI plus 1.25% in 2020. The agreement came to effect after the unions were demanding a 15% salary increase with other benefits against the employer offer of 6.6%;
- UASA members and Ushaka Marine World organisation reached consensus by signing the wage agreement on 30 August 2018. The parties agreed to increase salaries by 7.5% to all employees permanently employed in the bargaining unit as at 31 March 2018 retrospectively 1 July 2018;
- CEPPWAWU, UASA and SOLIDARITY and ENSTRA PAPER (Pty) Ltd avoided a strike action and reached a two-year wage agreement on 2 July 2018 with effect from 1 July 2018 – 30 June 2020. The parties agreed to increase salaries by 8 % on basic wages across the board for all employees in the Bargaining unit. It was also agreed that in the second year of the agreement that the wages would be increased by the average CP;
- The government and unions agreed on a three-year wage agreement effectively from 1 April to 31 March 2021, workers on level 1 - 7 would receive a 7% wage increase, while those in level 8 - 10 received 6.5% increase and those at level 11 - 12 to receive 6% wage increase. In year two of the agreement, public servants on level 1 - 7 will receive a projected CPI plus 1% while those on 8 - 10 will receive CPI plus 0.5 % and those on level 11 - 12, a CPI-linked increase. The three-year agreement was reached after the unions have tabled a consolidated demands of a 12% increase for employees on salary levels 1-7, 11% for workers on salary levels 8-10 and 10% for employees on salary levels 11-12 in October 2017. The government offered CPI plus 1.5% for employees on salary levels 1-7, CPI plus 1% for employees on salary levels 8-10 and CPI plus 0.5% for employees on salary levels 11-12. The parties agreed and averted a scheduled nationwide public service strike on the 21 May 2018.

### 3.2.2. ABANDONED STRIKE INCIDENTS

- About 2 000 members of the FAWU working at the Choppies supermarkets in five provinces, Limpopo, Mpumalanga, North West, Free State and Gauteng embarked on a legal national strike action as from 24 April 2018 in pursuit of wage demands for the bargaining period 2018/19 financial year. The workers demanded a R4 000 monthly minimum wages or 10% increment and other benefits. Workers agreed to return to work in the second week of May 2018 without a wage increase agreement as the company informed the union that they do not yet have adequate profits to pay the workers;
- The construction workers at the KwaDukuza Mall, KwaZulu-Natal returned to work after their dispute over wages remained unresolved. The striking workers who were employed under a local sub-contractor through their representative alleged that their employer had not been paying his employees and as a result, they stopped work.



## CONCLUSION

In recognizing the importance of a peaceful labour market for improved investment that can lead to job creation, this Annual Industrial Action report has provided an analysis based on the information received from affected employers in 2018. Efforts were made in this report to analyze and compare data trends from 2014 to 2018 in line with the main indicators as dictated by the ILO namely number of strikes, working days lost per 1 000 employees, wages lost by industry etc. The trends illustrated that strike activities have been on the rise in the South African Labour market over the last five years' period. However, the number of working days per 1 000 employees fluctuated over time but it was relatively increased up to 76 number of days lost per 1 000 employees which could be regarded "not as bad if one can compare it with other emerging economies".

On the other hand, the strike trend shows high number of unprotected strike action in 2018 than in the previous year. Union leaders will have to address un-procedural strikes. Wage demands remain the main cause of strike as the Gini coefficient still remain high inequality in the country at 0.69. This implies that a very slow impact is seen on closing the gap of wage inequality over time. Nonetheless, the role of government in situations of industrial action was also noted in some strike cases since the report has also reflected limited violence strikes as recorded in the strike database.

### **Limitations in the collection of strike information**

In some way, it was difficult for the Department of Labour to access information from the affected employers by strike or lockouts. Once identified, it was also difficult to have full details of the employers from various sources, e.g., internet, telephone directories in particular for small companies. Data discrepancies in terms of the name of trade unions and number of employees involved per union were also noted from the employers' submission of strike data forms.

### **Policy considerations**

- To look at those industries where high strikes were confined and identified with other challenges that go beyond the labour relations systems;
- Strengthening collective bargaining remains an important objective to achieve as outlined in the National Development Plan (NDP).





## REFERENCES

1. Hogan Lovells News, By Osborne Molatudi, Partner and Zinhle Mokoena, 24 January 2019
2. Labour Research Service, Wage settlement trends, December 2018.
3. The South African Reserve Bank, Quarterly Bulletin; September 2018 pg. 7.
4. Statistics South Africa, Quarterly Labour Force Survey: All quarterly reports published in 2018.
5. Aligasakis, M. (1997), Labour Disputes in Western Europe: Typology and Tendencies, International Labour Review 136, p.73-94
6. Business Report, Economy, 15 July 2011



**IAR 2018**



## ANNEXURES

## ANNEXURE A

### Profile of work stoppages, 2018

Below, the report profiles strike incidents from January to December 2018. This is an attempt to show the readers how the Department of Labour had monitor labour disputes through the media on daily basis. Further to it is to note that the tabled labour disputes are not only wage demands at the work places but it also includes other principal cause of labour disputes. In the chronological manner, the following was profiled:

#### JANUARY 2018

- A group of disgruntled contract workers at the KwaDukuza Mall Development in KwaZulu-Natal embarked on a stay-away and blockaded the street adjacent to the construction site with burning tyres on Friday, 12 January. KwaDukuza Mall workers downed tools over pay dispute. The main contractor made an attempt to resolve the unfortunate situation. **Daily Observers**
- National Student Financial Aid Scheme (NSFAS) employees affiliated to NEHAWU embarked on a protected nationwide strike on 14 January following two years of unsuccessful negotiations with the scheme. Among the demands was the issue of the 13<sup>th</sup> cheque, which the company only pays from employees on level 13 and above. Employees were also demanding medical aid and the absorption of fixed-term contracts employees to become permanent staff. **COSATU News**
- Hundreds of Durban University of Technology (DUT) staff members embarked on a combined union strike on Monday 15 January, labelling their Vice Chancellor as aloof and “not on the ground”. The strike, organised by the National Tertiary Education Union (NTEU), Nehawu and Tertiary Education National Union of SA (Tenusa), saw staff gathered outside the University’s Vice Chancellor’s office. Speaking on behalf of the unions, shop steward told News24 that staff were mainly unhappy about the wage increase issue that was meant to be finalised as early as September 2017. However, DUT management remained committed to resolving the impasse particularly because January month was a critical time of the year for the university. **Daily News**
- Workers affiliated to National Health Education and Allied Workers Union at the University of South Africa (UNISA) went on strike on 17 January over wage increase demand. The workers were demanding a 12% salary increase while Unisa was offering 6.5%. The undergraduate’s students were forced to return back home due to a strike by the institution’s staff. **SABC News**
- On 18 January close to 760 employees from Dis-Chem’s distribution centre, head office embarked on strike. The dispute related primarily to union organisational rights as well as disagreement on the decisions relating to discretionary bonus payments to a portion of its members. Dis-Chem has initiated discussions with the affected employees in an effort to arrive at a common understanding of certain issues and to agree on a suitable resolution. **The HERALD NEWS**
- The 300 members of the Food and Allied Workers Union (FAWU), working for Tongaat-Hulett Starch (THS), a division of Tongaat-Hulett Group across its four worksites (3 in Gauteng and another in Western Cape) went on a protected strike on 18 January. The strike action was in pursuit of members` demands for the following: 10.5 % wage increment; Overtime pay for higher-grades employees when working on weekends and public holidays; Improved Standby Allowance by R200 from R267 to respectively R467 and R667. This strike action was initiated after three rounds of negotiations and a session of conciliation and mediation that could not result into an agreement. **Afro Voice**
- Over 230 workers from BM Food Manufacturers in Lanseria downed tools on 22 January. The disgruntled workers downed tools for higher wage demands, where they were paid R79 per day. It was alleged that workers asked for an increase of at least R90 per day. **ENW News**

- Wits university workers downed tools following a wage dispute on 23 January. Nehawu members were demanding an 8% wage increase from the university management. While the university made an offer of 6% wage increment. **SABC News**
- Nehawu workers at Sol Plaatje University in Kimberley downed tools on 29 January after they received the certificate to strike from the Commission for Conciliation, Mediation and Arbitration (CCMA). Workers associated to Nehawu at the University were demanding 10% salary hike and an annual 100% bonus. **COSATU News**

## FEBRUARY 2018

- The Gautrain bus services were temporarily suspended ahead of a workers strike on 15 February. **Timeslive**
- After staff at Rob Ferreira Hospital went on strike on Monday 19 February, the protest ended and a court interdict was issued preventing further action. Nurses and staff belonging to the National Education Health and Allied Workers' Union downed tools over various grievances. **Laevelder**
- Workers at the Optimum coal mine in Mpumalanga went on strike on 21 February over uncertainties of their future regarding the performance of the mining company. **Twitter**
- On Monday 26 February, the Municipal and Allied Trade Union of South Africa (MATUSA) workers were on strike because the Zululand District Municipality failed to pay wages on the due date of 25 February which fell on the weekend. **Laevelder**
- Unhappy Richards Bay lifeguards downed tools on the last weekend of February due to unpaid overtime. The protest action could not have come at a worse time as Alkantstrand beach was crowded with thousands of members of the Jericho Church in Zion who were on their annual pilgrimage to the city. **Twitter**

## MARCH 2018

- Striking staff members at Gauteng mortuaries have left families panicking as bodies piled up unattended. The Forensic Pathology Officers at the Gauteng mortuaries began an unprotected strike on 7 March. It was alleged that workers went on strike due to grievances related to "unfulfilled promises" after their strike in June 2017. Following the unprotected strike action, workers were given final warning to return to their normal duties or face disciplinary action. **Timeslive**
- The biggest public sector union in the country, the Nehawu members from the Department of Water and Sanitation offices and facilities nationwide went on strike on 8 March. The strike affected the construction of dams as well as service delivery at the department's offices. The union announced that the strike was over corruption, maladministration and unfavourable working conditions. **Timeslive**
- Robben Island Museum staff briefly downed tools to hand a list of grievances to management of the World Heritage Site on Friday 9 March. Salaries where the lowest-level person is currently earning R10 000 (contract work and the state of the harbour on the island were among their complaints). Staff also raised concerns about the poor state of the jetty at the harbour. **The Herald**
- The South African Transport and Allied Workers' Union (SATAWU) members employed by Intertoll Africa, a subsidiary of Group 5, embarked on a national strike on 19 March. The union reported that workers on the N1 from South Grasmere Plaza to Free State, N4 from Magalies to Rustenburg and N2 from Mthunzini to Othangathi downed tools on a protected strike after wage negotiations deadlock. Workers were demanding a minimum wage of R7 000 per month for toll collectors, administrators and cleaners while the employer was only offering R3 970. Supervisors were demanding a minimum of R11 000 against the employer's paltry R7 066. The union said the majority of workers were currently paid R2 900, which is a far cry from a living wage. Members also wanted 6 months' maternity leave at full pay; the employer insisted on the current 3 months at 75% of pay. Other demands include annual leave of 25 days and medical aid cover to be extended to family members. **Mercury**
- About 750 M&R Cementation employees at Northam Platinum's Booyssendal mine, on the border of Limpopo and Mpumalanga, went on strike on 26 March. Workers went on strike after the mines announced to terminate workers contract from MRC. **Mining Weekly**
- Shoprite, Checkers staff associated with the South Africa Commercial, Catering and Allied Workers Union (SACCAWU) downed tools on 28 March ahead of Easter holidays. The workers were demanding to be employed full-time and for transport to be provided for workers starting early morning shifts and those who work the late shift. **Daily News**

## APRIL 2018

- More than 200 workers at the National Department of Health, in Pretoria downed tools on 16 April due to what they described as the unhealthy condition of their offices. It is alleged that the ministers met after employees embarked on a strike, unhappy about their safety in the landmark building. **Press Reader**

- On 24 April municipal workers embarked on an intermittent strike demanding the dismissal of the municipal manager and the implementation of wage promises they say were not kept. According to South African Municipal Workers' Union (SAMWU) spokesperson, the problems started in 2013 when seven SAMWU shop stewards were fired after a strike over wages. It was reported that the strike has left the scenic coastal tourist town looking like a rubbish dump. **Ground Up**

## MAY 2018

- The impact of the Nehawu strike put the lives of patients in Tshepong and Klerksdorp Hospitals in danger as workers embarked on a protest on 9 May. Protesters blocked health care workers from entering the Tshepong hospital following the call-off of the North West premier from the offices. **Lentswe Newspaper**
- Workers at Kusile Power Station engaged on a protest action on Wednesday, 16 May after some disagreement with the Power Station Project Management. Workers alleged that they had an agreement with the management that expatriates who came to work at Kusile would only work as artisans (welders) from Unit 1 to 3 but all of a sudden they were working in all the six units. **The News**
- Sub-contracted staff members at Eskom's Kusile power station in Mpumalanga went on a labour strike on 18 May. Eskom's giant coal-fired Kusile power station in Mpumalanga was evacuated after a labour dispute turned violent. Employees of the company sub-contracted by Mitsubishi and Hitachi went on strike demanding pay increases and bonuses from their bosses. **Witbank News**
- Around 2 000 Shoprite staffers downed tools in demand of better wages and working conditions. They wanted R12 000 and company medical aid. Employees from a service provider went on strike at the distribution centre in Centurion from 23 May. **News 24**
- All SR Valley citrus pack houses in Addo and Kirkwood, Eastern Cape were closed because of the labour unrest that took place on 31 May, over dissatisfaction with the new National Minimum Wage (NMW) bill that was passed by the South African parliament. The South African National Civic Organisation (SANCO) and other trade unions allegedly requested workers to join a strike at a co-op store in Humansdorp (Eastern Cape) out of solidarity calling for a wage increase far above the introduced minimum wage bill. **The Herald**
- Johannesburg Roads Agency (JRA) employees from the Dobsonville Depot (Region D) literally downed tools over "poor quality" working equipment. Workers ranging from cleaners, technicians, drillers and truck drivers blocked streets in the CBD around the JRA head office were seen throwing their old tools in a pile on the ground. Metro police officers had to redirect traffic away from Pixley Seme Street as the blockade caused a backlog for some hours. **COSATU News**

## JUNE 2018

- Hundreds of Metrobus commuters were left stranded from the morning of 5 June as the strike by drivers rolled. Democratic Municipal and Allied Workers Union of South Africa (Demawusa) vowed to continue with the strike action until management of Metrobus acceded to their demands. The strike began with the union demanding salary pay progression, filling of acting positions and a launch of investigations against a number of staff members. Workers also wanted long service bonuses, the removal of all people who had been acting for more than three months, accumulated annual leave to the value of 60 days and to be allowed to sell the days when they want to. **SABC News**
- On 7 June nurses protest outside the Osindisweni Hospital over poor working conditions a shortage of medication at the hospital. The striking workers also complained about being understaffed and for long hours attending to patients. **News24**
- Workers under the South African Commercial Catering and Allied Workers Union (Saccawu)'s UMZIMKHULU Super Spar downed tools on 11 May for wage increment. Staff claimed that management had failed to pay a 5% increase as promised. They also accused management of unequal treatment among workers. **The Zulu Observer**
- On 14 June, Nelson Mandela Bay Municipality workers went on strike due to various grievances outside the Lillian Deidrick's Building in Govan Mbeki Avenue, Port Elizabeth. South African Municipal Workers' Union (SAMWU) Regional Secretary reported that they decided to down tools after not hearing anything back from the Metro from their tabled memorandum of demands two years ago. It is alleged that one of the key issues was the fact that the employer was suspending employees without following the proper procedures and long-service back-pay. **Daily Dispatch**
- Six Eskom power plants were affected by labour action with demonstrator's protest outside Megawatt Park, Sunning hill on 14 June. Eskom workers went on strike demanding a 15 % salary increase while Eskom has decided to cut completely any increases for the year, saying they simply did not have the funds. All units at Arnot (coal-fired power station) in Mpumalanga station were particularly out. **Times Lives**
- A large majority of Beagle Watch Armed Response employees took part in a protest at the security company's headquarters on Smit Street, Fairland on the morning of 22 June. The cause of the unprotected strike was a demand to improved wages. Many of the workers reported that they received a basic salary of R4 500 while being expected to work long hours under life-threatening conditions. The main demand in their memorandum was that they receive a salary in the region of R10 000 a month. **Melville Times**

- Since 27 June close to 700 employees of the dairy processing company Parmalat have been locked-out of the company's premises in the Western Cape, Eastern Cape and KwaZulu-Natal. This came after members of the Food and Allied Workers Union (Fawu) commenced on a protected wage strike as well as the determination of employees' annual and monthly long-term incentives bonuses. Parmalat had apparently offered wage increases of 7.3% from the union's initial wage demand of 12%. **IOL News**

## JULY 2018

- Health workers at Laetitia Bam Health Centre in KwaNobuhle, Uitenhage embarked on a strike action on Monday, 2 July demanding safer working conditions. Patients went untreated as essential service workers went on strike. The workers were demanding that better safety measures be implemented at the centre. **Groundup**
- Post Office and Telkom employees affiliated with three unions downed tools across the country. Workers embarked on a complete shutdown countrywide strike from Friday 6 July over wage disputes. The unions involved in the industrial action included the Communication Workers Union (CWU), Southern African Customs Union (Sacu) and Democratic Postal and Communications Union (Depacu). Workers were demanding a 12% wage increase across the board whilst the Post Office had an offer of 6%. **eNCA**
- Close to 10 000 workers of the Southern African Clothing & Textile Workers' Union (Sactwu) in the footwear sector went on strike on 9 July. Workers in the footwear sector went on strike over wages. Workers were demanding a 9.5% wage increase against the employer's offer of 6.25%. Wage increases in the footwear sector were due on 1 July 2018. **The Citizen**
- Shoprite workers in the distribution centre in Centurion went on strike complaining about wages and working conditions. The workers affiliated to the national transport movement stopped working on Monday 17 July, disrupting traffic on the N1 south between Centurion and Midrand. Shoprite Holdings in a statement reported that "We have always made efforts to base dealings with our own employees on the principles of fairness and respect and in compliance with provisions of prevailing labour legislation. We also strive to maintain amicable relations with labour unions who are sufficiently representative of our employees." **Centurion Records**
- Passengers travelling to OR Tambo International Airport on Monday, 30 July were advised to make provision for the delays and longer travelling times to the airport due to a strike by workers operating the Gautrain. Wage negotiations between the United National Transport Union (Untu) and Bombela Operating Company deadlocked after the parties failed to reach an agreement. The union Untu was demanding a 10 % wage increase, a housing allowance of R1 600, a transport allowance and an increase in their night shift allowance. Alternative means of transport, i.e. buses were arranged for people travelling to OR Tambo International Airport and Rhodesfield station. **Sabc news**

## AUGUST 2018

- On 2 August, employees at Albany Secunda could not deliver bread over wage increase and unfair labour practice issues. Workers were demanding that employees who have been working in the company for over five years be employed permanently. **Witbank News**
- The Department of Licensing and Card Account (DLCA) was closed due to a strike by its employees on 6 August over demands for permanent positions. The DLCA production team was responsible for the manufacturing, capturing and issuing of licences to all driving departments all over the country. **Pretoria News**
- On 7 August, workers affiliated to the Chemical Energy Paper Printing Wood and Allied Workers Union (Ceppwawu) from Bidvest Waltons' head office in Woodstock went to the streets striking over wage increment. Workers were demanding a 9% wage increase against the employers' 6.09% wage offer. The action has forced the company to close a number of its branches including Constantia, Tygervally, Claremont, Waterfront and Stellenbosch. **News24**
- A group of the National Lotteries Commission (NLC) employees protested on Monday 20 August outside their offices in Pretoria over wages. The National Health Education & Allied Workers Union (Nehawu) and the National Union of Public Service and Allied Workers (Nupsaw) were demanding an 8.5% wage increase for the year 2019 while the NLC was offering 7%. **EWN**
- On 21 August Chris Hani Baragwanath Hospital employees in Soweto went on strike calling on the hospital CEO to step down over allegations of corruption, maladministration and nepotism. Those involved include members affiliated to Nehawu, Democratic Nursing Organisation of South Africa (Denosa), Health & Other Services Personnel Trade Union of South Africa (Hospersa) and the Public Servants Association (PSA). **Sabc News**
- On 21 August a handful of protesters gathered outside Tongaat Asphalt CC demanding wage increases of 13% and the implementation of a provident fund. The workers also wanted the employer to give them a three-week annual bonus and for the shop stewards to be paid a full salary when they have not at work but attending trade unions meetings. **Daily News**
- Wage negotiations between a thousand employees and their employers at First National Battery in East London have collapsed. The workers took to the streets on 22 August demanding an 11% salary increase, a housing allowance and an improvement in their medical aid package. During the course of negotiations, the CCMA was also invited to mediate and it emerged that the only areas where parties could not find each other were a housing allowance and improvement in the company's medical aid contribution. **Daily Dispatch**



## SEPTEMBER 2018

- Production was temporarily stopped at the Vametco vanadium mine near Brits, in the North West owing to unprotected industrial action. The industrial action, which started on September 5, was in relation to historic legacy issues and compensation structures that preceded Bushveld's acquisition of Vametco in December last year. It is said that Bushveld continued to engage with the union representatives to speedily resolve the impasse in order to resume operations. **Mining Weekly**
- Numsa workers downed tools at Fortune Steel in Nigel, Ekurhuleni over wages and working conditions. National Union of Metalworkers of South Africa (Numsa) members embarked on a strike after negotiations to improve the salaries and working conditions reached a deadlock on 7 September. Numsa accused the company of flouting basic health and safety laws. **IOL News**
- A group of singers at Endumeni Municipal workers converged on the Municipal building on the morning of 13 September demanding answers after a decision to change their leave pay arrangements. Workers who spoke to the Courier said previously they could 'cash in' or 'swap' eight days of leave for money which many said they relied upon. However, the Council recently changed this which means the workers are not allowed to 'cash in'. Workers reported that they were never been consulted before the decision was made. **IOL News**
- At least 100 members of the "Dressed in white" at the Market Theatre in Johannesburg's United Association of South Africa (UASA) protested outside of the Theatre demanding better salaries on 17 September. It is alleged the staff also raised grievances of favouritism, nepotism, low salaries and racism against the CEO. Protesting employees included the admin, front desk, technical staff and a few administration staff from the Windybrow Theatre. The group raised concerns of annual salary increments, payment of a 13<sup>th</sup> cheque, housing subsidies, medical aid, long service awards and internal vacancies. **Sowetan**
- Service delivery in most of the clinics in the Phalaborwa sub-district of the Department of Health went slow after employees at all the clinics in the nursing profession downed tools. Employees were demanding better working conditions and the removal of their senior staff in the district. The unions whose members were affected were the Nehawu, DENOSA and HORSPEA. The dispute started on Monday 24 September when a meeting to resolve the issues ended without the concerns of the workers been addressed. It was alleged that workers' concerns also included lack of further training for the staff, lack of regard for the Performance Management Systems (PMS), no Personal Protection Clothing for general workers and political deployment. **Limpopo News**

## OCTOBER 2017

- On 8 October, workers associated to Numsa at Toyota plants across the country went on strike demanding better working conditions. Workers wanted a transformation committee to be set-up to oversee and participate in the recruitment and procurement process. They were also demanding independent disciplinary processes. Other demands in relation to the recruiting of workers as well as the bonus system and issues around apprenticeships and their transportation allowance were on the list of their demands. **EWN**
- On 22 October, members of the National Union of Metalworkers of South Africa (Numsa) at Scaw Metals in Germiston, Gauteng went on strike after one of the company's shareholders allegedly physically assaulted a worker. Numsa said that one of its members was assaulted for using a cell phone while on duty. **SABC News**
- A group of workers from Sekhukhune District picketed outside the Road Agency Limpopo headquarters on Monday, 22 October claiming that a contractor be appointed to upgrade the D4311 road was retrenching workers due to the agency's alleged failure to pay the service provider. A protester who requested to remain anonymous claimed that RAL owed the contractor about R31 million resulting in retrenching workers in order to cut costs. **NewsRAL**
- NUM members at Murray & Roberts Cementation went on strike over wages on Thursday, 25 October. Murray and Roberts Cementation is sub-contracted to Venetia Mine which is owned by De Beers Group. The union was demanding an annual wage increase of R1 000 over three years in addition to a higher "living out" allowance, safety bonus, production bonus and medical aid. **Cosatu News**
- The Nelson Mandela Bay Municipality (NMBM) experienced refuse collection challenges due to the prolonged overtime dispute with workers in the Waste Management sub-directorate. The strike resumed on 25 October. The consequence of the strike caused limited refuse collection services in certain areas. **Dispatch**

## NOVEMBER 2017

- On 1 November, the National Union of Mineworkers' members at the South Deep mine owned by Gold Fields went on strike over the company's plans to lay off 1 520 workers working at the unprofitable operation. **Mining Weekly**
- South African Transport and Allied Workers' Union (SATAWU) members at Bidvest SADC embarked on strike at noon of 1 November. The



members were disgruntled because management refused to accede to their demand of a 7.5% across the board wage increase, sticking to 6.5% instead. Wage negotiations started in May with the deadline for implementation set for 1 July. But despite the involvement of the CCMA, the deadlock remained unresolved five months later. **Cosatu News**

- The workers affiliated to Nehawu at the University of Mpumalanga went picketing since Monday, 5 November. Workers were accusing the university's Vice Chancellor other members of the management of corruption and mismanagement of the institution. **SABC News**
- On 12 November workers at United Pharmaceutical Distribution (UPD) in Gauteng went on strike to demand higher wages and improved benefits. However, the company claims there was a provident fund and the medical aid scheme which is deducting money from workers for it was alleged workers were demand a 15% wage increase across the board because UPD pays poverty wages where the lowest earning workers earns R3 000 per month. **Numsa News**
- On 14 November staff at the provincial government mortuaries in KwaZulu-Natal embarked on a go-slow demanding a wage increase and for "unbearable" working conditions such as broken air-conditioners, broken toilets, old uniforms and lack of cleaning equipment. **News24**
- Members of the Nehawu at the health professional council of South Africa (HPCSA) downed tools on Friday, 16 November. Workers were protesting against management, corruption, automation, lack of transparency by management and working conditions. It was alleged that workers have raised their grievances several times with management but it felt like it just fell on deaf ears. Amongst others workers submitted a memorandum to management containing some of their grievances including:
  - Automation;
  - Staff allocation and placements to a new division without being consulted;
  - Failure to address issue of cramped working space;
  - Unclear job descriptions;
  - Poor risk management. **Pretoria News**
- On 18 November about 300 workers from Dis-Chem's Midrand, Johannesburg distribution centre embarked on a strike over wage increment. The unions were demanding a minimum wage of R12 500 across the board, an annual increase of 12.5% guaranteed for the next three years for those earning above that amount and a guaranteed annual bonus. It is apparent Dis-Chem made it clear that the wage demands were unreasonable given the economic climate and that agreeing to them would severely impact the company's future operations. **IOL News**
- On 26 November Burgersdorp Hospital went in crisis as nursing staff went on strike over critical staff shortages. Patients were referred to hospitals in neighbouring towns due to the strike. The nursing staff's demands included unfilled vacancies and implementation of the new organogram. **RNews**
- On 27 November, more than 100 Clientele customer service staff at the company's Johannesburg head office embarked on a strike over what they say were "unfair working conditions" and racism in the workplace. The employees said the strike, which began on Tuesday, had been declared illegal by the insurance service group. The unfair treatment of employees at Clientele included unfair deductions of commissions and favouritism in the company. **FIN24**

## DECEMBER 2017

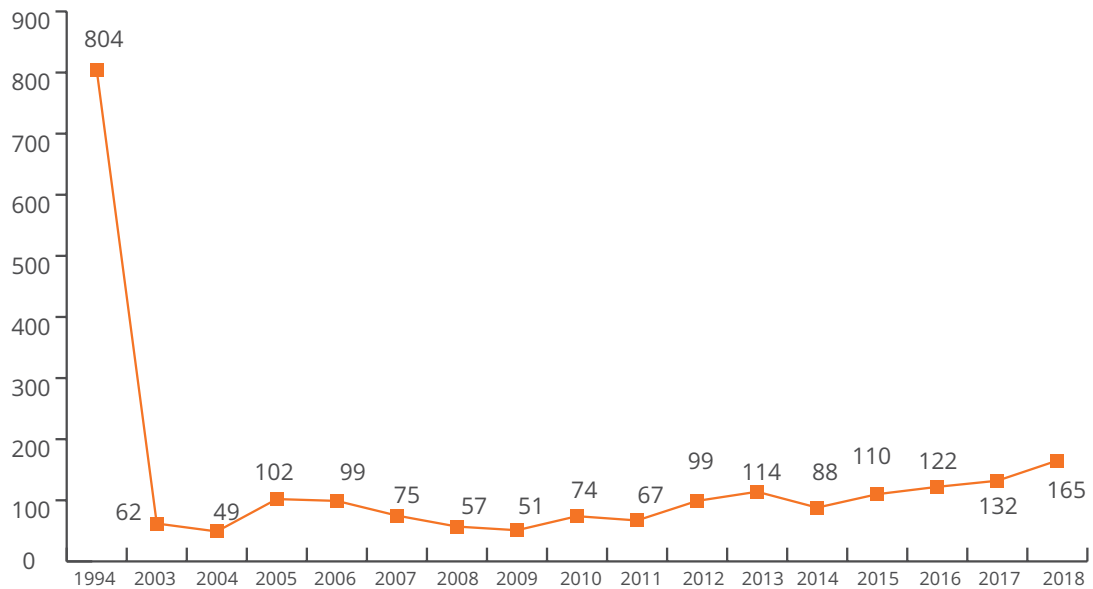
- On 4 December, workers associated with Samwu at Komani municipality went on strike demanding money set aside to pay Enoch Mgijima municipality's outstanding Eskom bill. **Dispatch**
- Disgruntled employees affiliated to the Food and Allied Workers Union (Fawu) in Salt River, Cape Town downed tools on Wednesday 5 December due to wage disputes. Employees went on strike demanding a 10% wage increment and R48 Fawu funeral cover. **News24**
- Mine workers affiliated to National Union of Mineworkers (NUM) downed tools at the Mafube coal mine in Wonderfontein, Mpumalanga on 5 December over salary increment. The workers were demanding an initial 10% salary increase from the employer's offer of 7%. **SABC News**
- Rosettenville-based Rio Douro Fisheries workers associated to Food and Allied Workers Union (FAWU) downed tools on 10 December over wage increase. Striking employees downed tools to demand a 10% increase. **Southern Courier**
- Long distance City to City bus drivers resumed a strike on Wednesday night, 19 December leaving hundreds of travelers stranded at the Johannesburg and Pretoria bus stations. The drivers went on strike because they were not paid for working on Sundays. The drivers alleged management was refusing to pay them before Christmas holidays. **African News Agency**

## ANNEXURE B

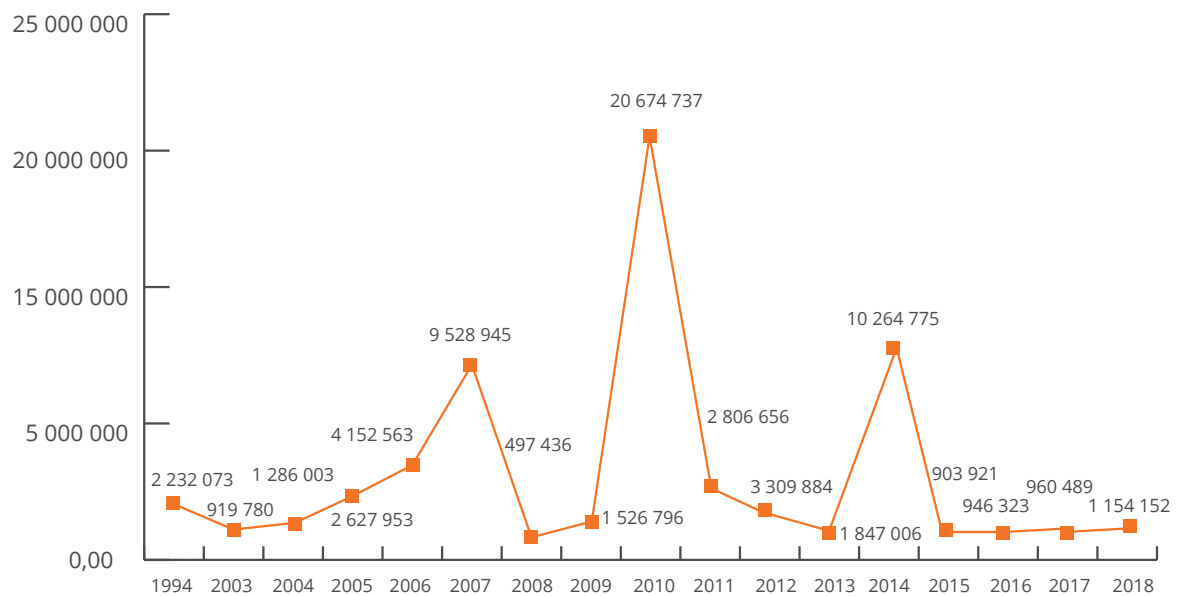
### Data Appendix

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

**FIGURE B.1: STRIKE INCIDENTS IN THE PAST 25 YEARS**



**FIGURE B.2: NUMBER OF WORKDAYS LOST IN SOUTH AFRICA IN THE PAST 25 YEARS**



**TABLE B. 1: DISTRIBUTION OF WORK STOPPAGES AND WAGES LOST BY PROVINCE , OF 2014-2018**

province	Work stoppages					Wages lost (Rand's)					Total (R)
	2014	2015	2016	2017	2018	2014	2015	2016	2017	2018	
Gauteng	104	47	43	61	71	690 937 746	40 611 030	109 511 328	182 871 079	82 986 516	<b>1 106 917 699</b>
Western Cape	28	15	22	22	26	153 413 326	7 879 829	12 186 628	7 688 107	97 417 159	<b>236 652 980</b>
Mpumalanga	9	23	12	18	19	3 565 835	12 126 790	13 504 835	7 760 736	6 611 293	<b>43 569 489</b>
KwaZulu-Natal	34	30	26	23	55	126 135 375	4 633 488	9 941 938	9 744 489	33 579 171	<b>184 034 461</b>
Eastern Cape	16	31	23	12	29	34 246 430	13 117 217	8 275 133	1 495 785	25 274 312	<b>82 408 877</b>
Limpopo	16	15	11	22	15	2 307 881 033	32 008 906	2 534 407	29 153 355	5 638 235	<b>2 377 215 936</b>
North West	7	8	11	6	6	2 857 473 302	3 284 763	4 966 832	828 530	14 332 428	<b>2 880 885 855</b>
Northern Cape	0	3	0	3	6	0	2 568 614	0	1 950 898	419 987	<b>4 939 499</b>
Free State	2	4	5	11	4	7 286 483	209 801	128 008	9 916 563	638 960	<b>18 179 815</b>
<b>Total</b>	<b>216</b>	<b>176</b>	<b>153</b>	<b>178</b>	<b>231</b>	<b>6 180 939 530</b>	<b>116 440 438</b>	<b>161 049 109</b>	<b>251 409 542</b>	<b>266 898 061</b>	<b>6 934 804 611</b>

Source: Department of Labour, Strikes Statistics database

**TABLE B. 2: DISTRIBUTION OF EMPLOYEES INVOLVED BY INDUSTRY, OF 2014-2018**

Industry (SIC)	2014	2015	2016	2017	2018
Agriculture	2 056	3 101	3 291	7 048	<b>3 646</b>
Mining	74 580	29 918	19 083	30 439	<b>2 499</b>
Manufacturing	25 641	5 742	6 180	8 009	<b>19 761</b>
Utilities	788	371	11 682	239	<b>6 012</b>
Construction	851	2 779	<b>2 341</b>	1 674	5 193
Trade	1 500	7 914	4 989	2 161	<b>45 118</b>
Transport	1 224	8 856	12 178	15 950	<b>19 550</b>
Finance	249	0	1 370	2 629	<b>365</b>
Community	11 677	32 391	29 114	56 976	<b>35 568</b>
<b>Total</b>	<b>118 566</b>	<b>91 072</b>	<b>90 228</b>	<b>125 125</b>	<b>137 712</b>

Source: Department of Labour, Strikes Statistics database

## ANNEXURE C

**TABLE C.1: NUMBER OF WORKERS INVOLVED, WORKING DAYS LOST AND WORKING HOURS LOST BY INDUSTRY/SECTOR, 2018**

Industry/Sector	Workers involved	Working days lost	Working hours lost
Utility	6 012	35 622	284 976
Collection, purification and distribution of water	90	90	720
Electricity, gas, steam and hot water supply	5 922	35 532	284 256
Trade	45 118	180 588	1 515 838
Hotel and restaurants	170	4 848	37 584
Pharmaceutical Company	306	14 122	27 649
Retail trade, except of motor vehicles and motor cycles; repair of personal household goods	261	1 508	12 586
Sale, maintenance and repair of motor vehicles and motor cycles; retail trade in automotive fuel	80	100	840
Wholesale and commission trade, except of motor vehicles and motor cycles	43 482	148 402	1 343 808
Wholesale trade in agricultural raw & materials & livestock	315	763	6 611
Wholesale trade in food, beverages & tobacco	504	10 845	86 760
Finance	365	1 430	11 140
Financial intermediation, except insurance and pension funding	270	1 080	8 640
Real estate activities	20	200	1 600
Recruitment Agency	75	150	900
Manufacturing	19 761	227 040	1 932 993
Basic metals, fabricated metal products, machinery and equipment	5 151	9 771	78 668
Electrical machinery and apparatus	25	25	200
Food products, beverages and tobacco products	1 836	17 042	141 857
Furniture; manufacturing i.e. ; recycling	7	7	67
Other non-metallic mineral products	1 894	71 723	661 960
Textiles, clothing and leather goods	3 422	61 731	525 629
Transport equipment	6 232	31 046	248 368
Wood and Products of wood and cork	265	431	3 572
Pharmaceutical Company	448	4 480	26 400
Publishing, Printing & Reproduction of Recorded Media	481	30 784	246 272
Community, social and personal services	35 568	303 119	2 500 473
Collection, purification and distribution of water	1 504	7 520	60 160
Education	7 247	83 910	651 893
Financial intermediation, except insurance and pension funding	1 056	20 064	160 512
Health and social work	4 107	25 964	247 462
Local Authority	12 533	122 249	977 630
Other business activities	228	1 380	11 040
Other community, social and personal services activities	1 615	23 125	217 388
Public administration and defence activities	147	1 148	9 183
Recreation, cultural and sporting activities	854	1 257	10 081

Industry/Sector	Workers involved	Working days lost	Working hours lost
Recruitment Agency	825	7 425	59 400
Security Services	5 452	9 077	95 724
Mining and quarrying	2 499	24 837	231 070
Coal and lignite	412	4 120	37 080
Metal ores, except gold and uranium	506	8 776	80 601
Other mining and quarrying	1 581	11 941	113 389
Transport, storage and communication	19 550	347 318	2 815 611
Land transport; transport via pipelines	445	445	3 560
Other services activities	71	710	5 680
Passenger transport	12 968	278 516	2 262 688
Public transport	126	1 400	10 660
Post and telecommunications	5 169	55 693	448 168
Recreation, cultural and sporting activities	26	624	4 992
Services activities incidental to mining of minerals	195	2 145	17 160
Supporting and auxiliary transport activities; activities of travel agencies	550	7785	62 703
Construction	5 193	30 976	334 483
Construction	242	726	7 260
Construction of buildings	1 772	22 736	262 069
Construction of civil engineering structures	2 240	2 900	27 110
Construction of other structures	939	4 614	38 044
Agriculture, hunting, forestry and fishing	3 646	8 015	67 979
Agriculture, hunting and related services	3 507	6 486	54 218
Fishing, operation of fish hatcheries and fish farms	139	1 529	13 761

**TABLE C.2: NUMBER OF WORKING DAYS LOST BY NATURE OF ORGANIZATION, 2017-18**

	2017	2018
Central Government General	414	13 520
Government Enterprise	50 025	97 360
Local Government General	95 484	117 738
Private Sector	593 518	878 133
Provincial Government General	221 048	52 194
<b>Total</b>	<b>960 489</b>	<b>1 158 945</b>

## ANNEXURE D

### Technical notes:

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

#### D2. 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.

### D3. 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.

### D4. STRIKE 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 as a source of information to make contact with employers and to encourage voluntary compliance with reporting strike incidents. Telephone, emails and telefax tools where used as means of communication with the affected employers to ensure "a reasonably, accurate and large coverage" of all labour disputes in the country. The cooperation that exists with the private sector employers had also speed up the process of strike data collection. After completing the LRA 9.2 form, most employers send it to the Head Office of the Department of Labour. Some employers will probably keep a blank form with them which will proactively be completed when a strike arises in the company and they voluntarily forward it to the department in time.

After receiving the form either directly from the employer or from the provincial office, Head Office staff members will check and assess if the information provided is sufficient and correct. In case it is not, the Department of Labour staff within the LMIS unit will contact employers with the aim of getting missing information. From this process, the strike information is captured into a database specifically designed for monitoring industrial action in the country. The information includes workers who were directly and indirectly involved during the industrial action, excluding all those who were on leave.

This method of data collection and processing has consistently remained the same over time. The Department has to rely on the employers affected by labour disputes for detailed information on various indicators such as employment size, duration of strikes, reason given for striking, etc., which are required by 1995 Labour Relations Act. Some attempts are made to contact other parties involved in resolving the disputes. This information is also analyzed and reported. However, employers constitute a principal source of strikes data.

### D5. 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 worker's 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 worker's 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 (Working days lost per 1 000 employees)**

- This is the number of working days lost per 1 000 employees due to strike. 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 losing 946 323 working days will have a ratio of 58.9 arrived at as follows:  $946\,323/16\,069\,000 \times 1\,000$

**Measurements**

The criterion used to identify a single strike and lockout is the Labour dispute in question. In line with the ILO recommendations, the Department of Labour denotes one industrial action as follows:

- 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; and
- 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 9.2 Form) remains 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](mailto:strikes@labour.gov.za)

**OTHER INSTRUCTIONS**

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

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

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

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

**1. EMPLOYER DETAILS**

Name:.....

Physical address:.....

Province: .....

Tel: ..... Fax: .....

E-mail address: .....

Industry: .....

Sector/ Nature of business: .....

.....

**2. EMPLOYEE DETAILS**

2.1 Total number of workforce: .....

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

Number of ordinary hours worked per day/shift: .....

Number of ordinary days worked per day/shift .....

**3. DETAILS OF THE ACTION**

**3.1 Nature of action**

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

.....

.....

*please go to the next page →*

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

☐ Yes ☐ No

How was the industrial action resolved? .....

Was replacement labour used? .....

Was a replacement labour used? ☐ Yes ☐ No

3.2 Strike duration

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

Duration in workdays (or hours if relevant) .....

3.3 Employees involved

Number of employees participating<sup>1</sup>: .....

Number of female employees affected<sup>2</sup>: .....

Total work-hours lost: .....

Total wages not paid (in Rands): .....

3.4 Unions involved

NAME OF TRADE UNION	NUMBER OF EMPLOYEES INVOLVED PER UNION
Total	

please go to the next page →

3.5 Compliance with the Act

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

☐ Yes

☐ No

☐ Don't know

If no, or don't know, please explain .....

### 3.6 Strike reasons

Provide reasons for the action:

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

Percentage demanded by union: .....

Percentage demanded by employer: .....

Percentage demanded by both parties: .....

☐ Bonuses and other compensation

☐ Disciplinary matters

☐ Grievances

☐ Retrenchments/Dismissals

☐ Refusal to bargain

☐ Socio-economic/political conditions

☐ Secondary action from another dispute

☐ Organisational rights

☐ Working conditions

☐ Any other reason, please specify .....

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

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

Name of employer (In full): .....

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

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# INDUSTRIAL ACTION REPORT



**labour**

Department:  
Labour  
**REPUBLIC OF SOUTH AFRICA**