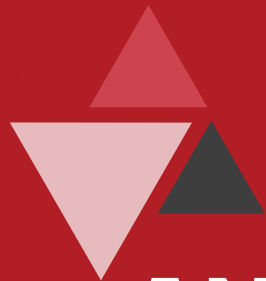





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REPORT 2020**





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ABBREVIATIONS

AMCU	Association of Mineworkers and Construction Union
APSA	Industrial Revolution
BCAWU	Building Construction and Allied Workers Union of South Africa
CCMA	Commission for Conciliation, Mediation and Arbitration
CEPPWAWU	Chemical, Energy, Paper, Printing, Wood and Allied Workers Union
Covid-19	Coronavirus
CPI	Consumer Price Index
CWU	Communication Workers Union
DENOSA	Democratic Nursing Organization of South Africa
DETAUWU	Democratised Transport Logistics and Allied Workers' Union
DPSA	Department of Public Service and Administration
ECCAWUSA	Entertainment, Catering, Commercial and Allied Workers Union of South Africa
FAWU	Food and Allied Workers Union
GIWUSA	General Industries Workers Union of South Africa
HOSPERSA	Health and Other Services Personnel Trade Union of South Africa
ILO	International Labour Organization
IMATU	Independent Municipal and Allied Trade Union
LMIS	Labour Market Information and Statistics
LRA	Labour Relations Act
NEDLAC	National Economic Development and Labour Council
NEHAWU	National Education Health and Allied Workers' Union
NTM	National Transport Movement
NULAW	National Union of Leather and Allied Workers
NUMSA	National Union of Metalworkers of South Africa
NUM	National Union of Mineworkers
NAPSAW	National Union of Public Service and Allied Workers
PAWUSA	Public and Allied Workers Union of South Africa
PSA	Public Servants Association
PSCBC	Public Service Co-Ordinating Bargaining Council
PTWU	Professional Transport Workers' Union
SACTWU	South African Clothing and Textile Workers' Union
SACU	South African Communication Union
SADTU	South African Democratic Teachers Union
SALGA	South African Local Government Association
SAMWU	South African Municipal Workers' Union
SANC	South African Nursing Council
SATAWU	South African Transport and Allied Workers' Union
SOCRAWU	Security Officers Civil Rights and Allied Workers Union
TASWU	Transport and Services Workers Union
TAWUSA	Transport and Allied Workers Union of South Africa
TERS	Temporary Employee/Employer Relief Scheme
TWU	Transport Workers Union
UASA	United Association of South Africa



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The author would like to thank all employers, organizations and senior managers in the Department of Employment and Labour for submitting quality strike information through the LRA 9.2 forms and excellent feedback comments provided during the development of this important annual industrial action report even though it coincided with the effects of Covid-19 pandemic in the country. The industrial annual report has been continuously prepared as part of the Department's mandate to monitor the impact of labour legislation.

We acknowledge the contribution of the LMIS team who participated extensively in strike data collection through direct and indirect contact with the employers. Working at both remotely and under workplace restrictions was challenging, but the LMIS team pulled together and managed to capture, analyze and produce the industrial annual report and thus, we appreciate their hard work.





EXECUTIVE SUMMARY

One year on, the Coronavirus, (Covid-19) pandemic has pushed the world into an unprecedented crisis and uncertainty. Many countries are estimating the impact of Covid-19 not just in health sector but also into the economy and labour markets. In South Africa, for instance, the stringent lockdown measures to prevent the spread of the pandemic restricted economic activities that led to disruptions in trade, customers demand and supply chains, triggering negative growth. In the context of labour disputes, South Africa has relatively recorded a decline in the number of industrial disputes in 2020, e.g., strikes and lockouts compared to the previous year. The closure of international borders, global demand meltdown, supply disruptions, dramatic scaling down of human and industrial activities due to physical distancing, self-isolation during lockdown also contributed to the scaling down of industrial disputes at the workplaces. The Department's strike database provide strike information as at 31 December 2020 based on employer's submission of LRA 9.2 forms to the Department.

As observed, Covid-19 pandemic may have further rolled back employees' rights to protest amongst other reasons. While the Commission for Conciliation, Mediation and Arbitration (CCMA) was forced to limit their operations during the first phases of the lockdown restrictions in March/April 2020, it has also intervened in more than one occasions to prevent strikes by workers during the same period. In April 2020, the Mail & Guardian newspaper revealed that in the first month of the lockdown, the CCMA dealt with an average of 190 case referrals a day. This was down from an average of 775 new cases referred to the CCMA every working day in the 2018/19 financial year.

The key highlights of the Industrial Action in 2020 are as follows:

- With some restrictions in place in 2020, the number of workplace dispute has declined by 25% compared to the previous year of 2019. This is the lowest recording since the past 5 years using the Department's strike monitoring information. With the decline in the number of strike incidents recorded in 2020, the number of working days also showed a decline in 2020. The effect is probably associated with the Covid-19 pandemic that called for a nation-wide shutdown from 26 March 2020. From a total number of 117 strikes, workers lost about 783 945 working days in the economy compared with 157 strikes in 2019 where workers lost close to 20 792 189 working days away from the work places.
- The number of strikes were higher during the first, third and the fourth quarter of 2020. After the number of strikes dropped by 15% in quarter two (April-June), then it rises in quarter three (July to September) when the lockdown restrictions were temporarily lifted and businesses were open for operations.
- The demand over wages, bonus and other compensation benefits¹. were still being reported as the main reason why workers went on strike over the past five years. Demands over wages, bonus and other compensation benefits amounted to 80% in 2020 compared to 79% in 2019. Other reasons such as disputes over grievances lodged against the employer amounted to 10% in the current period of strike analysis.
- By industry, the strike analysis shows that the community industry recorded more than half (51%) of the total number of strikes and lockouts in 2020. This accounted for 63.3% of wages lost followed by the mining industry with 4% of strikes and 21% of wages lost in the economy over the same period.

¹ This is a pattern where the unions have complained in a number of 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.

- Out of the total strikes and lockouts, it is observed that the level of unprotected strikes continued to be on the rise over the years. Employers reported **high number of unprotected** strikes that emanated mainly from the **community industry** where most workers decided to go on strikes without complying with the labour laws. This is despite the guidelines that compels every trade union or employers' organization to conduct a ballot of members before calling for strikes and lockouts.
- In terms of strike duration, the longest strikes in 2020 lasted between 1-10 days, on average at 81% as compared to 69% in 2019. These strikes were predominantly in the community, manufacturing and transport industries in 2020. In the community industry, some strikes that lasted not more than 10 working days were related to working conditions, e.g., personal protective equipment (PPE's) that the health workers were demanding in order to prevent themselves against the spread of Covid-19 pandemic. As such, the Department of Health acted speedily responded to toworker's demands to enable them safe lives against the affected patients.
- The share of annual salary increments was mainly determined by employers in South Africa. As with data collected within DEL, employers reported that the majority of workplace disputes (92.3%) in 2020 were resolved through the employer's intervention as compared to 88% in 2019 and 81.2% in 2018. Similar results were reported with other survey information such the Quarterly Labour Force Survey.
- Unlike in 2019, the public sector accounted for 71% of the total strikes with (79% of working days lost: 555 623) as against the private sector strikes at 29% (21% of working days lost: 228 322) in 2020. **The majority of the public sector strikes were from the community industries' health and social work and local authorities.**
- Workers from SAMWU trade union were highly represented in negotiations at 33.95% in 2020 as compared to AMCU trade unions that dominated (53.63%) other trade union movements in 2019. Most SAMWU members who lost working days due to strikes were from the community industry where workers embarked on strikes to demand wage related benefits and working conditions, e.g. PPE's.
- As with the previous years, most workers and unions settled for initial wages tabled by the employers unlike their initial wage demands. However, these wage demands were settled despite the slow South African economic growth in 2020 that was hard hit by the Covid-19 pandemic where many companies (non-essential) were closed and workers had to stay at home for the duration of the lockdown restrictions.

The impact of 2020 strike incidents in the South African society

The South African labour market experienced fewer strikes in 2020 with the figure reportedly lower as compared to a year ago. The changes in the level of workplace disputes was also associated with the Covid-19 crisis that have impacted on employees' rights to protest amongst other reasons physical distancing, self-isolation during lockdown restrictions. Since most companies were closed, supply chains were disrupted, layoffs increased and consumer demands decreased that impacted negatively in the South African society.

The recently released International Trade Union Confederation (Ituc) Global Rights Index found that, in 2020, strikes have been "severely restricted or banned" amongst 85% of the countries surveyed². As a result, the number of social and political protests in Africa were significantly lower than in the months preceding the Covid-19 lockdown restrictions.

- While a decline of 25.5% of strikes and lockouts was estimated between 2019 and 2020, the country lost only R170

² Mail & Guardian, mg.co.za/news, Sarah Smith, 23 June 2020

million in 2020. This represents a decline of 61.9% in wage lost from R447 million in wage lost in 2019. However, this does not imply that all workers were not hard- hit economically considering the negative impact of the lockdown restrictions in the society. An estimated of 101 712 employees participated to 117 strikes and lockouts where 783 945 working days were lost in 2020. In contrast, 157 strike incidents were recorded in 2019 with approximately 14 092 employees involved in strikes and 20 792 189 working days lost. The results capture the key difference that exists in terms of the economic conditions and duration of disputes between the two periods in the country.

- By quarter, strikes and lockouts were prevalent in the third and fourth quarters of 2020 just after the lockdown restrictions were eased in the country. This is the time when most industries were temporarily opened for operation with a minimum number of workers returning to their workplace.
- In the last quarter of 2020 (October to December), some indicators started to show positive trends that led to positive GDP growth. According to Statistics South Africa, all industries recorded an increase in economic activity compared to the second and third quarters, with manufacturing, trade and mining industries leading the charge. Businesses were supported by an increase in both exports and household spending. High number of strikes were also identified and captured in the same quarter of 2020.



INTRODUCTION

In South Africa, inequality, poverty and unemployment in the society and labour market signals the existence of limited social cohesion and economic growth that need to be elevated to meet expectations of wage increments. To achieve this, strikes remain a powerful way for workers to achieve fair wages and better working conditions in the labour markets. However, strike actions do not only have economic impact but also affect the social fiber of the country regarding the principle of “no work no pay”.

With this in mind, the number of strikes and lockouts recorded by the Department of Employment and Labour (DEL) in 2020 reveals that discontent with social, economic and political situation is still taking place in the country. This explains why the Department collects data from employers affected regarding the number of strikes and lockouts, the number of employees who participated, duration of strikes and estimates the working days and wages lost to inform policy makers in order to intervene and implement evidence-based decision to reduce or moderate conflicts in the South African labour market. In this context, Companies that were affected by strikes and lockouts are required to complete and submit the Labour Relation Act (LRA) 9.2 form within seven days after the strike has ended to DEL for monitoring and reporting purposes³.

Unfortunately, the Covid-19 invaded South African labour market in 2020 when government is still working out some policies to revive a declining economy from the global recession of 2008/9 by introducing the Economic Reconstruction Plan (ERP). The March 27th nationwide lockdown measures presented a further limitation to the right to strike, especially for workers deemed essential during the period, e.g., Health care workers. Despite the impact of Covid-19 pandemic and its challenges, an attempt is made in this annual strike report to provide a descriptive analysis on the strikes and lockouts information captured in the Department’s strike database. (Caution is to be taken with the comparative analysis provided in this annual report over 5 years).

Following this background, **Chapter 1** examines some key factors related to strikes analysis that cover the total number of work stoppages, working days lost per 1 000 employees, duration of strikes and worker’s wage lost as a proxy in assessing of the economic impact of the strikes and lockouts in the country in a form of loss of revenue. **Chapter 2** presents the changes recorded on strikes and lockouts analysis between 2019 and 2020 by disaggregating data in terms of wages by province and working days and hours lost per industry. Strike data is further analyzed per trade union membership participation. **Chapter 3** discusses wage settlements that were reached in various companies in order to moderate workplace conflicts across industries. **Chapter 4** concludes with some policy recommendations. Annexure that profiles the work stoppages over twelve months of 2020 as captured and monitored in the Department’s media monitoring strikes data system is also presented. Furthermore, additional strike data statistics are also presented in various tables that were not included in the main report.

.....
³ A regular publication of labour disputes statistics is in line with the International standards, e.g., International Labour Organisation



CHAPTER ONE

OVERVIEW OF STRIKE INCIDENTS IN THE SOUTH AFRICAN LABOUR MARKET, 2016-2020





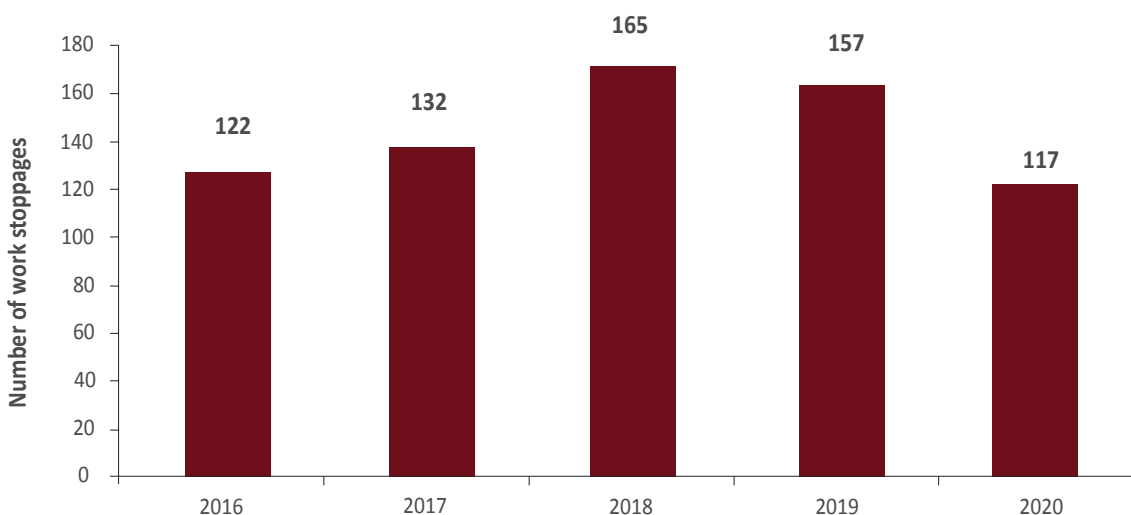
CHAPTER ONE: OVERVIEW OF STRIKE INCIDENTS IN THE SOUTH AFRICAN LABOUR MARKET, 2016-2020

When looking at the past years, labour disputes were increasing from 122 in 2016 to 165 in 2018 then dropped to 157 in 2019 and 117 in 2020. Overall, the community industry was most affected by the strikes and lockouts because of wages and other compensation benefits, working conditions and grievances against the employers. As per the Department's records, the results of the 2020 report reveals that number of labour disputes, working days lost and wages lost has dropped compared to the previous year.

Unlike the previous years' number of strikes, Cosatu with an estimated membership of 1.8 million members, the South African Federation of Trade Unions and Federation of Union South Africa have asked their members to stay at home in support of the actions due to the impact of the Covid-19 pandemic: "We are convening the strike action under the Covid-19 lockdown alert level regulations of social distancing". Pre-existing social frustrations have been exacerbated by the additional stress introduced by the outbreak of the Covid-19 crisis and the policies that were introduced to contain the virus. These policies constrained protest actions by three to four months where one can observe an overall decrease in protest action and unrest because companies were closed to avoid the spread of the virus.

Overall, the public sector was mostly affected with the number of working days lost in 2020 than the private sector where the public sector strikes amounted to 71% and the private sector with only 29% of the total strikes recorded in the Department. **The public sector accounted for 79% on working days lost: 555 623 as against the private sector strikes at 21% on working days lost: 228 322 in 2020** Figure 1: Trends in the number of work stoppages in South Africa, 2016 -2020

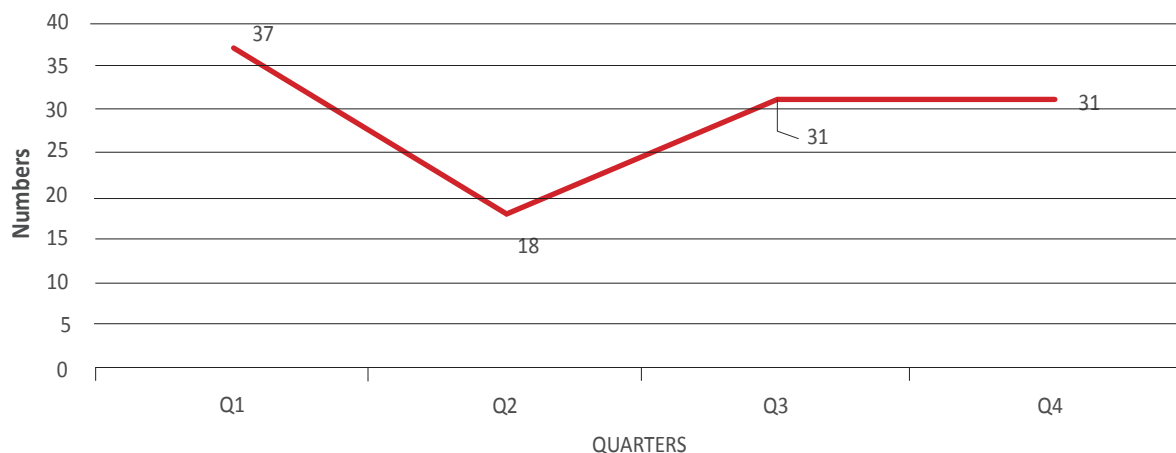
Figure 1: Trends in the number of work stoppages in South Africa, 2016 -2020



Source: Department of Labour, Strikes Statistics database, 2016-2020

Monitoring the strikes incidents over time allowed us to have a clear trend of strike activities over the five years. **Figure 1** illustrates that there has been a decrease in the number of strike incidents from 165 in 2018 to 117 strikes in 2020. This is an indication that the year 2020 was less affected with strike activities as a result of the Covid-19 pandemic where most people were restricted to gather in masses in order to avoid the spread of the corona virus from non-essential companies. The decline in strikes represents was at 25 % from 2019 and 29% in 2018. However, the figure also illustrates an upward trend from 2016 to 2018 then dropped to 117 in 2020. The decline in strikes represents was at 25 % from 2019 and 29% in 2018. However, the figure also illustrates an upward trend from 2016 to 2018 then dropped to 117 in 2020.

Figure 2: Trends in the number of work stoppages per quarter in South Africa, 2020



Source: Department of Labour, Strikes Statistics database, 2016-2020

The **Figure 2** above shows the trends in the number of strike activities between different quarters of 2020 calendar year. Out of the 117 strikes recorded in 2020, the DEL identified 85% of strikes in the first, third and fourth quarters of the year. The lowest number of strikes (15%) were recorded in the second quarter of the year. This was a time when the country was called to go on a national shutdown rising from the Covid-19 pandemic. The number of strikes started to rise in quarter three (July to September) when the businesses were open for operation. Amongst the strikes recorded in the second quarter, there were strikes emanating from the community, transport and manufacturing industries. These were amongst the industries that were open for business and classified as essential services.

Table 1: Distribution of employee's participation in work stoppage by industry⁴, 2020

Industry	Number of workforce 2020*	Employees involved 2020	Percentage distribution of employees involved
Agriculture	2 834	1 576	55.6
Mining	12 853	8 587	66.8
Manufacturing	42 776	17 542	41.0
Utilities	0	0	0.0
Construction	634	452	71.3
Trade	6 478	461	7.1
Transport	10 549	2 234	21.2
Finance	384	235	61.2
Community	283 505	70 625	24.9
Total	360 013	101 712	28.2

Source: Department of Employment and Labour, Strikes Statistics database, 2020 *as reported by the employers on the LRA 9.2 form

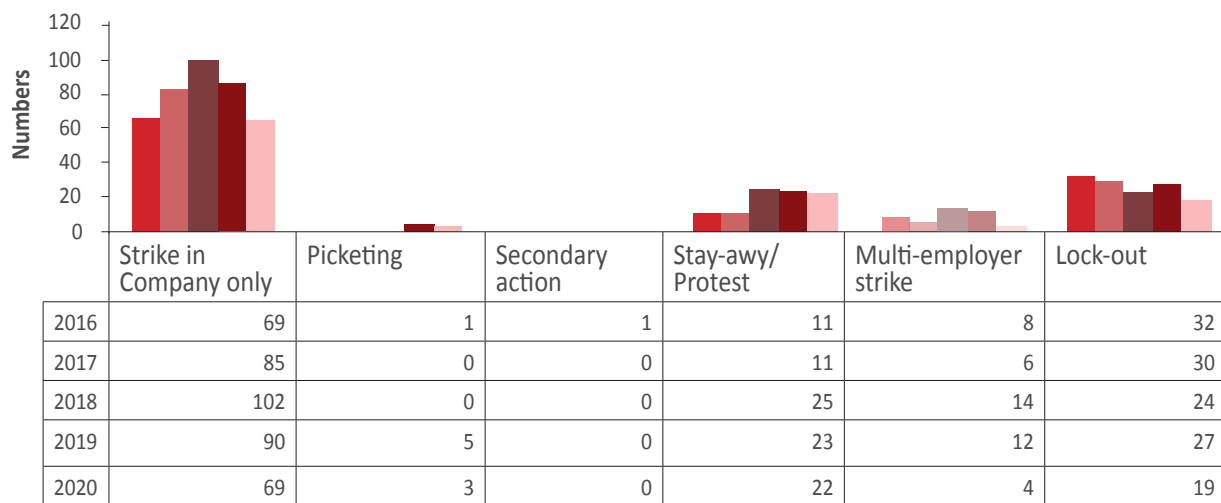
4 The target in the ENE were not updated to the higher number in the APP. The target in the APP is correct

As reported by employers, the distribution of the total workforce against employees who participated in the work stoppages is shown in **Table 1**. By the end of December 2020, only 101 712 (28.2%) of employees in each industry participated in the strike activities from a total workforce of 360 013.

Following this, in 2020 most employees were seen participating in strikes from the community (70 625), manufacturing (17 542) and mining (8 587) industries compared with the community and mining industries who recorded 102 596 and 14 092 employees in 2019.

The least employees who participated in strike activities were from the finance, construction and trade industries at 235, 452 and 461 respectively in 2020.

Figure 3: Distribution of work stoppages by their nature, 2016-2020



Source: Department of Employment and Labour, Strikes Statistics database

The Department of Employment and Labour identifies and records all strikes and lockouts that took place in the country using LRA 9.2 form, e.g., workers who were directly and indirectly involved in disputes are also included. **Figure 3** illustrates the distribution in terms of how strikes took place during the year 2020. Employers reported most strikes in “company only” followed by lockouts and those who embarked on a stay away in all the five years. However, the figures present an overall decline in all types with that 23% decrease amongst employees who went on strike from company only and 29.6 % decrease from those locked-out and 4 % decrease on those who stayed away/ protest from work activities between 2019 and 2020..

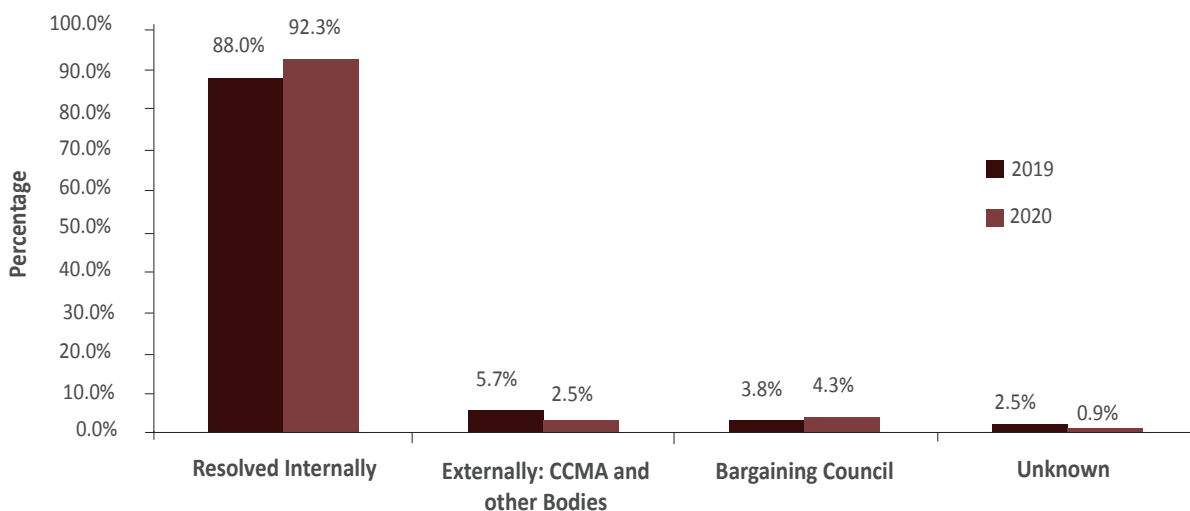
Table 2: Distribution of working days lost by principal cause of dispute, 2016-2020

Principal cause	2016	2017	2018	2019	2020
Wages, bonus and other compensation benefits	778 874	540 966	789 198	1 986 636	624 960
Working conditions	60 747	50 292	128 890	221 475	18 700
Disciplinary matters	4 748	10 120	22 729	3 437	1 320
Grievances	50 882	177 605	139 762	98 913	82 123
Socio-economic and political conditions	8 380	26156	15 708	117 477	6 979
Secondary action	1 385	0	0	1 250	33 068
Retrenchment/redundancy	2 359	12 865	11 840	890	130
Refusal to bargain	21 351	132 219	13 313	119	2 573
Trade union recognition	16 462	10 266	11 304	38 195	2 428
Other reasons	1 135	0	26 201	27 486	11 664
Total	946 323	960 489	1 158 945	2 495 878	783 945

Source: Department of Employment and Labour, Strikes Statistics database

As shown in **Table 2**, monitoring strike data allow us to describe the main causes of labour disputes. Over the five years, strikes data collected from the DEL indicates that the demand for wage, bonus and other compensation benefits was the main reason why workers embarked on labour disputes. The majority of workers 80% went on strikes to demand for wages, bonus and other compensation benefits in 2020 and it was 79% in 2019. **Some of the compensation benefits that the employee demanded against the employer was the Temporary Employee/Employer Relief Scheme (TERS) fund introduced by the Department of Employment and Labour in order to cover for the loss of wages during the lockdown period.** Disputes over grievances lodged against the employers amounting to (10%) was also another sources of why workers embarked on a strike in 2020. Other reasons why workers went on strike was due to secondary actions and poor working conditions at the workplace in 2020 as shown in Table 2.

Figure 4: Percentage distribution of how disputes were resolved, 2019-2020



Source: Department of Employment and Labour, Strikes Statistics database, 2020

Figure 4 above represents the priorities in which disputes were resolved at the workplace. As shown, the majority of the workplace disputes (92.3%) in 2020 were resolved internally through employees and employer’s engagement compared to 88% in 2019. This was followed by those disputes resolved through the intervention of external bodies such as the Bargaining Council (4.3%). Only a few workplace disputes (2.5%) were resolved through the CCMA in 2020.

Table 3: Distribution of how annual salary increments were negotiated, 2020

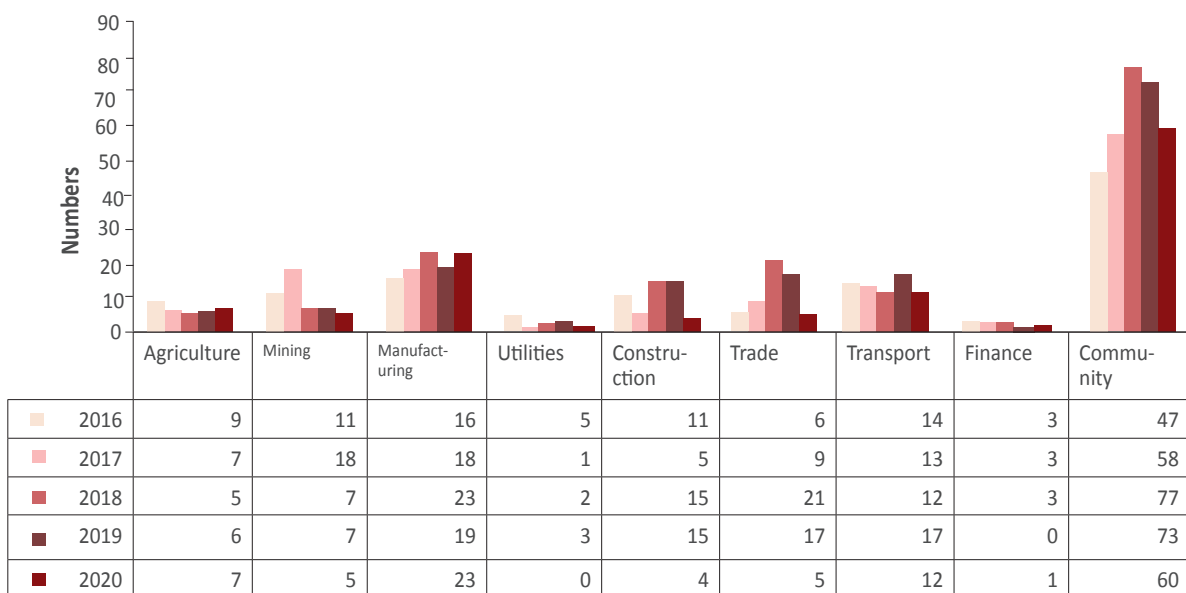
	Oct-Dec 2019	Jan-March 2020	April-June 2020	July-Sept 2020	Oct-Dec 2020	Year on Year change (%)
Individual and employer	1 336 000	1304000	1 202 000	1 027 000	1 099 000	-17.7
Union and employer	3 084 000	3 130 000	3 246 000	3 376 000	3 220 000	4.4
Bargaining council	1 117 000	1 091 000	1 006 000	1 168 000	1 149 000	2.9
Employer only	7 448 000	7 375 000	5 710 000	6 173 000	6 512 000	-12.6
No regular increments	807 000	824 000	504 000	558 000	620 000	-23.2
Unspecified	76 000	65 000	48 000	21 000	14 000	-81.6

Source: Statistics South Africa, QLFS, quarter 4 of 2020

According to the Quarterly Labour Force results (QLFS)⁵, it is noted that employers, as shown in **Table 3** were mostly responsible to determine annual salary increments. The results underline the broad economic theory that wages are bargained between workers and firms. The latter deciding on the level of employment, output and prices once a wage agreement has been reached (**“right-to-manage” model**). In every quarter of 2020, the majority of employees has continually reported that their salary increments were negotiated and settled through the employers (firms). One reason is that employers are regarded as the key actors of collective bargaining. This was followed by negotiations settled between the bargaining councils and individuals and employers at the workplace.

On a year on year basis, a decrease of almost 18% of workers reported that individuals and employers negotiated in bad faith regarding annual salary increments. The percentage of workers decreased in all other categories as compared to the previous year except with the case of unions and employers and those of bargaining councils.

Figure 5: Distribution of work stoppages by industry, 2016-2020



Source: Department of Employment and Labour, Strikes Statistics database, 2016-2020

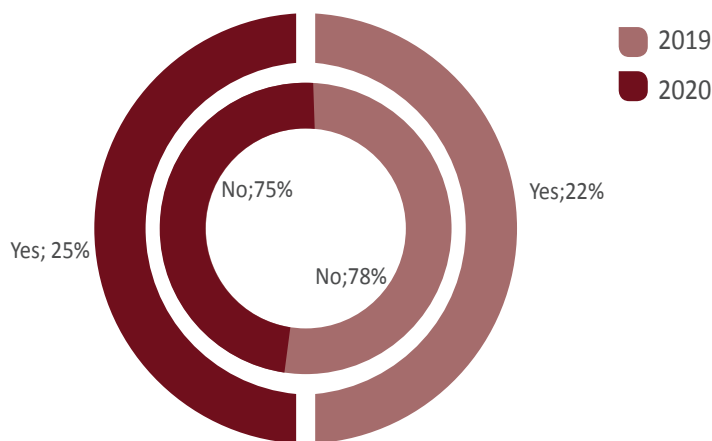
5 The target in the ENE were not updated to the higher number in the APP. The target in the APP is correct

According to **Figure 5**, the strikes and lockouts were mostly prevalent in the community industry followed by the manufacturing and transport industries throughout the past five years. Evidently, the strikes in these industries have also affected in worker’s living condition. In the case of 2020, all industries, except utilities recorded strikes incidents. The figure presents that the largest industrial disputes were recorded in the community (60 strikes and 553 477 working days lost), manufacturing (23 strikes and 145 598 working days lost) and transport industries (12 strikes and 16 725 working days lost). Most strikes from the community industries emanated mainly from the health and social services sectors. South African healthcare workers went on strike to protest against wages and other compensation, poor working conditions including the limited coronavirus personal protective equipment (PPE’s). Most of the nurses cited that the lives of healthcare workers were endangered as some health facilities had inadequate supplies of protective equipment like surgical masks against contracting the virus.

Another industry that recorded more strikes is the manufacturing industry’ private sector companies. Even though the agriculture saw an increase of 16.6% in strikes over the two years, the industry was the only positive contributor to GDP growth with an increase of 15.1% and a contribution of 0.3 percentage point to GDP growth during lockdown restrictions. The increase was mainly due to increased production of field crops and horticultural and animal products.

All industries recorded a decrease in the level of strikes activities in 2020 compared to the previous year with the exception of agriculture, finance and mining industries. The finance industry recorded only one strike in 2020 as compared to the zero strike in 2019. The one (1) sector strike resulted from the Public Investment Corporation (PIC) where workers embarked on a picketing to demand other compensation from the employer.

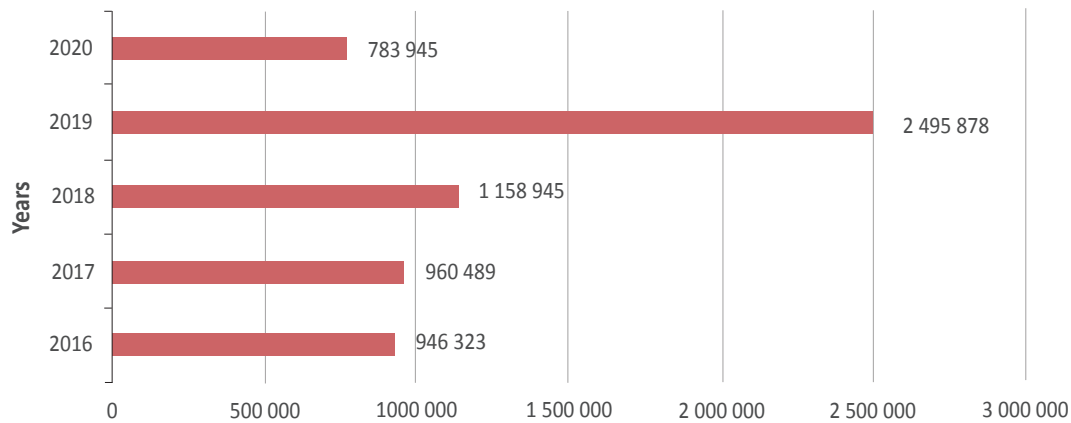
Figure 6: Percentage distribution of replacement labour used during the strikes, 2019-2020



Source: Department of Employment and Labour, Strikes Statistics database, 2019-2020

In the LRA 9.2 form, employers are requested to answer the following question: was replacement labour used during strikes? According to the strike information collected in 2019 and 2020, the majority of companies did not use replacement of labour during the strikes activities. This explains that not all employers went and out-source other labourers during strikes at their workplaces. **Figure 6** shows that in overall, less than 30 % of workplaces had reported to use replacement labour during strikes activities whilst more than 70 % of employers did not. Of those employers who used replacement labour during strikes in 2020 were the community’s social and personal services where employees downed tools to demand better working conditions and wage increments in particular, during the Covid-19 pandemic peak.

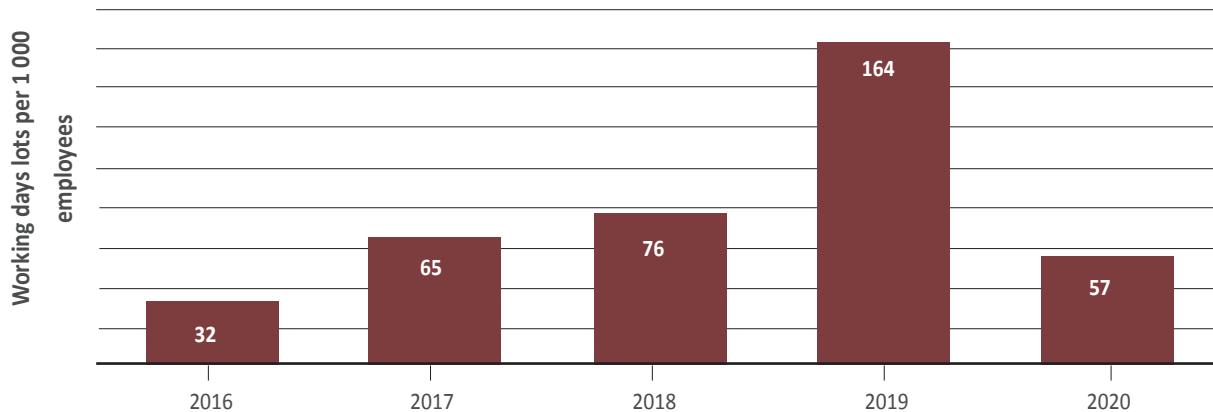
Figure 7: Trends in working days lost⁶ in South Africa, 2016-2020



Department of Employment and Labour, Strikes Statistics database, 2016-2020

Figure 7 above indicates a decrease in the number of working days lost due to strike incidences between 2019 and 2020. In 2020, the share of working days lost due to strikes amounted to 783 945 due to 117 strikes and 101 712 employees involved compared to 2 495 878 working days lost from 157 strikes with 143 575 employees involved in 2019. This is a drastic decrease of 68.6% in working days lost between the two years. The decline is the first lowest rate of working days lost over the past five years from the lowest working days lost of 946 323 in 2016. The decrease of working days lost in 2020 was a result of the less time workers spend on the streets to raise their demands with the employers due to Covid-19 lockdown restrictions.

Figure 8: Working days lost per 1 000⁷ employees (time-loss ratio) due to strikes, 2016-2020



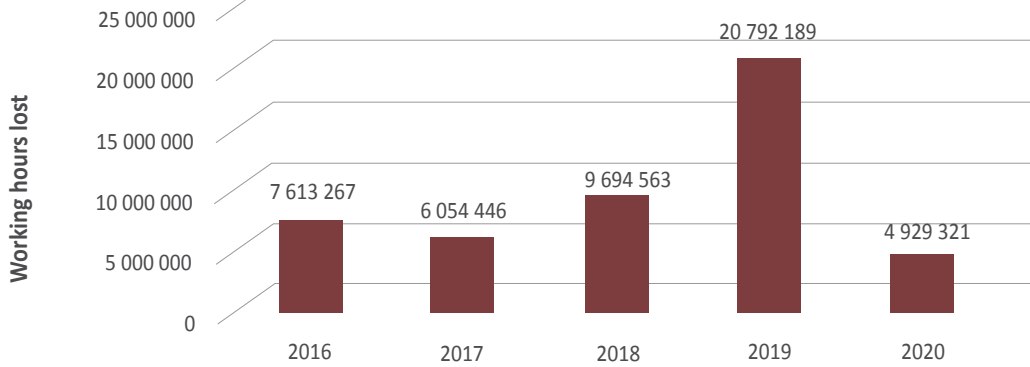
Source: Department of Employment and Labour, Strikes Statistics database 2016-2020

Figure 8 illustrates the working days lost per 1 000 employees over the five-year period (2016 to 2020). In 2020 there were 57 working days lost because of labour disputes for every 1 000 workers. This figure is far below the 164 working days lost per 1 000 employees in 2019 which was associated with higher number of workplace disputes. The trend in the number of the strikes in 2020 suggests that there was not much of the economic activities where workers could exercise their right in strike activities. By using this time-loss ratio measure, on average the working days lost per 1 000 employees increased from 2017 to 2019 but dropped in 2020.

⁶ The working days lost due to strike implies the total number of workers involved directly in the strikes or lockouts multiplies by the length of work stoppage. These are of little use purposes of international comparisons. The number of days not worked per 1 000 employees will be the best estimate for such international comparison.

⁷ 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 other countries.

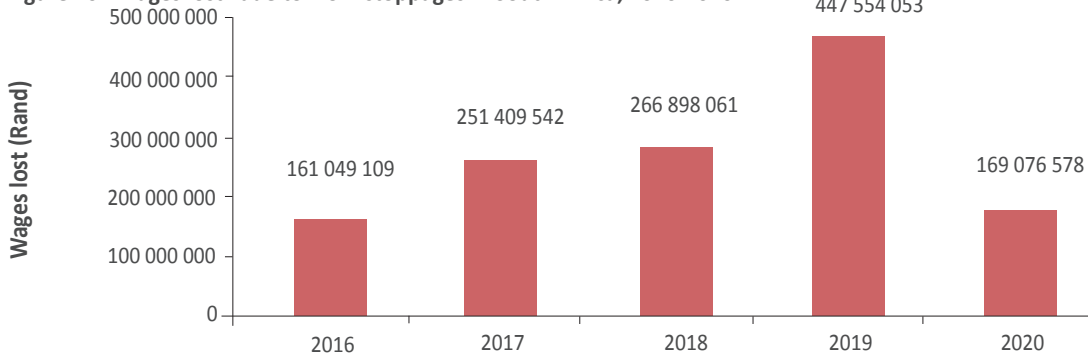
Figure 9: Trends in working hours lost in South Africa, 2016-2020



Source: Department of Employment and Labour, Strikes Statistics database 2016-2020

Figure 9 presents the trend in working hours lost by workers due to industrial disputes in 2020. Hours lost during a strike have a similar impact as working days lost in the country. Thus, both indicators will have a direct effect in relation to industrial production, workers and household income. As compared to 2019, about 4 929 321 working hours lost were estimated in 2020 as a result of 783 945 working days lost in 2020. This represents a 76.3% drop in the number of working hours lost from 783 945 working days lost in 2020 with 117 strikes.

Figure 10: Wages lost⁸ due to work stoppages in South Africa, 2016-2020

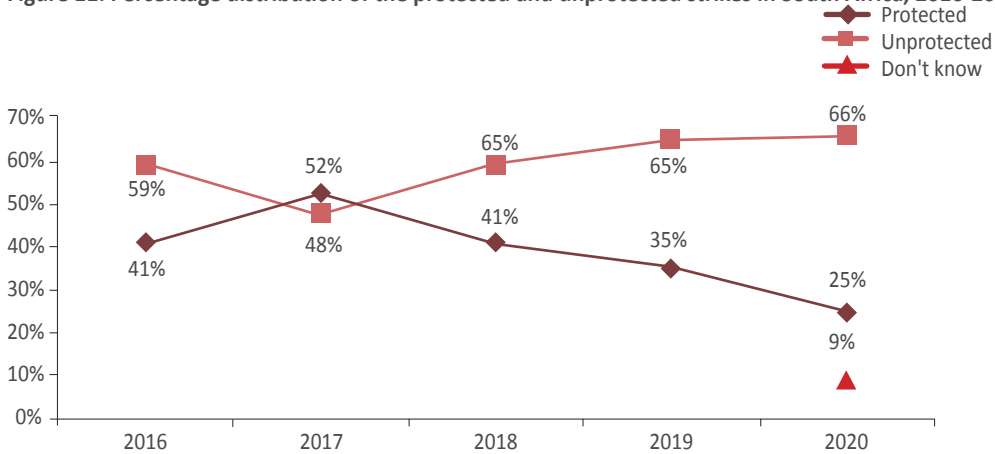


Source: Department of Employment and Labour, Strikes Statistics database, 2016-2020

The impact of strikes and lockouts on the economy is measured in this report in terms of wages lost as employers supplied information on the LRA 9.2 form. **Figure 10** illustrates the total amounts of wage lost by employees because of participating in the strikes. As with 2020, about 101 712 employees who participated in the strikes lost R169 millions of wages compared to R447 millions of wages lost due to stoppages in 2019. This is a significant drop of 62% of wages lost from 157 strikes in 2019. In 2020 for instance, the huge drop came from the lower number of strikes incidents and the less time workers spent on the streets to demand higher wages and other work related benefits from the employers. For instance, in 2020 workers spend 785 945 days on the streets compared to 2 495 878 days in 2019. The community, mining and manufacturing industries suffered more than other industries in terms of worker's wage lost in 2020.

⁸ 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 11: Percentage distribution of the protected and unprotected strikes in South Africa, 2016-2020



Source: Department of Employment and Labour, Strikes Statistics database, 2016-2020

In the LRA 9.2 form, an employer is asked to indicate their compliance with the LRA. Thus, the percentage distribution of industrial action that complied with the Act (Protected) or not (Unprotected) is presented in **Figure 11** above. It reflects an upward trend for unprotected strikes and a downward trend for protected strikes from the year 2017 to 2020. The number of protected strikes dropped from 52% in 2017 to 25% in 2020 while there was an increase in the number of unprotected strikes from 48% in 2017 to 66% in 2020. The high level of unprotected strikes in 2020 were fueled by strikes from the community industry where most workers decided to go on strikes and not comply with the labour laws. This is despite the guidelines that compels every trade union or employers' organization to conduct a "ballot" of members before calling for strikes and lockouts.

Surprisingly, data on the LRA 9.2 form indicated that close to 9% of employers indicated that they do not know if the strike was procedural or un-procedural in 2020. Most of the employers who did not know if workers embarked on strike actions procedurally were from the community, manufacturing, construction and transport industries.

CHAPTER TWO

ANALYSIS OF THE KEY
CHARACTERISTICS OF THE
LABOUR DISPUTES, 2019 AND 2020





CHAPTER TWO: ANALYSIS OF THE KEY CHARACTERISTICS OF THE LABOUR DISPUTES, 2019 AND 2020

In line with the international standards, strike and lockout incidents are also monitored and assessed using other characteristics such as number of work stoppages by industry, workdays lost by industry, time-loss ratio, duration and employment size. These are also useful indicators for international comparison purposes.

The findings in this chapter reflects that in the community industry, more strikes were seen from the South African health sector because the Covid-19 pandemic in addition to the existing challenges in the healthcare service delivery. Despite significant progress in the South African health system since 1994, the country faces challenges in healthcare service delivery, which include lack of funding and insufficient budget, environmental change and unequal distribution of resources (including health facilities, healthcare workers, inadequate production and inadequate recruitment especially in rural areas, for both the public sector and private sector). In addition to these challenges, South African health system was plagued with acute shortage of personal protective equipment (PPE) such as face shield or goggles, heavy-duty apron and gloves as well as N95 respirators for frontline healthcare professionals due to disruptions in the global supply chain of medical's equipment.

Workers from the manufacturing industry also went on strike to demand higher wages, proper working conditions, and to lodge grievances against the employers.

2.1. Industrial distribution of work stoppages and wages lost by industry, 2019-2020

Table 4: Distribution of work stoppages and wages lost by industry, 2019-2020

Industry*	No. of work stoppages 2019	Worker's wage lost (Total 2019 (Rand's))	No. of work stoppages 2020	Worker's wage lost (Total 2020 (Rand's))
Agriculture	6	4 254 119	7	1 306 981
Mining	7	294 235 075	5	35 395 960
Manufacturing	19	63 208 594	23	19 191 844
Utilities	3	262 847	0	0
Construction	15	3 140 436	4	863 377
Trade	17	50 258 002	5	0
Transport	17	7 676 113	12	4 325 293
Finance	0	0	1	0
Community	73	24 458 706	60	107 993 123
Total	157	447 554 053	117	169 076 578

Source: Department of Employment and Labour, Strikes Statistics database, 2019-2020

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

Table 4 reflects on how workers were financially affected by work stoppages in 2020 compared to 2019 by industry. Workers in the community industry lost more than R107 million in wages with the most strikes (51%) incidents followed by the mining industry with R35 millions although with lesser strikes (4%) as compared to the manufacturing industry (R19 million) that had more strikes in 2020. The estimates of worker's wage lost within industry could provide an indication on

the production lost because of the total worker’s wage lost during the strikes and lockouts in the country. The community industry had the most strikes (51%) and accounted for 63.3% of wages lost followed by mining industry with (4%) of strikes with 21% of wages lost over the same period. Even though most industries were impacted economically, the Statistics South Africa’s GDP numbers reported that eight industries recorded growth between the third and fourth quarters of 2020 after the lockdown restrictions were lifted. The largest positive contributors to GDP growth in the fourth quarter were the manufacturing, trade and transport industries ⁹.

2.2. Industrial distribution of working days lost, 2019-2020

Table 5: Distribution of working days lost by industry, 2019-2020

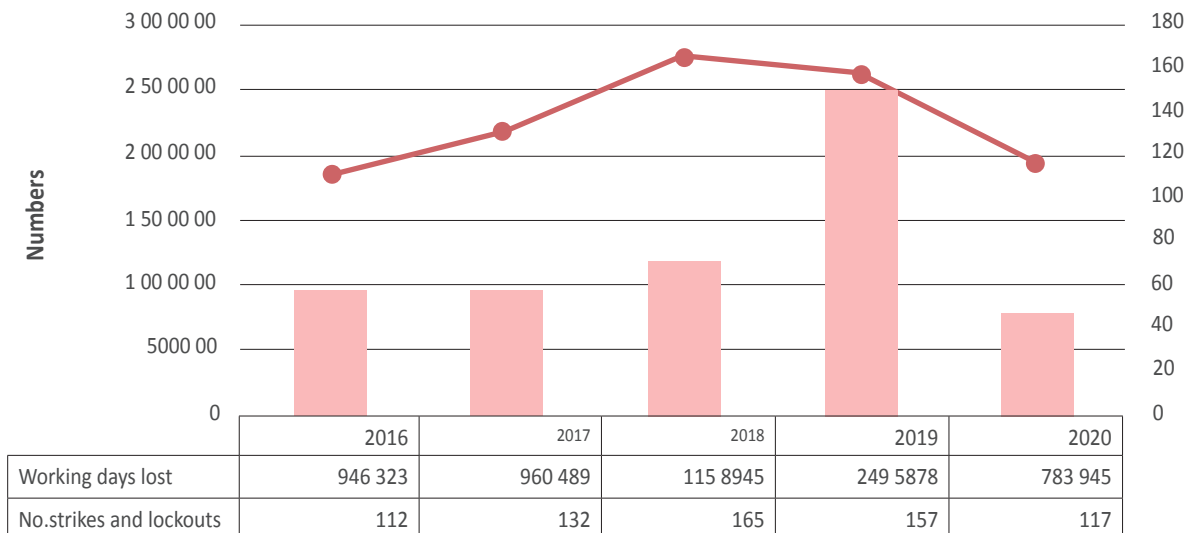
Industry	Working days lost		
	2019	2020	% change
Agriculture	103 323	8 989	-91.3
Mining	1 369 172	54 698	-96.0
Manufacturing	130 557	145 598	11.5
Utilities	1 372	0	-
Construction	8 550	617	-92.8
Trade	250 859	3 606	-98.6
Transport	53 262	16 725	-68.6
Finance	0	235	-
Community	578 783	553 477	-4.4
Total	2 495 878	783 945	-68.6

Source: Department of Employment and Labour, Strikes Statistics database, 2019-2020

As shown above, **Table 5** presents the working days lost by industry. Within the South African economy, the impact of many strikes in the community and manufacturing industries have substantially contributed to the number of working days lost within the industries in 2020. This is despite the overall percentage decrease in the number of working days lost in 2020 compared to the previous year. The number of working days lost in 2020 is an indication that parties involved spend less time to resolve worker’s demands. Overall, a decrease of 68.6 % in the total work days lost was recorded between the two-year periods. By industry, the community industry (553 477) recorded the most working days lost in 2020 followed by the manufacturing (145 598) and mining (54 698) industries.

⁹ The LRA 9.2 forms collected and analyzed by DEL indicated that some employers from the Trade and Finance industries did not indicate how much wages were lost due to strikes while some indicated they did not apply the “no work no pay” rule.

Figure 12: Trend in the working days lost and number of strikes, 2016-2020



Source: Department of Employment and Labour, Strikes Statistics database, 2016-2020

The trend in the working days lost and number of strikes from 2016 to 2020 is illustrated in **Figure 12** above. Over the five years' comparison it transpires that, on average, the number of days lost to work stoppages have increased in line with the number of disputes from 2016 to 2019 then dropped in 2020. The highest levels of industrial action with the highest number of working days lost were in 2019 and the lowest on both indicators were in 2020. Over the past two years, workers lost 2 495 878 working days with 143 575 employees who participated in the work stoppages in 2019 as compared to 783 945 working days lost with 101 712 employees who participated in the strike actions in 2020.

2.3. Industrial distribution of working hours lost, 2019-2020

Table 6: Distribution of working hours lost by industry, 2019-2020

Industry*	Working hours lost 2020		
	2019	2020	% change
Agriculture	927 126	78 603	-91.5
Mining	11 661 775	512 471	-95.6
Manufacturing	1 162 084	1 252 201	7.8
Utilities	13 376	0	-
Construction	73 067	5 608	-92.3
Trade	1 997 019	29 890	-98.5
Transport	408 644	142 758	-65.1
Finance	0	1 880	-
Community	4 549 098	2 905 910	-36.1
Total	20 792 189	4 929 321	-76.3

Source: Department of Employment and Labour, Strikes Statistics database*Note: The Private household sector is excluded because of zero work stoppages was recorded.

The **Table 6** shows the variations in the number of working hours lost during the time when workers participated in work stoppages over the past two years. As with the working days lost in 2020, it is clear that most workers spend less time on the streets to lodge their demands compared to the previous year. As such, workers lost 4 929 321 working hours of work with 101 712 employees who participated in the work stoppages in 2020 as compared to 20 792 189 working hours lost with 143 575 employees who participated in the strike actions in 2019. More working hours were recorded in the community (2 905 910) and the manufacturing (1 252 201) industries in 2020 compared to other industries. The finance industry was less hit with the number of working hours lost 1 880 following the one strike recorded with 235 workers who participated in the strike in 2020.

2.4. Working days lost per 1 000 employees by industry, 2019-2020

Table 7: Time-loss ratio¹⁰ by industry, 2019-2020

Industry (SIC)	Time-loss ratio		Total number of workers*	
	2019	2020	2019	2020
Agriculture	116.7		885 000	11
Mining	3 184.1		430 000	142
Manufacturing	75.9		1 720 000	98
Utilities	11.4		120 000	0
Construction	6.3		1 350 000	1
Trade	77.2		3 249 000	1
Transport	52.6		1 011 000	18
Finance	0		2 568 000	0
Community	152.6		3 792 000	156

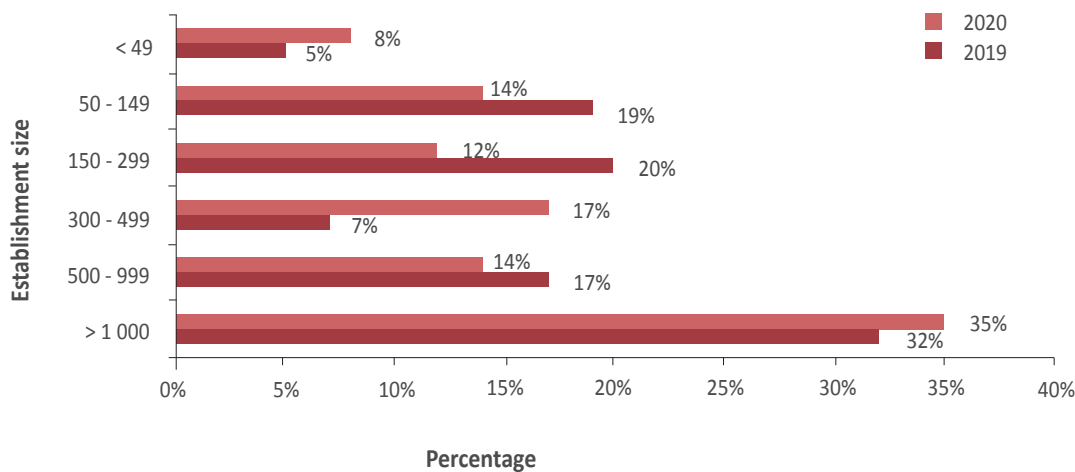
Source: Department of Employment and Labour, Strikes Statistics database Note: * Statistics South Africa, Quarterly Labour Force Survey, quarter 4 of 2020-Total employment (Private households excluded)

Table 7 reflects on the results of working days lost per 1 000 employees per industry. On average, it shows that community industry had the highest time-loss ratio in 2020 as compared to 2019 where mining was hard hit with the highest time lost ratio. The mining and manufacturing industries have also seen a relatively high days lost per 1 000 employees due to strikes in 2020. As per the department's strike database, the industry that had the lowest time-loss ratio per 1 000 employees in 2020 was the construction and the trade industries.

¹⁰ 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, Quarter four of 2020, were used regarding the total number of employees by industry.

2.5. Work stoppages by employment size of establishments, 2019-2020

Figure 13: Percentage distribution of work stoppages by employment size, 2019-2020

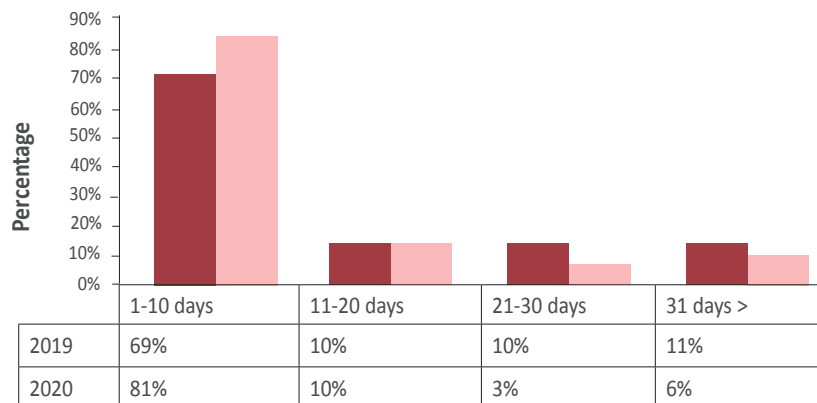


Source: Department of Employment and Labour, Strikes Statistics database, 2019-2020

According to **Figure 13**, the results indicate that employers with more than 1 000 employees continued to be mainly affected by work stoppages in 2020. There was a 3% increase in the number of strikes activities in 2020 compared to 2019 with establishments of more than 1 000 employees. The community' social and personal services and manufacturing of food products, beverage products and tobacco products. In 2019, large company recorded 36% against 51% for medium companies and 13% for small companies. Medium sized establishments with more than (50-299) employees also constituted 26% of employee participation in strikes whilst small (<49) establishments contributed 8% in 2020.

2.6. Duration of work stoppages, 2019-2020

Figure 14: Percentage distribution of work stoppages by duration, 2019-2020



Source: Department of Employment and Labour, Strikes Statistics database 2019-2020

The estimated duration of strike action that took place in 2020 is presented in **Figure 14**. According to data received from the employers, the longest strikes in 2020 lasted for 1-10 days on average and represented 81% as compared to 69% in 2019. These strikes were relatively associated with the strike actions involving the community, manufacturing and transport industries in 2020. The limited time that workers spend on the streets to lodge their demands with against employers may have been attributed to the regulations put in place to avoid mass gatherings e.g., Covid-19 pandemic. Furthermore, some of the community sector strikes that lasted not more than 10 working days were related to poor working conditions, i.e. Personal Protective Equipment (PPE's) that the health workers were demanding in order to prevent themselves from the corona virus. As such, the Department of Health acted speedily in response to worker's demands to enable them safe lives from the affected patients.

On the hand, there was no increase (10%) on the number of strikes that lasted for 11-20 days in both years. The strikes that lasted on average for more than 21 and 31 days have relative dropped from 2019 to 2020 e.g., from 11% in 2019 to 6% in 2020.

2.7. Trade union involvement in work stoppages, 2020

Table 8: Distribution of work days lost by trade union membership involved, 2019 – 2020

Name of the union	Employees involved per trade union in 2019	Days lost per trade union in 2019	%	Employees involved per union in every strike in 2020	Days lost per trade unions in 2020	%
AMCU	12 483	1 338 526	53.63	66	462	0.06
APSA	0	0	0.00	1 520	15 200	1.94
BCAWU	84	654	0.03	0	0	0.00
CEPPWAWU	2 830	58 370	2.34	2 077	7 780	0.99
DENOSA	189	2 930	0.12	556	8 153	1.04
DETAUWU	23	322	0.01	0	0	0.00
FAWU	1 071	37 060	1.48	59	118	0.02
GIWUSA	1 705	29 302	1.17	917	46 255	5.90
HOSPERSA	527	2 675	0.11	190	2 339	0.30
ICHAWU	0	0	0.00	103	2 163	0.28
IMATU	22 006	132 079	5.30	508	2 120	0.27
NEPEAW	0	0	0.00	171	1 666	0.21
NEHAWU	17 075	101 593	4.16	6 954	51 030	6.51
NONE unionized*	6 137	37 743	1.51	3 425	14 452	1.84
NTM	501	10 069	0.40	230	230	0.03
Not reported	25 259	137 726	5.50	8 721	225 236	0.00
NUM	1 114	20 149	0.81	8 453	50 420	6.43
NUMSA	6 663	109 523	4.30	16 174	66 369	8.47
NUPSAW	2 802	212 406	8.42	15	165	0.02
PSA	2 092	9 157	0.37	175	1 111	0.14
SACCAWU	778	3 861	0.15	169	6 721	0.86
SACTWU	221	1 948	0.08	2 397	3 922	0.50
SACWU	625	24 743	0.99	705	1 410	0.18
SADTU	40	480	0.02	3	3	0.00
SAMWU	38 383	219 030	8.70	46 160	266 164	33.95
SATAWU	844	5 240	0.21	828	5 800	0.74
SOLIDARITY	3	9	0.00	0	0	0.00
TAWUSA	13	13	0.00	0	0	0.00
UASA	107	270	0.01	1 136	4 656	0.59

Source: Department of Employment and Labour, Strikes Statistics database, 2019-2020

*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 the 2020 results in **Table 8**, SAMWU represented more workers (33.95%) in negotiations as compared to AMCU trade unions that dominated (53.63%) other trade union movements in 2019. Most SAMWU members who lost working days due to strikes were from the community industry where workers embarked on strikes to demand wage related benefits and working conditions. The second highest union who represented workers from the strikes was Numsa whose workers lost 66 369 working days from participating in the strikes and lockouts. It can be concluded from the results that a small share of workers are part of a union today, but many still want to belong to one.



CHAPTER THREE

THE ROLE OF COLLECTIVE
BARGAINING IN WAGE
SETTLEMENTS, 2020





CHAPTER THREE: THE ROLE OF COLLECTIVE BARGAINING IN WAGE SETTLEMENTS, 2020

With a few strikes recorded in 2020, the bargaining councils spend less time to resolve workplace wage negotiations as tabled by the union and employer organizations.

Notwithstanding this, it was reported that the public sector wage increase was not implemented after the Minister of Finance announced that the government's budget was unable to afford such increases for the public service workers in 2020. The indication was that the expenditure on public sector wages, which has gone from R154 billion in 2006 to R639 billion in 2020, was the largest component of government expenditure where the government spends nearly 60% of tax revenue to compensate about 1.2 million public servants, just 2% of the population. However, the government and trade unions had already signed the wage agreement in 2018 at the Public Service Coordinating Bargaining Council ((PSCBC), where both parties negotiated terms of employment. In this context, the year 2020 was the last leg of the wage agreement, which proposed that public servants would receive salary increases of between 4.4% and 5.4% depending on their salary scale, with low and mid income earners getting a higher percentage. The government further set the cat among the pigeons when it reneged on the wage agreement in April, saying the Covid-19 pandemic has wreaked havoc on public finances, making above inflation salary increases for public servants unaffordable ¹¹.

Looking ahead to enforce the final year of a three-year wage agreement through the PSCBC, trade unions resorted to take the matter with the Labour Court. A day before the start of a long-awaited case at the Labour Appeal Court on Wednesday 2 December over salary increases, the government extended an olive branch to trade unions representing public servants including teachers, nurses and police officers. Nevertheless, the case went ahead on Wednesday 2 December and the South Africa's Labour Appeal Court reserved judgment over the wage dispute that had big implications for government efforts to arrest soaring debt. The South African government on Tuesday 15 December won a court case over public-sector wage increases and ruled it would be unlawful for trade unions to enforce the latest wage increases because it would contravene parts of the constitution and public service regulations but added that further negotiations between the government and unions over a settlement may still take place.

3.1. Wage settlements concluded after the strikes ended in various industries, 2019-2020

Table 9: Median ¹²wage settlement in various industries, 2019-2020

Agriculture	7%	7.3%
Construction	6.1%	4%
Mining	9%	9%
Manufacturing	7%	7%
Utilities	8%	7%
Finance	8%	5%
Transport	7%	7%
Trade	7.5%	7%
Community services	7%	7%

Source: Labour Research Service, Wage settlements Trends, December 2019- 2020

¹¹ *Business Maverick*, By Ray Mahlaka, 1 December 2020

¹² 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 9 captures the median wage settlements per industries. According to the data presented, the median wage was settled around 7% from most industries in 2020. The mining industry settled the highest wage agreements at 9% in both years whilst the manufacturing, transport and the community services industries settled the same percentage of wage agreements over the two years. Looking at the manufacturing and community services, both industries settled at 7% of wage agreements even though they had higher number of strikes in the year 2020. The construction industry continued to settle fewer wage agreements over the two years.

Table 10: Distribution of final wage settlement in selected industries, 2020

Industry	Employer	Agreement Date	Initial demand	Employer offer	Settlement	Protected/ Unprotected
Community	UNISA	6 February	8%	6.3%	6.3%	Protected
	Durban's life Entabeni	12 February	7%	5.0%	6.0%	Protected
	Robben Island Museum	16 January	9%	6.5%	6.5%	Protected
Manufacturing	Clover SA	9 December	16%	5.5%	6.5%	Protected
	Sappie SA	8 October	6%	0.0% ¹³	5.2%	Protected
	HISENSE ATLANTIS	11 February	15%	0.0%	7.0%	Protected
Transport	Bombela operating Company	14 October	8%	4.1%	4.1%	Protected
Trade	Jane Furse Builders Supply	25 January	R 5 000	10%	10%	Protected

Source: Department of Employment and Labour, Strikes Statistics database, 2020

Even though some employers were able to settle wage agreements as tabled by the employees and the unions, data presented in **Table 10** indicates that not all employers were able to settle from the initial wage demands during wage negotiations. As reported this might suggest a need for the creation of labour market institutions such as wage board, which set minimum pay standards by industry and occupation and lead to wage gains for those at the bottom and middle of the income distribution¹⁴. Nonetheless, wage demands were however settled despite the South African economic environments that was hard hit by the Covid-19 pandemic and saw many non-essential companies closing down due to the lockdown restrictions. Evidently, the table above gives an indication on how the final wage agreements were concluded in some selected industries during wage negotiations between trade unions and the employer representatives. Across industries, unions were bound to settle below the employees' initial wage demand. However, a few employers managed to come close to union wage demands e.g. Durban's life Entabeni tabled a wage demand of 7% and finally agreed to a 6% wage offer.

3.2. Wage settlements concluded without strike incidents, 2020

The Department of Employment and Labour strike database also provides information on trade unions expressed strikes intentions that could not take place since amicable wage agreements were reached within the company from the initial stage before the intention to embark on strike. In this section, some few examples of those cases are provided below:

¹³ NB: After the unions and the employee representatives tabled the initial wage demand with the employer, no agreement was reached but the employer decided to later make a settlement with the parties involved.

¹⁴ <https://equitablegrowth.org/factsheet-how-strong-unions-can-restore-workers-bargaining-power/>, 1 May 2020

3.2.1. Averted strike incidents

- The unions, UASA and SAMANCOR organization averted a strike and reached a wage settlement on the 30 June 2020 with effect from 1 July 2020. The parties agreed on a once off amount of R4 000 payable on 1 August 2020 and an 8% salary increases which would be paid as follows; 2% in August 2020 and 6% salary increase to be paid in January 2021.
- Petra Diamonds Limited announced that the company managed to avoid a strike and concluded a one-year wage agreement with the National Union of Mineworkers (NUM) covering its South African operations for the financial year 2020 / 2021. The company would make a once-off, ex gratia payment at the end of November 2020 of between R5 000 – R8 500 to employees graded in the A and B Paterson Bands. In addition, employees in the A Paterson band would receive an increase of 5.5% in their cash earnings, effective 1 January 2021, with employees in the B Paterson band receiving 5%. The agreement was concluded on the 6 October 2020.
- Bus companies reached a wage agreement with trade unions, NUMSA, SATAWU, TOWU, TAWUSA by averting a strike in the sector that had already been hit hard by the Covid-19 pandemic on the 26 March 2020. All workers received a 6% wage increase, with effect from 1 April 2020. The unions had demanded a one-year, 8.5% wage increase for employees earning between R56.30 and R78.82 an hour and a 7.5% for those earning more than R78.82 an hour. However, the employers had tabled a proposal for a three-year wage deal that would have seen the first group getting a 6% increase in the first year and 5.5% for the second and third years. For the second group, employers had proposed a 4.5% increase for each of the three years.
- The South African Municipal Workers' Union averted a strike and signed a salary and wage collective agreement with the county's waterboards in the Amanzi Bargaining Council (ABC). Parties in the ABC includes unions and the South African Association of Water Utilities which represents Rand Water, Sedibeng Water, Lepelle Northern Water, Magallies Water, Amatola Water, Umhlathuze Water, Umgeni Water, Midvaal Water and Bloem Water who collectively are responsible for over 95% of bulk water supply to the country's municipalities. As per the agreement, workers in these waterboards will receive a 6.5% salary increase backdated to 1 July 2020. Parties have also agreed that workers would receive 10% increase on their housing allowance. The wage agreement was reached on the 14 October 2020.
- Employees at the Financial Sector Conduct Authority (FSCA) has scored a 4.2% salary increase on 25 November after they averted a strike with the employer. The FSCA initially had offered its staff 5.5% and later 4.2% salary increase after the PSA union demanded a 15% and later 12 % across-the-board wage hike before the Covid-19 enforced national lockdown in March 2020. The union then revised its demand taking into account the economic conditions created by the deadly coronavirus. The new wage deal was set to effect from 1 January 2021 until the end of 2021.

3.2.2. Abandoned strike incidents

- Close to 93 NEHAWU members embarked on strike against Izika Museum of South Africa demanding 12% salary increase against the employer offer of 5.5%. No consensus was reached and employees and union suspended the strike and the application was submitted to CCMA for section 150 hearing.
- NUM members at Agrico went on a protected strike from 7 September to 30 November 2020 demanding 8% salary increases while the employer offered 0% increases. Ultimately, no agreement was reached between the two parties and the strike was abandoned.

CONCLUSION





CONCLUSION

Data recorded from the 2020 strikes reflected that the country experienced a decrease of 25% in strikes as compared to 2019. Most strikes recording were from the community, manufacturing and transport industries. Of the total 117 strikes recorded in 2020, close to 51% of work stoppages were from the community industry, in particular those from the municipal and public health sector. Overall, the public sector was mostly affected with the number of working days lost in 2020 than the private sector where the public sector strikes amounted to 71% and the private sector with only 29% of the total strikes recorded in the Department.

This year's strike incident were mostly recorded during the first, third and fourth quarters of 2020. Fewer strikes (15%) were recorded in quarter two of 2020. This was a time when the country was called to go on a national shutdown rising from the Covid-19 pandemic. However, the number of strikes started to rise in quarter three (July to September) when the businesses were open for operation. In general, the strikes actions were peaceful following the lockdown restrictions that were regulated to the whole country.

Following the lower recording in strikes, workers lost R169 million to wages in 2020 as compared to R447 million in 2019. Nevertheless, continued national lockdowns have somehow affected the GDP of the country and thus makes it imperative for the government at all levels to re-assess and re-evaluate the effects of lockdown as the pandemic unfolds. Social protection and provision of basic services remain vital mitigation strategies, especially for the vulnerable workforce.

The DEL records has also noted a higher level of unprotected strikes that continued to be on the rise over the years. The high number of unprotected strikes in 2020 emanated mainly from the community industry where most workers decided to go on strikes and not comply with the labour laws. This is despite the guidelines that compels every trade union or employers' organization to conduct a ballot of members before calling for strike or lockout.

Limitations in the collection of strike information

- Identification, data collection of strike incidents and contact with the employers and other associations while working remotely during and after the lockdown was a challenge in terms of strike coverage.
- Limited time to finalize the report on time because of working remotely due to the social distancing as a measure put in place by the management of the department.

Key points for policy considerations:

- Considering the rising number of unprotected strikes recorded annually, it is suggested that the Department in collaboration with the CCMA continue to monitor the measures put in place that will effectively assist in the implementation of the national Minimum Wage (NMW) and the strike balloting mandate.



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ANNEXURE A

Profile of work stoppages, 2020

The strike database includes all strikes and lockouts that have been accessible through the media and completed and submitted by employers. Lack of press coverage might also mean that some small disputes may be overlooked in particular during the Covid-19 pandemic peak. Thus, the following strike profiles is presented in a chronological manner to allow researchers to have a quick sense on how the disputes were identified in the South African mainstream media on daily basis.

January 2020

- Robben Island Museum employees picketed at the V&A Waterfront on Monday 6 January after salary talks hit a deadlock. Members of the National Education, Health and Allied Workers' Union (Nehawu), the country's largest public-sector union, were demanding among others, a 9% across the board salary increase, a two-year wage agreement and a R2 000 once-off cash payment for every employee. "The principle of no work, no pay was applied to the workers on strike and the total number of days not worked were deducted from the next salary. **Daily Dispatch 6 January 2020.**
- On 14 January, more than 100 South African Municipal Workers Union (Samwu) shop stewards storm into Tshwane House to express unhappiness about the impasse over the wage dispute. The union (Samwu), have vowed to continue picketing at Tshwane House until the municipality has paid the lump sum it promised workers in December. The payouts were part of a collective agreement between the union and the City of Tshwane, reached after a week-long strike in 2019 after a wage dispute. **Pretoria News 14 January 2020.**
- The Eastern Cape bus driver strike over wages has paralyzed the transport system in Nelson Mandela Bay Municipality on 14 January. It was reported the municipality that owns the buses which has subcontracted a private company Spectrum Alert to run the routes. About 300 workers including drivers, conductors and office cleaners took part in the strike. The workers accused Spectrum Alert of paying them late and deducting provident fund, unemployment insurance and other benefits from their wages but failing to send the money to the funds - a claim, which the company denies. **GroundUp, 14 January 2020.**
- A strike at the Hisense manufacturing plant in Atlantis, north of Cape Town, has put all production on hold at the

state-owned Chinese multi-national's South African subsidiary on Thursday 16 January. The key reason for the strike was related to a demand for both parties did not meet a 15% increase across the board for all workers. Alternatively, Numsa demanded that Hisense must increase the rate per hour to R49.56 so that it aligns with an industry agreement.. **Fin24, 16 January 2020.**

- A group of 150 poultry workers from the Elgin Poultry Abattoir blocked roads and burnt tires in the Theewaterskloof town on 16 January as they accused their management of racism. An employee who wanted to remain anonymous for fear of victimization allegedly reported that “Black people were being treated as less than human”. Even the working conditions for us as black people are very suppressive and souldraining. **Cape Times, 23 January 2020.**
- Unisa experienced protest action by the National Education, Health and Allied Workers Union (NEHAWU) members on 23 January. While wage negotiations were taking place between management and organized labour, the university encouraged students to continue to apply and register online. The closing date for first semester registrations and minimum payments had to be extended to 1 February 2020 due to the strike action. The university advised all other stakeholders to conduct their business with Unisa online, where applicable. **Pretoria News, 23 January 2020.**
- According to Ugu District municipality in the Eastern Cape, workers belonging to the South African Municipal Workers’ Union (Samwu) at Harding have illegally downed tools on 24 January. The spokesperson reported that the unprotected strike followed a decision taken by Ugu to suspend nine shop stewards who had disrupted an internal disciplinary hearing on 11 December 2020. It is alleged suspension notices were issued to five employees who were found to have been in an unauthorized area using municipal vehicles during normal working hours. **South Coast Herald, 24 January 2020.**
- Workers at the The Sol Plaatje Municipality downed tools on 27 January over unpaid overtime payment. Refuse in various neighborhoods in the city were left piling due to the strike. Various areas, including the central business district (CBD), West End, Barkly Road, Soul City, Floors, Colville and Mint Village were affected. The municipality apologised to the residents for the inconvenience caused by the strike. **Twitter, 28 January 2020.**
- Thousands of workers downed tools at the Toyota manufacturing plant in Prospecton, in southern Durban, over the non-payment of annual incentive bonuses. Workers who gathered outside the factory and staged a march that resulted in the closure of Prospecton Road on 30 January. According to the National Union of Metalworkers of SA (Numsa), which represents more than 6 000 workers, there have been no operations since 22 January. **The Mercury,30 January 2020.**

February 2020

- About 70 municipal security guards marched to the Port Elizabeth City Hall on 4 February, demanding pay increase. It was alleged the municipality insourced the security guards despite a council resolution on 4 December 2018 stating this should only be done when money was available. **HeraldLive, 4 February 2020.**
- Police monitored a protest action at the South African Bureau of Standards building in Dr Lategan Road, Groenkloof after a group of workers had marched down George Storrar Road, bearing placards and chanting on Wednesday 5 February. Their demands were yet unknown. **Pretoria East Rekord, 5 February 2020.**
- The National Education, Health and Allied Workers’ Union branch in the Northern Cape Department of Sport, Arts and Culture shut down services at the department on 10 February after accusing the department of failing to pay their employee performance management and development system as well as of not taking action against the head

of department (HOD). Union members downed tools and burned tires at the Floors entrance to the department. **DFA, 11 February 2020.**

- The Entabeni Hospital in Durban operated on a skeleton staff complement for weeks after workers downed tools in demand for wage increases. Nehawu regional secretary revealed that the protesting workers were not satisfied with the hospital's engagements on their demand for a 7 % wage increase across-the-board. Instead, the employer revised the offer to 6 % that the workers rejected. **The South African, 11 February 2020.**
- EThekweni Municipality employees selling bus coupons for city buses downed tools on Monday 17 February due to poor working conditions. The municipality resorted to shutting down the selling points without consulting the community and thus created conflict between residents and council staff. They sale of tickets in the following areas were affected: Mega City, KwaMashu station, Bridge City, Malvern, Durban Market, Wema, Bluff, Chesterville and Lamontville. **The Mercury, 18 February 2020.**
- Employees at Iziko Museum of South Africa protested outside the Slave Lodge and the South African National Gallery in Cape Town on Monday 17 February, calling for wage increases and equal benefits. Employees from Iziko museum wanted a 12 % wage increase while management was offering 5 percent. **Daily Marvick, 18 February 2020.**
- Forensic Mortuary workers embarked on a strike at the Magwaza Maphalala (Gale) Street, Durban on 19 February. Workers from the Mortuary marched outside the premises on Wednesday complaining that the KwaZulu-Natal Department of Health did not consider them when deciding to move its operations to Phoenix. **Daily News, 20 February 2020.**
- Nehawu members from the Northern Cape Department of Sport marched to the Office of the Premier to call for the immediate dismissal of Head of the Northern Cape Department of Sport, Arts and Culture. Workers at the department have also downed tools calling for her removal after she was implicated in improper conduct and maladministration relating to public funds of the department and the Northern Cape Arts and Culture Council. **DFA, 27 February 2020.**

March 2020

- On 2 March, over 100 staff at the 24-hour Laetitia Bam Day Hospital in KwaNobuhle, Uitenhage, downed tools over unpleasant working conditions at the hospital. It is alleged the trouble started when the Eastern Cape Health Department said it had run out of money and could not pay its contractors to complete the R3.9-million renovation of the hospital. **Ground Up, 3 March 2020.**
- About 96 contract workers at the former Chevron refinery in Milnerton, Cape Town, spent most of Wednesday 4 March outside locked gates after refusing to sign a non-disclosure agreement about how much they earn. Astron Energy's media and communications advisor, reported that the contract workers in question were employed by Tsebo, a contractor offering services to Astron Energy. Locked workers asked management to review their wages from the current R22 per hour to R45. **Fin24, 4 March 2020.**
- Disgruntled nurses and other workers from the Greytown TB Hospital picketed at the hospital gate during lunch hours on 27 February, accusing senior management of procrastinating in responding to their complaints. The workers; affiliated to the National Education, Health and Allied Workers' Union picketed at the entrance of the hospital and sang songs accusing management of turning a blind eye to their grievances. Topping their list of grievances is the renovation of one of the rooms that would be used by the medical manager as his cottage. **News24, 4 March 2020.**

- Allegations of corruption, nepotism and the undermining of eThekweni's equity policy at the expense of black employees were cited as some of the reasons that led to City Fleet employees in Alice Street disrupting operations on March. About 200 workers used city vehicles to block the entrance to the depot while waiting for their shop stewards to address them. **Daily News", 5 March 2020**
- Aggrieved Ehlanzeni District Municipality employees went on a peaceful strike through their unions, the Independent Municipal and Allied Trade Union (IMATU) and the South African Municipal Workers' Union (SAMWU) on Monday, 9 March. This was in view to hand over a memorandum to the Municipal Manager with a list of grievances which included the following:
 - *Employees performing the same duties but being remunerated differently,
 - *Absorption of temporary employees,
 - *Implementation of the Collective Agreement on the adjustment of travelling and subsistence allowance,
 - *Equal treatment of employees by Heads of Departments/General Managers,
 - *Stopping of privatizing of the Disaster Management Centre hall and other EDM facilities. **Witbank News, 9 March 2020.**
- Close to 40 general workers at Uitenhage Provincial Hospital, downed tools on Thursday 12 March demanding the management to fill vacant position that they claim have been vacant since 2015. It was reported that most of the protesting workers wearing National Education, Health and Allied Workers' Union (NEHAWU) t-shirts spent the better part of their shift picketing and singing in the hospital corridors and clocked out without having performed most of their duties. **Groundup, 13 March 2020.**
- On 26 March 2020, workers in the Orkney municipal area went on strike claiming that they could not work due to the refuse truck being broken down. However, the truck was fixed. The workers went on strike demanding to be paid for overtime. **DA North West, 27 March 2020.**
- Workers at Goodyear Tyre SA and Formex Industries protested outside their offices on 25 and 26 March to voice out concerns over speculations of unpaid leave during lockdown. A worker who did not want to be named reported that Goodyear employees were told they would not be paid for the duration of the lockdown. **HeraldLive, 27 March 2020.**
- A case of public violence was opened after a group of protesting health workers at Bongani Hospital in the Free State blocked the entrance to the hospital on 31 March 2020. Workers were protesting for transportation issues in using public transport during the lockdown. **News24, 31 March 2020.**

April 2020

- Over 100 clerks, nurses, porters and general staff at Dora Nginza Hospital in Zwide township, Port Elizabeth, downed tools briefly on Friday, 17 April demanding they be provided with personal protective equipment (PPE) and danger allowance among other things during the Covid19 pandemic. The National Education, Health and Allied Workers' Union led the protest. **Groundup, 17 April 2020.**
- Over 40 staff downed tools at the Laetitia Bam Day Hospital in KwaNobuhle, Uitenhage, on Tuesday 28 April, citing a lack of protective equipment. Dozens of patients stared through the palisade fence before being turned away by security guards who told them Laetitia Bam was "dangerous". **GroundUp, 29 April 2020.**

May 2020

- On 3 May, healthcare workers at the Majuba Memorial Hospital in Volksrust, Mpumalanga, abandoned the hospital wards after a senior manager allegedly tested positive for Covid-19. Nurses called for the hospital to shut down and that all patients be removed effectively. **Sabc News, 3 May 2020.**
- Nurses at the Dr Ivan Toms Clinic in Mfuleni refused to work on Monday 4 May due to unsafe working conditions. It is alleged one of their colleague tested positive for Covid-19 and thus felt the environment was unsafe to work in. **Cape Times, African News Agency (ANA), 5 May 2020.**
- Frere Hospital workers downed tools on Tuesday 5 May over lack of personal protective equipment (PPE). Workers also accused the hospital of hiding positive coronavirus cases to avoid causing panic. The workers protested outside hospital in Amalinda Main Road, East London. **DispatchLive, 5 May 2020.**
- Golden Arrow bus drivers protested and blocked buses from leaving the depot in Cape Town on 7 May. Workers accused the company of handling Covid-19 prevention measures poorly. Drivers who spoke to Daily Sun outside the depot in Montana said they wanted a mobile testing facility at the depot so they could be tested. **Twitter, 8 May 2020.**
- Formex Industries employees downed tools on Monday morning, 11 May outside the company's Markman premises over unprocessed wages. Workers reported that their wages were not processed since the beginning of the nationwide lock down. **HeraldLive, 11 May 2020.**
- A special event to commemorate International Nurses Day on Tuesday 12 May at Tygerberg Hospital was interrupted by protesting staff, over inadequate protective gear and that they were being financially crippled by the expense of travelling to work during the lockdown. **News24, 12 May 2020.**
- Services at Sterkfontein hospital in Krugersdorp (West of Johannesburg) were disrupted due to an illegal strike where staff members left patients stranded on Tuesday 19 May. Workers went on strike over personal protective equipment and other safe facilities at the hospital. Patients were unable to take their medication, bath or have their breakfast on time because of the strike. The illegal strike disrupted hospital services and ignored the current lockdown rules, which prohibit public gatherings. **Timeslive, 20 May 2020.**
- Concerns about the health and safety of City of Matlosana municipal workers in Klerksdorp have forced workers to down tools leaving the municipality with no refuse removal. Upset workers told Lentswe that they were also promised overtime, but that did not materialise. They also reported that they worked without masks and gloves and those trucks were not sanitized. **Lentswe, 21 May 2020.**
- Doctors and nurses at Mpilisweni Hospital in Sterkspruit, Eastern Cape, downed tools on Wednesday 20 May demanding personal protective equipment (PPE) and assistance with rental accommodation for doctors. This was the facility's second protest since the Covid-19 lockdown. **GroundUp, 23 May 2020.**
- Support staff at Helen Joseph Hospital protested outside the facility from Friday 22 May asking to be tested for Covid-19, among other requests, after more than five nurses tested positive for the virus. Workers claimed that they were not given personal protective equipment. Furthermore, the spokesperson alleged that some wards, including the causality ward, had not been shut down and decontaminated after staff stationed in these wards tested positive for Covid-19 and that there had been no communication from the hospital's management after some nurses tested

positive for Covid-19. **Sabc News, 25 May 2020.**

- Workers affiliated to the National Union of Metalworkers of South Africa (NUMSA) at industrial manufacturer Macsteel embarked on a strike action on May 28, Thursday, against the company management's unilateral decision of cutting workers' salaries by 20%. Described on its website as "Africa's leading steel supplier", Macsteel produces a variety of steel and aluminum products for use in the automotive, construction, agriculture, gas and petrochemicals industry, among others. NUMSA further alleged that Macsteel did not apply for the Temporary Employment Relief Scheme (TERS) announced by the South African government to help distressed companies pay their workers' wages during the Covid-19 emergency. TERS is funded through the Unemployment Insurance Fund (UIF) which has been accumulated over the years from the mandatory contributions made by employees and employers of the companies registered with it. **Peoples Dispatch 29 May 2020.**
- More than 300 employees at a telecommunications companies in Gauteng downed tools this week after their employer allegedly defrauded them of their Covid-19 Temporary Employee/Employer Relief Scheme (TERS) benefits claimed from the government. They accused Premium Ideas of withholding part of their TERS monies even though it successfully claimed the full amount from the Covid-19 social protection scheme managed by the Department of Employment and Labour. **Sunday Independent, 31 May 2020.**

June 2020

- After two months of waiting for their Temporary Employee Relief Scheme (TERS) Covid-19 benefits, cleaners and porters employed by Tsebo Solutions stationed at Netcare St Augustine's Hospital, downed tools on 2 June over non-payment of TERS benefits. **The Mercury, 2 June 2020.**
- The two-day strike by North West Star workers left a negative impact on commuters with some saying they were afraid they would lose their jobs for failing to show up at work, due to the bus strike on 3 and 4 June. The employees on strike were accusing the bus company management of failing to pay their weekly and monthly salaries. The bus company that is a subsidiary of the North West Transport Investment, an entity owned by the provincial Transport Department has reportedly suffered revenue losses due to the nationwide lockdown. **Sabc News, 4 June 2020.**
- On 4 June, Nehawu and Sanco called for Life Esidimeni Psychiatric Hospital in Kirkwood to shut down due to health risks. The union members protested at what the union considers to be inadequate Covid-19 safety protocols at the hospital. This came after members and patients contracted to the corona virus and deaths at the hospital. **GroundUp, 4 June 2020.**
- About 100 workers at Kromberg & Schubert in Uitenhage downed tools on Thursday morning 4 June, after a female worker tested positive for Covid-19. The worker who tested positive was sent home for isolation immediately after receiving her results on Wednesday. The workers then demanded that the factory be closed and cleaned **GroundUp, 4 June 2020.**
- Close to 100 Da Gama Textiles employees downed tools on Wednesday 11 June over non-payment of Covid-19 temporary employer/employee relief funds (TERS). The employees, who gathered at the company's gates in Zwelitsha reported that they last received payment in April 2020. **Daily Dispatch, 11 June 2020.**
- Ekurhuleni Metro Police Department officers took to the streets in their official vehicles on 9 June to protest against several labour-related issues. The officers demonstrated in front of the Germiston Civic Centre and handed over a memorandum to the municipal manager. It is alleged EMPD personnel and officers were unhappy with a number of

issues, from safety while on duty and salaries to training and management. Namely;

- The Department of Employment and Labour inspected the municipality's occupational health and safety (OHS) measures on May 5, with specific reference to Covid-19 regulations and issued a prohibition notice to the municipality in terms of which the municipality was prohibited from allowing workers and contractors to perform activities unless the municipality fully complied with the OHS Covid-19 regulations. The notice was delivered on May 7, but the municipality has since disregarded the prohibition notice and continued with its business as usual without complying with the Covid-19 regulations.
- The employment of 60 VIP Protection Unit officers during the Covid-19 national lockdown, with an increased salary and they were provided with a 10 per cent discretionary benefit (VIP allowance), calculated on their total annual salary, this benefit is not accruing to other officers or employees in the municipality.
- Equitable training opportunities for traffic wardens to be trained as constables. This follows a massive intake of applicants to enrol for training as constables at the beginning of the year, but left out traffic wardens. **City News, 15 June 2020.**
- George Herald Refuse collection ground to a halt when a municipal worker in the cleaning section tested positive for Covid-19. Refuse collection and sewage-related services in George, Western Cape went badly affected as essential municipal workers continue to strike over Covid-19 related compensation. The strike started on 11 June until Wednesday 17 June. **The Citizen, 18 June 2020.**
- Go-George drivers in Cape Town downed tools as more workers tested Covid-19 positive. Bus commuters were thus left stranded after a drivers' strike brought operations to a halt. The bus company alerted commuters that there would be no early morning trips on account of "a possible dispute among the drivers". **Cape Times, 18 June 2020.**
- Frustrated workers at Playtex, an undergarment manufacturer in Durban, downed tools in protest over unpaid UIF Covid-19 relief funds. They demonstrated outside the premises on Wednesday 24 June while company bosses held a meeting with shop stewards. It is alleged the company got the UIF money but that money has not reached workers' pockets. They accused their employer of "intimidation and bullying tactics" and claimed that half of the more than 700 workers at the factory were suspended for "asking too many questions. **TimesLive, 24 June 2020**
- Anca Foods has fired 70 workers after they embarked on an unprotected strike. The Stutterheim-based company, one of the biggest independent poultry producers in the Eastern Cape, took action after the workers began protesting on 18 June. **Dispatch, 26 June 2020**
- "Lay-off fears frustrated hundreds of Golden Arrow bus service staff in Cape Town and thus led to strike. The SA Transport and Allied Workers Union (Satawu) in the Western Cape reported that Golden Arrow bus services (Gabs) employees were living in fear that nearly 300 will be retrenched. **Cape Time 30 June 2020**

July 2020

- A small group of disgruntled healthcare workers at the 'Ons Tuiste Sentrum vir Bejaardes' in Bloemfontein refused to work, following an alleged coronavirus case at the Engo Old Age home on 1 July. The disgruntled group told OFM News that a fairly new patient who arrived on the premises on 26 June and tested positive for Covid-19 on 29 June after collapsing at the home. The healthcare workers demanded that employees all workers be tested and placed in quarantine until the results are released. **OFM News, 1 July 2020**
- Nurses at KwaZulu-Natal's biggest hospital, Inkosi Albert Luthuli Central Hospital, downed tools on Thursday 2 July

demanding to be tested after scores of hospital workers allegedly tested positive for Covid-19.

Their other demands included:

- that all nurses in trauma and theatre units be given PPE,
 - for nurses not to be allocated more than one patient who is on a ventilator and;
 - for nurses to be tested. **TimesLive, 2 July 2020.**
-
- A group of striking farm workers employed by Haygrove Eden in George picketed at the Fourways crossing in Thembaletu on Tuesday 30 June to force their employer to shut down production for sanitising purposes after several workers tested positive for the coronavirus. **George News, 2 July 2020.**
 - Six workers at New Era Packaging in Germiston, Johannesburg, were dismissed for participating in what the company deemed an unprotected strike and for bringing the company's name into disrepute. It is alleged that about 86 employees refused to work because a number of their colleagues had tested positive for Covid-19 and they had concerns that the workplace was not cleaned. The workers accused the company of purposely withholding information about outbreaks, forcing them to continue to work in "unsafe environments". **GroundUp, 2 July 2020.**
 - Over 30 staff members at Aandmymering Old Age Home in Uitenhage, Eastern Cape protested on Monday 6 July, demanding Personal Protective Equipment (PPE) and that the place be fumigated. The staff, who care for over 350 elderly people at the home, also wanted all colleagues who tested positive for Covid-19 to be allowed to stay home. The protesters, who included porters, healthcare workers, laundry workers, gardeners and general workers, sang and prayed in the institution's yard before walking home. **GroundUp, 7 July 2020.**
 - Mdantsane NU13 Spar employees downed tools on 7 July Tuesday demanding to be tested for Covid-19 following a number of suspected cases at the store. The employees informed the reporters that they knew of six confirmed cases at the store, but they felt certain more people would be found positive if they were tested. **DispatchLive, 8 July 2020.**
 - About 35 teachers, who teaches about 700 grade 11 and 12 learners, downed tools from Wednesday 8 July at Bloekombos High School in Kraaifontein, Western Cape over poor working conditions at the school. The teachers reported that they lacked information about Covid-19 regulation and were expected to adequately master social distancing, mask wearing and hand sanitising regulations that they were never trained about. Moreover, they were expected to adequately inform the learners of such practices. **GroundUp, 10 July 2020 .**
 - Factory Meat Workers in the Free State (Thaba Nchu outside Bloemfontein) stopped working on 10 July over their risk allowances and other Covid-19 related matters. Members affiliated to the South African Commercial, Catering and Allied Workers Union (SACCAWU) lodged a complaint with the CCMA after their sitting with their employer collapsed. SACCAU wanted R1 250 as a Covid-19 risk allowance from March 2020, until the lockdown is downgraded to level 2. **OFM News, 13 July 2020.**
 - Unhappy workers at Volkswagen South Africa production line in Uitenhage temporarily downed tools on 17 July over health, safety concerns. Chanting struggle songs and wearing masks, workers left their stations and protested outside the assembly plant, where management eventually addressed them. A worker who did not want to be named accused the company of putting their lives at risk when supervisors called employees waiting for their Covid-19 test results back to work. Other issues raised, included the TERS (temporary employee relief scheme) as they have not received their May UIF payments. **HeraldLive, 18 July 2020**

- On 21 July, members of the South African Municipal Workers' Union (Samwu) in Tshwane raged for “war” after administrators of the city allegedly backtracked on salary increases. Angry workers damaged the Tshwane municipality head office during protest action and also emptied bins and trashed the CBD with litter over the disputes. Workers raised issues on the outstanding implementation of the 6.25 percent annual wage increase and benchmarking of the collective agreement. **Pretoria News 21 July 2020.**

August 2020

- A retail shop, SuperSpa in Benoni was forced to close its doors on Monday 3 August after unhappy employees picketed outside the outlet to complain about unfair treatment at the shop. The workers’ complained that they had not been paid compensation for working during the lockdown and that they had been paid only a portion of the UIF Covid-19 Ters. **The Citizen, 3 August 2020.**
- The union’s members staged a protest outside the gates of the National Health Laboratory Services (NHLS) on 20 August where Covid-19 cases are processed. Nehawu members protested over a number of issues, including lack of personal protective equipment (PPE) for frontline workers and salary-related matters. The union’s frontline workers were demanding a 15% wage increase and fair treatment to all staff members. . **EWN, 23 August 2020.**
- Thousands of bus commuters in the Eastern Cape were left stranded and a bus was torched at the state-owned Mayibuye Transport Corporation on Tuesday 8 August in protest over proposed restructuring. **Daily Dispatch, 9 August 2020.**

September 2020

- Municipal Workers Union (SAMWU)'s workers at the Greater Tzaneen Local Municipality resumed their duties on Wednesday 9 September following a protest over leave encashment. **Letaba Herald, 10 September 2020.**
- Health workers at the Chris Hani Baragwanath Academic Hospital in Soweto returned to work after a protest over protective gear. Nurses said they were initially not provided with enough masks and protective gowns until occupational health and safety committee members intervened. **eNCA, 10 September 2020.**
- National Union of Mines handed over a memorandum of grievances to the Ivan Plats Mokopane mine management after over 300 workers were served with retrenchment letters of job cuts attributed to the Covid-19 pandemic. **Capricorn FM, 11 September 2020.**
- North West MEC for Health Madoda Sambatha gave health workers at the Taung Hospital an ultimatum to either go back to work or face disciplinary action. This is after health workers downed tools, demanding that they be paid for their performance bonus and overtime allowances for the past three months. The disgruntled health workers left stranded patients in the wake of the strike action. **SABC News, 14 September 2020.**
- ICT distributor Mustek in Midrand placed its head office on full lockdown due to strike action on 17 September. Members of the Communication Workers Union (CWU) went on strike over a wage dispute that has forced Mustek management to lockup its Midrand premises. The strike came about after employees demands of 20 % salary increase and a R2 000 per month / per employee housing subsidy, which the company felt was “unreasonable”. **ITWeb 18 September 2020.**
- Workers at SAA Technical (SAAT) in Kempton Park held a demonstration on Monday 28 September after they were

paid just 25% of their salaries. Tag: **NUMSA SAA salary South Africa Strike, 29 September 2020.**

October 2020

- Workers affiliated to the National Union of Metalworkers of South Africa (Numsa) downed toolover wages amid a negotiations deadlock. The workers from various Gautrain stations and offices travelled to Midrand to demonstrate outside the offices of the Bombela Operating Company, who manage Gautrain services to stage in a protest. The union reported that the company sparked the strike action when it "imposed" a 4.1 % salary increase and opted out of negotiations where the union was demanding at least 8% to help its workers cope with tough times. **Pretoria News, 5 October 2020.**
- The company has offered unions a 3% pay hike among other concessions. Workers protested outside the gates of Sappi Southern Africa Umkomas Mill on the south coast of KwaZulu-Natal on Monday 5 October. Workers were demanding a 9% wage increase while the company was offering 3%. **Groundup, 6 October 2020.**
- Sol Plaatje Municipality employees embarked on a strike action on Tuesday 6 October and aimed to bring the local authority to a standstill until their demands were met. This followed a meeting between Samwu and the municipality on Monday, at which the municipality reportedly failed to commit to meet the union's long-standing demands. The workers have demanded the immediate implementation of a Covid-19 danger allowance, a 6.5% salary increase, overtime payment, the permanent appointment of contract workers and a night out allowance for traffic officers. **DFA 6 October 2020.**
- South Africa's biggest trade union group, COSATU, has urged members to stay away from work on Wednesday 7 October to protest over job losses, wage curbs and corruption cases in the country. **Cosatu News, 7 October 2020.**
- The General Industrial Workers Union of SA (Giwusa)'s workers embarked on a national strike against Clover over a wage dispute. Apparently, Clover had cited the pandemic as the main cause for its failure to implement the increase. **SA Labour News 15 October 2020.**

November 2020

- On Monday 2 November, workers from Langplaas Boerdery factory picketed outside the premises over labour-related grievances, which included discrimination, non-equal pay, reasons for "savings" deduction from salaries, deductions for accommodation being too high with poor living conditions, and UIF deductions not being paid to the labour department. It was also alleged the workers were being paid below the minimum wage. **News24, 3 November 2020.**
- On 12 November, the National Union of Mineworkers (NUM) Matlosana Region in Lichtenburg took on the farming equipment-manufacturing factory, Agrico, head-on as members fully participated in a planned strike action aimed at forcing the company to change its attitude towards workers. Workers urged they will go back to work stations provided the employer agrees to the following demands:
 - Full recognition of NUM representation at the company level
 - Implementation of 8 percent wage agreement
 - Living out allowance, transportation and shift allowance
 - Safety representation at workplace. **Cosatu News, 11 November 2020.**
- Since Tuesday 10 November, the trade union that represents workers from the Greater Tzaneen Municipality have picketed outside the premises, burning rubble and ensuring that services are not catered to the region. It is alleged the disgruntled workers were demanding the immediate axing of the Greater Tzaneen Municipality's manager, the

reinstatement of the encashment of leave days and other benefits like car and housing allowances. **Letaba Herald, 13 November 2020.**

- On 16 November, a group of workers embarked on a lunch-hour picket at the public broadcaster's headquarters in Auckland Park, Johannesburg, to protest against the restructuring process. **Sabc News, 16 November 2020.**
- South African Municipal Workers Union (Samwu) members staged a sit-in at the Nelson Mandela Bay Metro offices in Kwantu Towers on Monday morning 23 November over a Covid-19 allowance of R7 000. **Dispatch, 25 November 2020.**

December 2020

- Employees who were locked out from Anglo Platinum's Modikwa Mine in Limpopo were called back to work on Tuesday 8 December. The mine management and the National Union of Mineworkers (NUM) reached an agreement and suspended the lockout that the employer resorted to after workers went on an illegal strike. It is alleged the workers went on strike to demand a R16 100 lump sum and the dismissals of HR officials who they have been at loggerheads with for months. **EWN, 8 December 2020.**
- Workers of Coastal Hire Nelspruit picketed to demand bonuses and wage increases. The workers demonstrated from 4 December outside the local business. They blockaded the entrance with refuse, and brandished posters. According to one of the workers, they wanted a 100% bonus and 10% pay increase. **Lowvelder, 9 December 2020.**



ANNEXURE B

Data Appendix

The following tables contain additional data information not included in the main report:

Table B.1: Distribution of work stoppages and wages lost by province ¹⁵, of 2016-2020

Province	Work stoppages					Wages lost Total (R)			Wages lost Total (R)	
	2016	2017	2018	2019	2020	2016	2017	2018	2019	2020
Gauteng	43	61	71	79	43	109 511 328	182 871 079	82 986 516	373 680 759	116 092 102
Western Cape	22	22	26	22	21	12 186 628	7 688 107	97 417 159	15 719 424	1 753 120
Mpumalanga	12	18	19	16	12	13 504 835	7 760 736	6 611 293	1 294 752	18 704 728
KwaZulu-Natal	26	23	55	19	18	9 941 938	9 744 489	33 579 171	7 377 225	5 220 958
Eastern Cape	23	12	29	16	37	8 275 133	1 495 785	25 274 312	29 571 188	6 160 952
Limpopo	11	22	15	16	4	2 534 407	29 153 355	5 638 235	17 883 972	7 428 996
North West	11	6	6	6	8	4 966 832	828 530	14 332 428	1 226 259	11 882 878
Northern Cape	0	3	6	5	6	0	1 950 898	419 987	669 999	440
Free State	5	11	4	3	4	128 008	9 916 563	638 960	130 475	1 832 404
Total	153	178	231	182	153	161 049 109	251 409 542	266 898 061	447 554 053	169 076 578

Source: Department of Employment and Labour, Strikes Statistics database

Table B.2: Distribution of employees involved by industry, of 2016-2020

Industry (SIC)	2016	2017	2018	2019	2020
Agriculture	3 291	7 048	3 646	4 763	1 576
Mining	19 083	30 439	2 499	14 092	8 587
Manufacturing	6 180	8 009	19 761	7 738	17 542
Utilities	11 682	239	6 012	412	0
Construction	2 341	1 674	5 193	2 483	452
Trade	4 989	2 161	45 118	4 914	461
Transport	12 178	15 950	19 550	6 577	2 234
Finance	1 370	2 629	365	0	235
Community	29 114	56 976	35 568	102 596	70 625
Total	90 228	125 125	137 712	143 575	101 712

Source: Department of Employment and Labour, Strikes Statistics database

¹⁵ The total number of work stoppages differs from the total of strikes at the national level. This is due to national work stoppages that may affect a number of branches or establishments in the nine provinces, being counted as one in the national but according to workplaces affected in several provinces being counted more than once.

Table B.4: Distribution of working days by cause of working conditions by industry, of 2020

Industry	Disciplinary	Grievances	Other Compensation	Other Reasons	Refusal	Retrenchment / Dismissals	Secondary strike	Socio-Economic	Trade Union	Wages	Working	Total
Agriculture	1	3	1	0	0	0	0	0	0	1	1	7
Mining	0	2	0	1	0	0	0	1	0	1	0	5
Manufacturing	1	2	10	0	0	0	0	1	0	4	5	23
Utilities	0	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	1	0	0	1	0	1	0	0	0	3
Trade	0	3	0	0	0	0	0	0	0	1	1	5
Transport	1	3	2	0	1	0	0	1	0	4	0	12
Finance	0	0	1	0	0	0	0	0	0	0	0	1
Community	1	21	8	3	1	1	1	1	2	8	14	61
Total	4	34	23	4	2	2	1	5	2	19	21	117

Source: Department of Employment and Labour, Strikes Statistics database



ANNEXURE C

Table C.1: Number of workers involved, working days lost and working hours lost by industry/sector, 2020

Industry/Sector	Workers involved	Working days lost	Working hours lost
Finance	235	235	1 880
Financial intermediation, except insurance and pension funding	235	235	1 880
Trade	461	3 606	29 890
Retail trade, except of motor vehicles and motor cycles; repair of personal household goods	105	315	2520
Wholesale and commission trade, except of motor vehicles and motor cycles	141	2 961	23 688
Wholesale trade in food, beverages & tobacco	215	330	3 682
Manufacturing	17 542	145 598	1 252 201
Basic metals, fabricated metal products, machinery and equipment	2 423	21 227	169 816
Manufacturer of electrical machinery and apparatus n.e.c.	626	5 945	47 560
Food products, beverages and tobacco products	1 107	49 230	436 440
Other non-metallic mineral products	475	1 276	10 208
Textiles, clothing and leather goods	3 086	10 583	96 977
Transport equipment	6 158	40 124	34 064
Wood and Products of wood and cork	3 358	13 432	12 ,888
Pharmaceutical Manufacturing	309	3 781	30 248
Community, social and personal services	70 625	553 477	2 905 910
Education	4 807	43 627	349 016
Health and social work	8 175	35 579	314 561
Local Authority	56 627	467 087	2 166 544
Other business activities	20	20	160
Other community, social and personal services activities	412	2 322	18 666
Other services activities	43	73	584
Public administration and defense activities	75	375	3,000
Recreation, cultural and sporting activities	342	3 086	27 053
Recruitment Agency	110	1 210	25 542
Telecommunications	14	98	784
Mining and quarrying	8 587	5 013	60 156
Coal and lignite	1 671	5 013	60 156
Manufacturer of other non-metallic mineral products	133	1 463	11 704
Metal ores, except gold and uranium	6 783	48 222	440 611
Transport, storage and communication	2 234	16 725	142 758
Air transport	200	200	1 600

Land transport	71	355	3 195
Land transport; transport via pipelines	155	155	1 550
Passenger transport	1 652	15 855	135 033
Post and telecommunications	152	152	1 292
Telecommunications	4	8	88
Construction	452	617	5 608
Construction of buildings	4	32	256
Construction of civil engineering structures	423	510	4 677
Other services activities	25	75	675
Agriculture, hunting, forestry and fishing	1,576	8 989	78,603
Agriculture, hunting and related services	1 518	7 191	64 219
Forestry, logging and related services	58	1 798	14 384

Table C.2: Number of working days lost by nature of Organization, 2019-2020

	2019	2020
Central Government General	1 695	2 311
Government Enterprise	91 320	52 101
Local Government General	358 087	467 087
Provincial Government General	53 302	34 124
Private Sector	1 991 474	228 322
Total	2 495 878	783 945



ANNEXURE D

Technical notes:

D1. Methodology for monitoring industrial action

The collection and analysis of industrial action statistics is guided by the guidelines and practices that have been developed by the International Labour Organisation (ILO). The point of departure can be found in the ILO Resolution adopted by the Fourteenth International Conference of Labour Statisticians in January 1993, concerning statistics of strikes, lockouts and other action due to labour disputes. This resolution is accommodative rather than prescriptive in its approach. It states that; "Each country should aim at developing a comprehensive programme of statistics of strikes, lockouts and where relevant other action due to labour disputes in order to provide an adequate statistical base for the various users, taking into account the specific national needs and circumstances" (ILO Bulletin of Labour Statistics, 1993-2, Annex I, XI). The Department has been provided with a legislated instrument (LRA 9.2 Form) to collect data on labour disputes. The Labour Relations Act 66 Of 1995 section 205 (3) states that (a) An employer must keep a record of the prescribed details of any strike, lock-out or protest action involving its employees, (b) An employer must submit those records in the prescribed manner to the registrar.

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.

Establishment involved:

An establishment involved is one in which one or more groups of employees are directly involved in action due to a labour dispute, or in which such actions is effected by the employer.

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 accuracy”.** 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 that is enforcing the Labour Relations Act 66 Of 1995 section 205 subsection (3) subparagraph

(a) and (b) on employers to submit the strike information in the prescribed manner to the registrar. Through this system, media information on industrial action is used as a source of information to make contact with employers and to encourage compliance with reporting strike incidents. Telephone, emails, Sms, WhatsApp, and telefax tools were 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 analysed 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:

- $4\ 000\ \text{worker's} \times 4\ \text{days} = 16\ 000\ \text{working days lost}$

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:

- $4\ 000\ \text{worker's} \times 4\ \text{hours lost} \times 4\ \text{days worked} = 64\ 000\ \text{working hours lost}$

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 loosing 946 323 working days will have a ratio of 58.9 arrived at as follows: $946\,323/16\,069\,000*1\,000$.

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 and the country.

The LMIS directorate within the Labour Policy and Industrial Relations (LP&IR) Branch has developed this annual labour market report to reflect on the changes observed in 2020 regarding the labour market disputes in the country. The comments provided in this annual labour market report are those of the author (s) in the directorate.



Mr A.M. Mutedi
Director: LMIS directorate
Date: 29 March 2020

<p>LRA Form 9.2 Section 205(3)(a) Labour Relations Act, 1995</p> <p>READ THIS FIRST</p> <p style="text-align: center;"></p> <p>WHAT IS THE PURPOSE OF THIS FORM?</p> <p>An employer must keep a record of any strike, lock-out or protest action involving its employees.</p> <p>WHO FILLS IN THIS FORM?</p> <p>The Employer / relevant Employers' Organization</p> <p>WHERE DOES THIS FORM GO?</p> <p>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</p> <p>OTHER INSTRUCTIONS</p> <p>The employer must submit this form within seven days of the completion of the strike, lockout or protest action.</p> <p>If a strike, lockout or protest action occurs in more than one workplace of a single employer then a separate form must be completed for each workplace.</p>	<div style="text-align: right;">  </div> <p style="text-align: center;">RECORD OF STRIKE, LOCK-OUT OR PROTEST ACTION</p> <p style="text-align: center;">RECORD OF DETAILS OF STRIKE, LOCKOUT OR PROTEST ACTION TO BE KEPT BY EMPLOYER IN TERMS OF SECTION 205(3)(a)</p> <p>1) EMPLOYER DETAILS</p> <p>Name company:.....</p> <p>Contact Person.....</p> <p>Physical address:</p> <p>Province:</p> <p>Tel: Fax:</p> <p>E-mail address:</p> <p>Industry:</p> <p>Sub-Sector / Nature of business</p> <p>2) EMPLOYEE DETAILS</p> <p>2.1 Total number of workforce:</p> <p>2.2 Working time <i>(Please complete where applicable)</i></p> <p style="padding-left: 20px;">Number of ordinary <i>hours</i> worked per day: / Shift.....</p> <p style="padding-left: 20px;">Number of ordinary <i>days</i> worked per week: / Shift</p> <p>3) DETAILS OF THE ACTION (see definition on Page 3)</p> <p>3.1 Nature of action:</p> <p><input type="checkbox"/> Strike in company only</p> <p><input type="checkbox"/> Multi-employer strike</p> <p><input type="checkbox"/> Lockout</p> <p><input type="checkbox"/> Stay-away, protest action</p> <p><input type="checkbox"/> Other industrial action, specify</p> <p>.....</p>
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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
-----	----	------------

3.6 Strike reasons:

<p><input type="checkbox"/> Wages only (If the action was a wage strike, kindly indicate the following):-</p> <p>Percentage demanded by Union.....</p> <p>Percentage offered by employer</p> <p>Percentage agreed on by both parties.....</p> <p><input type="checkbox"/> Bonuses and other compensation</p> <p><input type="checkbox"/> Retrenchments / Dismissals</p> <p><input type="checkbox"/> Working conditions</p> <p><input type="checkbox"/> Socio-economic / political conditions</p>	<p><input type="checkbox"/> Refusal to bargain</p> <p><input type="checkbox"/> Secondary action from another dispute</p> <p><input type="checkbox"/> Grievances</p> <p><input type="checkbox"/> Disciplinary matters</p> <p><input type="checkbox"/> Organizational rights</p>
<p><input type="checkbox"/> Any other reason, (please specify).....</p> <p>¹ Workers <i>participating</i> are those workers who went on strike or were locked out as a result of the dispute.</p> <p>² Workers <i>affected</i> are those workers not involved in the strike but could not continue with their normal duties as a result of the strike.</p> <p>Name of employer (<i>in full</i>):</p> <p>Signature of employer: Date:</p>	

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DEFINITIONS**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, whether it is voluntary or compulsory (section 213).

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.

Secondary strike:

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

Protest action:

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

Stay away:

Industrial action by a group of employees in the form of absenting themselves from work without permission in support of some socio-economic issue which does not relate to their employment situation.

Work hours:

Hours during which an employee is obliged to work. Work hours lost is calculated by multiplying the number of all workers involved in each stoppage by the number of hours the stoppage lasted.

Working days lost:

Days during which an employee is obliged to work 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.



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