

## WHAT HAPPENED ABOUT DUENS?

Workers will remember having read in previous editions of ABASEBENZI about the workers at Duens, who were accused of striking last year. In January the trial of these 19 workers was held in Cape Town. Let us look at what happened there - the events leading up to the 'strike' and the goings-on in Court.

### THE WORKERS COMPLAINTS

In May 1974 the bosses at Duens decided to set up a liaison committee. They collected nominations for the committee through the foremen of the different departments, and set up the committee, which worked until about March of last year.

However, workers were not satisfied with this committee, which they had not asked for and for which they had not voted. They felt that this committee was not representing them properly or reporting back about what happened in their meetings with the bosses. So, in November 1974 about thirty workers got together and complained to the bosses about the committee. After this meeting the bosses said that they would allow new people to be chosen for two of the places on the liaison committee - the two places for 'representatives' of the bread department. But they would still keep the liaison committee itself and all the other members. They thought that this would satisfy the workers as the thirty who complained had all come from the bread department.

The workers were NOT satisfied however. They did not like the liaison committee itself. And so there were no nominations received by the bosses for the two places in the bread department.

### LIAISON COMMITTEE OR WORKS COMMITTEE?

The workers wrote letters to the bosses, asking for a vote to be held to choose between a liaison committee and a works committee. Management agreed eventually, but wanted workers to vote by secret ballot. This would mean voting on pieces of paper, and these written votes would then be counted by management. The workers did not want this. Many of them were illiterate. They did not see why they could not vote by show of hands at a meeting of all workers, either department by department, or of the whole factory.

And so, when the ballot was held to choose between the two committees, only one worker voted. The rest boycotted as they did not want a secret ballot. The bosses then claimed that this showed that the workers were not interested in representation at all, and took away the liaison committee. Thus the workers were left with neither a works committee nor a liaison committee.

### A WORKER IS SACKED!

In June a petition signed by 240 of the 370 workers at the factory was sent to the bosses, asking again for a works committee. In the law it says that when a majority - over half - the workers in any factory ask for a works committee, the bosses MUST see that it is set up.

However, the bosses did not do this. Instead one worker, the one who had presented the petition to the bosses, was dismissed. The bosses thought they would remove their problems in this way.

Two other workers then went to see the bosses to complain about the victimisation of this worker. After this meeting the bosses said that they would take the worker back. But when they took him back they moved him from the bread department, where he had been before, to the flour department. They thought that all the trouble had been in the bread department, and so if they moved the 'ringleader', the trouble would stop. They also agreed at last to have a works committee.

However, it was not only the bread workers who were dissatisfied. Workers in all the departments were united in their dissatisfaction.

They were dissatisfied because, although the bosses had agreed at last to a works committee, they still said workers must choose the members by secret ballot. Again the election was boycotted by all but one workers.

#### THE "STRIKE"

And so, on 12 August, more than a year after the first demands, over 100 workers gathered early in the morning in the yard at the factory. When the bosses arrived the workers demanded a works committee elected by show of hands. The bosses called in the Labour Department and the Police. When they arrived it was agreed that all workers would go back to work, and that 2 workers, Shasha and Balfour, would go and see management after lunch to put forward the workers' demands.

However, once again the bosses attempted to solve the problem by sacking the representatives - before the meeting.

The next day a large group of workers again gathered early in the morning. This time they had two demands:

1. that Shasha and Balfour be taken back
2. that they be allowed to elect a works committee by hand vote.

Again the Labour Department and the Police were called in. Long meetings were held with bosses, labour department officials and police addressing the workers, telling them to go back to work. They suggested again that representatives go and see the bosses in the afternoon, but this time the workers had learnt their lesson and they refused. They did not want more workers sacked as the two had been the day before. They refused to go back to work until their demands were met.

The bosses would not give in, and at about 10 o'clock nineteen workers were arrested. These were the nineteen tried in January.

#### THE TRIAL

During the trial, which many other workers attended, some interesting things were said.

For instance, the bosses, claimed that they had originally sacked the workers because of a reduction in staff, caused by using more machines in the place of workers. However, when the workers' lawyers questioned the bosses, they found that there had been no reduction in staff since then, and there are still as many workers now as there were a year ago.

The bosses also said that when they decided to sack workers they chose the bad workers. But most of the nineteen had worked in the same factory for many years. Why had they not been sacked before if they were bad workers?

The bosses claimed that voting by hand was impossible, as all workers could not be at the factory at the same time, because of the three shifts which the factory had. But at the 'strike' there were workers from all three shifts.

14 of the 19 workers were found guilty. They were sentenced to R100 fine or 90 days in jail each, suspended for 3 years on condition that they do not strike again in this time. The other 5 were found not guilty as the bosses could not prove that they were meant to be working at the time of the 'strike'.

## WHAT CAN WE LEARN FROM THIS?

We have seen the workers' perseverance throughout a long period of struggle. Why did they not succeed?

Many people think that the law gives workers and bosses an equal chance before the law to get what they demand. However, in this case we see that the bosses did not give in to the demands of the workers, who were only asking for a works committee elected by show of hands. This is allowed in the law. And yet, the workers were still found guilty of striking, and most still lost their jobs. Meanwhile the bosses lost nothing.

The Duens workers stood up for their rights, but they were not strong enough to stand against the bosses and against the law all on their own.

## WORKERS' ADVICE COLUMN

### YOUR PAY SLIP

In the last ABASEBENZI we looked at Basic Pay, calculated by the number of hours worked. There is another way in which wages can be calculated - the PIECE RATE system. Here you are paid a certain amount of money for each 'piece' of work you do, for example for each tyre you retread.

If you are working on this system, you must make sure when you get your pay slip that the correct number of pieces have been recorded. Most factories do not use a simple piece rate, since the workers are not usually responsible if the machinery goes wrong or the material breaks. It would be unfair to pay a very low wage just because the workers produced very little because of a failure of machinery or materials. So the law says there must also be a basic rate for the job, which is the lowest the wage can go. This is the TIME-RATE, and is the minimum you can get for a certain period of time worked.

So, if you are on a piece rate system, your pay slip will have both the time rate and the piece rate for the job. It will show how many pieces you have made, and how much you should have been paid for those pieces. Then, if that amount is less than the time rate, the time rate will count as your basic pay.

If you think that you have not been paid the correct amount, or for the correct amount of pieces, you must complain. There should be a record of what you have produced. Ask to compare this with your payslip. Demand the money which is due to you.

In the next ABASEBENZI we will look at overtime.