

Advice Office round-up

Albany

ONE wonders how the "change" we hear spoken of so often nowadays will affect the majority of the people who come to the Advice Office for help. So often their problems are compounded by the very officials and the departments which the State provides to help them.

The turnover of staff is rapid; and the new staff are often not aware of which regulations apply to which problem. Added to official ignorance is the way in which employers often blatantly disregard regulations especially the Unemployment Insurance Act of 1966.

As there is no Labour Department in Grahamstown the unemployed register is administered by the Revenue Office at the Magistrate's Court. Signing takes place on Wednesdays at 3 pm.

If this register is not signed the unemployed person is penalised. Because of ignorance on the part of White clerks, men who had received UF 48(a) forms were being prevented from signing.

Various Advice Office workers visited the Revenue Office on signing days to try to sort out this matter but we were not successful. Eventually it was agreed that Ms Charton, Noble and Moulder would request an interview with the Magistrate with a view to clarifying and correcting the situation.

Since our meeting with him men who have received the UF 48(a) forms have *not* been prevented from signing the register. But other reasons have served the same purpose — e.g. being too busy! The battle goes on and we have reported the inefficiency of the local Revenue Office to the Labour Department in Port Elizabeth in the hope that they can and will rectify the situation.

Employers are also to blame on the UIF issue. We have reported four local firms to the Labour Department for not registering their employees under the Act. When men are dismissed/retrenched the employer often does not hand over the UIF card. This creates problems for the man wanting to sign the unemployed register.

In the interview with the magistrate we asked about the rationale governing the granting of poor relief and the reduction in some maintenance grants — known in Grahamstown as "mothers' pensions".

The magistrate felt that poor relief should not be granted to people awaiting pensions or grants. If this happened it would mean that some people would receive State help *twice*, as pension pay-

ments were backdated to date of application. The reason for reducing "mothers' pensions" is that the mother "is not making sufficient effort to support her family". This is the Department of Social Welfare and Pensions' reason to women who can only get part-time employment if they are lucky!

In August, Mr Bill Deacon (UP MP for Albany) was invited to our monthly meeting. He was requested to take up the matter of maintenance grants and poor relief at Parliamentary level. He also agreed to explore the possibility of having a second social worker or welfare worker permanently seconded to the Eastern Cape.

In Grahamstown with its roughly 10 000 out of 38 000 unemployed Blacks we have far too many stores which urge Black South Africans to buy goods on HP.

One firm sold about R500 worth of goods to Ms E M a self-employed dressmaker who said she earned R50 pm. The firm agreed to her buying the goods because she had an "excellent" record. She was not asked nor did she volunteer the information that she had two other HP contracts.

In May her home was destroyed by a fire. The fire brigade arrived too late to do anything except to certify that she had lost everything. Three days later she received a bill from the City Council for services rendered. This was reduced by two-thirds after we wrote to the Council.

After the fire one firm wrote off her debt of R400 and urged her to come and buy more goods. The other two demanded their money. One amount was small, R5, the other R500.

The firm to whom Ms M owed R500 threatened to take her to court and the Advice Office agreed that should this happen we would obtain legal assistance for her. We communicated this to the firm and the manager said he would contact his firm's credit controller to see if "something" could be done.

Two weeks later the Advice Office was informed that Ms M's debt had been written off because "she had lost her source of income in the fire.

The manager of the firm that threatened court action has agreed to approach his head office in Germiston with the request that they explore the possibility of offering insurance cover to folk buying on HP.

Shirley Moulder
Chairperson

Athlone

PEACEFUL change has always been a principle objective of Advice Office work, and this in the face of contagious violence will remain our hope and endeavour.

Signs of increased unemployment are viewed with anxiety. A growing number of migrants on annual contracts are reporting early termination of their contracts by employers for slender reasons, or simply because "we have no more work for you".

Contract workers are finding it much more difficult to get employment in this area, where "Coloured" labour has always had the pick of the market and where the local African labour pool now has a longer list of unemployed Section 10 residentially-qualified men, whom employers are expected to take before asking for the introduction of migrants on contract.

The reservation of the Western Cape as a "Coloured Preferential Area", together with the new Transkeian Citizenship Act (which enforces membership of a territory regarded as foreign by very many urban people with Xhosa-speaking backgrounds) are the aspects of Government policy most affecting Africans in the Cape Peninsula.

Security of tenure is a top priority for the stability of any community. In the case of our Cape Peninsula Africans, it is what is most longed for. Yet it remains "policy" to limit family housing to an unexpanding or even shrinking minimum.

While comfortable-looking hostel-type buildings are going up for the accommodation of "visiting" wives with their "visited" husbands, even men who have lived here in their parents' township homes all their lives are being refused permits to bring in their wives on a permanent basis (one wife apiece, all lawful and above board) even from other prescribed areas.

The system has evolved of giving the "visiting" wife a different address from that of her husband on her permit. A return ticket to some rural area must be produced and its number is noted as proof that the "visit" is temporary, before a permit is vouchsafed.

Requests for permanence are eventually refused, after the couple have gone backwards and forwards between offices and officials for weeks in their quest. Most men are obliged to pay rent for "single quarters" accommodation, while those luckier few who have lodgers' permits in family homes hold these permits on a month-to-month basis in terms of GNR 1036, Chapter 2, Section 20 (3).

It is quite a triumph that as many as three of some 30 couples (not counting couples from Crossroads) seen during the past three months

at the AAO have been able to succeed in their applications, thanks to the assistance of our attorneys and to the fact that in each case the husband is actually the "occupier" of the house, not a lodger.

In one case success is linked with the seriously bad health of the wife, attested by a number of medical certificates.

A simple labourer expressed his feelings powerfully: "My wife is my parcel, no one else's. I want her to live with me, that is all I want, I do not ask for anything else and I pay my way. No one has any right to stop us from living together."

Another comment came from a life-long, educated resident of Langa, who has married a very beautiful young woman from Port Elizabeth. With a sad but by no means resigned shrug he said "we went from Langa to Observatory and back to Langa, and told our story to three officials, but we ended up with "policy".

This trend must go into immediate reverse. Everyone wants peace and we earnestly trust that these and other urgent grievances are about to receive redress.

The Divisional Council application for the clearing of Crossroads squatter camp for health reasons brought a record number of people pouring into and overflowing our Mowbray quarters on May 20, when we somehow achieved 270 interviews.

A very high proportion of the men seen were definitely Section 10 (1) qualified for residence in this area, and only living in shanties in order to have their families with them, the law and the shortage of houses precluding any other solution.

Crossroads has now been declared an emergency camp and only "new" or "unoccupied" shacks have been the target for recent demolitions, undertaken by Divisional Council inspectors who are concerned with "illegal structures" while the BAAB concerns itself with "illegal Bantu".

We have had distressed reports of shacks becoming "unoccupied" by dint of the BAAB enforced removal and entainment of the occupier, and others of the demolition of shacks only "unoccupied" while the occupiers were at work, leaving the children with neighbours.

This community longs for freedom from such anxieties and for a chance to consolidate what little they have. They declare themselves willing to pay site rental in return for basic facilities and we note their appreciation of moves in this direction, but the rental asked is surprisingly high, R10 pm per household. Only security from imminent eviction can make this worthwhile.

Half the total number of interviews conducted over the past three months have been with squat-

ters. The assistance of attorneys in defending people, mainly women, appearing at Langa Bantu Commissioner's Court charged under Section 10 (4), has been most helpful and rewarding.

Our attorneys bring most refreshingly strong awareness of their clients' circumstances to bear in their defence. They have shown up the unfairness of many charges with pleas in mitigation, forcibly and effectively presented. Fines have been minimal and many charges dropped where attorneys have been in court.

Adverse judgment was delivered in the Supreme Court appeal case of Mr Gideon Mtima. His wife's claim to qualify in terms of Section 10(1)(c) of the Act was rejected on the grounds that his qualification under Section 10(1)(b) was unacceptable, the wording of that section having been interpreted retrospectively to the date of promulgation, June 24, 1952. An appeal has been noted and will be heard at Bloemfontein.

**M. Henderson
B. D. Versfeld**

Border

MORE and more people affected by retrenchments in staff are visiting the office. These people are often angry and frustrated. After giving good service, often for a number of years, they cannot understand their dismissal. We try to explain that it is not a personal thing, but the economic state of our country which has led to their discharge. It is sad that the people with the least are the first to suffer.

We have had a number of successful pension cases. One man had tried for five years to get pension money owed to him by the Cape Bantu Administration Board. Eventually he came to us for help.

After nine months and so many letters we were able to hand him his cheque for over R700. Tears filled the man's eyes and he said that the money would ensure that his youngest child would receive an education.

We are interviewing a large number of people with marital problems. This is a difficult area as Bantu custom and European law are worlds apart and muddling for uneducated people.

The follow-up in all cases is difficult. Often our letters remain unanswered. People often do not return to report the outcome of advice given.

It is wonderful, however, when a smiling face appears "just to say thank you for successful help". This is our encouragement.

E. A. Kaye-Eddie

Natal Coastal

THE following case histories illustrate the hardships that White South African law has forced on Blacks. In the Advice Office we see daily what these hideous, destructive laws are doing.

MR MSELEKU is 26 years old, has a disease whereby he has become almost totally blind and consequently is no longer able to work. He has Section 10 1(d) rights for Durban. Mrs Mseleku, who is now the sole bread-winner, has to leave her three small children and look for a form of employment that will enable her family to live as far as is possible in the way to which they were used, while Mr Mseleku was earning a fairly reasonable wage.

However, as she has no rights to work in Durban, she has to get numerous medical certificates in order to prove her husband's state of health and only then can we begin to try and appeal to Influx Control to allow her a work seeker's permit for this area.

Meanwhile they have no money coming in, and the battle to try to alleviate this situation is a long, difficult one including red-tape and officialdom.

MR NTANZI — 18 years old, works as a domestic. As he comes from a homeland area where there is positively no means of employment, he is only allowed into Durban as a flat worker, builder, labourer or domestic worker. At the time that he was job hunting, he was offered domestic labour or back to the homeland! He is paid R10 a month and has no protection against the gross exploitation that people in this job category especially, have to endure. His alternative? Domestic labour or starvation because by law once you are employed in one of the three mentioned categories you cannot change.

MR NGCOBE is a machine specialist and comes from Ndwedwe district where there is no labour available for a man with his qualifications. He has legal hostel accommodation in Umlazi, got a job with a very reputable, large countrywide company. However, he was refused registration on the grounds that the Durban unemployed people must be catered for first. But Influx Control was unable to provide this company with a man of similar qualifications — the result: no employment for Mr Ngcobe; no employment for a Durban work seeker and the company which was willing and able to give someone employment was forced to do without a machine specialist.

MR MCHUNU qualifies under Section 10 of the Urban Areas Act, but due to the present economic situation and lack of employment opportunities, he was unable to find a job within the 30 days allowed on his work seeker's permit. Consequently this expired and seven days later

he did find work, but because his permit had expired, he was refused registration and was asked to leave the area forthwith. He has nowhere to go, knows no-one in the area of his birth and is now desperate, hungry, angry and confused.

MRS MTHABALI qualifies under Section 10 1(b). She had a house in Chesterville until 1972. This was taken away from her while she was away at her husband's family farm, where he had taken ill and died. She left her sons in the house, the rent was always paid, but they were ejected and her furniture removed. Her one son is a widower with six children, all born in Durban and he cannot apply for a house as he is not married. All representation has been refused and no alternatives given for this desperate family of eight people.

MR MKHIZE is 66 years old and was fired because of his age. He has worked continuously for most of his life. Now as he is classed as being not capable or available for work, he is refused his UIF benefits to which he has contributed since the institution of this act. He can only look forward to a pension of R15 a month to maintain himself, his wife and their home.

Despite continuous representation and appeal about the daily contravention of the Unemployment Insurance Fund by employers, the majority still without doubt ignore this act. They seem to have little regard for the subsequent deprivation and suffering experienced by their African employees.

Solveig Piper
Advice Office supervisor

Natal Midlands

IT is difficult for us to assess how successful our attempts to assist workers have been. A fundamental problem seems to be the lack of communication between employer and employee. In this respect liaison committees in certain firms do not appear to be functioning properly, for many workers do not even know of their existence.

It might be useful if we wrote to firms in the area suggesting some form of initiation scheme of new workers informing them of existing channels of communication. This would save their workers from much unnecessary misunderstanding.

The first three months of the year were relatively busy ones, but the next three brought a lull in Advice Office activity. It is not clear why this should have happened. Unemployment is, from all accounts, on the increase, many of our cases regarding "pay disputes" are to do with retrenched cases who have not been paid leave pay, notice pay, etc.

One would, therefore, have expected an increase in our activity. In fact July was busier — we had 49 new cases, the most of any previous month this year, and at a time when pressure on Black society has never been greater.

At the present time, on balance, it would seem that the advice Office serves a useful and important service to individual African workers. For this reason it is important that we continue to function, in spite of any opposition we may have to face both from private industry, as well as the public sector.

Sheila Hindson

