

Clover – the struggle continues

Settlement of the nine-month dispute between Food and Allied Workers Union (FAWU) and Clover/NCD remains remote. Negotiations with the company have broken down at all five meetings between the union and management since September 1986. About a month ago management made a "final offer" which was once again rejected.

168 Clover workers were dismissed at the Pietermaritzburg plant in June last year after they had struck in protest against the victimisation of two of the union shop-stewards. According to management the shopstewards had instigated workers to attack an UWUSA organiser and an Inkatha councillor in an earlier strike on June 6. Workers were demanding that management fulfill their promise to implement an interim wage increase, due in February that year. It appears that Inkatha officials and an UWUSA organiser had visited the plant on the 6th and that they had pointed arms at the striking workers. Shopstewards controlled the situation and later managed to come to an agreement with the bosses about the increase and also that no striker would be victimised. On the 27th however management held a "disciplinary enquiry" and then dismissed two workers. The union tried to obtain their reinstatement during that weekend but was unsuccessful. The next week workers who were striking in protest at the outcome of the disciplinary proceedings were given a final ultimatum and dismissed.

Management had also antagonised workers in the months before the strike by allowing access to UWUSA organisers and the Inkatha Councillor, Awethu. Regular meetings between the regional manager and UWUSA took place despite the fact that this union was not recognised and had only managed to recruit three members at the plant. On the other hand FAWU had already managed to gain limited recognition rights and was in the process of trying to formalise this agreement at the time of the dispute. (see SALB 11.7)

The dispute, the longest in FAWU's history, once again highlights the intransigent and anti-union attitudes pursued by management in the dairy industry. FAWU had majority representation at most of the Natal plants: Congella, Queensburgh, Richards Bay, Stanger, Port Shepstone, Ladysmith, Newcastle, and Mooi River at the time. The union was also beginning to make an inroad into the Transvaal area. Nevertheless it was a struggle to win recognition rights;

limited rights were won at Pietermaritzburg and Durban after much struggle. It appears that management in the dairy industry have commonly used the tactic of delaying formal recognition in order to prevent wage increases. This has sometimes resulted in spontaneous "illegal" strikes. (see Dairybelle dispute in SALB 11.3.)

Ownership

According to the union, management has a backward attitude towards labour relations. This may be partly explained by the ownership structures at Clover/NCD. NCD is owned by a co-operative of Transvaal and Free-State based farmers. Clover, a subsidiary of NCD, is the largest dairy establishment in Natal and one of the biggest in the country. The industry is very competitive; within NCD competition between Clover, Dairybelle, and Creamline has prevented the formation of a single dairy employers body. The Industrial Council has historically never seen negotiations around wage increases, this is usually simply left to government wage determinations. Competition amongst the employers and their generally conservative political outlook has resulted in a very negative attitude towards progressive unions.

FAWU claims that the union submitted their proposals for recognition at the Pietermaritzburg plant as early as 1984. Management took more than a year to respond, and another few months to even agree to a meeting with the union in order to discuss the draft proposal. There has also been a refusal to negotiate any wage increases with the union, even in plants with majority representation, until formal recognition rights have been obtained. The union made substantial progress at Durban and Pietermaritzburg when they were able to negotiate the interim wage increases. Management has also continually refused to negotiate acceptable disciplinary/grievance procedures, or discuss working conditions. The strike resulted when even the limited victory, the interim increase, was being denied to the workers.

Clover workers have drawn up a list of sixteen demands, calling inter alia for the reinstatement of all dismissed workers, recognition of their union, that the company refrain from promoting UWUSA at the plant, and that all previous wage increases negotiated with FAWU be implemented. At subsequent talks workers moved their position with regard to the call for complete reinstatement. Managements offer at the last talks was that 3 workers with over twenty years service be taken back at Pietermaritzburg,

- Clover -

and that a further 50 workers with over ten years service be given employment at other plants. The rest would be paid off at an average rate of four months pay. Workers proposed that a further 5 workers with 17 or more years of service be taken back at Pietermaritzburg, and that another 26 with between five and ten years service be offered other employment. The remaining workers must be guaranteed jobs should they wish to return to work in the future, and that they receive eight months pay. Management have as yet indicated no willingness to dismiss the 100 scabs they brought in to replace the original workers and in an attempt to break FAWU,

UWUSA strike breakers

Bolstered by increased state repression under the State of Emergency, and accustomed to years of despotic authority over the workers, the bosses are now confident that they can reverse the gains made by FAWU over the last few years. Employers attempts to smash the union, initially through delaying recognition rights, has now acquired an added twist with the arrival of UWUSA. The role of Inkatha members, and UWUSA officials during the strike clearly indicates this. FAWU claims that Councillor Awethu played a direct role in bringing in scabs.

Dairy workers, like other workers closely connected to the agricultural sector, remain a particularly vulnerable sector of the workforce. They face low wages, bad working conditions, and the racist and repressive attitudes of their bosses. This is worsened by structural constraints, easily exploited by management, such as the large migrant component of the workforce and the greater intervention of the state in regulating labour relations within the industry. The industry is defined as an "essential sector" with associated constraints on workers right to strike. A sympathy strike by 9 Clover establishments in Natal during September, was the first legal strike within this sector in FAWU's history. The procedures whereby legal strike action can be undertaken are time consuming and complex, thus making it difficult to address immediate worker grievances. Management have indicated their appreciation of this fact by further delaying recognition rights for unions. When workers engage in "illegal" strike action due to their frustration, they are harshly dealt with: mass dismissals and eviction of migrant workers from company hostels are the order of the day. This option, once taken, places unions in a difficult position. The ability to reinstate workers thereafter depending much on management willingness to negotiate in good faith with the union,

and the workers ability to exert pressure on management in various ways outside of the immediate strike action. It is also clear that employers encourage illegal strike action in an attempt to crush unions. FAWU was very aware of this problem, the union had to exercise a great deal of restraint in terms of preventing the spread of illegal action to other Clover plants.

The majority of Clover workers fortunately live in areas close to Pietermaritzburg, such that eviction from hostel premises has not broken workers contact with each other. Workers are still able to meet on a weekly basis and engage in various activities which can sustain their unity. Clover workers have since produced a play, they have made T-shirts, booklets, and badges for sale. Financial aid has also been received from other COSATU affiliates, money collections from support groups, and overseas aid.

Consumer boycott

Nevertheless the impact of tightened Emergency regulations with regard to consumer boycott action has restricted the unions ability to increase pressure on management. FAWU has faced regular raids on union offices. In addition the company has now successfully obtained a court interdict against union officials preventing them from participating in calls for consumer action or making any statements which undermine the image of Clover/NCD. In addition the company may try to extend the interdict to cover other groups as well. FAWU argues that employers have been able to hold out at the last talks because of these factors. Consumer boycott action in Natal and the Transvaal, the strong points of the company, has slackened recently. This is largely attributable to the general climate of repression. The strike also came at a bad time for the union. It came shortly after the merger, and at a time when the union was still consolidating itself within the dairy industry. This is particularly true of the Transvaal area, thus making it difficult thus far to extend sympathy action to this region.

Notwithstanding these factors however it is clear that Clover management are beginning to relent. They have shifted a long way from their dogmatic refusal to reinstate any of the workers. FAWU firmly believes that further pressure will force management to settle. The outcome of the Clover dispute holds important implications for dairy workers in the future.

(Coletane Markham, March 1987)