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THE DECLINE OF THE MINING INDUSTRY AND THE RESPONSE OF THE MINING UNIONS

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A research report submitted to the Faculty of Humanities, University of the Witwatersrand, in partial fulfilment of the requirements of the degree of Masters of Arts

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Abstract

The report examines the response of three trade unions, the National Union of Mineworkers (NUM), the United Associations of South Africa (UASA) and Solidarity – to the economic, political and social changes over the past decade in the mining industry. In particular the report is concerned with union responses to the decline in the gold mining industry.

The report concludes that the NUM was conscious about the decline and developed coherent strategies for dealing with it, whereas both Solidarity and UASA did not pay attention to the decline. Instead their interventions were directed at countering the impact of legislative changes that accorded blacks the right to organise and join unions, and the competition that went with this opening.

The NUM remains a social movement union which balances community and workplace struggles. It is the strongest and most influential union in the industry. It is the only union in the industry that is politically active and has a strategy that deploys and supports members as political activists. UASA is a business union relying on benefits and services to retain members. It is politically neutral with a minimum interest in the developments in communities around them. Solidarity, on the other hand, is a service union which is a hybrid of business and social movement unionism. It is investing resources in improving its service delivery and mobilises its members for action with more visible militancy now than since the 1920s.

Declaration

I declare that this research report is my own unaided work. It is submitted for the degree of Master of Arts in the University of the Witwatersrand, Johannesburg. It has not been submitted before for any other degree or examination in any other university.

_____
Gwede Mantashe

_____ day of _____, 2008.

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Abbreviations and Acronyms

AECI	African Explosives and Chemicals Incorporated
AFL	American Federation of Labour
ANC	African National Congress
ATASA	Administrative and Technical Association of South Africa
ATEASA	Administrative, Technical and Electronic Association of South Africa
CAWU	Construction and Allied Workers Union
CEPPAWWU	Chemical, Paper, Pulp and Wood Workers Union
CIO	Congress of Industrial Union
COSATU	Congress of South African Trade Unions
CUSA	Council of Unions of South Africa
CWA	Communication Workers Association
DME	Department of Minerals and Energy
FEDUSA	Federation of Unions of South Africa
FNV	Industrial Workers Union [The Netherlands]
HACTU	Hairdressers and Cosmetologists Trade Unions
HDSA	Historically Disadvantaged South African
HNP	Herstige Nasionale Party
ICEM	International Chemical, Energy, Mining and General Union
ICFTU	International Confederation of Trade Unions
ILO	International Labour Organisation
ITUC	International Trade Union Confederation
MAWU	Metal and Allied Workers Union
MSOA	Mine Surface Officials Association
MQA	Mining Qualification Authority
MWU	Mine Workers Union [now Solidarity]
NETU	National Engineering Trade Unions
NEDLAC	National Economic Development and Labour Council
NP	National Party

NUM	National Union of Mineworkers
NUMSA	National Union of Metalworkers of South Africa
OASA	Officials Association of South Africa
PGM	Platinum group metals
SACP	South African Communist Party
SAEWA	South African Electrical Workers Association
SALB	South African Labour Bulletin
SAMWU	South African Municipal Workers Unions
SEIU	Service Employees International Union
SETA	Sector Education and Training Authority
TESA	Temporary Employment Services
TMA	Transvaal Miners Association
TOA	Technical Officials Association
UASA	United Association of South Africa
UOA	Underground Officials Association

Chapter One

PROBLEM STATEMENT AND LITERATURE REVIEW

1.1 The Problem Statement

There has been a massive decline in the mining industry over the last ten years. This is clear in a number of areas that can be used to assess the state of the industry. *South Africa's Mineral Industry*, a pamphlet produced by the Department of Minerals and Energy (DME) in 2005, provides details and captures the decline graphically. In 1995 mining contributed 40,5% towards exported goods. This figure declined to 28,7% in 2004. The industry employed 598 123 workers in 1995; this number declined to 450 998 in 2004. The biggest contributor to the decline was the gold sector, following the gold price crisis of 1997-1999.

This massive decline of the industry contributed directly to the decline of mining unions. It was the combination of economic and political factors that determined the extent and gravity of the decline. The Labour Relations Act of 1995 changed the terrain in which the unions operated. Closed shop agreements between the employers and white unions that had been operational for many years no longer had legal standing. The Employment Equity Act of 1998 created space for black workers to take positions that had been historically reserved for white workers, changing the demographics of the categories that had previously been preserved for white unions.

Sociologists see all this within the context of the general decline of the trade union movement globally. This research aims to identify the unique features and strengths of South African trade unions with specific reference to the mining unions. The decline in the mining industry has resulted in a decrease in the number of members in the mining unions in South Africa. When talking of the decline in respect of trade unions, such a decline cannot only be in nominal terms; it must also be discussed in real terms. We will,

therefore, look into the changes in terms of union density and influence. It is relatively easy to analyse the trends in terms of union density, but measuring trade union influence can be very subjective. This research attempts to understand the decline in numbers in terms of both density and influence.

1.2 The Research Question and Rationale

In 1995 the Congress of South African Trade Unions (COSATU) already had a sense that the trade union movement was beginning to decline. It commissioned a research study into the future of trade unions in South Africa. The September Commission, named after its chairperson, Connie September, completed its work in 1997, and produced a report that was described as "a beginning rather than the end". The report gave four reasons for this:

> As we worked it became clear that we had allowed ourselves too little time to conclude many of the debates and research projects that we had started. Necessarily then the Commission would be a beginning rather than an end.
>
> Secondly, we hope that our report stimulates serious debate about the future of labour and our society. In this sense, the report signals the beginning of the debate, rather than an end.
>
> Thirdly, we hope many of the Commission recommendations are implemented. However, they will have to be rigorously assessed and modified or even abandoned if necessary. In this sense the report is a beginning to a programme of implementation.
>
> Finally, we hope that the report stimulates further research and policy development in the labour movement. As noted above there is much that we have left undone (COSATU, 1997:3).

When the September Commission released its report the mining industry, which had been in decline since 1987, was going through its fastest decline phase as a result of the gold price having reached crisis low levels of about $250 an ounce. As a result of the accelerating decline in the industry, in 1997 the National Union of Mineworkers (NUM) produced its own strategic ten-year plan – the Fighting Programme for Transformation.

In hindsight one can easily conclude that the NUM should have used the September Commission Report as the guiding document for its strategy. The reality, however, was that the union was going through a very difficult period, and was seeking solutions relevant to the industry and the sector.

The United Association of South Africa (UASA) was going through the initial stages of mergers following the replacement of the "Scheduled Person with the Competent Person in the Mines and Works Act", an Act which had reserved certain occupations for white workers (Barker, 2007:8). This opened up the mining industry for organising by the emerging black trade unions, which the established white unions saw as a threat. "Koos Bezuidenhout sensed that the lifespan of the various officials associations in the mining industry would be seriously reduced unless drastic action was taken" (Barker, 2007:12). On the other hand, Solidarity had not recovered fully from its defeated attempt to resist change, following the Wiehahn Commission. Arrie Paulus, general secretary of the whites only forerunner to Solidarity, the Mine Workers Union (MWU), was of the view that "the status quo of the Mines and Works Act with regard to job reservation should remain unaltered, as it was perceived to be the only protection for the white labour minority against 'black oppression'" (Visser, 2006:23). In1987 Piet Ungerer, an official in the MWU, put forward a strong vision of:

> Consolidating white union labour to protect white workers more effectively from black encroachment, MWU, adapted its strategy. Henceforth it would strive towards creating a super white union. It extended its scope to workers in steel, chemical, distribution and other miscellaneous industries (Visser, 2006: 26-27).

The diverse background of these three unions makes for interesting research. The NUM had to deal with the effects of the decline, because they impacted directly on their numbers. Solidarity was driven more by the desire to protect the jobs of white workers from being taken over by black workers. UASA saw the officials association as being threatened with extinction unless something dramatic was done. All three of them had to deal with the decline. What this research will clarify is whether they all had comprehensive strategies to deal with this common threat. This is an area that has

hardly been explored by the many sociologists who have taken an active interest in labour studies.

1.3 Literature Review

A number of authors have written on the state of the trade union movement in South Africa as well as its origins, growth and development (Sitas, 1979; Allen, 1992; Buhlungu, 2001; Von Holdt, K. 2003). The gap is in the analysis of the decline and the response of the unions to it. In "Between Marginalization and Revitalization? The State of Trade Unionism in South Africa", Edward Webster and Sakhela Buhlungu (2004) posit that the labour movement was effective and growing under apartheid. The new democracy opened up new opportunities for the labour movement, not only to consolidate the gains, but also to win further concessions from the new democratic government. However, they raise an important point:

> Labour was confronted with a new set of challenges arising out of globalization. In particular, there were increasing pressures on the South African economy to compete in the global market in the context of a new work paradigm (Webster and Buhlungu, 2004: 230).

The impact of the neoliberal policy framework on the reconfiguration of the South African labour market is an additional challenge.

This article, however, raises an important question – whether the labour movement adapted its strategies fast enough to deal with the new challenges in a changed environment. Webster and Buhlungu (2004:230) suggest that

> there is a need to go beyond traditional union structures to explore imaginative ways of engagement with the employed, the 'new working poor', their own members, employers, governments, the new social movements and labour movements in other countries.

It would be helpful to diagnose the weaknesses of the traditional union structures and give details of what is described as "imaginative ways of engagement". Hopefully, at the

end of this research report, some of these questions will be answered, even if it is indirectly. The strategies of the three mining unions will give us an indication of the extent to which the South African unions are engaged with the changes in the economy.

Karl von Holdt makes a divergent point to the one made by Webster and Buhlungu, as he looks at what he calls "from politics of resistance to politics of reconstruction". His research was on the attempts by the National Union of Metalworkers of South Africa (NUMSA) to adapt to a changed terrain. The focus of NUMSA was on the "human resource policies and institutions and on industrial strategy. These developments have been characterized by labour movement analysts as a shift from 'social movement unionism' to 'strategic unionism' founded on a strategy of radical reform" (Adler and Webster, 2000:100). Von Holdt is emphasising the point of rooting complex strategies at the local level or the workplace. This is where most unions are at their weakest, and at a point where they are judged. It is the strong local structures that give the union capacity to engage with communities, and to fuse workplace and community struggles. This is the origin of the concept of social movement unionism. When the focus is on workplace issues only, that marks a shift to strategic unionism. Although NUMSA is dealing with a different set of issues to those facing the mining unions, it is also dealing with the challenge of decline, in this case the decline in influence. This decline in influence may end up impacting negatively on the membership's confidence in the union, and thus translate into the decline of membership and union density in the sector.

South African trade unions in the 1990s were dealing with the challenges of general organisational decline and the complexities of the political transition from apartheid to democracy. Stable unions used this period as an opportunity for consolidation and growth, while the weaker unions were overwhelmed by the situation. Adler and Webster (2000:14-15) identified what they called significant problems of the transition that unions had to grapple with:

- First, organized labour has lost significant layers of leadership to government, political office and the corporate sector. Often labelled as 'brain drain' this has seriously diminished the pool of skilled and experienced senior leaders developed over years of struggle.
- Secondly, and related to the previous point, there has been a marked decline in the quality of service to members. As Baskin

argues, 'cases frequently go unattended, collective negotiations are often conducted shabbily or not at all, and the quality of mandates and report backs-has, generally speaking, deteriorated'.

- Thirdly, a growing gap has developed between the leadership and the base. A recent study of COSATU members discovered disturbing evidence of workers' ignorance of leaderships' involvement in long-term policy issues.
- Fourthly, the ANC unbanning enabled it to reassert its hegemony over the democratic movement. Instead of COSATU or the SACP drawing the ANC into a left project through the transition, the ANC was increasingly drawn into Western capitalist circuits, thus marginalizing both COSATU and the SACP's redistributive programmes.

The global trend of the decline of the labour movement is setting in South Africa, although the factors vary from country to country. If one looks into the factors raised by Adler, Buhlungu, Webster and von Holdt one begins to appreciate that the three mining unions were facing a more complex situation than just the declining mining industry. The complexities of the transition affected these unions differently, and this research must highlight the different ways in which that situation impacted upon them. This transition is described by Von Holdt (2003:6) as "an unstable and decomposing order with the democratic breakthrough in the political sphere, and the struggle between contending notions of the nature of a post apartheid workplace regime". Unions that have been seriously affected by the brain drain, particularly the COSATU unions, will battle to survive the general decline and the transition. The National Union of Mineworkers will be an interesting case study in this research.

The outlook of these unions will also be a determining factor in the approach to dealing with the decline. In the 1980s the concept of social movement unionism was developed and seen as adding capacity to the unions' ability to deal with workplace problems, supported by community structures. It will be important to see if the three unions being analysed qualify the description of social movement unionism. Von Holdt (2003:9) helpfully describes social movement unionism as "fiercely independent, but establishes alliances with community and political organizations. It demonstrates a commitment to internal democratic practices and to the broader democratic and socialist transformation of authoritarian society". This description will guide us, and cautions us not to use it loosely in describing the outlook of the mining unions. The example will be

that of Solidarity, which is quite active in society, but in defence of white privileges and not as a result of its commitment to the transformation of an authoritarian society. Their struggles are about what Visser (2003:16) calls "the complete Afrikanerisation of the Mine Workers Union". Solidarity sees transformation as posing a threat to the status of white workers in general and the Afrikaner worker in particular. It is the cause that they stand for rather than their community involvement that describes Solidarity's outlook.

Buhlungu (2001:67) is of the view that the "labour movement in South Africa has grown increasingly marginalized and defensive, and has lost much of its sense of purpose". He attributes this to the political realignment and globalisation that threatens to diminish labour power and influence. This could be true if the analysis is limited to the period up to about 2002, but since then neo-liberalism as a dominant system has been retreating. If a detailed analysis is carried out on the influence of the mining unions on policy matters in the industry, a different conclusion can be reached. This will require a separate research study to come to a conclusive position. Buhlungu (2001:72) further argues that the principle of worker control has been corroded and that the "erosion of worker control has resulted in competition for power and material benefits which higher leadership positions carry. In some cases such competition has led to infighting and debilitating fragmentation in unions."

In contrast to Buhlungu's assertion of "brain drain", Adler and Webster (1997:18) make a very important point about the shop stewards movement as a source of power and generation of senior leadership:

> By 1991 COSATU unions alone included more than 25 000 shop stewards, giving an average ratio of one steward to 50 workers. The shop stewards system gave workers power in production, a capacity to intervene directly in struggles challenging managerial control over wages, working conditions and the organization of production. Furthermore as shop stewards constituted the pool from which more senior union leaders were drawn, the system enabled rank and file members to exercise [an] unprecedented degree of control over their officials.

What is interesting about this observation is that it confirms the actual situation in COSATU unions, where the majority of general secretaries – a position mainly held by young graduates in the 1970s and 1980s – were former shop stewards in that year. This

was a positive consequence of the so-called brain drain in unions such as NUM, NUMSA, CEPPWAWU, SADTU and SAMWU, and in COSATU itself. These contrasting views should be investigated further, in order to assess the state of influence of the unions as opposed to the change of the environment accompanied by the necessary change in strategy and tactics on the part of the unions.

The South African scholars cited have given clear evidence that the unions are dealing with a complex situation of general decline in the union movement as well as the transition, which has the potential to exacerbate the decline. There is no conclusive evidence that the unions are dealing with the situation systematically and comprehensively. This leads us to look at the international experience of unions in other parts of the world that have dealt with decline.

The trade union movement in the United States has been in decline for some time. Over the past decade there has been realisation by a group of labour scholars that there is a need to revitalise the trade union movement. “The most extensive research has focused on the awakening of the American labour movement under new leadership and new strategic direction” (Voss and Sherman, 2000; Turner, Katz and Hurd, 2001). At the heart of this revitalisation strategy is an attempt to shift labour away from traditional business unionism to a new social movement unionism. Steven Lopez (2005) examines the failure and success of the Service Employees International Union (SEIU) and the important lessons that can be drawn from their tactics. In 1997 the union was rejected at Rosemont (a private hospital) by 35 to 32 with a strong display of the negative feeling about the SEIU. A year later, workers voted two to one to accept the union. In this case study, Lopez identifies the problems that the union had to overcome before winning the vote. These problems can be summarised as follows:

- There was worker resistance to the union, with workers in a particular workplace actively organising against the union.
- The Rosemont campaign was a “quick and dirty” affair where organising staff tried to cut corners, no rank and file committee was formed and no volunteers were developed.

- The union was associated with deindustrialisation and job losses, based on historic experience where family members had been affected.
- The union was associated with violence, intimidation and corruption. The historic experience with unions like the Teamsters informed this view.
- It was perceived that the union was engaged in do-nothing unionism, where it was just collecting dues without servicing members.

Of more significance, however, were the lessons drawn from the "face-to-face organizing and collective action in the union" (Milkman and Voss, 2004:126). The face-to-face organising campaign neutralised the negative views about the union. Union activists gave workers an opportunity to ask questions and gave honest answers. In this case, management's anti-union campaign did not come as any surprise to the workers. Jeff Lacher, in an article in the *Labor Notes* of November 2002, is critical of the AFL-CIO organising approach which creates an over-reliance on "a staff-intensive, organize-from-the outside" approach. He sees this approach as relegating the concept that "the workers are the union" into mere rhetoric. He counter-poses this approach to that of the Communications Workers Association where members of the union were grouped into organising committees that were trained to organise. In this member-based model, the union used its "greatest resource, rank and file members, to make initial contacts and help build the in-house organizing committee" (Lacher, 2002:37)

Fletcher and Hurd (2005) took this debate further by highlighting the need to transform United States unionism, which was based on a "social truce with capital". This need was informed by various changes:

> The global economy, economic restructuring, deregulation and privatization have wrought destruction on U.S. unions. In the wake of this devastation it has become common, even for union leaders, to define unionism in objectively negative terms (Bronfenbrenner *et al.*, 1998:37).

These new problems and challenges forced the unions to start a robust internal debate. Out of these internal debates, the SEIU developed an organising model as a response to this massive destruction of unions. It developed an "approach to bargaining that emphasizes internal organizing, building alliances, and conducting the struggle in a

militant fashion" (Bronfenbrenner, *et al*., 1998:38). In the actual application, the SEIU emphasised different aspects of the model but all of them "voice commitment to similar values and objectives. All three locals seek to involve the members, to promote activism and militancy, and to move to the highest level of collective struggle" (Bronfenbrenner, *et al.,* 1998:41).

Local 611 of the International Building and Electrical Workers (IBEW) has a different organising approach. Condit, Davis, Grabelsky and Kotter (2003) describe the local leadership as having:

> ... embraced workforce organizing, developed a dynamic strategy and mobilized membership to support and support it. Their strategy had a wide range of tactics including salting, stripping market recovery and legal action, applying different degrees and kinds of pressure, depending on the circumstances, to different contractors (Bronfenbrenner, *et al*., 1998:309).

The IBEW used its capacity to supply the industry with better skilled electricians as part of its strategy. Members were deployed to non-union sites with the brief of organising the workers. This is what is called salting. It stripped non-union contractors of its best skilled electricians and deployed them to unionise employers. It was aggressive in taking employers to court for unfair labour practices. This was an integrated strategy that proved to be very successful.

Turner, Katz and Hurd (2001) are even more optimistic about the revitalisation of the labour movement in the United States. Having been left for dead by the Reagan administration, the US labour movement has developed innovative strategies, driven by social movement activists of the 1960s. "The most significant of these are organizing of the unorganized, grassroots political action, coalition building, labour management partnership, union mergers and internal restructuring and international solidarity" (Turner, Katz and Hurd, 2001:10). The emphasis on rank and file participation and mobilisation is the essence of social movement unionism. Other progressive community-based organisations are seen as partners in campaigns. This is changing the situation where unions are seen as just service organisations.

The Australian case study seen in David Peetz (1998) work, “Unions in a Contrary World: The Future of the Australian Trade Union Movement”. He describes the labour movement in Australia, “which had once enjoyed the highest density in the world, [as] facing a crisis of membership (Peetz, 1998:1). He states that the Australian labour movement declined by 40% in two decades, 1976-1996, in terms of union density. Union density is seen as very important in defining the power of the unions. Low density gives space to undermine a union when it matters most. Peetz sees this as s global trend since major declines were also witnessed in many Western European countries in the 1980s, with stability and growth being isolated cases. Although “a common belief in Australia is that centralized decision making in wages policy has been responsible for a large part of the decline in union membership and density” (Peetz, 1998:7), studies in other countries proved the opposite.

1.4 Methodology

This is a case study on the revitalisation of South African mining unions in the face of the massive decline in the mining sector. The qualitative research methodology was chosen because the study’s primary goal is “describing and understanding, rather than explaining human behaviour“ It has all the features of a qualitative research method, as described by Babbie and Mouton (2001:270):

- Research is conducted in the natural setting of the social actors.
- The focus is on process rather than outcomes.
- The actors’ perspective is emphasised.
- The primary aim is in-depth descriptions and understanding of actions and events.
- The main concern is to understand social action in terms of its specific context rather than attempting to generalise to some theoretical population.
- The research process is often inductive in its approach, resulting in the generation of new hypotheses and theories.
- The qualitative researcher is seen as the main instrument in the research method (Babbie, E. and Mouton, J, 2001:270).

It is hoped that the research report will contribute to theory building. It seeks to contribute to closing a glaring omission – that of interrogating the responses of the labour movement over the past decade, 1995-2005. The research has a strong inside perspective in that I was an active trade unionist in the sector until May 2006, making it possible to view the world "through the eyes of the actors themselves" (Babbie and Mouton, 2001:271). This is moderated by the fact I left active trade union work in the early part of the research. However, this is also an advantage in that "you should record what you know has happened and what you think has happened" (Babbie and Mouton, 2001:209). The challenge is to successfully do what Lacey (in Bell, 1993:110) describes as "the transfer of the whole person into an imaginative and emotional experience in which the fieldworker learned to live in and understand the new world".

The target was 25 to 30 leaders of the three unions. National leaders were interviewed individually, while regional and local leaders constituted focus groups. "Focus groups are useful because they tend to allow a space in which people may get together and create meaning among themselves rather than individually" (Babbie and Mouton, 2001:292).

Data was collected in a number of ways. Semi-structured interviews were used. This approach was used because it accommodated the low literacy levels of the target group and allowed the researcher to obtain an in-depth understanding by asking questions that sought more information. The researcher was able to investigate the motives and feelings behind the responses.

This was coupled with a document review process in which Congress reports, industry agreements, union-commissioned research and other documents were used as sources of information. Documents from the industry and relevant government departments were also used. This information was cross-referenced with literature that could improve the quality of the research report.

1.5 Conclusion

The South African literature is helpful in terms of diagnosing the problems and challenges facing the labour movement in general. There is a worrying trend, in that many of these authors do not make concrete suggestions for the solution of clearly identified problems The United States authors are concrete about the interventions that were used to get solutions. However, they are weak in giving the details of the historic evolution of the problems facing the labour movement. A combination of these approaches can help the South African mining unions to develop comprehensive strategies. The variety of factors identified as the causes of the decline in South Africa and the United States give the unions scope to adapt various combinations to find solutions to the decline they are facing.

Chapter Two

THE POLITICAL ECONOMY OF THE MINING INDUSTRY IN SOUTH AFRICA

2.1 Introduction

The South African mining industry is known to have been instrumental in the transformation of the South African economy from an agricultural economy into an industrial economy. The discovery of diamonds in 1867 and gold in 1872 marked a major change in the outlook of the South African economy. After more than one hundred and twenty years of active mining, particularly gold and diamond mining, there is a visible decline. This decline can be quantified for the period 1995 to 2005, which is the period of focus for this research report.

Because gold mining has always been a major contributor to employment creation, export earnings, gross domestic product, and research and development, when it is in decline the general view in the public eyes is that the mining industry as a whole is in decline. The decline over the past decade, characterised by the price and employment crisis, was publicly perceived as the beginning of a terminal decline for the mining industry.

The changes in the labour legislative framework, dating from the 1979 amendments and continuing to the major legislative changes in the 1990s, had far-reaching consequences for the industry. The mining industry is a sector of the economy that used apartheid laws extensively. Job reservation and the colour bar were widely used in the mining industry until the late 1980s. The closed-shop agreements between the Chamber of Mines and white unions and associations remained in force until the late 1990s, and formally done away with only in 2003.

The Mineral and Mining Legislative Framework changed the outlook of the mining industry. The Mineral and Petroleum Resources Development Act of 2002 introduced major changes and sought to address many issues, including:

- Transformation of the mineral and mining industry;
- Promotion of equitable access to South Africa's mineral resources;
- Promotion of investment in exploration, mining and mineral beneficiation;
- Socio-economic development of South Africa; and
- Environmental sustainability of the mining industry (DME, 2005:1).

The objective of this legislative framework is to ensure that all mineral rights are vested in the state within the next five years. The promulgation of the Broad-Based Socio-Economic Empowerment Charter for the mining industry gave additional impetus to the transformation programme of this sector.

2.2 The State of the Mining Industry

In 2005 mining still played a very significant role in the South African economy. As we analyse this role, it is important to understand the nature of the industry. Mining as an industry has key distinct features, *inter alia*

- It is a depleting industry, since mineral deposits have a finite life.
- There is cyclical behaviour of prices underpinned by the cyclical behaviour of specific economic factors, be it the dollar price of the commodity, the exchange rate, or levels and volatility of the currency.

This impacts on the contribution made by the industry towards the overall performance of the economy, including employment creation and employment reduction. When various aspects are analysed, we will be able to put the decline of the industry into perspective. The rand value of the contribution made by this sector over the last ten years will have to be understood in both real and nominal terms. This contribution will make more sense when we analyse the output trends of the various commodities.

The Department of Minerals and Energy's (2005) document, *South Africa's Mineral Industry, 2004–2005,* makes an interesting analysis of the industry's contribution to the national economy. Contribution to the Gross Value Added was 7,0% in 1995 and 7,1% in 2004. The lowest contribution was in 1997 (6,5%) and the highest was in 2002 (8,7%). Contribution towards fixed capital formation was 8,5% in 1995 and 9,9% in 2004. The lowest contribution was 8,0% in 1996 and the highest was 11,3% in 2002. The contribution towards export of goods was 40,5% in 1995; it declined over the last ten years and reached 28,7% in 2004.

In 1995 the mining industry employed 598 123 people, which constituted 4,3% of the economically active population. This number declined and reached its lowest level in 2001 (407 154); it picked up thereafter to reach 450 998 in 2004.

During the gold price crisis between 1997 and 1999 the National Union of Mineworkers (2000a) estimated the jobs shed by the industry at 176 000. This figure is marginally higher than the official statistics (150 775) if one quantifies the decline between 1996 and 2000. In 2004 the mining industry employed 2,9% of the economically active population. According to the Department of Minerals and Energy (2005:38) "the increase can be attributed to the improvements in the quality and quantity of data from the mining industry, the DME's data collection methodology and new entrants and expansions especially in the platinum group metals (PGM) sector" .

South Africa remains a major mining economy. The country's mining is rated in the top five in the world in a number of commodities (Chamber of Mines, 2004). South Africa is rated number one in the world for the following commodities:

- chromium (shipping grade),
- gold,
- platinum group metals,
- limenite,
- vanadium, and
- vermiculite.

It is rated number two in the world in the following:

- alumina silicate,
- antinomy,
- manganese,
- tutile, and
- zirconium.

It is rated number three and four in the following commodities:

- phosphate rock, and
- fluorspar.

It is rated number five in coal.

For the purposes of this research, the focus will be on gold and platinum group metals which contributed by far the largest portion of the total labour force of the mining industry. In the third place is coal. Gold and PGM determine the rate of decline or stability in the industry.

> Despite its declining economic contribution, the Gold-mining sector was the largest employer with some 40 percent of the total mining industry's labour force. The PGM industry employed 33 percent, with the Coal industry in third place with 11 percent (DME, 2005:11).

Gold contributes 37% of the total mining remuneration; PGMs contributed 27% and coal 18%. The disparity between the employment and remuneration percentage contribution reflects wage levels in the various sectors.

Gold production has continued to decline over the last ten years. It declined from 522,4 metric tons in 1995 to 342,7 metric tones in 2004, "the lowest level of production since 1931. Despite a large decline in production, South Africa remains the world's largest gold miner and accounted for 14% of global new mine supply in 2004" (Chamber of

Mines, 2004:25). It remains a significant contributor to the economy, earning 10% of merchandise export and employing 180 000 workers. Because the decline reached crisis level, gold mining received a disproportionately higher level of attention. The Gold Crisis Committee was set up in 1998. This culminated in the Mining Summit of 2000, with the sole objective of looking into the long-term survival of the industry, with particular focus on employment trends.

According to a study conducted in 2005-2006, Gold in South Africa (2206), about 40 000 tons of gold remain in the ground, with about 8 000 to 10 000 tons economically recoverable. These last figures are relative, as they are heavily dependent on the price of gold. The depth at which gold deposits are found in South Africa is a further complicating factor. The closure of marginal mines is accelerating the decline, visible in the 8,8% decline in gold production between 2003 and 2004. The strength of the South African currency, the lower gold price in rand terms despite a higher dollar price and smaller sales volumes have contributed to the decline. We must, however, acknowledge that the dollar price of gold has improved from the crisis level of about $250 per ounce in the 1997/1999 period to $409 per ounce average price for 2004. (We have seen the price rising to above $600 per ounce in 2006.)

The platinum group metals have arrested the decline of the mining industry, overall, with its increased contribution to the economy. This increased contribution can be summarised as follows:

> Global supplies of Platinum, Palladium and Rhodium rose by 10,6 percent to 463,9 tons in 2004, due to increased supply from all producing countries, but especially Russia. World demand for these three metals grew by 10,7 percent to 433,0 tons caused primarily by a 21,8 percent increase in demand for Palladium.
>
> World Platinum demand improved by 0,8 percent in 2004 to reach 204,7 tons driven by strong sales to the autocatalyst industry. Purchases of Platinum for use in autocatalysts rose by 7,3 percent to a record of 109,2 tons (DME, 2005:34).

South African production reached a record high level of 159,9 tons in 2004, an increase of 7,7% on 2003 production. This growth was helped by the decline of the Russian stocks, which tended to distort the market over the last twenty years. Overall PGM

production increased by 7,4% in 2004. The production of PGMs increased from 183 097 kg in 1995 to 286 157 kg in 2004. Export sales increased in Rand value terms from R6,5 billion in 1995 to R29,5 billion in 2004. Employment increased from 96 273 workers in 2000 to 150 629 workers in 2004. Remuneration more than doubled in the same period from R4,3 billion to about R9 billion. Due to the growth and higher price (consistently about double the price of gold), PMGs have surpassed gold in terms of foreign earnings (DME, 2005).

The unions in the industry had to deal with this complex situation. The massive decline of the gold mining industry meant accelerated membership decline for the unions. Although the growth in the PGMs industry created an opportunity for the unions to rebuild their lost membership, it is important to note that this growth did not fully replace the lost membership in gold. Rebuilding the membership brick by brick took time, and required great effort and investment of resources. The decline was a reality that unions had to confront.

Growth in other sectors that were highly mechanised did not provide the unions with sufficient alternative growth potential. Employment creation was disproportionately lower than the growth in production. According to a study conducted by the Graduate School of Business of the University of Cape Town, completed in February 2000,

> Coal production almost doubled in the 1980 to 1998 period and reached 224 580 thousand tons in 1998. Similarly, mining of platinum group metals has increased steadily and significantly since 1983, moving production levels up from below 100 tons in 1982/83 to 200.1 tons in 1998. Increasing levels of production are also reported for iron ore and chrome. Finally diamond production increased by one-fifth over the period (Malherbe, 2000: 9).

These were planned expansions, and real production volumes increased during the last decade. It is this positive outlook that gave both the unions and employers the optimism to call the industry a sunrise industry, against the views of some social scientists (such as Webster and Buhlungu, 2004) who saw the mining industry as a sunset industry.

2.3 Changes in the Legislative Framework

The legislative changes that occurred in the last ten years were preceeded by more than a decade of bitter struggles by black mineworkers in what Malherbe (2000:32) describes as "the rise of black unionism (and the decline of white privilege) in the mining workforce". We will come back to the emergence of the National Union of Mineworkers as a powerful force in the next chapter. It is important to note that the growing influence of NUM is visible in a number of areas that led to legislative changes aimed at transforming the industry. For example, the long struggles in the area of health and safety resulted in the appointment of the Leon Commission, which in turn resulted in the promulgation of the Mine Health and Safety Act in 1996. This piece of legislation institutionalised tripartite structures in the area of health and safety. It gave birth to the formation of the Mining Qualification Authority (MQA), a tripartite structure that fulfilled the role of a Sector Education and Training Authority (SETA) before they were formalised in terms of the Skills Development Act. It is important to note that "initially the industry was opposed to the proposal and a reluctant participant in the early work of the Commission" (Malherbe, 2000:35).

Following the Wiehahn Commission's report black trade unions were legalised in 1979, and in 1981 in the mining industry. This took away the organising monopoly white unions had enjoyed for many decades. The mining industry, however, maintained the closed shop agreements with white unions, allowing them to open up their membership to black workers. At the same time the National Union of Mineworkers was restricted to the unskilled and semi-skilled categories (categories 1 to 8). This approach had the effect of giving white unions a lifeline for their survival, and cushioning them from competition posed by the emerging black unions. At the same time it deprived the National Union of Mineworkers access to the readily available intellectual capacity in the industry.

The promulgation of the Labour Relations Act of 1995 effectively removed the provision for the closed shop agreements with white unions. It gave all the unions equal organisational rights, and promoted and facilitated collective bargaining at both workplace and sectoral levels. Chapter II of the Act conferred the right to freedom of association on all workers. The mining industry resisted this opening up of trade

unionism in the industry and retained the division of the workforce into three bargaining units – officials, unionmen (miners and artisans), and Category 1–8 workers.[1]

The 2001–2003 two-year agreement between the NUM and the Chamber of Mines had a clause on "breaking bargaining barriers". This was the first formal agreement to do away with race-based and skills-based bargaining in the industry. NUM members who were promoted to senior position as officials or unionmen were allowed to stand for elections in the structures of the union. "The mines agree that union members irrespective of category of employment shall be eligible for election to union structures" (Chamber of Mines/NUM, 2003:11). The union was formally recognised "in the miners and artisans and official bargaining unit". Three principles were to govern the said recognition:

- Bargaining shall be conducted at the existing bargaining levels and within the existing bargaining forums
- The union shall bargain jointly with the other employee organisations recognised in any particular bargaining unit.
- The union and Company/Mine concerned may conclude or amend recognition agreements to give effect to this arrangement where applicable (Chamber of Mines/NUM, 2003:Clause 6.2.3:11).

The effect of this agreement was that NUM was recognised as a bargaining agent for its members for all categories of workers and in all the bargaining units.

In the 2003 negotiations this process was taken a step forward. The 2003–2005 agreement between NUM and the Chamber of Mines had a clause dealing with the "integration of bargaining units"; this clause was a step forward in the process of breaking bargaining barriers. Clause 10 of the agreement captured the steps to be taken:

- With the intention of integrating various bargaining units and improving bargaining arrangements, the parties agree in principle to a review of the current bargaining units.
- Within three months of signature of this agreement, all recognised unions and associations will meet to discuss the integration.

[1] Categories 3 to 8 comprise workers from the entry point of wage scales up to the level of team leaders – that is, low-skilled and semi-skilled workers with no professional or wage status.

- The above stated process should be completed within six months thereafter.
- No union/association will have veto power in respect of the decisions taken (Chamber of Mines/NUM, 2005:8).

Following this agreement the National Union of Mineworkers, UASA and Solidarity agreed on the process of integration. Without signing any formal agreement among themselves, they agreed on three principles:

- The bargaining units be integrated and bargain jointly.
- The integrated bargaining structure be supported by joint forums at various levels whereby issues can be tackled at a strategic level and be refined.
- At the beginning of the integration process two criteria for bargaining be established:
  - two or three recognition units;
  - one bargaining forum.

Guided by these principles these three unions bargained together in 2005. This reconfiguration of bargaining structures impacts on the effectiveness of the various unions. The next three chapters will clarify this.

The Chamber of Mines was not supportive of the process of breaking down the bargaining barriers in the industry. They enjoyed the division of unions into bargaining units where each union would be a dominant player. Both UASA and Solidarity were not keen to change this situation. This is clearly reflected in the complexity of the process that was followed and the two long sets of negotiations that ultimately sealed the process. NUM had to use its organisational muscle and power to push the process through. There was serious resistance on the part of the industry until NUM made it clear that this was a strikeable issue for it.

The industry hid behind collective agreements. It only accepted the principle of freedom of association in 2001, and only tightened this formal agreement for implementation in 2003. This can be seen as the industry benefiting from the divide and rule approach which keeps the unions weak and fighting among themselves.

The mining industry's resistance was a position against the stated purpose of the Act, that of advancing "economic development, social justice, labour peace and democratisation of the workplace" (RSA, 1995:30. In pushing the industry to open up, the National Union of Mineworkers was sensitive to the fears of white unions. The framework that was developed for the implementation of the 2003 agreement between the National Union of Mineworkers and the Chamber of Mines reflected that sensitivity. According to the mining co-ordinator of the NUM, Obed Molekwa (Telephone interview, 25 August 2006), the reason for this sensitivity was "to ensure that there was a smooth transition from a segregated bargaining arrangement to an integrated collective bargaining arrangement in this industry".

The promulgation of the Employment Equity Act and the Skills Development Act, both passed in 1998, intensified the deracialisation of the workforce. These two pieces of legislation had different implications for the three unions, and resulted in different reactions. . For black workers the playing field was being levelled. For white workers the monopoly of skilled jobs and training was being taken away. The next three chapters will interrogate the reaction of all three unions to this situation.

The Employment Equity Act was promulgated after the realisation that "as a result of apartheid and other discriminatory laws and practices, there are disparities in employment, occupation and income within the national labour market" (RSA, 1998a:5). The purpose of the Act is:

> ... to achieve equity in the workplace by:
>
> (a) promoting equal opportunity and fair treatment in employment through elimination in employment of unfair discrimination; and
>
> (b) Implementing affirmative action measures to redress the disadvantages in employment experienced by designated groups, in order to ensure their equitable representation in all occupational categories and levels in the workforce (RSA, 1998a:16).

This piece of legislation has impacted differently on those unions that were beneficiaries of apartheid job reservation and the colour bar, and those that were victims of the evil

policy of apartheid. After the next three chapters we will have a better understanding of how the various unions in the industry handled these changes.

The Skills Development Act is the lifeblood of the Employment Equity Act in that it is about the content of change, as opposed to a mere numbers game. The main beneficiaries of this Act are the designated groups which includes blacks, females and disabled people. . The purposes of the Act are explicit:

> (a) to develop the skills of the South African workforce;
>
> (b) to increase the levels of investment in education and training in the labour market and to improve the return on that investment (RSA, 1998b:184).

By appointing people to positions merely to achieve employment equity numbers without ensuring that they acquire the necessary skills, the whole programme will fall flat and be discredited.

The drive for the deracialisation of the mining industry is captured in the vision of the Broad-Based Economic Empowerment Charter for the South African mining industry, released by the Department of Minerals and Energy in 2002:

> All the actions and commitments set out below are in pursuit of a shared vision of a globally competitive mining industry that draws on the human and financial resources of all South Africa's people and offers real benefits to all South Africans. The goal of the Empowerment Charter is to create an industry that will proudly reflect the promise of a non-racial South Africa (DME, 2002:1).

There are a number of pillars to the Charter:

- Human Resources Development;
- Employment Equity.

These pillars are clearly intended to address the historic deprivations in South African society. There is commitment by all industry stakeholders "to create an enabling

environment for the empowerment of Historically Disadvantaged South Africans" (DME, 2002:5). The first pillar seeks to address labour market distortions. The first pillar, Human Resources Development, is a clear business case for the Skills Development Act. Concrete targets are set for the skilling of Historically Disadvantaged South Africans (HDSA). A target was set of 5 000 learnerships by 2005.

The pillar on skills development is linked to the Employment Equity pillar which sets clear targets for the industry. "The stakeholders aspire to a baseline of 40 percent HDSA participation in management within five years" (DME, 2002:6). This target is linked to the aspiration to reach 10% women participation in the industry within five years. These are the pillars of the Mining Charter which do not make media headlines, unlike deals regarding the transfer of ownership.

All these pieces of legislation are important if we are to put into perspective the revitalisation efforts of the mining unions in South Africa. When the lifeline was given to white unions by restricting the various unions in the industry to specific bargaining units, the official associations opened up their membership to blacks. This early response is reflected in the high black membership in UASA. When blacks were promoted to be officials, for about two decades it was a condition of employment for them to be members of the official association. This included linking membership in the retirement fund to membership in the officials association. Even the most loyal members of the National Union of Mineworkers were automatically enrolled as members of UASA, while actively participating in NUM structures. Thus the apparent progress made by UASA in recruiting black members was artificially facilitated by the industry. The aim of the industry (it can be assumed) was to keep NUM numerically and intellectually weak and to build the officials association as a counter-balancing force.

The white-only Mine Workers Union, now Solidarity, rejected black members, whom they channelled into UASA. This is reflected in the predominantly white and Afrikaner membership of Solidarity. Although its constitution has been amended, this union has not enthusiastically recruited black members.

The National Union of Mineworkers, on the other hand, was not allowed to bargain collectively for its members who were officials and unionmen (miners and artisans) until 2001. The industry had to be pushed hard to open up the bargaining units. This situation made it difficult to retain members in these categories as members of NUM. Funeral cover for these workers was provided by the white unions, while it was provided for in the retirement fund for category 1–8 workers. The changes in the legislative framework created space for the NUM to push for the subsequent changes.

These changes reconfigured the labour force in the mining industry. This created opportunities for some of the unions and posed a threat to the others. At the same time the industry moved aggressively to outsourcing a number of services. According to the Sociology of Work Unit (SWOP) research report on NUM servicing, 20% of all employment in the mining industry is in sub-contracting. (SWOP, 2005:10). This section of mining employment is very volatile, with these workers being the most vulnerable.

2.4 The Impact of the Changes on the Mining Unions

The impact of the decline of the mining industry on mining unions will be dealt with in detail in the next three chapters. However, it is important to highlight a few indicators. The Chamber of Mines could only supply figures for gold and coal, which are the two sectors that have centralised bargaining arrangements. These numbers are indicators for the general trends in the industry more broadly. The Chamber could only supply numbers from “November 1996 onwards as there was nothing collected for union other than NUM prior to that (stats weren’t collected for the officials and union men units because there was the closed shop) (Chamber of Mines letter, 6 September 2006).

Although the actual membership (nominal) was dropping, union density grew in the gold mining sector (Figure 2.1). It is interesting that NUM is more densely organised in the gold mining sector than in coal. UASA has always been more organised in coal than in gold. Solidarity has grown its membership base in coal in the latter part of the period under review.

Table 2.1 Union density (per cent), 1996-2005

YEAR	COAL	GOLD
1996	78,9	70,5
1997	85,3	72,5
1998	84,0	70,1
2001	81,0	77,2
2003	80,1	80,3
2004	84,5	82,7
2005	84,9	84,9

The density in coal remained consistent and range bound. The effectiveness or lack thereof of the three union's strategies will become clearer when the representativeness of the unions is broken down. When the overall density is broken down union by union, it becomes clearer why mining is the most densly unionised sector in the economy. The question is whether organising is a matter of survival.

Table 2.2 Union density (per cent), 1996-2005, by union

YEAR	NUM		UASA		Solidarity	
	Coal	Gold	Coal	Gold	Coal	Gold
1996	60,8	61,2	15,8	7,6	1,3	1,7
1997	65,8	62,5	17,6	8,0	1,9	2,0
1998	66,0	61,2	16,1	8,0	1,9	1,9
2001	62,2	66,2	14,9	9,0	3,9	2,1
2003	61,6	68,1	13,1	10,2	5,4	2,0
2004	65,6	71,4	12,4	9,0	6,5	2,3
2005	66,2	74,2	11,7	8,4	7,0	2,3

The trends that emerge out of these figures can be summarised as follows: The period 1997–1999 was marked by the serious collapse of commodity prices. There were massive retrenchments particularly, in the units organised by NUM. Thus NUM representativity declined. There was systematic improvement after 1999. When the closed shop was formally done away with in 2003, NUM representativity improved significantly in gold, presumably reflecting the broader base. UASA's representativity has been declining since 1997 in coal, while Solidarity has been on the rise since 2001, presumably gaining from UASA's loses. In gold, both UASA and Solidarity have been range-bound. Similarly, in coal NUM remained in the same range of representativity.

2.5 Conclusion

The conclusion that one comes to is that the decline in the mining industry pushed the mining unions to become more aggressive in their membership recruitment. This is clear when one analyses the membership density and trends in the representativeness of the various unions. The opening up of the industry for black unionisation posed a serious threat to the white unions and associations. Despite the massive decline in gold, opportunities were created by the growth in other sectors of mining. The question is whether the unions exploited that opportunity.

Chapter Three

THE RESPONSE OF THE NATIONAL UNION OF MINEWORKERS TO THE DECLINE OF THE MINING INDUSTRY

3.1 Background

The National Union of Mineworkers was launched on 4 and 5 December 1982 in Jouberton township, near Klerksdorp. The aims and objectives of forming the union are captured in its constitution:

- To improve the wages, salaries and terms and conditions of employment of members through collective bargaining and other lawful means.
- To recruit and unite into a single labour organization all workers employed in the mining industry in order to enhance their economic and social welfare.
- Protect the job security of members, to advance their employment prospects and generally do all such lawful things that will serve the interests of members in their individual and collective capacities.
- To establish contacts and relationship with other trade unions, federations and labour organizations for the mining industry and other industries.
- To foster unity and cooperation amongst all workers in the mining industry and other industries.
- To do all such other lawful things as are in the interests of the union and its members and which are consistent with the aims and objectives and any other matter specially provided for in this constitution (NUM, 1990:3).

This is an important clause in the constitution of the union as it creates obligations for the union and its elected representatives. As we analyse the response of the union to the decline, we will also be scrutinising whether the union leadership fulfilled their obligations. The constitution continued to refer to the mineworkers into the 2000s, despite the expansion of the union's scope. Clear amendments reflecting the change of

scope were only effected after the 2004 Special Congress. The NUM summarises the evolution of the scope in its ten-year plan:

> The National Union of Mineworkers, now 20 years old, was formed as a mining Union in 1982. In 1985 its scope was extended to cover energy, focusing on Eskom in the main, by the inaugural Congress of COSATU. The integration of the Construction and Allied Workers Union (CAWU) into the NUM in 2000 was in line with the 1997 COSATU resolution that included construction in the scope of the NUM (NUM, 2003:1).

The formation of the NUM was a reaction to the shabby treatment workers received from mine owners. The Wiehahn Commission's Report in 1979 created an environment in which black workers could form and join unions. Many attempts to organise mineworkers fell flat between 1979 and 1982. According to Professor Allen (2003:83), changes in the legislation did not affect the mines "until after the Commission's Sixth Report, dealing exclusively with the mining industry, was published in September 1981, although the Wiehahn Commission had refused to exempt the mining industry from its proposals for labour legislation in its First Report two years earlier". After the Sixth Report, the legislation explicitly allowed black unions to be recognised in the mining industry. This gives some explanation as to why the National Union of Mineworkers was not formed until 1982, when the process of organising black workers, following what one can describe as a period of lull, started in 1973. This late start was a consequence of the reluctance by the mining industry to accept the recommendations of the Commission and the fear instilled among mineworkers as a result of repression.

Some of the mining companies, like Gencor and Goldfields, resisted the unionisation of black mineworkers. How such companies dealt with the unions in subsequent years is now history. Attempts by white unions that were already operating in the industry fell short of exploiting the situation to the fullest. Following a unilateral wage offer in 1982, a series of strikes took place throughout the industry, particularly in Goldfields and Gencor mines. These strikes, not co-ordinated by any union organisation, were crushed by the employers, assisted actively by the South African Police. A big number of striking workers were arrested, and "at least 10 people were killed" (Allen, 2003:81.). It was this brutality of the employers that pressured workers from Kloof Gold Mine to approach the Council of Unions of South Africa (CUSA) for help in July 1982.

When approached by these workers CUSA agreed to support the initiative. However, Scandinavian unions refused to provide any financial assistance for this project because they were already funding a similar initiative by the Metal and Allied Workers Union (MAWU). After persisting for some time, "the Industrial Workers Union (FNV) in the Netherlands heard about it and decided to support the CUSA project itself by providing the equivalent of $250 000 for CUSA to use on organizing black mineworkers" (Allen, 2003:86).The organising task was given to Cyril Ramaphosa in August 1982. Difficult as it was in the beginning, within four months the National Union of Mineworkers was launched with 14 000 members; it grew from strength to strength and reached 269 000 by 1987. The success of the NUM was a function of the strategy of using contacts inside the hostels to do the secret recruitment for the union. Many of these contacts held strategic positions like personnel assistants (*masizas*) and clerks (*mabhalans*). Their access to people and the respect they commanded gave the NUM an advantage over unions like MAWU, whose strategy was based on the factory-by-factory approach, using organisers who were seen as outsiders in the mines.

In its ten-year plan, NUM breaks its history into specific periods, characterising the phases of organisation building. The first phase, 1982-1985, is characterised as the recruitment phase. It was during this phase that the NUM used health and safety as an organising tool, "following the successful engagement of ISCOR over the Hlobane disaster in 1983. During this phase the NUM earned the status of being the fastest growing union in the world" (NUM, 2003:1). The period 1985-1987 was characterised as the mobilisation phase, a period cut short by the 21-day strike in 1987. The period 1987-1992 was seen as the survival phase, with the union rebuilding itself after the mass dismissals by Anglo American of workers during the 1987 strike. "The membership had dropped from 269 000 to 205 000 following the mass dismissals by the bosses, mainly Anglo-American" (NUM, 2003:2). The period 1992-2000 was characterised as the consolidation phase. The period 2000 to date is the maturity phase. This research will test the maturity of the NUM in handling the decline of the mining industry.

3.2 The Impact of the Decline on the NUM – Perception and Reality

The background outlined above gives a sense of the NUM's capacity (or lack thereof) to deal with the decline in the mining industry. Organisational capacity on its own is not sufficient for a union to weather the storm. It should be complemented with a sound resource base and a skills profile that provides the necessary sophistication to deal with the crisis.

The question of how the union handled the decline was put to the leadership. Three national office bearers were interviewed, and a written response was also given by the union. These responses from the national leaders were tested with the regional and branch leadership in focus groups in Carletonvile (Focus Group 1), Klerksdorp (Focus Group2) and Rustenburg (Focus Group 3) Overallerall the NUM agrees that there has been massive decline in the mining employment figures. Referring to a number of studies, they conclude that "NUM believe the total number of employees who left the industry between 1995 and 2004 could be between 200 000 and 250 000 when taking into account tactics used by employers who lay off employees rather than dismissing them" (NUM, 2006:2). The NUM gives evidence that is not backed up by concrete information; this, therefore, borders on being emotional thumb-sucking. What is important, however, is the acceptance of the massive downward trend of employment figures. The Secretariat Report to NUM's Tenth Congress in April 2000 attempts to quantify the destruction of mining and Eskom jobs on an ongoing basis:

> Over the past three years about 178 000 jobs were destroyed in our industry. These massive job losses were all round the industry. Eskom has reduced its workforce from 66 000 in 1985 to the current 33 000. The coal mining industry has continued to shed jobs. Gold mining alone has contributed 40% to all jobs shed by the economy since 1997 (NUM, 2000a:6).

In the same report, the union acknowledges the negative impact of this decline on the union's membership. At the same time the report acknowledges the good work of keeping the membership at a sustainable level:

> Despite this massive attack on jobs, we have sustained our membership. In 1997 our membership was standing at 314 891, in 1998 it dropped

> dramatically to 251 768 and 251 021 in 1999. We must give our regions a round of applause for this outstanding work in signing up new recruits and bring them into the organisation (NUM, 2000a:6).

The NUM leadership agrees that there has always been a coherent and cohesive approach on the part of the union in dealing with this crisis. Oupa Komane, Deputy General Secretary, reminded us that the NUM had the Operation 400 000 campaign in 1996, which aimed to take the union's membership to above 400 000 (Interview, Komane, December 2006). The ten-year plan always identified growth sectors in concrete terms. Both Crosby Moni, Deputy President (Interview, November 2006) and Oupa Komane confirm that the merger with CAWU was a well-considered growth strategy that identified the growth potential in this sector. When the COSATU resolution on super unions was adopted in 1997, the NUM was already engaging CAWU. Frans Baleni, General Secretary (Interview, November 2006), believes that the NUM kept the membership at the level that it was by sheer luck, a formulation rejected by both Moni and Komane. Moni had the view that recruitment has always been on the agenda of the union. It was always actively managed, but driven at branch level. Komane identified several inherent weaknesses in the management of the recruitment campaign – weak management capacity, weak administrative capacity, and a weak membership system. Moni adds that when there is pressure on organisers, they tend to be swallowed into servicing and pay less attention to the recruitment campaign.

In its written response the union gave a detailed account of the various interventions that it had made to arrest the high pace of job losses.

> The NUM initiated a Gold Summit in 1996 which succeeded in sharply focusing the minds of top political, labour and business leaders on a solution to the crisis. The summit signalled a shift in the balance of power in the industry, with the NUM playing a leading role in charting the way forward (NUM, 2006:3).

The outcome of the summit was the formation of the Gold Crisis Committee consisting of management and labour which intensively managed the downscaling of the industry. The idea of a Social Plan, a mechanism used in Germany where management is forced to produce a plan on how it will re-train retrenched, was a direct product of the summit.

Having gone through the crisis period between 1996 and 2000, the union entered the developmental phase. In its report to the 2000 Congress, the union describes this period as follows:

> Having gone through this crisis, we led the industry to the next phase, the developmental phase, as reflected in the objective of the Mining Summit 2000. Unlike the Gold Summit, the Mining Summit focused on the positive interventions that could be made in the future. Hence the objective of 'Repositioning the Mining Industry' was emphasized (NUM, 2000a:31).

The Mining Summit involved all the recognised unions and associations. The NUM sponsored a document that sought to unite the labour movement in its engagement with other stakeholders. That document was entitled "Mining for Sustainable Development and Job Creation: A Challenge for the African Century" (NUM, 2000c).

The movement from the Gold Summit in 1996 to the Mining Summit in 2000 is visible in the content of issues debated. The Gold Summit documents focus on the decline, while acknowledging that South Africa – with an estimated 47 000 tons of gold still in the ground – has as much gold that has not been mined as that mined over more than 100 years of mining. The union proposed the establishment of a permanent Statutory National Commission on downscaling in the mining industry. The scope of the Commission would cover (a) efficient information gathering, and (b) management of a Downscaling Act which would link downscaling to investment in alternative large-scale industries to gradually replace mining. The union also proposed the rationalisation of pension funds, so that if the commodity was in trouble the impact on the retirement fund would be ameliorated by the growth sectors. This was informed by the fact that the Mineworkers Provident Fund paid out R73 622 782 in 1997. This signalled the possible danger of the fund being liquidated as the gold mining industry was declining at an accelerated pace.

The union's proposals to the Mining Summit in 2000 focused on the future. This is captured in the last paragraph of Section A of the labour document, labour's vision for a future mining industry:

> As labour we have a vision for the mining industry that we believe should be shared by all. We see the industry being transformed such that it:
>
> - Takes care of its people and puts them first by offering better employment and rigorous health and safety standards.
> - Exploits South Africa's enormous mineral wealth and contributes to economic prosperity for all.
> - Takes care of our environment.
> - Has measures for downscaling that minimizes suffering for mining communities, workers and their families (NUM, 2000C:5).

This vision was the beginning of building the strategy for growth in the platinum group metals sector.

3.3 The Impact of Growth in the Platinum Group Metals Sector

In the ten-year plan, NUM states its vision this way:

> The National Union of Mineworkers will always strive to be the leading, strong, united, ever-growing, revolutionary Union (NUM, 2003b:31).

This is a bold statement for a union in a declining industry to make. This vision is elaborated in the section of the strategy that deals with membership and growth, which can be summarised as follows:

- The NUM is recognized in all categories, creating an opportunity for growth and access to intellectual capacity located within the industry.
- The competition for membership is going to be more intensive with more splinter unions emerging, and the traditional white unions trying to extend their scope.
- With the mining industry declining the union must increase its representativity to at least 80% in each branch.
- We must be more aggressive in recruiting members in identified growth sectors, i.e. construction and the platinum industry.
- We must continue to mobilize workers around issues and involve members actively.
- Every region must have a coherent recruitment strategy.
- The Production Pillar must develop and continue to refine a growth strategy.

- The union must continue to assess competitors and have pamphlets targeting specific segments of workers (NUM, 2003b:39).

This strategy is coherent. While dealing with the decline, its focus is on growth. The PGM sector is concretely identified as a growth sector, alongside construction and the skilled and white collar categories. The union acknowledges that it will face growing competition in the future.

The Secretariat Report to the 2000 National Congress confirms the focus on platinum as a growth sector.

> Our 'project approach' in Rustenburg showed concrete results. Our Rustenburg region is now the biggest region of our Union. It cannot continue being a project. The regional leadership should take charge of things and run with the ball. Our North East region has a lot of potential into the future. Chrome and Platinum greenfield projects are coming on stream. We must capitalize on this situation and organize these mines as they open (NUM, 2000a:6).

The Secretariat Report to the 2001 Central Committee meeting continues to pay attention to the PGM sector as a growth sector:

> Anglo Platinum has announced its plan to grow by 75% over a period of 5 years dating back to two years ago. We have witnessed concrete programmes in this regard. We have seen a number of greenfield projects launched, ranging from a shaft sunk in Rustenburg to a new processing plant in Pietersburg. We have seen Anglo Platinum actively facilitating a Black Economic Empowerment Companies entry to the platinum industry. The joint venture with African Rainbow Minerals in the Mandershoek project in the North East is one such project. The entrance of Mvelaphanda to Northam is an important development (NUM, 2001:54).

The recruitment strategy of 2002 placed the union representativity at different levels in the various sectors:

- gold – 44%;
- PGMs – 40%;
- coal – 25%;

- construction – 12%;
- energy – 38% (NUM, 2006:7).

The union intended to increase its representativity to new levels, and set the following targets for the period 2006-2008:

- gold – 68%;
- coal – 70%;
- platinum – 80%;
- construction – 60%;
- energy – 52% (NUM, 2006:7).

These targets are informed by a three-point strategic framework:

- Increase membership to 350 000 in 2008.
- Focus on construction and the platinum sector.
- Broaden the organising strategy beyond category 8 workers.

When it was suggested that there was nothing new in this strategy, the union responded that there was nothing wrong with the old strategy but that there would be a greater emphasis on effective implementation. There is a great deal invested in ensuring accurate reporting of membership statistics from the regions. Training of regional administrators is part of this effort. The union further identified several threats to the recruitment campaign:

> - Agency shop where branch leader tended to avoid full scale recruitment because this would lead to the decline of revenue into the Agency Shop account.
> - Where there has been instability in regions and branches, this has been accompanied by lack of focus to implement the strategy (NUM, 2006:8).

According to Frans Baleni (Interview, 23 November 2006), the strategy was directed at arresting the decline by identifying potential growth points, and them linking decline and growth points. The membership decline was proportionately slower than the

industry decline. Baleni confirms that “the union has been consistent with recruitment” (Interview, 23 November 2006). This view is not consistent with Baleni’s earlier view that the relative high level of membership was due to sheer luck. He justifies this deviation by confirming that “the ten-year plan is clear in approach. The execution was not properly co-ordinated. It was more bordering on luck, where workers go to the union office” (Interview, 23 November 2006).

This apparent loyalty to the union is explained in detail in the report of a study conducted by the Sociology of Work Unit of the University of the Witwatersrand in 2005:

> The majority, 61%, indicated that the Union had not disappointed them. We probed a bit further and broke this response down by sectors. The analysis reveals that members in the construction sector tend to be more disappointed with the Union than mining and energy members. Indeed, 56% of construction members indicated that they have been disappointed by the Union as opposed to 39% of mineworkers and 41% of members in energy (SWOP, 2005:33).

These findings indicate that loyalty to the union reflects the degree of satisfaction with services rendered.

There are two major platinum regions in the industry, in terms of NUM demarcation – Rustenburg and North East. The SWOP research findings in respect of these two regions give a clear indication as to whether the union is serious about prioritisation of platinum as a potential growth point. The report acknowledges that

> ... in general workers were happy with the assistance received from their regional structures, but the ratings are lower than for other structures. Members from the Rustenburg region were the least satisfied region regarding the provision of good collective bargaining. The same is true for the provision of services on time, where members in Rustenburg and North East in this case, were significantly less satisfied than the other regions (NUM members service research report (SWOP, 2005:47).

The union has to attend to all these issues if the dream of making platinum a real growth point is to become reality. The reality of dissatisfaction cannot be explained away.

According to Crosby Moni (Interview, 29 November 2006), although the growth has been phenomenal the biggest weakness "has always been lack of capacity to analyse. Regions that were affected took too long to recognise the opportunity." Oupa Komane (Interview, 3 December 2006 identifies four other weaknesses in respect of Rustenburg:

- no leadership cohesion;
- ill- discipline;
- serious divisions (splinter unions and internal divisions); and
- lack of organisational depth.

The conclusion that can be arrived at is that the union has concretely identified the potential of the PGM sector to replace some of the major losses incurred in the gold mining sector. The union could have grown faster in this sector, but it is positive that the union has identified the problems that contribute to the slower growth.

3.4 Outsourcing and the Decline

The practice of outsourcing and contracting out has been identified as a major contributor to the decline. It is a major feature in the reconfiguration of the labour market that requires new methods of organising. The SWOP research report captures this reality:

> The introduction of subcontracting into the labour market, especially in mining and construction, divides workers into two segments. There are those who work on standard contracts of employment, who are generally union members. Then there are those who work precariously for subcontractors who are not recognised by the Union. Often these two segments of the labour market are in conflict, since permanent workers fear for their jobs (SWOP, 2005:8).

These tensions impose on the union the duty to pay specific attention to outsourcing. By December 2003 "subcontracting accounted for roughly 20% of all employment in the sector" (SWOP, 2005:10). The NUM acknowledges that there has been an acceleration of contracting out mining work, including production work. In the 2000 Secretariat Report to the National Congress, the NUM

> ... characterized this trend as an offensive on labour standards. It is a strategy of destroying quality jobs and replacing them with inferior jobs. Our members are retrenched and then employed by contractors for half the wages with no basic cover (NUM, 2000a:34).

The International Chemical, Energy, Mining and General Union (ICEM) researched contract/agency labour, and characterised this problem as "a threat to our social standards" (ICEM, 2004:15) ICEM defines contracting out as "a commercial contract with another company to provide a particular service over a period of time" (ICEM, 2004:12). This research helped the NUM appreciate that outsourcing is a global phenomenon. Various ICEM affiliates agreed that:

> ... claims that these new contracting companies are 'specialist' providers are often bogus. They are set up by former managers of the principal company and take on workers retrenched from the same company. They are inexperienced in running a company, including labour management (ICEM, 2004:15).

In its written response to the research questions, the NUM confirms that outsourcing became strong in the 1990s and became rife around 1995. In response to this development the union commissioned a research study in 1995 to understand the impact of outsourcing and sub-contracting on the union's membership in the mining industry (SWOP, 1995). Out of that research the union developed a strategy of dealing with outsourcing which had the following elements:

- The Union should enter into an agreement with the Chamber of Mines, with the intention to control practices of outsourcing and sub-contracting in the industry.
- The Chamber of Mines agreement should be used by the Union to guide other collective bargaining processes in mining companies where the NUM is organizing, other than those affiliated to the Chamber of mines.
- The agreement should outline steps that have to be followed at mining house and branch levels before a company introduces contract work or outsources an operation.
- The branch must be consulted when there is contract work to be introduced on the mine.
- The Union should also organize workers in the outsourced operation to close down on practices of cheap labour by employers.

- The Union must embark on a widespread campaign to highlight the plight of workers who are employed under outsourced and sub-contracted operations (NUM, 2006:9).

In the Secretariat Report to the 2005 Central Committee meeting, the problem of outsourcing is summarised as follows:

> In real terms, it is not about cutting costs but about hiding them. When a company reports on the workforce, normally those employed by sub-contractors are not reflected although they work in that particular operation. Sub-contractors undermine standards in all respects and destroy gains made over many years (NUM, 2005:12-13).

The seriousness of the union about this problem is reflected in some of the agreements reached with the Chamber of Mines. Clause 5.1 of the 1999/2000 and 2000/2001 wage review agreement (gold) is dedicated to the regulation of the use of sub-contracting. The preamble to this clause summarises the intention of the agreement:

> The parties to this agreement are opposed to employees of sub-contractors being exploited for economic gain. It is therefore the intention of the parties to this agreement to regulate the use of contractors in the core business of Gold mines. Core business includes all tasks save for tasks which require special skills, equipment and/or resources and for which tasks mines do not ordinarily employ category 3 to 8 employees.
>
> In this regard the objective would be to ensure that contractors are monitored against minimum conditions of employment legislation and that their employees are adequately covered against unemployment, and work related injuries and illness (Chamber of Mines/NUM, 1999:7).

The objective of the agreement is clearly stated but carefully worded. The careful wording reflects the sensitivity and tenseness of the bargaining process. It was a major breakthrough to commit the mining industry to:

- fighting exploitation of the employees by sub-contractors;
- regulation of the use of contractors in core business;
- concrete definition of core business;
- enforcement of minimum legislative requirements.

The detailed breakdown of this agreement gives more insight to the contestation of ideas:

> Therefore the parties agree that:
>
> 5.1.1. Sub-contracting shall be a standard item on regular management/union meetings or shall be dealt with in subcontracting committees involving the Union.
> 5.1.2. All information relevant to sub-contracting shall be disclosed to the Union, subject to the law and applicable agreements.
> 5.1.3. Sub-contractors shall be monitored against the following:
> 5.1.3.1. Compliance with all health, safety and labour legislation or such exemptions that may have been granted.
> 5.1.3.2. Their registration in terms of the Unemployment Insurance Act 30 of 1966.
> 5.1.3.3. Their registration in terms of the COIDA and/or the ODMWA.
> 5.1.3.4. Provision of proof that they are paying the required assessments and levies in terms of the COIDA and/or ODMWA.
> 5.1.3.5. Compliance with the Mine Health and Safety Act No. 29 of 1996.
> 5.1.4. The mines undertake to include in tender documents for contracting work the relevant provisions of this agreement (Chamber of Mines/NUM, 1999:7-8).

This agreement created the necessary space for the NUM to organise and defend workers employed by sub-contractors. More important was the dynamic link between the union's organisational strategy and its collective bargaining strategy. This made it possible for the union to quantify the progress made in the implementation of the strategy overall.

3.5 Views of the Leadership Structures at Regional Level

The union's strategy appears to be coherent on paper and from interviews conducted with national leaders. The views expressed by the national leadership were tested with three focus groups, as outlined in the methodology section. All the focus groups agreed that the decline of employment in the mining industry had a negative impact on the

membership of the union. Targets set in various strategies could not be met. At best the union kept the membership decline proportionately slower than the industry decline.

Focus Group 1 identified some of the factors that contributed to the massive decline of the industry. They felt that a central factor was the pressure for productivity improvement, where the employers want to produce more and make more profits with fewer workers. Production bonuses are used as incentives for workers to meet higher targets, with the incentive remuneration being higher than the basic wage. The second factor identified was the consolidation of mines across farm fences into bigger entities. The consolidation of East and West Driefontein, Blyvooruitzig, Western Deep Levels, Doornfontein, Elandsrand and Deelkraal were cited as examples. Outsourcing of non-core activities and ultimately of production sections was identified as a third factor. The fourth factor was medical incapacitation and HIV/AIDS. The fifth factor was identified as the fluctuation of commodities prices and the impact thereof, particularly on marginal shafts. The sixth and last factor was the competition among the unions, with skilled workers moving from one union to another in pursuit of benefits offered.

Focus Group 2 did not go into factors underlying the decline. They raised issues related to the impact of the decline. They accepted that the union has lost membership as a result of the decline. Without going into details, they alluded to the fact that loss of membership resulted in the loss of union power and the shrinkage of the resource base. In a declining industry contractors are used on a large scale, making it more difficult for the union to organise. The successful collective bargaining strategy and the percentage-based subscriptions saved the union from total collapse

Focus Group 3 accepted that they had not been directly affected by the massive decline of the mining industry. Their comments dealt mainly with the general discussions in union structures. They made some general points about the negative impact of the decline on union membership. They saw the ten-year plan as a response to the decline and the outlined framework that gave the union structures the necessary focus. They believed that Operation 400 000 was an aggressive framework for recruitment, but refused to talk about the results of the campaign. They acknowledged that outsourcing had been accelerated over the years. As the number of workers employed by

contractors increased, the NUM had lost some focus. When the union was stretched out and confused, employers become more arrogant. Economic factors like the dollar price of commodities and the exchange rate have complicated the situation in the gold mining sector. The fact that South Africa exports commodities in raw form has translated into exporting much-needed jobs.

The focus groups also discussed the question of union strategies in response to the decline. Focus Group 1 saw the collective bargaining strategy as being very effective in countering the decline of in membership. They gave some examples of the provisions of various agreements with the industry. They cited the agreements on contracting out, medical incapacity, the gold summit and the formation of the Gold Crisis Committee as elements of an effective strategy. The increased number of full-time worker leaders at various levels of the union was also seen as giving the union capacity to respond.

However, they cited the weakness of union structures in implementation and monitoring signed agreements. This gave employers space to act unilaterally in contravention of the agreement. The way shaft stewards are elected makes the leadership collective less effective. Due to low literacy levels, in most cases shaft stewards do not collect basic information and accept information provided by management at face value. If the union could have followed through the results of the Gold Crisis Committee, they would have made retrenchment more expensive. As a result of this weakness very few leaders of the union are able to defend members against retrenchment. The branches of the union are reluctant to recruit workers who get promoted beyond category 8, depriving the union of the intellectual capacity at their disposal.

Focus Group 2 was more explicit about the linkage between the collective bargaining strategy and the overall strategy of the union. The agreements signed at industry level are about the implementation of the union strategy. They cited the outcomes of the mining summit agreements on medical incapacity and replacement of workers who die on duty by family-nominated breadwinners as examples of the linkage. They affirmed that the release of more leaders on a full-time basis gives the union more capacity to engage. They expressed a concrete view that the union has expanded its scope to cover

energy and construction as a response to the decline. The breakthrough in getting recognised as a bargaining agent for skilled and white collar workers gave the union an added advantage. Structures of the union give the NUM scope to deal with whatever problems arise, and to interact directly with members. The problem of weak co-ordination was raised again as being central to the lack of outright success.

Focus Group 3 accepted that the union had consistently targeted the PMGs as a growth sector. The plans developed at regional level were, however, not comprehensive. Although the ten-year plan has coherently identified platinum as a growth sector, there were serious weaknesses in the implementation of the strategy. High leadership turnover and serious divisions in union structures were identified as being central to the lack of cohesion in the region. This was further exacerbated by understaffing of the region and an operational arm that was not responsive. The calibre of staff deployed to the region did not meet the needs of a region identified as a growth point. A view emerged that some organisers stayed too long in the region and developed direct personal relations with managers. This undermined the union and made branches unhappy. Because of lack of experience and depth, many branches felt helpless when they were not serviced by union officials and when their plight was not highlighted in monthly reports. The fact that a big part of the region was in former Bophuthatswana negatively affected the level of political maturity and organisational experience. The education programme was not as intensive as it should have been. This created heavy dependence on national leadership, lack of understanding of union policies and absence of activitism. Tribalism continues to show its ugly head when there are problems and tensions.

Both Carletonville (Focus Group 1) and Klerksdorp (Focus Group 2) were of the view that the union understands and accepts outsourcing as a reality they must engage with. Rustenburg (Focus Group 3) was of the view that the union never fully accepted the reality of outsourcing but opted to resist it. They described it as a reality imposed on the union by circumstances. All the focus groups agreed that the union has responded effectively to this challenge. They referred to the Chamber agreement as a detailed response that attempted to set a floor of standards for workers employed by contractors. The union has accepted the need and importance of organising these

workers, but they acknowledged that it is difficult to organise and service them. These workers are on temporary and short-term contracts and get moved to other sites as soon as they get organised by the union. Their wages are low and they work under bad and dangerous conditions.

The Rustenburg focus group put more emphasis on the incoherent way the union is dealing with the challenge of contractors. They described the membership in contractors as unreliable and too mobile. Outsourcing weakens the bargaining strategy of the union and the ability to take militant action. Although the union has debated this challenge, there has never been full commitment to the union strategy at regional and branch levels. Outsourcing has been used as an entry point for Black Economic Empowerment, with the political leadership taking an active economic interest, making them both regulators and beneficiaries.

On whether the union has developed a coherent strategy, the focus groups came up with various views. The Carletonville group referred to the contracting out committees that should have been formed at branch level in terms of the Chamber agreement. These committees worked for a very short time and collapsed. This made it difficult to monitor this area of work. The Klerksdorp focus group accepted that it was a correct strategy to force the main employer to enforce the floor of standards. The union never fully enforced this agreement at branch level, leaving decision making as a prerogative of management. All focus groups agreed that the union strategy would have been more effective if contract workers were formed into independent branches with their own branch leadership. These branch committees would be trained like any other branch committee of the union. The Rustenburg focus group highlighted the risk of shaft stewards from the main employer branches being bribed by contractors if they are assigned to service their employees.

On the question of union influence, the Rustenburg focus group was of the view that the union's influence is weak and is declining. In the mining areas of Rustenburg ward, councillors are not mineworkers. Mineworkers are not actively involved in ward committees. As the workforce becomes younger, the weaker the comprehension of the

country's political evolution becomes. General activism is at its lowest, with members only relating to the union when they have problems.

The Klerksdorp focus group could not reach an agreement. Those who believed that the influence of the union is growing argued that no agreement stands in the industry unless the NUM has signed it, even if other unions have signed it. That the union is bargaining collectively for all the categories has increased its influence. That skilled and white collar workers are beginning to join the union in significant numbers is increasing the intellectual base. NUM members are active politically and in the communities they live in. This gives them an opportunity to be involved in development initiatives in their communities. However, a minority in the focus group expressed the view that NUM influence is in decline. They argued that there is a growing difference in organisational culture between the old and the new members. The younger generation and the growing number of women are more literate and actively undermine standing traditions of the union. Infighting and conflict in union structures and backbiting among leaders undermines the union. This gives space for management to undermine the union.

The Carletonville focus group was unanimous that the union's influence is strong and growing, both inside and outside of the industry. In the industry the union is meaningfully influencing decision-making processes, including employment processes and interviews. It is leading the health and safety campaign, and the education and development of workers. The employment of women in the mining industry and the contents of the Mining Charter are examples of the growing influence of the NUM. The union is leading the campaign for the democratisation of hostels and the right of mineworkers to stay with their families. The worker leaders who are working full-time for the union represent additional capacity that makes a huge difference in terms of service quality. They affirmed that no agreement could stand without the NUM. They acknowledged that internal problems have a negative impact on the influence of the union. Management always exploits the divisions. Where there are divisions, union influence becomes weaker.

3.6 Conclusion

One can conclude that the National Union of Mineworkers is strong and influential in the industry. Regions of the union are not equally influential, with clear and huge disparities in terms of the capacity to deal with issues. This is a reflection of an organisational gap in terms of experience, political consciousness and activism among the regions. The union is more coherent and cohesive at national level. Branches, and to a lesser extent the regions, have serious capacity problems. That the regional focus groups hardly referred to the written strategies of the union is a reflection of the low literacy levels among the regional leaders. However, there is a depth of understanding of union policies and strategies which reflects the serious need to close the literacy gap through conscious engagement. The union should urgently attend to the divisions and infighting in the structures. Acknowledgement of the re-emergence of tribalism is a danger sign.

I will come back to the detailed analysis later, when making a comparison among the various unions.

Chapter Four

THE RESPONSE OF THE UNITED ASSOCIATION OF SOUTH AFRICA TO THE DECLINE OF THE MINING INDUSTRY

4.1 The Historic Evolution of UASA

The United Association of South Africa (UASA) is a product of 33 unions that merged over a long period of time. Three unions can be regarded as the pillars of UASA:

- the Underground Officials Association (UOA);
- the Administrative, Technical and Electronic Association of South Africa (ATEASA), a product of the merger of the Mine Surface Officials Association (MSOA) and the Technical Officials Association (TOA); and
- the National Engineering Trade Unions (NETU), a product of a merger of various engineering unions that represented artisans in various trades during the days of the closed shop.

The merger that gave birth to UASA was the one between ATEASA and UOA in 1998, following closely on the merger of MSOA and TOA in 1996. The merger with the National Engineering Trade Unions in 2004 completed the process.

To understand the culture and tradition of UASA, it is necessary to trace briefly the history of the major component unions that formed the Association. Tracing this history is difficult as there is hardly any reference to the Officials Association in literature because, as Koos Bezuidenhout (Interview, October 2007), the chief executive officer of UASA, states, “The political influence was always dominated by left or right. The middle of the road was usually overlooked”.

P.J. Malan (1968), writing to commemorate 50 years of the Underground Officials Association, chose the title *50 Years of Co-operation in Mining*. He described the role of the Underground Officials Association as being embodied in the white supervisory staff:

> Wherever the search for minerals and metals led, the white supervisory official went to effect production with available unskilled labour and equipment, and where underground officials went the Underground Officials Association of South Africa was present (Malan, 1968:3).

Thus the history of the Underground Officials Association is linked to the history of mining in South Africa.

For the first 50 years, membership was voluntary and the association "has never disrupted production by disturbance or strike and can proudly proclaim its part in consolidating and safeguarding the industry when internal labour strike and the world war threatened to bring production to a stop" (Malan, 1968:10). This explains the UASA marketing campaign in early 2000s, which stated that it never went on strike for 108 years. Not to disrupt production is part of the proud history and tradition of the Association. Malan does not give the exact year in which the Underground Officials Association was formed. It is the history of the Mine Surface Officials Association that gives clarity on when the UOA was formed. The MSOA (1969:1) proclaims that, "To clarify their position the Underground Officials had formed an association of their own in 1918". Malan acknowledges the intimate bond between the Underground Officials Association and the Mine Surface Officials Association.

The MSOA's fiftieth anniversary book puts the role and the importance of forming the Officials Associations in context:

> Traditionally, officials were regarded as management men who were expected to remain neutral in these disputes, or, where possible, assist managers in settling them. But the fact that they were not members of a union left them somewhat isolated when they had to face protesting union men, or when it came to presenting their own case for improved conditions. In the words of a prominent trade unionist of that time, they were 'neither fish, flesh nor good herring' (MSOA, 1969:11).

This informed the formation of the Underground Officials Association in 1918, and the Mine Surface Officials Association in 1919. These associations claim a number of achievements ranging from the establishment of a retirement fund for officials, to the development of uniform conditions in the industry.

The Chamber of mines recognised the Officials Associations, but the unions rejected them as bargaining agents. The Mine Surface Officials Association refused union status. "This was partly due to Mader (president of MSOA at the time), supported by his executive, who insisted that the association was not a trade union and with patience would achieve its aims without striking" (MSOA, 1969:5). The culture and tradition of non-striking is rooted in both Surface and Underground associations. Hence the other unions regard these associations as a sort of friendly societies.

Despite the claims that UASA never engaged in a strike for 108 years, some of its members did participate in a strike in 1920:

> Nevertheless, when a strike occurred in the Simmer Deep in 1920 the association paid those of its members who had suffered loss of pay all they would have earned during the period. The money was raised by voluntary levy and the response was so good that only some £18 came from the association's fund (MSOA, 1969:6).

The marketing slogan reflected the principle rather than the fact. It was the principle of the Mine Surface Officials Association that the first duty of an official is to his employer. In most instances trade unions regarded the Officials Associations as being reactionary and serving to weaken the efforts of worker organisations. However, it is interesting to discover that in 1922 the Surface Association issued the following directive:

> In the event of a strike they were to perform only those duties for which their services had been engaged. They were not to perform extraordinary tasks unless, by so doing, they could save life or preserve property (MSOA, 1969:10).

This was contradictory to the first duty being with the employer. It is this contradiction that characterised the Officials Associations throughout their history.

Professor Luther Barker (2007) makes the point that when the Officials Association was launched in 1918 it catered for all the officials.

> The joint venture between the Surface and Underground Officials did not last longer than 1921, however, when varying interests surged and flagged at a pace no longer in step with each other; they went their separate ways (Barker, 2007:3).

This is different to the MSOA's argument that it was formed in 1919. One can assume, therefore, that the split occurred in 1919 and was formalised in 1921. Despite the opposition to seeing the organisation as a union, the Underground Officials Association "was registered on 21 August 1924 as a trade union in terms of section 14(3) of the Industrial Conciliation Act No. 11 of 1924" (Barker, 2007:3). Although the officials were always on the side of the mining companies, employers were suspicious of their intentions. Equally, when there was a strike union members saw them as "scabs". This is captured in "the letter written on 11 January (1922) by one Anderson reporting to London, that the general attitude of Underground and Surface Officials was 'very wobbly' and the extent of their loyalty to management was questionable" (Backer, 2007:4). This put pressure on the associations to prove their loyalty to management.

4.2 Mine Officials Associations in Transition

The Wiehahn Commission is always seen as having been responsible for the opening up of trade union rights for black workers. Its impact on the overall industrial relations system in South Africa is never analysed to the fullest, particularly in respect of white unions. One such result was the removal of job reservation.

The last reservation for white workers in the mines was removed in June 1983, as a result of an agreement reached between the Chamber of Mines and the Underground Officials Associations This was the consequence of the recommendations of the Wiehahn Commission that "the definition of 'Scheduled Person' in the Mines and Works Act be replaced by a non-discriminating definition of 'Competent Person'" (Barker, 2007:8). Only on 25 July 1986 did nine of the eleven unions representing white workers sign an agreement to petition government to delete the concept of a "Scheduled

Person" from legislation. No agreement was reached, however, with the remaining two unions, the Mine Workers Union and the South African Technical Officials Association representing slightly more than half of the white workers directly affected by the "Scheduled Person law" (Barker, 2007:9). These changes led the associations to amend their constitutions to accommodate members of all races and population groups. Both the Mine Surface Officials Association and the Underground Officials Association formed integrated branches and executive committees. The South African Technical Officials Association admitted coloured members in separate branches under white executive committees.

In 1991 Rennier de Waal, the General Secretary of UOA recruited Koos Bezuidenhout from Harmony Gold Mines in the East Rand to be a union official responsible for the East Rand and Natal. Bezuidenhout was promoted to the position of Assistant General Secretary (Manager) two years later. This appointment by the Underground Officials Association proved to be decisive and crucial. When the closed shop agreement with the Chamber of Mines was cancelled, "Koos Bezuidenhout sensed that the lifespan of the various officials associations in the mining industry would be seriously reduced unless drastic action was taken. He asked the secretaries of the three associations why are we still separate" (Barker, 2007:12). Bezuidenhout is credited for planting the seed for a united and strong officials association. He is seen as the man who lobbied the three general secretaries of the officials associations. His own General Secretary, Rennier de Waal, disagreed with him, seeing the idea as turning the UOA into a general union and being foreign to the mining industry. In 1995 Bezuidenhout accepted an invitation from the executive president of the Mine Surface Officials Association, Robie Botha, to join them as the General Secretary A year later Botha retired and Bezuidenhout was appointed as the Executive President. He expanded the scope of the association to cover metal and engineering and changed the name from MSOA to the Administrative and Technical Association of South Africa (ATASA). The Underground Officials Association changed its name as well to become the Officials Association of South Africa (OASA). This name change attracted the African Explosives Company Incorporated (AECI) Staff Association and the Industrial Salaried Staff Association to join OASA, starting a process of mergers.

The November/December 1996 *ATASA Bulletin* announced that the Administrative and Technical Officials Association (ATASA), the South African Electrical Workers Association (SAEWA, incorporating the Radio, Television, Technicians, and Allied Workers Union) and the South African Technical Officials Association (SATOA) had agreed to merge into a new association – the Administrative, Technical and Electronic Association of South Africa (ATEASA). SAEWA pulled out of the merger after few days. The new Managing Director of ATEASA, Koos Bezuidenhout, said on this matter, "Our way from here is onwards and upwards. We don't have time for lost causes. We did our best to accommodate SAEWA and we wish them well whatever new direction they select" (Barker, 2007:15). Each affiliated union was allowed to operate as a fully-fledged department headed by a general secretary. Simon Moshesh was elected as the first president of the new association and Koos Bezuidenhout the managing director.

4.3 The Ultimate Merger and Formation of UASA

In the last section we saw the parallel merger process around the two major officials associations in the mining industry, MSOA and UOA. These processes gave birth to two strong officials associations, ATEASA and OASA.

> On Wednesday 1 April 1998, the Administrative, Technical and Electronic Association of South Africa (ATEASA) and the Officials Association of South Africa (OASA) joined forces to form the United Association of South Africa (UASA), with a 40 000 strong employee voice. This was the final step in a process first mooted in the mining industry some 76 years ago (Barker, 2007:22).

UASA had two Chief Executives – Koos Bezuidenhout who was responsible for operations, and Rennier de Waal who was responsible for finance and administration. Simon Moshesh was elected the first President of UASA. Following this merger, more unions took an active interest in merging with UASA. The first one was the Hairdressers and Cosmetologists Trade Unions (HACTU). This union was formed in 1944. It was dissolved and incorporated into UASA in 2000. This was followed by the merger with the South African Diamond Workers Union in July 2001. This union did not only bring 980 members into UASA but also gave the association membership in the World Diamond

Council. In September 2001 the Staff Association for the Motor and Related Industries joined UASA, bringing 1 200 members. In 2002 seven unions organising in Denel joined UASA, making UASA the biggest union in Denel with 3 200 members. Other smaller unions were also incorporated into UASA.

There were two significant unions that merged with UASA, making it the biggest affiliate by far of the Federation of Unions of South Africa (FEDUSA) – the Salaried Staff Association merged with UASA on 22 September 2002 with a membership of 16 000 in railways and harbours. This was an old union that was formed in 1918. This merger took UASA membership to about 65 000. The largest UASA merger was with the National Engineering Trade Union (NETU), with 26 000 members, in April 2003. This gave UASA recognition in metal and engineering, pulp and paper, and artisans in the mining industry. UASA membership was close to 100 000 after this merger. This was a formidable force to deal with the decline in the mining industry.

4.4 The Response of UASA to the Decline

In Chapter Two, the decline of the gold mining industry was discussed. From the union's point of view, the decline was mitigated by growth in other sectors of mining, particularly the accelerated growth in the platinum group metals. The negative impact of this decline on the various trade unions in the mining industry was reflected in the membership numbers, as provided by the Chamber of Mines. Although union density improved from 78,9% and 70,5% in 1996 to 84,9% and 84,9% in 2005 for coal and gold respectively, the representativity of the various unions showed a different trend.

In 1996 UASA was 15,8% representative in the coal mining industry and 7,6% in the gold mining industry. Following its merger with the National Engineering Trade Union, its representativity improved to 17,6% and 8% in 1997 in coal and gold respectively. The representative level of UASA in gold reached 10,2% by 2003. In coal, however, the trend was downward, declining to 11,7% in 2005. After 2003 there was a visible decline in the association's representativity even in gold, reaching 8,4% in 2005.

With the apparent growth in its representativity and membership growth – from 7 000 to more than 10 000 members between 2001 and 2006" (UASA, 2007:13) – the Union was indifferent to the decline in the mining industry. That the union is organising in 22 sectors of the economy made the impact of the decline felt more slowly, as the overall decline of the membership was slow. "The membership numbers of UASA declined from approximately 110 000 in 2004 to 90 000 in 2007" (UASA, 2007:2). A structured and coherent strategy, Operation Turnaround, was only adopted in May 2006. In this strategy the union acknowledges that:

> Various factors in the South African economy and labour market, e.g. retrenchments, liquidations, fluctuating prices/currency, outsourcing, increased unemployment, expanding informal sector, resulted in an alarming downward trend of the union's membership numbers. This trend was diluting trade union density and powerbase, which is necessary in order to be able to protect and fight for members' rights in the workplace (UASA, 2006:4).

This was a wake-up call for UASA to urgently find a solution if the union was to survive in the long term. In addition to the dilution of the power base, there is an inherent risk of the union losing the right to bargain collectively. The main factors that contributed to the decline in union membership were identified as:

- The implementation of employment equity, both in the sectors organised by UASA and the fact that women constitute less than 15% of full-time official and elected leaders of the union.
- Separation of worker categories (bargaining units), resulting in less emphasis being put on the fundamental right of freedom of association.
- The scope of the union as per its constitution still puts limitations on organising certain of the identified target groups (see below).
- Very limited links with other unions globally.

The union further acknowledges that there has been no real success as a result of any recent initiatives, hence the need for a more comprehensive strategy to deal with the identified problems. Operation Turnaround is not just regarded as a strategy but as a

project that was piloted over twelve months. The project framework was a national guide:

> ... [with] sectoral, regional and operational managers, organizers and representatives expected to produce their own specific project plans with more specific activities and timeframes, within the broader guidelines of this framework, that are applicable to their representative levels and areas of responsibilities (UASA, 2006:5).

Four target groups were identified:

- non-unionised workers;
- female workers and members;
- informal sector workers; and
- workers in categories in which the union has historically not organised.

The main aim of the project is to ensure growth in membership of UASA. To achieve this, the union developed a framework with fifteen elements:

- Improving benefits and service levels negotiated and made available for members.
- Assessing current skills levels, and development and education for organisers and representatives.
- Developing recruitment and marketing skills, with an emphasis on female members.
- Improving visibility of union organisers and representatives at operation level, coupled with increased media exposure.
- Training organisers and representatives to ensure improved service.
- Increasing representativity in the formal sector.
- Developing monitoring systems to improve membership retention.
- Improving communication within the union.
- Empowering branches through training and development.
- Improving collective bargaining structures and systems.
- Increasing legal support and improving the case management system.
- Consolidating sectors.

- Regularly assessing UASA's strategic positioning.
- Motivating and aligning staff to the union's new vision.

The strategy seemed to be coherent, but when one looked into the expected results there was repetition of the elements of the strategy without concrete plans of action. The only concrete proposal was the negotiation of agreements with financial institutions "in respect of a range of products to the benefit of members" (UASA, 2006:8). Benefits and services are central to the strategy of making the union more attractive. Other interventions are very superficial. For example, training through workshops and courses, and exposing each individual to suitable development programs, workshops and courses is not explicit in terms of planned interventions. This may result in no action being taken. This is reflected in the response given to the question of whether the strategy was implemented effectively. The union's response to this question was:

> The strategy was implemented with success, although the membership did not increase drastically overall.
>
> The main reason for the aforementioned, is that although the strategy resulted in significant numbers of members recruited, the retention of current members remained a problem (UASA, 2007:9).

This response fails to acknowledge that a programme adopted in May 2006 may not be evaluated fully within a short period of time. The union should deal with its tradition as identified in the analysis. The response sounds more like self-congratulation. UASA claims to have identified the opportunity presented by the growth in the PGM sector. There was no specific growth strategy for the sector; it was handled within the framework of Operation Turnaround, but more officials were appointed in the PGM sector. The union claims that membership in the sector increased from about 7 000 to about 10 000. The conclusion one can come to is that, if there is no coherent measurable strategy, even the claimed growth may be unsustainable in the long term as it is based on hit and miss.

In terms of outsourcing, the union saw itself as having no option but to engage with this reality. Their focus was on fair treatment for their members who were victims of outsourcing and ensuring that they did not become worse off. More emphasis was put

on maintaining UASA membership. UASA does not see any uniqueness or difference in outsourced services, as the association developed a relationship with the new employers. It appears that UASA is in denial that outsourcing poses a unique challenge to the trade unions. It would be helpful to refer to practical case studies where outsourcing did not translate into major changes in terms of earnings and conditions of employment. UASA is of the view that their strategy worked perfectly well.

The union accepts that its representativity has declined in line with the decline in the industry. It also acknowledges that competition among unions in the industry is tight, making it almost impossible to increase membership. UASA is convinced that Operation Turnaround will help them to retain their existing membership. The union sees its influence as having increased because new members joined the union during wage negotiations. The union sees itself as playing a more active role in job creation and preservation initiatives in the industry. As the biggest affiliate of FEDUSA, it has a seat in all statutory and non-statutory bodies like the National Economic Development and Labour Council (NEDLAC) and the Millennium Labour Council. It also has international affiliation with the International Trade Union Confederation (ITUC) and the World Diamond Council.

The level of influence is a function of the union's feeling. If the influence is from a low base, mere involvement can be interpreted as an increase in influence. UASA had a monopoly in representing officials in the industry, a bargaining unit that is now shared with Solidarity and the NUM. In their response the union is silent on the impact of opening up this bargaining unit. There is no reference to the effect of doing away with the closed shop arrangement in the union. These questions can be clarified in the interviews with union leaders.

4.5 Interviews with National Leaders

4.5.1 Leon Grobler

On 1 October 2007 an interview was conducted with Leon Grobler, the Chief Operations Officer of UASA. Grobler joined UASA in April 2004 as a Senior Legal Manager and was promoted to the position of Manager: Strategic Services in July 2004. On 1 October 2006 he assumed the responsibility of Chief Operations Officer.

When Grobler came to UASA he discovered that the union needed to change its organisational strategy, as the membership in mining was declining. The scope of the union was extended to cover about 30 sectors. These sectors were clustered into three main sectors – Mining, Metal Engineering and Transport – with many other very small sectors. For some time Mining and Metal Engineering were constituted into one division. The intention of growing Metal Engineering influenced the decision to separate the two. Mining, on the other hand, had special challenges that needed specific interventions in the following areas:

- collective bargaining;
- shift from gold to platinum in terms of being the dominant mineral in the economy; and
- the new legislation in various areas of regulation.

Grobler confirmed that the decline in gold mining had had a negative effect on the association. It was interesting, however, that UASA did not see Solidarity as a major threat, although they did see it as competition. They claim that a sizeable number of Solidarity members have joined UASA. No membership figures were provided to corroborate the claim. On the question of the PGM sector, Grobler confirmed that UASA had started working on the growth of membership in PGMs in the late 1990s, but without a coherent written strategy. UASA analysis is that there are two major unions in this sector, the NUM and UASA. There was historically a clear division of representation, with the NUM representing categories 3 to 8 and UASA representing tradesmen and officials. UASA positioned itself for growth. In 2003 offices were set up in Rustenburg

and Polokwane. A dedicated team was established to focus on platinum. Because of the divisionalisation of the union, Grobler could not give details and figures on growth.

To deal with outsourcing UASA established a specialised unit that cut across the sectors – Temporary Employment Services (TESA) – with a dedicated manager. People based in the regional offices focused on all auxiliary services. The main branches of UASA did the servicing of these vulnerable workers as the first point of call. UASA has discovered two features of this labour market – first, that it is difficult to organise and represent, and, second, that it is difficult to bargain collectively for these workers. UASA believes that it is possible for them to organise one-third of the workforce in the mining industry. They base this on what they see as significant growth at the expense of Solidarity. In the platinum sector, they have also witnessed some NUM members migrating to them. They see this as positive, although it is still small.

UASA sees its influence in terms of affiliation and participation in statutory institutions. On that basis, they claim that their influence has grown. They are the biggest affiliate of FEDUSA and sit in all its decision-making structures. They have a seat in NEDLAC, the diamond regulator, and various bargaining councils and Sector Education and Training Authorities (SETAs). They participate in the Millennium Labour Council and the Presidential Working Group. The Association is affiliated to international labour bodies for transport, diamonds, and the International Trade Union Confederation (ITUC, the merged ICFTU and WCL). UASA also participates in the structures of the International Labour Organisation (ILO).

Leon Grobbler accepted that the removal of the closed shop arrangement and the opening of the majoritarian bargaining approach has weakened UASA's influence. Politically. UASA is non-aligned and members participate independently of the union. UASA takes its social responsibility seriously and contributes to welfare organisations.

4.5.2 Jacques Hugo

On 2 October 2007, Jacques Hugo, the Chief Corporate Officer, was interviewed. Jacques Hugo joined UASA in 1996 from Free State Geduld, where he worked as a mine

overseer. His joining of the Underground Officials Association in 1996 coincided with the process of merger among the three officials associations, outlined above.. The merger strategy was to amalgamate the officials categories that bargained together and that agreed on most issues. This was a membership-driven process, where members saw the need on the basis of their experience. The merger, which gave UASA numbers and power, hid the impact of the decline and its severity.

In the platinum sector, UASA had about 2 000 members in 2004. The merger with NETU added about 800 members. A manager in the Head Office was given the responsibility to dedicate all his time to organising members in Rustenburg. The membership grew to more than 7 000. An office was opened in Rustenburg in 2003 and another in Polokwane in 2007. Jacques submitted that there was no coherent strategy, as UASA was more "protectionist" in approach. A debate was started in 2006 to discuss moving from a protectionist approach to a more developmental approach, characterised by being more proactive.

In contrast to the more structured approach in organising outsourced workers presented by Leon Grobbler, Jacques Hugo stated that organising outsourced workers is handled at sectoral level. UASA has allowed these workers to join the union, without going out of its way to organise them. Most of them are on debit orders (the union fees are automatically docked off their monthly salaries), with no collective agreement regulating the relationship with their employers.

Jacques Hugo accepted that competition among the unions has become very intensive. UASA has become an important role player. Membership growth has not been organic, but members lost in gold have been replaced by those in platinum. Hugo is of the view that, as a result of mergers, UASA's influence has increased. The influence guaranteed by the closed shop has been removed, and the union has to be more creative to attract and retain members and increase its influence.

4.5.3 Koos Bezuidenhout

On 1 October 2007, Koos Bezuidenhout, the Chief Executive Officer of UASA, was interviewed. He joined the Underground Officials Association in 1990 from Randfontein Estates where he was an underground manager. He added knowledge of the industry to the leadership of the association.

Traditionally, the bulk of the membership was in gold. With the decline of gold mining, proportionately more officials were retrenched. Many of them moved to other sectors of mining – platinum, base metals and, to a lesser extent, coal. UASA's strategy was to maintain membership numbers by moving aggressively to platinum. The association set up a placement agency that was in constant contact with platinum employers. This agency kept a database, onto which CVs were loaded on an ongoing basis. The union restructured itself from a gold-dominated union to a more dynamic one. The game plan changed and the union became more centralised, with resources being deployed in terms of strategic needs.

UASA identified with the notion of platinum being a sunrise industry in the early 1990s. This was informed by information on reserves and use of the commodity. The analysis concluded that platinum was more secure. The union then decided to grow its presence and establish branches. Its focus was on building numbers and developing more dynamic communication. Membership grew to about 12 000 in 2006. To retain the membership, UASA decided to grow service levels, and service centres were set up. Branches were grown to handle their own affairs.

UASA is against contracting out because it leads to labour abuse. Contracting out is used to lower labour standards and leads to unions dealing with invisible employers. The union then loses focus on its specialisation. UASA puts more pressure on the main employers to secure employees and improve the conditions of contract workers.

In terms of representativity, UASA membership increased to about 100 000 before dropping to about 86 000 in 2006. This growth was more a function of mergers than an organic growth. The footprint of UASA has increased because it covers more sectors,

and its scope covers other categories that were traditionally not covered by UASA – artisans and categories 3 to 8. Nearly half (47%) of UASA members are black. Bezuidenhout conceded that many members of the NUM became members of UASA because of being promoted to the category of officials as a result of the closed shop agreement.

Bezuidenhout captured the level of influence of UASA in a "unique UASA way". The influence on change was not prominent because traditional membership was at management and supervisory level. Its influence was not action-based but tended to be more research-based; it influenced other unions and associations. The closed shop arrangement gave UASA more guaranteed influence. Politically UASA was always overlooked because it was in the middle of the road. Political influence is always dominated by the left or right. UASA was always sandwiched between these extremes, and kicked by both sides. Members of UASA have no tradition of being involved. They only get involved when there is a threat or during bargaining.

4.6 Interview with Focus Group

The attempt to get a focus group in UASA was an uphill struggle. In the process of trying to get the focus group together the biggest discovery was that UASA does not have a shop stewards movement, as one would find in a COSATU union. Eventually, a group of five shop stewards from Kloof Gold Mine was put together, and interviewed on 25 November 2007.

On the question of the decline of the gold mining industry and its impact on the union membership, the focus group accepted that the impact was negative and resulted in serious membership decline. There was a direct correlation between the decline in the workforce and the decline of UASA membership. The workload on the individual members increased. The example given was that of the ratio between the electricians and winders in an underground section. Historically there were three electricians for every three winders. After the massive decline in the industry, the new standard ratio is one electrician to every three winders. In a shaft of about 5 000 workers, the change

rooms were manned by 23 workers and only handled work clothes for the white workers. With blacks being promoted to professional and supervisory positions in big numbers and an increasing number of category 3-8 workers staying away from the traditional single sex hostels, the workload has increased. The same change rooms with increased workload are now staffed by 13 workers.

According to the focus group, “the union did not have a structured response, but went with the flow”. As a result of uncertainty, many of the skilled and supervisory workers left the mine for better paying jobs elsewhere in the mining industry. This translated into a serious shortage of skills. Management responded by introducing a retention allowance and higher production bonuses to retain the skills. The union claims that their involvement was limited to negotiating retention packages, alongside the NUM. The focus group accepted that this was more a management strategy than a union strategy.

On the PGMs as a growth point, the focus group was of the view that there was a serious attempt to organise platinum workers. This attempt was stepped up as gold mining was declining. They could not provide figures to back up their argument. The most interesting point they made was that they were never in a meeting where there was a discussion of any strategy for organising various sectors of mining. Their view is that UASA had no strategy that was common in all the mines. In every mine, shop stewards developed their own strategy. In Kloof they went out and organised bakery workers to make up for the numbers lost through retrenchments.

On outsourcing, the focus group was of the view that such workers were treated as cheap labour for management. Their remuneration was only cash, with no benefits or job security. The relationship between these workers and the union is more accidental in that they are organised because they are old union members. They pay their subscriptions through bank debit orders instead of formal payroll deductions. They are represented in individual cases, but collective bargaining is more difficult.

On representativity, the focus group was of the view that the union had grown in the recent past. They attributed this growth to two major factors:

- They pushed for the derecognition of Solidarity on the basis that it did not meet the set threshold. Solidarity members thus had no option but to join UASA.
- The introduction of agency shop fees pushed non-union members into joining the unions. UASA benefited in this process.

The focus group believed that the union was more visible and participated in more forums. Its influence has increased, although they accept that the removal of the closed shop agreement has taken away some power; however, within a more democratic set-up, their influence has increased. With UASA organising workers in municipalities, their influence in communities is more indirect. With more research capacity, their influence is growing.

4.7 Conclusion

Having engaged the leadership of UASA and a sample of leaders from the branches, one comes to the conclusion that UASA had no coherent strategy to deal with the decline. The union was more preoccupied with the threat of the removal of the closed shop arrangement. It was this threat and the desire to have a monopoly control over the officials bargaining category that informed the merger strategy. UASA benefited from the closed shop agreement optimally when members were forced to join them. This is reflected in the 47% black membership of the association.

UASA is not a classical union. It is a business service union which retains membership through benefits as opposed to trade union service. The shift in approach from "protectionism" to a development approach is a realisation of the weakness in this approach. UASA is reluctantly becoming involved in strikes and other forms of action – a total reversal of the way in which UASA marketed itself previously, as not having gone on strike for 108 years. The pressure of competition from other unions pushed UASA from the false comfort of growth as a result of mergers to the development of Operation Turnaround.

When one engages UASA, one picks up the subtle contestation between traditionalists and those who push for change, between those who think it is bad for their reputation to engage in action and contest capital and those who see the need for being more active. However, there is growing realisation that UASA cannot continue as if it is business as usual. It is equally interesting that they have identified their niche segment, an area in which they to make an impact. They are not seeking to improve their influence, but limit it to trade union work. What happens in society seems to mean very little to them, even though it is the environment they work in.

The disparity between the national leadership and shop stewards in terms of understanding union policies and strategies is shockingly big. This can be attributed to the fact that the union has no traditions as such, as many stewards are from different unions that have merged into UASA. An aggressive education programme is needed for this union to be integrated into a single union with one tradition.

Chapter Five

THE RESPONSE OF SOLIDARITY TO THE DECLINE OF THE MINING INDUSTRY

5.1 Introduction

To understand the response of Solidarity to the accelerated decline of the mining industry in general and of gold mining in particular, it is important to trace the historic evolution of the union. This historic evolution will capture both the glaring and subtle differences in its strategy compared to those of UASA and the NUM. It will also give us an understanding of what Solidarity is, demystifying the perceptions based on anecdotal information. It will answer the question of whether it is a right-wing white union, an Afrikaner-based union, or a viable alternative type of unionism.

The abstract of Wessel Visser's (2006:19) article in the *South African Journal of Labour Relations* summarises the history of Solidarity as follows:

> South Africa's most prominent white trade Union of the 20th century, the Mine Workers Union, became renowned for defending white job reservation in the mining industry. After 1948 it enjoyed the NP government's support in this regard. Skilled labour shortages and changing labour conditions in the 1970s forced the government to introduce labour reform. Job reservation was scrapped and black unions were officially recognized, in accordance with the recommendations of the Wiehahn Commission. These initiations put the MWU on a confrontational path with the government and the Union aligned itself with right wing political resistance and protest. However, the altered political and economic South African realities after 1994 forced the MWU to rethink its vision, strategies and structures. By 2002 it had reinvented and transformed itself into Solidarity, adequately equipped and geared to address the labour challenges and demands of a post-apartheid South Africa.

To complete this chapter, a brief analysis of the union's historic evolution is important. This will look into the journey Solidarity took from the Transvaal Miners Association in 1902, to the Mine Workers Union in 1913, to Solidarity in 2002.

5.2 The Mine Workers Union and the Rise of Afrikaner Nationalism

The formation of the Transvaal Miners Association (TMA) in 1902 cannot be separated from the urbanisation of Afrikaners and the emergence of the Afrikaner working class. The discovery of gold in the Witwatersrand in 1886 and diamonds in Kimberly in 1867 had a negative impact on subsistence and pastoral economy among Afrikaners. "The devastating effect of the rinderpest epidemic of 1896-7 was a major factor in stimulating large scale migration of rural Afrikaners to the Witwatersrand" (Visser, 2003:4). This process was given momentum by the devastation inflicted by the Anglo-Boer war. Opportunities offered by the Witwatersrand goldfields lured poor Afrikaners to these urban areas.

Mining was dominated by miners of British origin, with a long-standing tradition of trade unionism:

> In 1902 the Transvaal Miners Association (TMA) was established in Johannesburg. The majority of its members were of British descent, especially from Cornwall, Durham and Northumberland. After the miners' strike of 1913 the TMA was renamed the South African Mine Workers' Union, also known as the Mine Workers' Union (MWU) (Visser, 2003:6).

Initially Afrikaner workers were not involved in the union, and basically stood aloof from organised labour. This resulted in their exclusion from the leadership structures of the union. Despite their alienation they participated in the 1913 strike and the 1914 general strike. Many of them were arrested, raising the class consciousness among Afrikaner workers.

When World War One broke out, thousands of English-speaking miners volunteered to join the British war effort, creating space for Afrikaners to take their places. "By the end

of the war these workers formed about 75% of the white labour force of the gold mines, compared with about 40% at the start of the war"(Visser, 2003:7). This transformed the white labour force in the mines, to be predominantly Afrikaners. This shift in the balance of forces started a debate as to whether Afrikaners should form their own organisation or whether they should strengthen the MWU and take control of it. Afrikaners themselves were divided on this matter. Hardliners formed their own union in 1917, the Zuid-Afrikaanse Werkers Bond. The Chamber of Mines refused to recognise the union. By 1921 the Bond died and MWU remained the only home for Afrikaner miners.

The MWU played a pivotal role in the Rand Revolt of 1922, defending white job reservation and the colour bar in the gold mines. This strike was crushed by the combined might of the state and the Chamber of Mines. This defeat caused resentment and anger among mine workers.

> The Chamber of Mines quickly exploited its victory. It dealt firmly with the South African Mine Workers' Union by taking away negotiation rights and ceasing to recognize shaft stewards. It restored complete managerial control over the labour force (Allen, 1992:306).

According to Visser (2006:20),

> ... a political consequence of the miners' defeat during the 1922 strike was the fall of the Smuts government in the 1924 general election, the Smuts government being held responsible for the violent suppression of the strike. In its place a coalition government consisting of the National Party and the South African Labour Party came into power and introduced a programme of protective pro-white or 'civilized' labour legislation.

Allen (1992:317) states, "The Pact government of 1924 was a revenge for the white miners to compensate for the 1922 defeat."

The consensus between these two authors is that the Mine Workers Union was incorporated into government structures through the promulgation of the colour bar.

> In the 1948 general election six mining constituencies played a decisive role in bringing the N.P. [National Party] to power. In November 1948, six

> months after the N.P. came to power, a new N.P. oriented MWU executive was also elected (Visser, 2006:21).

The union's executive continued to be dominated by NP supporters from 1948 into the 1970s.

Ari Sitas (1979) describes the control of the MWU by Afrikaner nationalism as being maintained via a group of reformers within the union. This gave the National Party hegemony over a cross-section of classes, with particular focus on the white Afrikaner working class. Daan Ellis, who was elected General Secretary in 1948, had strong links with Afrikaner nationalists:

> In the 1960s the MWU appeared to be state co-opted, bureaucratic and protected. Daan Ellis died in July 1963 and was succeeded as General Secretary of the Union by Eddie Grundling. Grundling was nothing if not a dynamic, methodical man bathed in the fire of Afrikaner Nationalism (Sitas, 1979:33).

Grundling's term as General Secretary can be characterised as a period of contestation by the rebel group which saw the union as traitors. This conflict came to a head when the union agreed to the "mining experiment" in 1964. The experiment was about the

> ... easing of the underground colour bar so that African mineworkers could perform traditionally white work underground. Competent 'non-scheduled' persons were to perform work, which in terms of the provisions of the Mines and Works Act, could only be performed by 'scheduled' whites (Sitas, 1979:36).

The rebel Action Committee reacted to the African job advancement scheme by demanding that Grundling resign and the experiment be terminated. The strife in the union led to a series of court cases and government investigations that were disruptive to the mining industry.

In November 1966 the rebel Action Committee took control of the MWU. Maurice Meiring was elected the president and Fred Short an interim General Secretary. Grundling was summarily dismissed, a decision that was contested in court. It was only settled by Justice Trollip in 1967, when he ruled that:

> Beyers' and Short's appointments were invalid in terms of the Union's constitution: Short's because he was not a full member of the Union and Ras Beyers' because he was obviously an official of the Union and the constitution did not provide for a full time legal advisor. 'He was obviously to be a full time, paid official of the Union.' He also ruled that the sacking of Grundling was constitutional and legitimate (Sitas, 1979:50).

5.3 Winds of Change and the Corrosion of the Colour Bar

The intensification of the struggle for liberation in the 1970s started with the Durban strikes in 1973, followed by a series of strikes throughout the country, and given impetus by the 1976 students' uprisings. These events created an environment for political change. The threat of "economic isolation and sanctions by the international community in response to South Africa's apartheid policy" made the government realise the importance of mining and business interests as a source of government revenue. This put pressure on the NP government to begin the process of removing the restrictions on black labour. "This in turn generated greater tensions within the ranks of white trade unions, especially the MWU" (Visser, 2006:22).

Under this political pressure, in 1977 the government appointed a commission of inquiry into labour legislation, known as the Wiehahn Commission. Allen (2—3:419) describes the primary task of the Commission as confronting "the issue of black trade unions by deciding their legality, suggesting a structure for the settlement of disputes and examining the practice of racial discrimination at work".. The Commission's recommendations included the registration of black trade unions and the abolition of job reservation. On the basis of "pragmatic assessment, and not principle, the Commission, with slim majorities, made recommendations concerning critical areas of racial discrimination" (Allen, 2003:419).

The appointment and the acceptance of the recommendations of the Wiehahn Commission were major factors "in the eventual rupture of the ties between the MWU and N.P." (Visser, 2006:23). The white right-wing unions rejected and condemned the recommendations. The MWU equated the recommendations to the betrayal that had

led to the 1922 Rand Revolt. As far as Arrie Paulus was concerned, the status quo of the Mines and Works Act with regard to job reservation should remain unaltered, as it was perceived to be the only protection for the white labour minority against "black oppression" (Visser, 2006:23). The fact that both the Occupational Diseases in the Mines Act of 1973 and the Mines And Works Act of 1956 were not included in the list of Acts to be reviewed by the Commission was used by the MWU to retain the status quo. This delayed the implementation of the Commission recommendations by two and a half years. The O'Kiep strike in March 1979 was the strongest display of discontent about the recommendations by the MWU. The work stoppage by 80% of MWU members in support of the O'Kiep strike was a serious show of strength in support of the retention of white job reservation. Visser (2006:23) describes the 1979 strike as the "last desperate but futile attempt by white miners to thwart labour reform and to preserve a labour dispensation based on apartheid legislation".

Part Six of the Wiehahn Commission's report specifically dealt with industrial relations in the mining industry. The Commission came to the conclusion that "There is no sound reason why the mining industry cannot function quite satisfactorily if it were to be subjected to universally applicable industrial relations contained in a single Act" (Allen, 2003:456). The term "scheduled person" in the wording of the 1965 Mines and Works Act was replaced with "competent person" – thus implying that black miners would in future also be able to obtain blasting tickets (Visser, 2006:24). Using its power and influence the MWU succeeded in delaying the implementation of the Act and kept the colour bar on the mines intact until late 1987. The MWU aligned itself with right-wing political parties like the Herstige Nasionale Party (HNP)and the Conservative Party after 1982. This was reflected in the rightward swing of the electorate even where the NP won the mining constituencies. Ultimately in 1987 Arrie Paulus won the Carletonville constituency for the Conservative Party.

Piet Ungerer was elected General Secretary of the MWU in 1987. He came with a strong vision of "consolidating white union labour to protect white workers more effectively from black encroachment" (Visser, 2006:26). Ungerer took over at a time when the implementation of Part Six of the Wiehahn Commission Report was effected. The end of job reservation was finally a reality. The "MWU adapted its strategy. Henceforth it

would strive towards creating a 'super white trade union'" (Visser, 2006:26). The intention was to build a strong union that would look after the political, economic and cultural interests of the Afrikaner working class. The union adopted an aggressive recruitment strategy and extended "its scope to workers in the steel, chemical, distribution and other miscellaneous industries" (Visser, 2006:27). The MWU retreated into the fold of right-wing politics, and joined the forces of resistance and obstruction. The union became a founder member of the Afrikaner Volksfront in 1993. This led to stagnation for the bigger part of the 1994-97 period.

5.4 Changing Identity – MWU to Solidarity

In 1997 Flip Buys succeeded Peet Ungerer as the General Secretary, the first person in that position who was not himself a miner. Flip Buys' interview with the *South African Labour Bulletin* in June 2006 summarises the new strategy and direction of Solidarity (SALB 2006). Solidarity was a product of the merger of a number of white unions, starting with the Mine Workers Union and the South African Union (the former Yster and Staal). This merger was a response to the massive reduction of membership as a result of retrenchments in a number of companies and parastatals like ISCOR, ESKOM and TELKOM, during which these two unions had lost about 65 000 members. With the expanded scope:

> ... the largest sector is in iron, steel and engineering with 33 000 members followed by mining where it has 18 000 members. It also has members in ESKOM, telecommunications, chemical, electrical and in a general category which includes commercial, education and research. It is the largest recognized union in Mittal Steel and the second largest in ESKOM and SASOL (*South African Labour Bulletin*, 2006:19).

Solidarity mainly recruits Afrikaans-speaking people. Flip Buys affirms that "The Afrikaans language is important. We believe, as stated in the constitution, in people's right to their own language" (SALB, 2006:19). Over three-quarters – 80% – of Solidarity membership is white, mainly skilled and educated. Solidarity organises across the sectors, like a federation; each of the larger sectors has its own general secretary. There is an overall General Secretary and two Deputies. There are no regional offices. The

Union is federal with each sector holding an annual congress. Representatives of all the sectors come together in an annual national congress. The two largest departments are organising and legal. The legal department employs 26 people, twenty of whom are based in the Head Office. The union has a research department with highly qualified researchers and two economists. Solidarity is one of the few unions with a well-developed call centre focusing mainly on servicing the general sector. The other unique feature of Solidarity is the "Helping Hand" which runs community projects. These projects include bursaries, feeding schemes and helping in disaster situations. The union employs a full-time community worker.

The most ambiguous stance of Solidarity is in the area of politics. Its starting point is that "Afrikaner and White institutions disappeared with the coming of the ANC government" (SALB, 2006:23). The union claims to be independent while involved in issues that are seen to be political. The unions participate in establishing civil organisations. Solidarity sees its involvement in the resistance of name change in Pretoria, for example, as taking up an issue their members feel strong about. The union works with other trade union federations without aligning itself with any.

With this background information, questions about the union's response to the decline of the mining industry were put to the leadership.

5.5 Solidarity's Response to the Decline of the Mining Industry

Solidarity gave its initial response to the questions in writing. The union leadership acknowledged that the decline impacted negatively on its membership up to 2001. They claimed that the membership began to grow after 2001 as more officials began to join Solidarity. This is difficult to verify, however, as the union itself accepts that there is no reliable database to corroborate their claim. A one-page strategy document focusing on recruitment of officials – "Beskerming van die Bedingingseenheid/Kollektiviteit" – was the only documented strategy presented. Solidarity claims a 40% growth in mining membership. The official statistics from the Chamber of Mines do not reflect this

aggressive growth. Lack of information centrally on PGM membership trends makes it almost impossible to refute or accept the claim by Solidarity.

Despite the fact that the union had no growth strategy based on the PGM sector's potential, it opened an office in Polokwane in 1998. Membership in the area grew from zero to about 4 000 in four years. This raises a question about growth since 2001 – was it growth in mining, or general growth in the various sectors to which the union expanded its scope? Even the growth registered in the Polokwane office was not the result of a coherent strategy, but more a natural growth resulting from the opening of the office and the presence of the union in the area. One can assume that old Solidarity members who migrated from other areas to this growth point drove the recruitment. This question was reserved until the leadership was interviewed.

Solidarity has accepted that outsourcing has impacted on union membership, although this is not documented. The union has started recruiting workers in outsourced services. This category of workers requires more individual attention with less collectivity, even in bargaining. The structure of the union's legal department and call centres is more responsive to the needs of these vulnerable workers. One can conclude that Solidarity has no coherent strategy to organise and service workers in outsourced sections of the industry.

Solidarity is of the view that it has improved its representativity by 40% in five years as a result of the discontinuation of the closed shop agreement. This has given the union access to the officials bargaining unit. Without any detailed elaboration, Solidarity is convinced that its representativity will continue to improve. Although there is no written coherent strategy, the union is focusing on improving the service, refining the structures and keeping the membership database up to date. The membership attrition has been decelerated.

The union is of the view that its influence is growing. It has taken up more space in the media, both visual and electronic. Its growth in various sectors has extended the influence beyond the traditional mining industry. Solidarity claims that it is very influential in the chemical, metal and engineering, telecommunication, agriculture and

electrical sectors. The union is working hard to increase its density where it already has members.

To validate the views contained in the written response, three national leaders and three focus groups were interviewed.

5.6 Interviews with National Leaders

5.6.1 Andre van der Merwe

The first interview was with Andre van der Merwe, the general secretary for mining in Solidarity. He is responsible for mining alongside two other sectoral general secretaries in the union. He describes the situation in the gold mines around the year 2000 as being one of "turmoil and destruction". This was the time Solidarity was coming out of stagnation, during which period the union had been wiped out of existence in some work places. He was appointed in 2000 to deal specifically with this crisis.

Van der Merwe started by revitalising specific offices located in areas with growth potential. He started with the Klerksdorp office, an area where the decline was at breakneck speed. To put vigour into the process, Solidarity targeted areas other than mining, and thus diversified its activities. The strongest sector in the area was agriculture, which therefore constituted a logical starting point. The resources built during this process were used to strengthen the organising campaign in the mines. This enabled Solidarity to penetrate areas that the union had been prohibited from organising when the closed shop agreement was still in place, like officials and artisans, who belonged to six other unions under the closed shop arrangement. Members of UASA were specifically targeted. The union had to deal with its own image of a right-wing union, not attractive to workers who wanted to adapt to the new South Africa.

The union had no written strategy but depended on regular meetings of all the organisers at the centre. Van der Merwe argues that this fluid approach gave the union the flexibility to respond swiftly to a fast-changing environment. He also accepts that this made their approach somewhat incoherent. He attributed this fluidity to the fact

that the general secretary at the time, Piet Ungerer, was involved in a serious accident that reduced his capacity to lead for a period of about three years.

> [This made] the union to be helpless, and remained in limbo for three years until Flip Buys was called upon to take over the leadership. Even after Flip had taken over there was resistance for another year. He used this period of resistance to put systems and processes in place (Interview, Van der Merwe, May 2007).

Before 2000, Solidarity had no presence in the platinum sector. The wake-up call was in 2000 when the Chamber of Mines stated that "more money would be spent north of Pretoria in fifteen years than it was spent in the gold mines in 100 years" (Interview, Van der Merwe, May 2007). This document from the Chamber of Mines could not be presented. In response to this documents, however, Solidarity opened it Polokwane office. The membership serviced by this office grew from zero in 2000 to more than 4 000 in four years. This claim could not verified as it was not documented. Van der Merwe attributes this fast growth to the movement of old miners from the gold mines to the booming platinum sector. As a result of the fast growth a satellite office has been opened in Burgersfort.

Van der Merwe outlined the strategy as being based on the triangle of elements — strategy, structure and service. There are four drivers of the strategy – protect, fight, defend interests and provide solutions. These elements and drivers underpinned the overall strategy of forming a super union. Van der Merwe acknowledges that this concept was contested and attracted more right-wing elements into the union and repelled moderate whites. In the process the union had to come to terms with the reality that outsourcing could be fought but could not be stopped. Solidarity decided to use a two-pronged approach:

- making outsourcing expensive; and
- aggressively recruiting workers in this vulnerable section of the workforce.

In Van der Merwe's view, the Chamber agreement on outsourcing in 2005 was in line with the strategy of the union. That Solidarity is the biggest union in Cementation, a subsidiary of Murray and Roberts, is evidence enough that the strategy is working. Van

der Merwe believes that a combination of all these strategies and tactics has increased the representativity of the union. Solidarity has a greater membership in mining than at any time in its history. This has, therefore, increased the influence of the union. Van der Merwe describes this increased influence as that of boxing beyond its weight. The influence is in more sectors than only mining. This cannot be compared to the 1960s, when the union was heavily dependent on its strong links to the National Party government.

5.6.2 Dirk Herman and Piet du Plooy

Dirk Herman is the national Deputy General Secretary – Development and Piet du Plooy is the national Deputy General Secretary – Membership. They were interviewed on 7th May 2007. They are deputies to the General Secretary, Flip Buys.

Dirk Herman is of the view that the decline in the mining industry was both negative and positive for Solidarity. It was negative in that the membership of the union was almost wiped out in a number of workplaces. The positive side was that the union discovered the need to expand its scope to more industries than mining. A new approach to unionism, described by Solidarity as service unionism, was adopted. The focus shifted to improving services rendered to members by introducing call centres and strengthening the legal services. This gave the union bigger growth and improved service delivery across the sectors. The improved resource base helped the union to reinvent itself and develop better capacity to organise in the declining mining industry.

Solidarity acknowledges that the closed shop arrangement gave it strength and control over a very strategic sector. This presented an opportunity for growth into the areas of artisans and officials. According to Piet du Plooy, some decisions taken by the union at the time almost destroyed the growth opportunity. He cited two examples:

- When the industry proposed full calendar operation for 2% more in salary increases, Solidarity rejected Sunday work and opted for a smaller salary increase. Many workers abandoned Solidarity and joined other unions so that they could access the higher increase.

- When the industry proposed changes in the medical aid scheme and sought to offload more responsibility onto the individual worker, the union supported the proposal with the intention of setting up a union-controlled scheme. When the new scheme went bankrupt, Solidarity had to absorb the blame and the pain.

The decision to form a super union and expand the scope was consolidated around 1998, and the union decided to focus on a few manageable sectors. It further decided that the most appropriate structure was a federal one, with each significant sector becoming semi-autonomous. The intention was to take the union out of stagnation. Dirk Herman attributes the stagnation over a long period to the financial bankruptcy of the union. He submits that even more important was that Solidarity was ideologically bankrupt, focusing on resistance and alignment with right-wing organisations. This caused confusion as to where the union fit in to the new South Africa, a product of a political revolution and economic globalisation.

With Flip Buys having been called upon to lead the union in 1997, results only began to show in 2001. He returned the union to its core business of collective bargaining. This was at a point when employers wanted to replace collective bargaining with individually based, performance-based remuneration, and to replace pension funds with provident funds. The union, on the other hand, wanted to establish a union-controlled retirement fund and managed health care – an idea that the union has not abandoned up to today. In case of retrenchment, Solidarity focused on creating employability.

On platinum group metals, the deputy general secretaries submitted that the union reluctantly factored it in as a potential growth point in 2002. However, structured discussions only started in 2005, a point that contradicts the submission by the General Secretary – Mining. The structured discussion informed the opening of the Polokwane office against the union policy that an office should service a minimum of 2 000 members, so that 70% of the subscriptions can meet the needs of that particular office. In real terms Solidarity has no strategy on PGMs as a growth sector.

The opening of call centres was a strategy to deal with the growing trend of outsourcing and individual workers approaching the union for one form or another of service. It was

a response to the reality that more than 50% of workers in big companies like Telkom are employed by contractors. Solidarity's approach to outsourcing is that of opposing but managing it. The call centres and the union recruitment agency are a serious and relatively successful attempt to recruit vulnerable workers.

Herman and Du Plooy agree that the influence of the union has grown faster than its growth in representativity. The union invests a lot of resources in the development and growth of its research capacity. The information gained in this way is then used to engage in the public discourse and to build the Solidarity brand. The union uses this capacity to contest the focus of employers on unions with big membership. They cite the example of the 2005 metal industry negotiations, where Solidarity declared a dispute and went on strike despite the National Union of Metalworkers of South Africa (NUMSA) having accepted the employers' offer. As a result, Solidarity secured an agreement on skills development and recognition of skills.

Over the last five years there has been growing militancy and readiness to take action, in most instances alongside COSATU unions. Herman and Du Plooy acknowledged that the union was more influential in the 1960s because it had capacity to disrupt production in an area that generated about 70% of state revenue. However, the two periods are not comparable as the situation has totally changed.

5.7 Interview with the Focus Group

The questions were put to a group of seven shop stewards – three from the collieries, three from gold and one organiser from the Carletonville area. Because of the low numbers, they were constituted into a single focus group. The whole group was relatively new to the union, six of them being former members of the National Engineering Trade Union. This is a significant indication of the extent of shift and contestation that has taken place in the union.

Over the last few years there has been growth in the union. New members have been recruited from other unions. When NETU decided to merge with UASA, a large body of

their membership took individual decisions to join other unions. Many of the white members joined Solidarity. After the union systematically shed its image of a right-wing conservative union, officials began to join in visible numbers. In the latter part of the period under review, black workers, including disillusioned NUM members, have begun to join Solidarity. They are accepted because the union has amended its constitution to accommodate all workers and not only white workers.

The focus group acknowledged the decline in the gold mining industry but concluded that it did not impact negatively on the growth mode of Solidarity. They cited a number of reasons for this positive outlook. The merger of unions, consolidation in the face of uncertainty, and the growing threat from the black unions in general and NUM in particular gave workers space to exercise the choices at their disposal. This was an important development, as it was reinforced by the collapse of the closed shop arrangement. Solidarity used the space to introduce its new approach to unionism and to interacted more with members. The union is becoming more militant and closely aligned with a number of COSATU unions in the various sectors of the economy. There is more constructive engagement with the NUM in a number of areas. These worker leaders see this as a winning formula.

They confirmed that there was no coherent strategy as the union was experimenting with a number of new ideas. The high turnover of leaders of the organising unit was identified as another complicating factor. There have been four leaders of the department in about ten years. When one organising leader, Dick Heyns, tried to implement a coherent strategy based on his experience in the telecommunication sector it was a dismal failure. When Andre van der Merwe, the current leader of organising took over, he had the advantage of knowing the mining industry. Although there is no written strategy, the regular meetings of organisers ensured the integration of the organising effort. This was coupled with a programme of sending organisers to the various courses and thus building capacity to provide quality service. Communication with members was stepped up and consciously worked on improving the image of the union.

Retrenchments were turned into an opportunity by ensuring that those members who moved to other areas were tracked down and tasked to recruit new members. With a new and sophisticated system, the decline was absorbed. With this system, those who resigned and those who joined the union in pay offices of the various mines were also tracked down. During the 1997-1999 period, when the industry retrenched thousands of members, Solidarity insisted on retraining members, which made it expensive. UASA was lax and facilitated packages instead, and Solidarity fought hard to ensure that their members replaced UASA members who opted for voluntary packages.

When the group was confronted with the question of stagnation between 1995 and 2000, they acknowledged it and put forward what they saw as the underlying factors to the stagnation. The fear of the unknown during the political transition was cited as the main reason. Because of this fear, people aligned with right-wing organizations and this alienated mine workers from the union. White workers also saw the NUM as an enemy that posed a real threat into the future. The new legislative framework was resisted without success in the beginning. The union had to change its political stance and become non-aligned, change its attitude towards COSATU unions to a more co-operative one, and shed the image of a right-wing union.

The group admitted that Solidarity had never planned for the growth in platinum. They were not ready to put resources into a commodity they did not know. In a way they missed the bus and now are catching up. They acknowledged the difficulties in organising sub-contractors. Outsourced workers believe that they have no right to join the union. There is job insecurity because they know that they can be easily dismissed. Solidarity believes that their members are more secure, as they get absorbed into management positions if contractors get retrenched. On the other hand, the union has started an aggressive recruitment drive targeting major contractors like Cementation, Shaft Sinkers and JIC. Overall, Solidarity is more representative today than at any time in its history.

The focus group was of view that Solidarity is more influential. It is more vocal and visible in the media. The Solidarity brand is stronger and the stigma of the Mine Workers Union has been eradicated. The union is taking up more socio-economic struggles in

communities and is known to be biting. It is also influential on other unions, and prefers to co-operate with them rather than to fight them.

5.8 Conclusion

During the last ten years Solidarity has grown phenomenally overall. However, the growth in the mining industry has been minimal. The union's growth, therefore, is exaggerated in that it was from a low base and a function of the expansion of the scope of the union's work. In the traditional area of operation, mining, the influence of Solidarity has declined. In the new areas, the union is more visible and vocal. The union adapted after a considerable period of stagnation. It is emerging as an example of a hybrid of social movement and business unionism. Solidarity describes itself as a service union. It is also clear that the union had a coherent strategy and did experimentation. Driven by fear, they worked for their survival. Perhaps Solidarity used the theory that no strategy is itself a strategy.

Chapter Six

CONCLUSION:
COMPARATIVE ANALYSIS AND FINDINGS

6.1 Formation and Evolution

The three major mining unions – the National Union of Mineworkers, the United Associations of South Africa and Solidarity – have different and distinct historical patterns of evolution and development. Their formation was underpinned and driven by different factors and therefore stood for different cultures and traditions which informed their approach to the crisis of decline in gold mining in particular and mining in general.

The National Union of Mineworkers was formed as part of the revival of the black trade union movement in South Africa, a process ushered in by the 1973 dock strike. It was part of a general momentum built up following the report of the Wiehahn Commission, especially the Commission's sixth report dealing exclusively with the mining industry. NUM's formation was resisted by the more conservative mining companies like Gencor and Goldfields. It is a direct product of the struggles by black mineworkers. It was the brutal suppression of a wage strike following the unilateral implementation of a wage offer by the Chamber of Mines that pressured workers from Kloof Gold Mine to approach the Council of Unions of South Africa for help in July 1982. This apparent small step by these workers culminated in the official launch of the NUM in December 1982.

The roots of UASA can be traced to 1918 and 1919, in the formation of the Underground Officials Association and the Mine Surface Officials Association respectively. The United Associations of South Africa is a product of mergers of various officials associations in the mining industry and many smaller unions from other sectors. Three mining officials

associations merged to form UASA – the Underground Officials Association, the Mine Surface Officials Association and the Technical Officials Association. These associations derive their pride from co-operating with management in what Malan (1968:3) described as follows:

> The association has never disrupted production by disturbance or strike and can proudly proclaim its part in consolidating and safeguarding the industry when internal labour strike and the world war threatened to bring production to a stop.

Officials were always regarded as management men.

Solidarity is a direct product of the Transvaal Miners Association formed by miners of British origin in 1902. It was renamed the South African Mine Workers Union in 1913. It was shaped by the contestation for control between English-speaking and Afrikaner miners over many decades. This union became one of the symbols of the rise of Afrikaner nationalism. Its character reflects the years of struggles for the protection of rights for white workers in general and Afrikaner workers in particular. The formation phase resulted in the 1922 Rand Revolt by white workers, which was crushed by the Smuts regime.

There are strong similarities between the evolution of Solidarity and that of the NUM. These similarities were driven by different ideologies, but both unions were militant and had clear demands. The period 1903 to 1922 was characterised by a series of strikes by white workers. Similarly the period 1985 to 1987 is described by NUM as the mobilisation phase, a phase wherein workers were ready to take militant action to back their demands. The great white miners' strike of 1922 ended the militant phase for the Mine Workers Union, a strike that was crushed by the Smuts government. The political consequence was the fall of the Smuts regime and the formation of the Pact Government of the Nationalist Party and the South African Labour Party. Similarly the 1987 national strike by the National Union of Mineworkers was brutally crushed, with Anglo American Corporation dismissing scores of workers in 21 days. It is these militant actions by mineworkers and other workers, like the railway workers and OK bBazaars workers in 1987, that further weakened the National Party regime and prepared it to accept negotiations as a possible alternative route to resolution of the conflict.

The differences between these two unions are also glaringly clear. The NUM sought "to foster unity amongst all workers in the mining industry and other industries" (NUM, 1990:3). Solidarity (as the MWU) defended white job reservation and the colour bar in the gold mines. As a result the Mine Workers Union was incorporated into government after the 1924 general elections. In return, the coalition government introduced a programme of protective pro-white or "civilized legislation". After the 1987 strike the NUM went into what it describes as the survival phase, a phase of reorganisation guided by the desire for and principles of the struggle for liberation, having adopted the Freedom Charter as their guiding document in the 1987 National Congress.

This was unlike the officials associations, which were politically invisible in their formative stages. Bezuidenhout (Interview, 2006) describes them as being in "the middle road usually overlooked as political influence was always dominated by left or right". These associations always took a neutral stance in labour conflicts, and were regarded by other white unions as "neither fish, flesh nor good herring" (MSOA, 1969:11). Their principle position was that the first duty of an official is to his employer.

It is this divergence in the historical development of the mining unions that shaped their approach to organising in general and to dealing with the crisis in particular.

6.2 Unions and the Transition

The Wiehahn Commission Report in 1979, and the Commission's Sixth Report in 1981, ushered in the transition from racially segregated unions and closed shop arrangements for white unions to open unionism for all workers. The reaction of the various unions and the Chamber of Mines reflected the history of the industry and the political and ideological background of the unions. The replacement of the "scheduled person" with the "competent person" opened the way for black workers to obtain blasting tickets, a key to many skilled jobs in mining. The Mine Workers Union resisted the implementation of these changes and protected the colour bar until 1987. Determined to protect white privilege, the MWU came up with the idea of consolidating white

labour unions “to protect white workers from black encroachment” (Visser, 2006:26). The MWU decided it would then strive for a super union.

UASA, on the other hand, was more proactive in dealing with the legislative changes. Having signed an agreement with the Chamber of Mines in 1986, the officials associations opened their membership and amended their constitutions to accommodate members of all races and population groups. Both the Underground Officials Association and the Mine Surface Officials Association formed integrated branches and executive committees. The South African Technical Officials Association admitted coloured members in separate branches under white executive committees.

The National Union of Mineworkers was a direct product of the transition. It was active in this space from its inception. Hardly a year from its launch, the NUM took up the Hlobane disaster in 1983, the Driefontein refusal to work in dangerous situations in 1985 and the Kinross disaster in 1986. The union did not immediately take up the issue of bargaining units, which limited specific unions to particular bargaining units. This was the extension of the provisions of the closed shop agreement, exploiting the provision that parties could contract out of the legal provision. NUM’s focus was on building a fighting union with proper structures. Through the bargaining structures, the union took up various issues and only developed a focused and structured approach to the question of scope in the 2001 and 2003 rounds of negotiations. By 2005 NUM was 21% and 28% representative of union men and officials respectively.

In 1996 NUM was 60,8% and 61,2% representative in coal and gold respectively. UASA was 15,8% and 7,6%, while Solidarity was 1,3% and 1,7%. In 2006 NUM was 66,2% and 74,2%, UASA 11,7% and 8,4%, while Solidarity was 7,0% and 2,3% in coal and gold respectively. These figures reflect the organisational capacity each of the unions had during the period under review. This organisational capacity embodied, to a great extent, the capacity to engage and the seriousness with which each union was taken. This can be qualified by highlighting that membership on its own is not equal to power. Members should be used to take militant action to enforce implementation of a coherent strategy.

In dealing with decline only the NUM had a written strategy, the ten-year plan devised in 1997 and revised every three years. In the plan's section dealing with membership and growth, the strategy is summarised into eight broad areas:

- The NUM being recognized in all categories is creating an opportunity for growth and access to intellectual capacity located within the industry.
- The competition for membership is going to be more intensive with more splinter unions emerging, and the traditional white unions trying to extend their scope.
- With the mining industry declining the union must increase its representativity to at least 80% in each branch.
- We must be more aggressive in recruiting members in identified growth sectors, i.e. construction and platinum industry.
- We must continue to mobilize workers around issues and involve members actively.
- Every region must have a coherent recruitment strategy.
- The production pillar must develop and continue to refine a growth strategy.
- The union must continue to assess competitors and have pamphlets targeting specific segments of workers. (NUM, 2003b:39).

Clear targets were set in the organising strategy based on three identified growth areas – construction, the platinum sector and categories above 8.

UASA had no written strategy to deal with the decline. Its focus was on consolidating the officials' associations into a major force. The driving factor for the consolidation was more the fear of extinction in the face of political changes that took away white privilege than the decline in the industry. The process of merging various associations stretched from 1996 to 2006, and took the membership to about 100 000. During this period the scope of the union was extended in terms of sectors and categories of workers. This translated into inorganic growth that distracted UASA from paying attention to the decline in the mining industry and the decline in its representivity in the industry. Only in 2006 did UASA develop Operation Turnaround. The successful merger process removed the focus from the fact that there was no coherent strategy.

Solidarity also had no written strategy. The semblance of a strategy was the holding of regular meetings for organisers so that they could compare notes. Following the stagnation period between 1994 and 1997, during which period Solidarity decided to

build a white super union and retreated into the fold of right-wing politics, the union changed its strategy. The Mine Workers Union merged with Yster en Staal, focusing on consolidating the organisation of Afrikaans-speaking workers. The new union extended its scope and covered more sectors. This was driven more by the fear of the political changes that Flip Buys describe as "Afrikaner and white institutions disappear[ing] with the coming of the ANC government" (SALB, 2006:23).

6.3 Response to the Decline

Major decline in the gold mining industry occurred between 1997 and 1999. This required an extraordinary response from the unions. The NUM estimated the number of jobs lost at 176 000. The official statistics from the Chamber of Mines put the number at about 150 000. The disparity between NUM estimates and the Chamber's official figures can be attributed to the growth in platinum and the replacement of some of the jobs, although at a slow pace. Neither UASA nor Solidarity could quantify the gravity of the problem of job losses. Proportionately the unions experienced the impact differently because they represented different categories of workers. The impact in the unskilled and semi-skilled categories was huge, causing NUM to appreciate the impact on its own constituency better than the two unions that represented mostly skilled and white-collar workers. More important is the mobility or lack thereof as a function of the skills level of the individual worker.

The development of a coherent strategy was logical for the NUM, which absorbed the biggest impact. This union had to be innovative and invest more in the effort to find solutions to the crisis. Its leadership of the process that culminated in the mining summit in 2000 was actually a response to this crisis. Because of the pressure, the NUM concretely identified potential growth areas for the union. It identified the growth opportunities presented by platinum much earlier and more concretely than the other two unions. The NUM focused on growth instead of being preoccupied by the decline. This translated into a slower decline for the union than the general pace of decline in the industry. The project approach to organising the PGM sector was more sustainable than

the ad hoc approach used by the other unions. By 2005 the NUM had about 64 000 members in the Rustenburg area and about 15 000 in the North East region.

UASA, on the other hand, had no strategy. The semblance of a strategy was what Koos Bezuidenhout describes as “moving aggressively to platinum.” The association formed a placement agency which recruited their retrenched workers from the gold mines to work in the platinum mines. UASA took a conscious decision to dedicate resources to the Rustenburg area, and much later to the Polokwane office. There is no coherent understanding among the leaders of the union about the approach to decline. They all agree that growth during this phase was more a result of mergers than a coherent response to the decline of the mining industry.

Solidarity had no written strategy but made certain unique interventions. During the period 1995 to 2005 this union was busy reinventing itself, driven by the desire to survive beyond its own stagnation. Although the union did not pay particular attention to the decline of gold mining, its drive for survival responded to the question of decline. Some of the union leaders, particularly Andre van der Merwe, argue that the no-strategy approach was in itself a strategy in that it gave the union flexibility to respond swiftly in a fast-changing environment. The change of leadership from Piet Ungerer to Flip Buys gave the union an opportunity to pull itself out of the doldrums. The union expanded its scope to sectors other than mining. The resources mobilised in this way were used to revive its organisational capacity in mining while growing into a leading union in other sectors, including SASOL and the chemical industry in general, telecommunications and the metal and steel industry, actively implementing the resolution of constituting itself into a super union. In this period the union sought to change its image of a racially-based union by amending its constitution to open membership to all race groups while not recruiting black members actively. It changed its identity and name from the Mine Workers Union to Mine Workers Union/Solidarity and ultimately to Solidarity.

With NUM and UASA growing fast in the platinum sector, Solidarity had no presence in this sector until 2000. It never factored the sector into its growth strategy. It bumped into the opportunity when members retrenched from the gold mines moved to platinum mines. With this pressure the union started recruiting in the sector. Many in the union

leadership resisted the channelling of resources to this unknown metal. Only when its membership grew to about 4 000 was an office opened in Polokwane in 2003. The union remains insignificant in the Rustenburg area.

The response to outsourcing varied among the three unions. The NUM has carried out a detailed analysis of outsourcing and the impact it has on union organisation. It has also used its affiliation to the ICEM to access and use the international experience in this regard. It used a combination of tactics to implement its strategy of resisting outsourcing. These tactics are contradictory in some instances. Union members always insist that workers in outsourced areas be retrenched first whenever it is necessary to cut back labour. This is despite a resolution to organise these workers into the union. There are pockets of regions that mount pressure on the mining companies to absorb these workers into permanent employment. The union also seeks to force the mining companies to take a bigger responsibility in ensuring that contractors meet the basic minimum standards in the industry. Both the 1999/2000 and 2001/2002 wage agreements with the Chamber of Mines outlined a regulatory framework for contractors in the mining industry.

UASA is the most incoherent of the three unions when it comes to dealing with outsourcing. Its approach can be described as being minimalist as it only focused on fair treatment of these workers. No attention was paid to the uniqueness of this section of the workforce. It relates to these workers on an individual basis, with their membership being maintained through individual debit orders and no collective check-off facilities at company level. In the interviews with the various leaders of the union there was casual reference to the establishment of the “Temporary Employment Services” as a vehicle to deal with outsourced services across the sectors. The main branches of the union provide services to these workers.

Solidarity approached the question of outsourcing by providing a service that catered for all the vulnerable workers. They opened a call centre that serviced and provided concrete support to vulnerable workers and those who approached the union as individuals. They have implemented an aggressive recruitment campaign for contractors using the provisions of the 2005 agreement with the Chamber that extended the

Chamber/NUM agreements of 2001 and 2003. The union is now recognised by the major contractors in the industry.

In terms of influence, the NUM was very explicit that no decision affecting the mining industry could stand without their involvement. The recognition in all three bargaining units as a consequence of the termination of the closed shop agreement has increased its influence as the bargaining units are now integrated. This has also increased the intellectual capacity of the union as more skilled workers and professionals join the union. The union sees itself as the leader of labour in all statutory structures in the industry. The tradition of political involvement has continued, making the union's influence go beyond the industry to communities and the broader political environment in society.

Both UASA and Solidarity accepted that termination of the closed shop arrangement has removed their monopoly and domination of the specific bargaining units. This has reduced their influence dramatically. However, both claim that their influence is growing under the new conditions. UASA sees the engagement with other unions as giving them influence over these unions. In this way it leverages the influence of other unions in the industry. UASA puts a lot of emphasis on involvement in statutory bodies and affiliation as a source of influence. On the other hand, Solidarity is convinced that its influence is growing. It is using the media more effectively, thus punching above its weight. It has a significant presence in a number of sectors, extending its influence beyond its traditional space, mining. It is now investing substantial resources in increasing its representativity in areas where it already has a presence. Politically Solidarity is not affiliated but it is taking up a number of community struggles in what it calls support for community-based organisations. Solidarity is building itself into a strong brand. It is consciously working with COSATU unions in all the sectors, and readily joins labour action led by these unions.

6.4 The Findings

The conclusion one comes to is that the NUM was conscious about the decline and developed coherent strategies for dealing with it. Both Solidarity and UASA did not pay attention to the decline, but their interventions were directed at countering the impact of the legislative changes that accorded blacks the right to organise or join unions, and the competition that went with the opening cushioned the impact of the decline. Both these unions opted for expanding their scope to cover new sectors, and improved the quality of services and benefits offered to members. Solidarity invested in the improvement of systems and efficiencies. The NUM continued to mobilise their members so that bargaining was backed by action in case of a dispute.

The NUM remains a social movement union which balances workplace and community struggles. The location of mines imposes a bigger responsibility on the NUM. It is conscious about its size and influence, and remains a very ideological union. UASA is a business union banking on benefits and services to retain members. It is politically neutral with minimum interest in the developments in communities around them. Solidarity, on the other hand, is a service union which is a hybrid of business and social movement unionism. It is investing resources in improving systems so that it can be more responsive. It is mobilising its members for action with more visible militancy now than since the early 1920s. It is also actively taking up issues and action around issues that affect communities.

One takes the views of Gerald Michaelson (2001:3) seriously: “If your plan is not in writing, you do not have a plan at all. Instead, you have only a dream, a vision, or perhaps even a nightmare. The simple written plan works best.” One therefore comes to the conclusion that both UASA and Solidarity had no strategies and plans to deal with the decline. NUM’s ten-year plan is a coherent and implementable strategy. Despite the massive decline in gold mining, the mining industry remains one of the most densely unionised sectors, if not the most densely unionised sector, of the economy. This can be attributed to the mining unions being focused on maintaining high representativity. They have done better than their counterparts internationally and nationally. The revival of the trade union movement in the United States of America has not been as successful

as that of the South African mining unions. However, unions in these countries can compare their experiences in term of responding to the decline irrespective of the underlying causes.

All three of the mining unions in South Africa have been innovative. They have expanded their scopes to cover new sectors. UASA covers about 30 sectors ranging from mining, metal and engineering to hairdressering. This is the extreme version of diversification, making UASA a general union. Solidarity has organised itself as a federation of sectors. It is a general union to a lesser extent than UASA. It has become a major player in a number of sectors like metal and engineering, chemical and telecommunications. The NUM remains focused on only three sectors, as resolved by the federation, COSATU, based on the principle of one industry, one union. This mining union was given a broader scope that covered electricity (mainly Eskom) in the inaugural congress of COSATU in 1985. This scope was expanded to cover construction in 1997.

All of the mining unions have failed to develop a coherent strategy of organising vulnerable workers, even in the face of a growing trend of outsourcing in the mining industry. Both NUM and Solidarity have made significant progress in terms of organising workers in outsourced sectors of the industry. There is no strategy for collective bargaining on behalf of these workers. All the mining unions need to pay specific attention to this growing section of the labour market, difficult as it is to organise it.

The influence of the historically white unions has declined as a result of the termination of the closed shop agreement with the Chamber of Mines. UASA is more sentimental and abstract about its influence in the industry. It is locked into the mentality of derived influence. Solidarity has adjusted to the new situation and its influence is increasing after the total collapse in the early 1990s. It has a very aggressive media and propaganda strategy, giving it greater influence than its size might indicate. The NUM is the strongest and the most influential union in the industry. It has the organisational muscle and sharpness in terms of taking up pointed campaigns around issues. It is the only union in the industry that is politically active and has a strategy deploys and supports members as political activists. Its affiliation to COSATU gives it an advantage in terms of political influence.

One can then conclude that this is a success story that is not repeated enough. This can be used as a case study by other unions globally and nationally. The inability of many unions to develop coherent strategies is an indication that there is a gap in need for the higher education system to introduce for trade union schools, in the same way as capital has business schools. If unions are to survive in the long term, they should invest in developing their intellectual capacity.

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