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Research Report for the degree of Master of Arts in Industrial Sociology, submitted to the Faculty of Humanities, University of the Witwatersrand, Johannesburg

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Supervisor: Prof. Bridget C. Kenny

Title: ***'Contingent organisation' on the East Rand: New labour formations organising outside of trade unions, CWAO and the workers' Solidarity Committee.***

Wits, Johannesburg, 2015

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ACKNOWLEDGEMENTS

My utmost appreciation goes to my supervisor Prof. Bridget Kenny for her endless intellectual guiedance and encouragement throughout this research report. It has been a great incalculable experience learning and be montored by Prof. Kenny. Without your support the complition of this report would be more difficult.

I highly appreciate the warm welcome and support given to me by the Advice office (CWAO) in Germiston. My special thanks go to Ighsaan Schroeder for your support and permitting me access to your office. Thank you for the interviews you afforded me. Secondly, my special thanks go to Thabang Mohlala for your support and willingness to help me organise the interviews.

To all the members of the solidarity committee (SC) I greatly thank you for welcoming me and allowing me to observe your meetings and demostrations. Without your willingness to afford me the opportunity to observe your activities and the chance to interview you, I would have not been able to complete this research report.

I thank the Wits Department of Sociology for assisting me with my 2015 registration upfront payment, highly appreciated.

I thank my family and friends for the love, support, and encouragement you gave to me all the way through my academic journey, highly appreciated. To my precious siblings: Bonga, Siphesihle, Thobeka, and Nosipho this should be your springboard.

DECLARATION

I Nkosinathi Zuma, student at the University of the Witwatersrand registered for Master of Arts, Industrial Sociology, in the year 2015. I hereby declare that the work submitted for this research report for the above mentioned course is my own unaided work apart from where I have openly indicated if not. I have followed the guidelines in referencing the ideas, views, and works of others. This research report is submitted partly for the accomplishment of the requirements of the above mentioned Master of Arts Degree.

Signature: _____ Date: _____

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LIST OF ABBREVIATIONS

ANC	: African National Congress
AMCU	: Association of Mineworkers and Construction Union
BMS	: Benny Molefe Services
BCS	: Best Cleaners Services
BCEA	: Basic Conditions of Employment Act
BEE	: Black Economic Empowerment
CBD	: Central Business District
CEPPWAWU	: Chemical Energy Paper Printing Wood and Allied Workers Union
COSATU	: Congress of the South African Trade Unions
CWAO	: Casual Workers Advice Office
DoL	: Department of Labour
FEDUSA	: Federation of Unions of South Africa
FOSATU	: Federation of South African Trade unions
FDI	: Foreign direct investment
FWU	: Farm Workers Union
GCC	: Global commodity chains'
GEAR	: Growth, Employment, and Redistribution
Giwusa	: General Industries Workers Union of South Africa
ID	: Identification document
ILO	: International Labour Organisation
IMATU	: Independent Municipal and Allied Trade union

IMF : International Monetary Fund

ILRIG : International labour research and information group

IUF : International Union of Food and Allied Workers

KII : Key Informants Interview

LB : Labour broker

LRA : Labour Relations Act

MERG : Macro-Economic Research Group

MPRDA : Mineral and Petroleum Resources Development Act

NAFTA : North American Free Trade Agreement

NEDLAC : National Economic Development and Labour Council

NEM : Normative Economic Model

NP : National Party

NPC : National Planning Commission

NPO : Non-profit organisation

NUM : National Union of Mine Workers

OECD : Organisation for Economic Co-operation and Development

PCM : Please Call Me

RDP : Reconstruction and Development Programme

RDOs : Rock Drill Operators

SA : South Africa

SAMWU : SA Municipal Workers Union

SAPO : South African Post Office

SC : Solidarity Committee

SACCAWU	: Commercial, Catering and Allied Workers Union of South Africa
SACTWU	: SA Clothing and Textile Workers Union
SCLC	: Southern Cape Land Committee
SEJC	: Social Equity and Job Creation
SLB	: Sylvester Labour Broker
SPP	: Surplus People Project
TES	: Temporary employment services
Teba	: The Employment Bureau of Africa
UIF	: Unemployment Insurance Fund
UAW	: United Auto Workers
UNCTAD	: United Nations Conference on Trade and Development
UK	: United Kingdom
US	: United States
VW	: Volkswagen
Wenela	: Witwatersrand Native Labour Association
WTO	: World Trade Organisation

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Chapter One: Introduction and Chapter's overview

Introduction:

This research paper studied the recent labour unrest in the East Rand as there has been a rise in the number of marches and demonstrations led by the precarious workers to several workplaces. The interviews with the workers for this research paper began midyear in 2013 and continued throughout 2014. Correspondingly the findings of this paper suggest that there are new potential forms of collective organisation taking place among the precarious workers in the East Rand, namely, the Casual Workers Advice Office (CWAO) and solidarity committee (SC). From the investigations, we know that precarious workers have embarked on these marches and demonstrations because of casualization of labour including externalisation or outsourcing of labour, and deteriorating wage and working conditions. Ighsaan Schroeder, coordinator at CWAO, argues that outsourcing of workers is on the rise as the government departments are also following the outsourcing trend; more than 90 street sweepers were sub-contracted by the Ekuthuthukeni (EK) Municipality to the temporary employment agency called Best Cleaners Services (BCS) to clean the streets of the central business district (CBD). It was stated on CWAO website that these street sweepers' wages vary between 1200 to 2200 per month. It was also mentioned that these workers would be earning around R6000 per month if they were employed directly by the EK Municipality (www.cwao.org.za; Communication with Ighsaan Schroeder, 14 of March 2013; Ilrig, November 2012). Correspondingly, in 2011 a salary of a permanent worker in the South African Post Office (SAPO) was R8 000 a month, but if the worker was supplied by a labour broker it cost SAPO R4 000 a month. The labour broker paid the workers a salary of R2 000 a month (Dickinson, 2015). According to Dickinson (2015) it become cheaper for the SAPO to use precarious workers sourced from labour brokers. As a result workers sourced from the labour brokers came to outstrip the permanent workers in the mail delivery (Dickinson, 2015). In certain depots, "particularly those where delivery to home addresses had been expanded, the only employee of the Post Office was the supervisor who oversaw 10, 20, 30 or more permanent casual postmen who were, formally, employed by a number of labour brokers" (Dickinson, 2015: 11).

As a result of the issues mentioned above such as casualization of labour and deteriorating wage and working conditions workers in the East Rand have embarked on a number of marches and demonstrations with varies demands such better employment conditions and to

be employed on a permanent basis (Communication with Ighsaan Schroeder, 14 of March 2013; Ilrig, November 2012). The deteriorating employment conditions include the point that the employers are finding it easier to dismiss workers. Expanding on easy dismal of workers, Ighsaan Schroeder, elaborated that in August 2012, 636 workers were easily dismissed by company SS. Thus, the upsurge of labour action in response to such changes in this area prompted this research project.

This investigation used qualitative research methods to examine these new potential collective organisational formations taking place among the contingent and other precarious workers on the East Rand. This research focused more on the formation of the SC based in Germiston CBD area, as a particular formation organised by precarious workers, and these workers were largely unionised and vulnerable. According to Dickinson (2015), in Gauteng, the establishment of 'casual committeees' or 'workers committees' began as early as 2005, and "was highly fragmented, erratic and fluid process" (Dickinson, 2015: 16). He further mentions that "even this oversimplifies matters; other parts of Guateng, such as Johannesburg and Randburg, never established stable committees, but there was sporadic organisation and some industrial action in these areas" (Dickinson, 2015: 16). Although this investigation focused more on the SC, however, one cannot discuss the SC and ignore CWAO because of a relationship these formations have, and for the reason that these new formations are both viewed by the workers as potential 'alternative forms of organisation' as they provide different strategies of organising contingent workers and other precarious workers. Both CWAO and SC service all 'categories' of workers, although privileging casual, contract, labour broker and other precarious workers. It is worth noting that CWAO does not organise strikes or demonstrations, and it has outlined its role as providing support and advice to workers; however, as it will be demonstrated below, in Chapter Four, this paper will argue and show that CWAO have gained enormous trust among the workers, and one way or another it is utilising different methods to organise workers, i.e. political education. This paper contends that both CWAO and SC represent and mobilise workers using different organisational methods and strategies. The main difference between CWAO and SC is that CWAO is an independent non-profit organisation that provides free advice and support to contingent and other precarious workers, while the SC is not a registered organisation; it is a workers' formation that organizes solidarity actions with striking and dismissed workers. Unlike CWAO, "solidarity committee was formed as a militant weapon of the workers to fight for all affected workers" (Interviewee 1, 2014).

Moreover, across industries many workers are being casualised or sub-contracted, and this creates a large buffer of less privileged workers without the same rights and benefits as the core labour force (Kenny 2001). In the East Rand area precarious workers are not generally enjoying the fruits of traditional organisation through trade unions; it appears that the precarious workers are losing confidence in the labour unions since they are failing to represent them, and as a result workers have decided to embark on strikes without their unions. These workers are shifting away from seeking representation by organised unions hence they are now seeking advice from CWAO, and through the Solidarity Committee they have established a workers' formation in order to represent the workers' interests.

On the other hand, labour militancy in South Africa is a topic that is often covered and most of this work centres on organised labour such as trade unions; this paper adds value to this existing body of literature as it focuses on the recent non-unionised labour unrest in the East Rand (protests that emerged in 2012 and have continued in 2014). Again there is minimal research done on contingent and other precarious workers organisation in this period around the East Rand area and this paper aims to bridge this gap. Labour unrest by precarious labour seems to be on the rise, and needs to be studied in its own right, not as a function of trade unions organising capacities. This has led to a realisation that there is a new workers' formation that has emerged during this period called the solidarity committee, and the new "corrective form" of a trade union, as stated by the workers, called Casual Workers Advice Office, CWAO. Kenny (2007: 481) has urged for a broader examination of worker politics, and she emphasised that the "literature on labour mobilisation concentrates on institutional strategies to organise contingent workers". This research report aims to add value to the existing body of literature as it moves beyond the institutional strategies to organise precarious workers, and it investigates the impact of non-union labour organisation or strategies to organise contingent and precarious workers, in particular, the Casual Workers Advice Office and the solidarity committee in East Rand. I argue that these forms represent a nascient new labour movement in the making.

Before we look into the literature review chapter let us begin by giving an overview of what the following chapters in this research report entail and how they are structured.

Chapter's overview:

Chapter Two focuses on the literature review on labour and labour organisation: this chapter starts by looking at global market restructuring; secondly, it looks into the changing labour market in South Africa, and then move into the East Rand context. After we are done with this, we will look into restructuring and organised labour, and then the resulting implications for labour. The literature analysis will show the change in the global labour market and the implications for companies, workers, and labour unions. It will also show that in the midst of these expanding competitive pressures it seems like companies are developing and using strategies to meet these changes, and this appears to be affecting the workers' employment conditions. Moreover, Chapter Three focusses on research methodology and methods. This research report used a qualitative research approach to gather and analyse its data. Qualitative ethnographic field methods included observation and in-depth interviews. Through snowball sampling technique and purposive sampling, 25 in-depth interviews were conducted particularly with workers from company SS, Ekuthuthukeni Municipality, company BR, company A, company B, See Cash and Carry supermarket, and HQ. Chapter Four focuses on the findings of this research paper; these findings are divided into three sections: the first part of the findings focusses on restructuring of work and labour in the East Rand and it attempts to show how the labour market restructuring is continuously evolving as the companies are searching for strategies for labour control and to reduce labour cost through a use of varies techniques such as 'rural recruitment', labour sharing, and employment of non-South African labour. This chapter gives a detailed picture of casualization of labour and its effects on the workers in the East Rand. The second part concentrates on the emergence of two new organisational forms that organise precarious workers in response to the restructuring of work and labour in the East Rand. This chapter will argue that both the SC and CWAO emerged as potential 'alternative' organisational forms which organise the precarious workers. These new formations brought different methods and techniques of organising workers, and these methods are different from those methods of organised labour unions. The advice office is seen as a direct potential alternative to the current form of unionism. It is seen by the workers as a "corrective form" of a labour union. The SC is seen by most of its members as a militant formation that mobilises the workers and their communities in response to restructuring of the labour market and to the unions' failures to organise precarious workers. The third part explores the strategies, campaigns and the efforts of CWAO and the SC. The SC working with CWAO had launched several campaigns on various companies in the East Rand. In

these fights workers faced various challenges in their campaigns and efforts, for example, the companies use organised protests to identify and dismiss ‘problematic workers’; workers who attempt to organise other workers are dismissed, and in some instances this is done through the assistance of the police. However, the workers (through the SC and CWAO) have found innovative ways to strengthen their efforts and campaigns. Lastly, Chapter Five summarises the main findings and arguments of the research report and concludes. Let us turn now to the literature review chapter.

Chapter Two: Literature Review

Brief history of the East Rand:

Germiston is a city within Ekurhuleni Metropolitan Municipality in the East Rand of Gauteng South Africa. Workers' protests studied by this paper emerged in 2012 and have continued in 2014. Germiston was established in 1913 and by that time it was predominantly a white location. It was in the 1920s when a large number of mine workers flowed into the East Rand in search of entertainment and jobs (Bonner and Nieftagodien, 2001). Through the 1920s and 1930s many immigrants left their jobs in the white farms and small rural towns to work in the Near East Rand and later it became known as the South Africa's manufacturing core (Bonner and Nieftagodien, 2001). The manufacturing sector developed to support the mines in and around the region, and nonetheless it ultimately replaced it as mining declined (Bonner and Nieftagodien, 2001; Kenny, 2003; and Barchiesi, 2010).

According to Barchiesi (2010) the East Rand has experienced labour market and production changes over the years in an expanding competitive environment. "There has been a trend toward deindustrialisation, but also to informalized and casualized employment across sectors. Shifting labour markets have physically and socially altered the East Rand" (Kenny, 2003: 34). Before we can talk more about the East Rand, let us firstly look at the global market restructuring, and move into the changing labour market in the South African context, and then look at the East Rand context. After we have done this, we will then look into restructuring and the labour union, and the resulting implications for labour.

Restructuring on the global scale:

It is highlighted by Silver (2003) that in the past two decades of the twentieth century there was a general consensus in the social science literature that the rise of globalisation processes has largely contributed to severe crisis in labour studies and the labour movement. She noted that the sense that the labour movement was depicted as in severe crisis also impacted on the once vibrant labour studies, creating what is best described as a double crisis of labour studies and labour movement (Silver, 2003). Silver takes on the debate on whether the contemporary processes of globalisation have led to the unprecedented weakening of labour and labour movements on a global scale, and thus bringing about a "race to the bottom" in wages and working conditions. One of the common explanations of this crisis is that hypermobility of

production capital in the twentieth century created a single global market and thus creating competition to all the world's workers, by relocating or threatening to relocate the production process to the low-wage areas around the world (Silver, 2003). Mazur as cited in Silver argued that the competitive pressures brought by the multinational corporations had an enormous impact on the mass of unorganised workers, and as a result "labour's bargaining power has been weakened and a 'race to the bottom' in wages and working conditions has been unleashed on a world scale" (Silver, 2003: 4). She goes on to state that others have argued that the impact of hypermobility of production capital on labour movements is not so much direct, but it also has an indirect impact, and this impact is on the state sovereignty. In this perspective, the "de facto" state sovereignty is weakened by the hypermobility of capital. The argument here is that if the state is weakened thus its ability to protect the livelihoods, and the workers' rights of its citizen's declines because the state becomes unable to regulate flows of capital. Then the states that insist on maintaining social compacts with their citizens are at risk of being abandoned by investors relocating into other parts of the world for highest possible returns of investment (Silver, 2003).

Rather than the impact of hypermobility of capital, another explanation of this crisis is the recent transformations on the labour and the production processes. In their attempt to avoid perishing in the competitive scuffle, employers worldwide were obliged to implement the new flexible production systems in order to grapple with the global competitive pressures (Silver, 2003). Harvey (2005) adds that globalisation and neo-liberalism are the main forces that have facilitated the transformation of labour and the production processes. In addition, Fudge (2012) exploring the case studies of both the developing and the developed countries, also mentioned that decentralisation of production processes and service provision accompanied by the introduction of technologies and free market ideas have transformed labour markets and paid work in both the core and peripheral countries (Fudge, 2012). It is emphasised that globally many labour markets such as in North America have experienced significant restructuring which includes deindustrialisation, immigration, and increased service sector employment (Black, 2005).

I explore one example in more detail to illustrate. The production in the United States (U.S) garment sector shifted from small shops in the districts of New York, Chicago, Los Angeles, or in small factories in the Southern towns to organise its production offshores. This transnational production system can be understood as part of 'global commodity chains'

(GCCs) which "are rooted in production systems that give rise to particular patterns of coordinated trade" (Gereffi, 1994: 96). It is companies such as Liz Claiborne, Nike, Levi's, Calvin Klein, and Rocky Mountain that subcontracted their production processes offshore (Collins, 2006). For these companies the decision of where to locate their production was crucial and it was based on several factors. These factors included transportation costs and trade agreements such as the North American Free Trade Agreement (NAFTA) which offered incentives for production in certain regions and also considering the cost of labour, "which can range from approximately twenty-five per cent of United States wage levels in Mexico to Ten per cent in Malaysia to three per cent in China" (Dickerson, 1995 cited in Collins, 2006:15). Gereffi (1994: 96) calls this governance structure of GCC as 'buyer-driven commodity chains', and in this trade-led industrialization large transnational companies play a central role in setting up decentralisation production networks especially offshore in the third world countries (Gereffi, 1994). The companies listed above relied on the buyer-driven model, but "they are not 'manufacturers' because they have no factories. Rather, these companies are 'merchandisers' that design and/or market, but do not make, the branded products they sell" (Gereffi, 1994: 99). Thus the structure of global markets and production chains has changed over the past half century.

Moreover, the changing labour market globally had an impact on both the workers and companies in various ways. We will discuss the impact on labour in the sections below dealing with labour and restructuring. To begin with, looking at the impact on companies, in the U.S small apparel factories struggled to survive due to increasing globalisation competition and this changed the composition of the apparel sector which was based on small factories in the districts of New York, Chicago, Los Angeles, or in small factories in the Southern towns to big apparel firms of the 1990s. Competition increased and the need to increase stock value on Wall Street forced companies to grow bigger and as a result the industry experienced mergers and acquisitions (Collins, 2006). According to the analysts a firm that made $100 million annually that was enough in the 1990 but by the 1999 those with $2 billion in annual sale were secure (Conrad 1999 cited in Collins, 2006). The growth of the apparel industry also increased its negotiating power with retailers (Collins, 2006). In the retail sector, internationally, companies adopted many ways to lower operational costs and increase profitability (Kenny, 2003). A number of scholars such as Wrigley (1992), Gereffi (1994), Christopherson (1996), Wrigley and Lowe (1996), etc. as cited by Kenny (2003) stated that companies expanded their chain stores, used new technologies, reduced

inventories, formed mergers, and returned the risk of inventory maintenance to suppliers and manufacturers. On the other hand, the 1990s were difficult times for the small and medium size firms while it was good times for the large firms, and these large firms used three strategies to increase their profitability. First, they increasingly branded their products. Secondly, they shifted from direct ownership of the factories to subcontracting. Thirdly, it was a process which began in the 1970s whereby firms moved jobs to offshore firms (Collins, 2006). In 1973 employment in the U.S. apparel industry was at 1.5 million, and in 2002 it declined to 500 000 (U.S. Department of Labour 1994; Ramey 2002 cited in Collins, 2006).

In the midst of this globalising economy firms that had been doing business along the United States-Mexico border were affected and they had to seek new production opportunities in less costly parts of Mexico, and as a result Aguascalientes emerged in the 1990s as a platform for apparel industry. It had good transportation opportunities, good infrastructure, and strong elite that were committed to developing industrial parks and accommodating investors. Companies such as Confitek operated in this area sewing a variety of lowered brands. Its workers sawed garments from fabrics which were knit and cut in the U.S (Collins, 2006). This company made few investments in training, infrastructure or machinery partly because of the simplicity of its operations (Collins, 2006). Thus, one important shift that this literature on these global sectors gives us is the shift to subcontracting to smaller firms and the use of multiple networks of subtracting. On the other hand this has also led to intensifying precarious employment.

Intensifying precariousness:

The changing labour market also can be characterised by the intensified use of precarious workers globally, and according to Chun (2009) irregular employment which is also referred to as casual, contingent, non-standard, atypical, and precarious employment "is essentially defined by what it is not: a stable, permanent job under a single employer that is regulated under protective labour law frameworks" (Chun, 2009: 12). 'Casual' worker was a commonly used term amongst the precarious workers I interviewed for this research study, and characteristically it was regularly used to refer to part-time workers, labour broker workers, and short-term contract workers[1]. In the South African retail sector, casual workers or hourly paid workers worked a maximum of 24 hours per week and with no benefits and diminutive job security, but then in the late 1980s casual employment increased to be used in more ordinary times (Kenny, 2005).

Chun (2009) states that the contemporary period of capitalism whether is called 'age of empire' by Hardt and Negri (2000), 'millennial capitalism' by Comaroff and Comaroff (2000), or 'new mode of capitalist domination under flexible accumulation' by Harvey (1989) and its associated features of labour flexibility, deregulation, and privatisation has been accompanied by the collapse of the old stable employment system under the Fordist mass production. Globalisation paired with neoliberal features have left many workers vulnerable, and the labour market is now branded by 'insecurity' and increasing growth of contingent work and other nonstandard forms of employment and the decline of the welfare state with tremendous consequences on the working poor and unemployed (Black, 2005). In the retail sector in South Africa restructuring has also included changing how the labour is used (Kenny, 2005). Globally, firms with heavy capital expenditure are looking for ways to reduce labour costs and this included introduction of new technologies and also changing store arrangements (Kenny, 2005). Across many countries, the combination of these strategies has increased the use of part-time and contingent employment. There is a shift from

[1] However, it was mentioned by these workers that there are different categories or terms ascribed to the term 'casual worker' in different companies, for instance, 'extra workers', 'semi-permanent-casual', 'loose casual', and 'permanent casual'. Nonetheless, it was indicated by these workers that these different terms were just diferent terminologies used by the "…companies to create distinction and division among the workers, and yet regardless of these terms we are still casual workers and our challenges are still the same. We are all not permanent workers, we do not get the benefits that permanent workers get, and all of us are easily dismissed" said Thapelo (Interviewee 3, 2014).

a workplace dominated by full-time and permanent staff to a dominant use of contingent workers (Kenny, 2005).

Chun (2009) compared the struggles of the workers employed at the bottom of the labour market in two different national contexts, the U.S and South Korea, and she found that in both these countries racialised groups of immigrants and women in the U.S and socially underprivileged women in South Korea were predominantly part of the precarious workers; she uses the term 'marginalised workers'. She argues that an increase in flexible employment "has rendered marginalised workers particularly susceptible to precarious and unfavourable wage bargains" (Chun, 2009: 5). Chun (2009) emphasised that the workers in precarious employment usually received less benefits and statutory entitlements, and these marginalised workers are at greater risk of employer abuse.

Rodgers & Rodgers (1989) emphasises that precarious work involves low wages, low job security, limited control over workplace conditions, little protection from health and safety risks in the workplace and this put workers at risk of injury and illness. The workers are impoverished and have less opportunity for training and career development (Rodgers & Rodgers, 1989). It is also emphasised by the International Union of Food and Allied Workers (IUF) that "Precarious work in all its forms - when it is not being praised, encouraged and promoted for contributing to labour market 'flexibilization' - is usually discussed in relation to declining living standards, discrimination, the feminization or poverty etc" (www.iuf.org). According to the International Metalworkers Federation (IMF) "precarious work is bad for all workers. It creates cut-price labour that drives down wages for all. It increases the gap between rich and poor. And it amplifies the unfair practices that already disadvantage women, young and migrant workers- all more likely to be in insecure jobs" (www.imfmetal.org/precariouswork). It is in this context that the IUF describes precarious work as a violation of human rights, and to redress this human rights violation it is the commitment by the governments and business to restrict the use of precarious work to allow workers to fully exercise their rights (www.iuf.org).

In short, as indicated that the structure of global markets and production chains has changed, this has also led to a change in the national labour markets and intensified the use of precarious workers globally. These transitions has been accompanied by the collapse of the old stable employment and have left many workers vulnerable and increased the labour market 'insecurity' as the nonstandard forms of employment increased and companies

looking for innovative ways to reduce labour costs. As mentioned above by Kenny (2005) there is a shift from a workplace dominated by full-time and permanent staff to a dominant use of contingent workers, and South Africa is also affected by these changes as it will be depicted below.

Restructuring in South Africa:

As depicted above that there is a change in the global labour market leading to intensified use of precarious employment globally, and this has also affected the companies, labour unions, and the workers in South Africa. Since early 1994 after the removal of the apartheid sanctions South Africa has been rapidly integrated into the global economy, and it has followed policies of export-led manufacturing and liberalised import controls faster than it was stipulated by the World Trade Organisation (WTO) (Bezuidenhout at al, 2003). This was aided by the South African government by implementing neoliberal policies (Bezuidenhout at al, 2003). This was a drastic shift from the Reconstruction and Development Programme (RDP) to Growth, Employment, and Redistribution (GEAR) by the South African government led by the African National Congress (ANC) (Barchiesi, 2010). "GEAR foreclosed radical redistributive options, encouraged labour flexibility as an avenue to job creation, and left the expansion of formal employment to the operation of market forces" (Barchiesi, 2010:71). The liberation movement in South Africa while it fought against apartheid and all what it represented, it also fought for new way of life, new humanity, and the new South Africa were all can share certain 'commons' as citizens, but the introduction of the neoliberal philosophies prevented the realisation of envisioned new way of life. "The neoliberal agenda has seen the erosion of these commons (in both the spheres of production and distribution) and the re-deployment of notions of the commons to the ends of profits and the market" (Naidoo and Veriava, 2003: 8).

The transition into the new democratic dispensation and the rapid integration of the South African economy into the global economy introduced challenges for South Africa that can be best described by three competing forces: firstly, the increased competition as the economy is integrated into the global economy. Secondly, the expectation that South Africa has to redress the apartheid legacy. Thirdly, South Africa has to respond to the increasing pressure of a democratic society and workplace (Buhlungu and Webster, 2005). This is described as 'triple transition' – the political, economic and social dimension (von Holdt, 2002). Under the

apartheid regime the South African workplace and economy was structured along the racially oppressive order. Just like any other spheres of society the workplace consisted of racial domination, segregation, and workplace practices which structured the distribution of jobs, skills, power, and income along the racial lines (Buhlungu and Webster, 2005). As a result of these structures and practices intense racial identity, tension and conflict materialized (Buhlungu and Webster, 2005). On the other hand, the transition from the apartheid oppressive regime into democracy came along with new democratic and social rights for unions, workers, and citizens. However this was also accompanied by intense contestations over these rights (Buhlungu and Webster, 2005).

Furthermore, it is highlighted that following a transition from a domestically protected economy into a more global economy, in South Africa companies had to restructure so to effectively fit into the global corporate and production structures (Buhlungu and Webster, 2005). South Africa's economic integration to the global economy was entangled with the process of high international pressures in the national market (Buhlungu and Webster, 2005). It is echoed by Webster and Omar (2003) that this economic transition has resulted in restructuring of work. Von Holdt and Webster (2005) note that this process of globalising the South African corporations have had and continue to have direct impact on the world of work. In this process of globalising, Webster and Omar (2003) note that the employers have adopted a hybrid of managerial strategies in thier response to global competitive economy. These managerial strategies were also aimed at cutting down the labour costs and increasing efficiency (von Holdt and Webster, 2005). For instance, in the retail sector there were mergers, growing concentration, and regionalisation through other parts of Africa, and Shoprite is one example (Buhlungu and Webster, 2005). In the wine industry companies had to tailor their products and production strategies in order to meet the specifications of the large retailers in overseas and local markets (Buhlungu and Webster, 2005). In some companies, subject to the necessities of the production process and the circumstances of the production market, some had to externalise specific activities to intermediaries, or externalise certain segments of their production to precarious informal factories, and casualise certain segments of their workforce within formal regulations (von Holdt and Webster, 2009). Drawing from the distinction made by Jan Theron between casualisation and externalisation, von Holdt and Webster (2009) refers to casualisation as increased use of part-time and temporary workers. Such an employment practice carries greater vulnerability for these

workers, and by definition, in distinction to externalisation, there is a contract of employment and the notion of the workplace exists. By contrast, externalisation depicts a process where there are three parties involved in the employment relationship, namely, the employer, the worker, and the intermediaries or 'nominal employer' (such as labour broker). This is also described as a process of triangulation whereby the employer who is the client of the labour broker reduces risk because it no longer takes responsibility for the workers (von Holdt and Webster, 2009). It is argued that externalisation has meant a shift altogether away from the employment relationship where the workplace stops to be the physical and social sphere whereby the relationship between workers and their employer is situated (von Holdt and Webster, 2009).

In their investigation of the case studies of tentative organisational experiments, of which some of them originated from the unions and others from non-union initiatives, von Holdt and Webster (2009) found that there was increasing differentiation in the workplace and this was separated into three major zones: the core, the non-core, and the periphery. Firstly, the core, these are waged workers in the formal sector with more or less stable employment with benefits and access to democratic worker and trade union rights. Secondly, the non-core, these are casualised and externalised workers working in less stable employment relationships, and sometimes they have part-time or temporary contracts with intermediaries such as labour brokers, subcontractors or informal factories. Thirdly, the periphery, these are people making a living in the informal sector, and they are different from the non-core because they have "no employment links, however tenuous, with the core employers at all" (von Holdt and Webster, 2009: 62). These authors mapped these processes of differentiation in concentric rings form and with the core at the centre which is the zone of stability, job security, and union representation. The "further the distance (both legal and geographical) from the core employers, the greater the vulnerability for workers, therefore the difficulty in organising" (von Holdt and Webster, 2009: 62).

As restructuring and the resulting vulnerability intensified, it is noted by Kenny (2005) that since the early 1990s the working conditions for the South African retail have changed. Christopherson (1996), Freathy and Sparks (1996), Felstead and Jewson (1999) cited in Kenny (2003) emphasised that flexibilisation as one of the strategies in response to global competitiveness has led to rising use of part-time and contingent employment in the sector.

By the late 1990s the official estimate of casual and temporary labour was somewhere between 17 and 20 per cent of the total retail workforce (Central Statistics Service, 1998; Statistics South Africa, 2002 as cited in Kenny, 2005). However, "independent case study research has found much higher rates of casualization ranging from 45 per cent to 65 to 70 per cent at store levels in specific regions" (Kenny, 2005: 163). Like in other industries, the South African retail companies also restructured in order to compete in the global market share, and this has been accompanied by flexibilisation of labour by refining work schedules to cover peak trading hours and reduce labour cost (Kenny, 2003). "According to government statistics, between 1987 and 1997, full-time average employment in the wholesale, retail and motor trades fell from 88 per cent of total employment to 81 per cent, while part-time and casual employment increased from 11.8 per cent to over 19 per cent. However, independent research points to rates of casualization as high as 45 per cent in some regions" (Rees cited in Kenny, 2003: 172). Research indicates that atypical employment is growing in labour intense sectors such as mining, retail, manufacturing, clothing, and small and medium enterprises (Barchiesi, 2003). The East Rand as one of the South Africa's manufacturing core it is also affected by the growth of precarious employment (Barchiesi, 2010).

Restructuring in the East Rand:

According to Barchiesi (2010) the East Rand has experienced labour market and production changes over the years in an expanding competitive context. "There has been a trend toward deindustrialisation, but also to informalized and casualized employment across sectors. Shifting labour markets have physically and socially altered the East Rand" (Kenny, 2003: 34). In the 2000s the economy of the East Rand revived, experiencing renewed industrial growth (Barchiesi, 2010), however, according to Barchiesi (2010) this growth was nothing significant because it was based "on a more dispersed and unstable geography of production, where a growing number of workers are employed in a small-medium enterprises, often with limited benefits, insecure employment, and no contractual protections" (Barchiesi, 2010: 68). As a result, the East Rand depicts a reality of production of new forms of poverty and inequalities (Barchiesi, 2010). It is indicated in Kenny (2003) that as a consequent of restructuring retailer's resorted to lower wages. It is also emphasised in Bezuidenhout at al (2003) that restructuring has further affected employment and wages.

In the 1970s the East Rand was the largest industrial center in South Africa, however, today the labour standards and working conditions have deteriorated as a consequence of labour market flexibility and deregulation (Bonner and Nieftagodien, 2001). In Kenny (2005) where she examined the collective actions among shop workers in three branches of a major supermarket in the East Rand, she found that the casual workers in the retail sector were earning a minimum wage which was below the premium wage set by the sector wage determination. In an interview with a spokesperson of a major chain store it came out that companies are searching for various ways to reduce labour cost and in some instances companies outsource other functions such as shelf packing in order to reduce wage bill and also transfer other labour relation matters to external companies (Kenny, 2005). This indicates that the increase of precarious employment has been accompanied by deteriorating wages in the sector and this is facilitated by liberal deregulation of the labour market.

Historically the East Rand in the 1980s had been a stronghold of black union militancy that was part of the widespread opposition to the apartheid regime. The majority of the workforce that gave support to the unions was the migrant workers, and they were exposed to harsh and precarious realities of the apartheid workplace (Barchiesi and Kenny, 2008; Bonner and Nieftagodien, 2001). What happened to this strong black union militancy? Has a change in the global market and intensified use of precarious employment affected organised labour?

Restructuring, and labour and the labour movement:

The literature above has indicated that hypermobility of capital and the process innovations (transformation of labour and production processes) have characterised the last two decades of the twentieth century, and as a result this has globally undermined the traditional base of workers bargaining power (Silver, 2003). As indicated, the general consensus in the social sciences was that the rise of globalisation processes has largely contributed to a severe crisis in labour studies and the labour movement. On one side, there were those who argued that the crisis was terminal. Aristide Zolberg is one of those, and he argued that the late twentieth century transformation has brought the disappearance of the distinctive formation usually called the ‘working class’. Silver goes on to quote Zolberg as he further argued that “workers to whose struggles we owe the rights of the labour are rapidly disappearing and today constitute a residual endangered species” (Silver, 2003: 2). Manual Castells as cited in Silver (2003) adds that global processes or what he call the ‘information age’ has transformed the

experiences of work and in the same process undermined the labour movement ability to act as the fundamental source of social cohesion and labours' representation, and thus undermined any chances that the workers might become emancipatory 'subjects' in future (Silver, 2003). According to Castells, the only potential subjects of the information age are the non-class based identity movements (Silver, 2003).

On the other hand, Silver cautions us that we should be thoughtful about concluding that the world-economic pressures are "producing a general downward convergence of the conditions for workers and workers' movements worldwide" (Silver, 2003: 5) because there are alternative interpretations from those provided in the section above emphasising the "race to the bottom". She provided evidence contrary to the view emphasised by the "race-to-bottom" literature regarding hypermobility of capital; relocation of production capital from high-wage to low wage areas. This evidence from the United Nations Conference on Trade and Development (UNCTAD) report indicates that the majority of foreign direct investment (FDI) flows continue to be within the high-wage countries. "Thus, in 1999 more than 75 percent of total FDI flows went to high-income countries. The $276 billion of inflows to the United States alone surpassed the combined total of $226 billion going to Latin America, Asia, Africa, and Central and Eastern Europe" (Silver, 2003: 5). To be clear, Silver agrees that hypermobility of capital to low-wage areas has indeed occurred and in some industries and areas it was on a massive scale. This was depicted in the case study of Burlmex and Confitek in the town of Aguascalientes, Mexico, where hypermobility of capital and process innovations affected the workers, and largely contributing to the question of who the employer is, and how to find the employer (Collins, 2006). However, the impact of the relocation of production capital has been far less unidirectional than as it is argued by the race-to-the-bottom perspective (Silver, 2003). Silver emphasises that while labour has weakened in the regions where capital relocated from, however, new working classes have been created and strengthened in areas where capital moved to. She argues that labour and the labour movement are continuously made and remade (Silver, 2003). Before we can look into the South African experience let us turn now to Karl Marx's and Karl Polanyi's theoretical analysis as exquisitely discussed by Silver.

The theoretical analysis provided by both Marx and Polanyi provide us with useful tools to understand the developments of labour and labour movements. As we will see throughout this research report, this theoretical background appear to be useful for us to understand the

contemporary backlashes by the non-organised workers in the East Rand. From different outlooks, both Marx and Polanyi have argued that labour is a 'fictitious commodity' and it cannot be treated like any other commodity because human beings exist beyond the commodity of their labour power, and such characterisation would lead into deeply felt grievances and resistance from workers (Silver, 2003). Silver mentions that several contemporary analysts such as Kapstein 1996; Rodrik 1997; Mittleman 1996; Gill Mittleman 1997; Stiglitz 2001 etc, have drawn on Polanyi's analysis of the nineteenth and twentieth century as a theoretical base in their examination of the contemporary backlashes against globalisation and for predicting future resistance. Polanyi goes on to argue that the deepening and expansion of the unregulated labour markets inevitably provokes backlashes or countermovements for the protection of society against the unregulated labour markets attempts to commodify labour. This can be described as Polanyi –type labour unrest, and Silver clarifies that the Polanyi –type labour unrest means "the backlash resistances to the spread of a global self-regulating market, particularly by working classes that are being unmade by global economic transformations as well as by those workers who had benefited from the established social compacts that are being abandoned from above" (Silver, 2003: 20). Historically, in the late nineteenth and early twentieth century the expansion of globalisation of markets resulted into resistance from workers and social groups, this is what Polanyi termed 'double movements' (Silver, 2003).

Polanyi emphasises a pendulum-like-nature of resistance while Marx emphasises a stage-like nature of transformation in the labour resistance (Silver, 2003). In other words, when a pendulum swings towards commodification of labour it also activates strong resistance demanding protection. Silver cites Polanyi as he emphasises that each expansion of the "labour market is countered by mobilisation to regulate and constrain the market for that factor of production known as labour power through a variety of mechanisms including social legislation, factory laws, unemployment insurance, and trade unions" (Silver, 2003: 17). According to Silver (2003), such relative decommodification of labour can only be established in a society that subordinates the chase of profits to endowment of livelihood.

In Polanyi's perspective, the self-regulating market provokes resistance because it topples the established and generally accepted social compacts on the right to livelihood – in other words, "it is in part fuelled by a sense of injustice" (Silver, 2003: 18). However, Silver mentions that the concept of 'power' is largely missing from Polanyi. In Polanyi's analysis

the self-regulating market is utopia, unsustainable, and it is bound to crash. According to Polanyi, the unsustainable self-regulated market would ultimately be upturned from above even if those from below lack effective bargaining power. In contrast, Marx emphasised power and injustices of capital. In Marx perspective, capital produces mass misery and growing proletarian power (Silver, 2003). In this analysis, capital development leads to long-term structural strengthening of labour to resist exploitation. On the same note, Sliver mentions that Marx's perspective has faced extreme criticism in the labour studies literature. It is argued that it provides a linear narrative in which the process of proletarianization leads to class consciousness and then a revolution that will overthrow capital (Silver, 2003). However, Silver cautions us of such an interpretation, and she argues that the reading of Marx's Volume 1 of Capital in totality suggests a much less linear progression of working class power. She emphasises that the core of Volume 1 can be read as a history of dialectic between workers resistance at the point of production and the efforts of capital to overcome workers resistance by continuously altering production and social relations. She adds that, "in each move – from handicraft industry to the factory system to machinofacture – old forms of workers bargaining power are undermined only to create new forms on a larger and more disruptive scale" (Silver, 2003: 19). According to Silver, this interpretation allows us to expect a continuous transformation of working class and the patterns of labour-capital conflict. In addition, she emphasise that the insight that labour and labour movements are constantly made and remade gives us a vital antidote against the common tendencies to be overly rigid in stipulating who the working class is. Therefore, rather than seeing an "historicaly superseded" movement as suggested above by Manual Castells, or seeing the working class as a "residual endangered species" as mentioned by Zolberg, Silver argues that "our eyes are open to the early signs of new working class formation as well as backlash resistance from those working classes that are being unmade. A key task becomes the identification of emerging responses from below to both the creative and destructive sides of capitalist development" (Silver, 2003: 20). This is an important insight to help us understand workers in the East Rand. Let us turn now to a discussion which gives a picture of the manner in which the rise of the globalisation processes has impacted on the South African labour and labour movements.

The South African context:

Naidoo and Veriava (2003) stated that the labour movement, particularly COSATU, is an important space to observe the growing inabilities of the labour union movement and traditional political formations to satisfy the needs and demands of the ordinary people. In this context, it is noteworthy to start by highlighting that organised labour have made significant gains for the workers in South Africa, and this includes major improvements of the labour laws or legislation, embedment of the collective bargaining in many different sectors and social dialogue forums (Hassen, 2011). For instance, through National Economic Development and Labour Council (NEDLAC) many apartheid labour relations have been transformed (Hassen, 2011). In the retail sector, from the mid-1970s South African Commercial, Catering and Allied Workers Union (SACCAWU) managed to organise black retail workers forming militant branches which could not be ignored by the retailers and in the 1990s wages rose dramatically (Kenny, 2005).

Buhlungu (2005) reminds us that the labour movement, with particular reference to COSATU, played a vital role in the liberation struggle which paved way for a democratic social order, and even after 1994 the federation continued to play a key role and has won many gains for its members. Buhlungu and Webster (2005) argue that labour unions are a primary vehicle for not only improving working condition and protecting workers rights but they also serve as a primary vehicle for integrating workers into society. There are many key activists in the federation that are playing leading roles in the institutions of the new democratic South Africa and they are able to influence the broader processes of this transition (Buhlungu and Webster, 2005). A longitudinal study by Buhlungu and Webster indicates that the members of the federation are happy with the role played by the federation in the democratic transition and they also supports the role played by the federation in the labour institutions, parliament and municipal councils (Buhlungu and Webster, 2005). In the same study they emphasise that labour, particularly COSATU "remains the single most powerful civil society organisation in the country" (Buhlungu and Webster, 2005: 266). However, recent studies cited below will indicate that this has somehow shifted as the COSATU unions have somehow failed to advance new organisational strategies (von Holdt and Webster, 2009).

It is also argued that the activities of the trade unions are not restricted to collective bargaining; all union federations in South Africa embark on public policy campaigns

(Hassen, 2011). COSATU as the largest federation in South Africa has taken a leading position on transforming economic and social policy. However, there are disagreements between trade unions on the public policy prescriptions. The position of the Federation of Unions of South Africa (FEDUSA), a second largest federation in South Africa, is pro-market and it advocates for pro-market public policies (Hassen, 2011).

The changing composition of labour and the labour movement:

It is argued by von Holdt and Webster (2009) that historically the labour movement in South Africa was categorised by high level of innovation including both innovative associational strategies and extremely effective use of symbolic power. Friedman (1987 as cited by von Holdt and Webster, 2009: 60) states that "associational strategies ranged from establishing worker advice centres to facilitate advocacy and organisation in the early days of the movement". But in the democratic South Africa, COSATU's unions have managed to hold on to broader discourse of social justice with special emphasis on the poor, the jobless, and the communities but then COSATU unions have failed to advance new organisational strategies (von Holdt and Webster, 2009). This is happening whilst the South African companies are "engaging in a process of unmaking and remaking the working class and undermining the labour movement" (von Holdt and Webster, 2009: 73) using many different mechanisms which in turn divide workers, weaken the labour unions, and reduce labour costs (von Holdt and Webster, 2009). According to von Holdt and Webster (2009) strategies used by the employers to reshape their production processes have created actual divisions amongst workers, and weakened and fragmented the unions. This is accompanied by the shrinking of the core (permanent and full-time employment) and the extension of the peripheral (part-time and casual employment), and it is further emphasised that this has ruptured solidarity and weakened the labour unions (Buhlungu and Webster, 2005).

The findings of one of the longitudinal survey conducted in 2004 by Buhlungu and Webster concerning the security or insecurity of tenure for COSATU members showed that 92 per cent of its members are in permanent or full-time employment (Buhlungu and Webster, 2005). This may project that the members of the federation are privileged compared to the growing numbers of those unemployed and those workers in precarious employment and informal sector who are not represented by COSATU. On the other hand, this also indicates

that COSATU has failed to organise beyond the declining workforce of permanent and full-time workers (Buhlungu and Webster, 2005).

It is emphasised by Black (2005) that the labour unions have been negatively affected by the neoliberal workplace order, and notably this has impacted the union's capacity to organise all workers. This is a serious challenge for the labour movement and it is weakening and fragmenting the movement, because the union's incapacity to organise all workers is accompanied by the union membership that is shrinking and at the same time side-lining the peripheral workers (Buhlungu and Webster, 2005; Black, 2005). It is argued that the unions have struggled to address the challenges brought by neoliberal globalisation project which have left many workers in insecure and temporary jobs, contingent employment, and rapid growth of labour brokers (Black, 2005). The labour unions have ignored the unorganised workers, workers in the informal economy, undocumented workers, and immigrants (Black, 2005). It was also argued by Rees, a union researcher and organiser, in 1997 that:

"Unions have not paid sufficient attention to dealing with the problem of casualisation, often being more concerned with their core, permanent membership and improving their associated benefits and wages. … Where some unions have taken up the issues of these workers in bargaining it has been on behalf of, and without the effective representation of, these layers. This has often allowed employers to perpetuate the divisions through offering concessions to the permanent workers, and the pressing issues of casual and other workers get dropped in the ensuing settlement" (Rees, quoted in von Holdt and Webster, 2009: 73).

On the other hand, it appears that even those workers who are organised by the labour unions are also affected by the changing composition of the labour market. Buhlungu and Webster (2005) argued that their data from the above mentioned longitudinal study is indicating that there is a changing composition of unionised workers in the labour movement. It is stated by Hindson and Crankshaw (1990) cited in Buhlungu and Webster (2005) that the structure of the black workforce has evolved over the past three decades. The militant unions of the 1980s and early 1990s drew its base from the employed unskilled workers, and later there was substantial support from the employed semi-skilled workers and many of these workers occupied key positions in the unions. The decline of unskilled workers was due to retrenchment of thousands of unskilled workers, and as a result a division between the relatively privileged and impoverished unemployed workers was created (Hindson and Crankshaw, 1990 cited in Buhlungu and Webster (2005). The survey of COSATU shop

stewards in 1991 also depicted a decline of unskilled and semi-skilled workers while showing a steady increase in skilled and supervisory workers in the federation (Buhlungu and Webster, 2005). In addition, it is highlighted that public-sector unionisation had an impact on the composition of COSATU's membership (Buhlungu and Webster, 2005).

The same survey of COSATU shop stewards indicated that between 1998 and 2004 the numbers of union members under the age of 36 are consistently lower, while the numbers of the union members aged between 36 to 45 years have increased in the same period. This has been described as a function of recent trends in the labour market and fewer young workers have been absorbed into the formal permanent employment (Buhlungu and Webster, 2005). It was indicated in the same survey that there was a significant improvement in the education levels of COSATU members, in 1994 65 per cent of the federation members had educational levels below standard 8, but in 2004 that percentage dropped to 36 per cent. At the same time those with standard 9 and above increased from 35 per cent in 1995 to 64 per cent in 2005 (Buhlungu and Webster, 2005).

According to Ari Sitas (2004) cited in Buhlungu and Webster (2005) the workers with little or no formal education led the struggle mobilisation period but in the new democratic dispensation these workers are relying on the workers with higher educational levels to lead them. The same research by Ari Sitas (2004) indicates that the union activists with higher levels of education have better chances of upward mobility compared to those with little or no formal education (Buhlungu and Webster, 2005). It is also argued that the significant presence of public sector workers in the unions can be attributed to the increase in educational levels. The same increase in educational levels can also account to COSATU's gain of new members from sectors such as airline pilots, public sector mangers, and skilled workers (Buhlungu and Webster, 2005).

The inability of the labour unions to organise all workers has posed serious challenges to the traditional forms of trade unionism hence a rise of new forms of organisations (Black 2005). According to von Holdt and Webster (2009) the consequence of the union's lack of ability to organise the precarious workers while focusing on the permanent workers has led to casual workers becoming deeply dissatisfied with the labour unions, and viewing them as organisation only concerned with permanent or full-time workers. Buhlungu and Webster emphasised that the implication of these findings may suggest that in future COSATU and other unions would be isolated from the rest of the working class and the new movements

that are mobilising against the economic liberalisation on the unemployed and working poor (Buhlungu and Webster, 2005). This literature may suggest that the inability of the labour unions to adequately adjust to the changing structures of both the global markets and global labour markets has posed serious challenges for the traditional forms of trade unionism, and this has sparked questions if weather the unions are failing the precarious workers.

Are the labour unions failing?

The literature above indicates that it is not a clear cut to say that the labour unions have failed the workers because the full-time and permanent members are benefiting from the labour unions. This indicates that the labour unions have arguably failed certain segments of the working class, in this case, the precarious workers including their families in certain instance while benefiting the full-time and permanent workers. As indicated above by Buhlungu and Webster the members of the federation which are mostly full-time and permanent were happy and they also support the role played by the federation (Buhlungu and Webster, 2005). This emphasises that full-time and permanent workers are in an advantageous position while relegated the poor, unemployed, and the precarious workers into a peripheral position and reproduced an economic system that is categorised with high unemployment and inequality (Hassen, 2011).

Although some of the members of the federation were happy with the labour unions, however, recently this has become more complicated following the fracturing within the federation. Research indicates that South Africa's economy is faced by a problem that very few people are working, and only 41 per cent of adults who are economically active between the ages of 18 to 60 are working either as full-time, informal or part-time compared to other developing countries such as Brazil and Malaysia with a ratio around 66 per cent (Paton, 2011). In the developed countries such as the United Kingdom (UK) and the (U.S) the rate of employed adults between the ages mentioned above is as high as 70 per cent (Paton, 2011). According to the 2010 country survey conducted by the Organisation for Economic Co-operation and Development (OECD) South Africa's one quarter of the workforce is unemployed and looking for jobs while about 5 per cent are discouraged from seeking employment. Since 1990 the unemployment rate sits around 30 per cent (Paton, 2011).

Agreeing with Paton (2011) when she points out that many analysis of the unemployment problem in South Africa has shown that the reasons for unemployment in this country are

deep and historical, and they cannot be pinpointed to a singular factor or social actor. There are some who are blaming the labour laws as a key factor contributing to the high unemployment rates; nevertheless there are several authoritative studies such as that conducted by the International Monetary Fund (IMF) and OECD which showed that the labour laws (regulating hiring and firing of workers) are not the cause of high unemployment (Paton, 2011). However, Paton (2011) goes on to state that the labour unions must take a share of responsibility as she argues that the trade unions ideologically based and old-fashioned analysis of unemployment and how to solve it is amongst the roots causing the stalemate (Paton, 2011).

Other remarkable studies conducted by the National Planning Commission (NPC), the Harvard group, the National Treasury, and OECD have shown similar results (Paton, 2011). They have outlined that South Africa's economy based on extraction of minerals and development of agriculture produced a large number of low skill jobs and over the past 20 years the demand of low skill jobs weakened and as a result the economy was unable to absorb the growing number of labour market entrants (Paton, 2011). The jobs lost in the mining and agriculture sector was not compensated for by the growth in the manufacturing sector (Bonner and Nieftagodien, 2001; Kenny, 2003; Barchiesi, 2010; Paton, 2011). However, the growth in the manufacturing sector also declined since 1982 (Barchiesi, 2010; Paton, 2011).

Typically, COSATU dismissed these studies as being ideologically biased. In 2010 COSATU published its own analysis, *A growth path towards full employment*, which promoted radical policies; redistribution was a central organising principle (it advocated for higher wages for those employed) (Paton, 2011). It went on to state that the fiscal policy should involve higher taxes on the companies and wealthy, it called for high permanent spending on social infrastructure, and inclusive social security that includes basic grants for those unable to work. The industrial policy included nationalisation of strategic industries, and these initiatives were to be funded by the state bank (Paton, 2011). However, Paton (2011) argues that only in utopia these policies would be viable.

The relevance of trade unions or organised labour has been one of the important topics of discussion in the contemporary public policy debates. As indicated above, there has been an opinion that organised labour has become a stumbling block to the achievement of South Africa's developmental agenda (Hassen, 2011). As argued above that trade unions have

largely side-lined precarious and non-unionised workers in favour of the full-time workers, however, the labour unions have rejected this interpretation (Hassen, 2011). It is recognised that organised labour faces a challenge in building broader alliances, and have failed to organise atypical workers (Barchiesi, 2010; Black, 2005; Buhlungu and Webster, 2005; Kenny, 2003; Paton, 2011; von Holdt and Webster, 2009). This literature depicts that there are major challenges faced by the organised labour in South Africa, and relevant to this investigation is that the labour unions have largely side-lined or failed the precarious and non-unionised workers while benefiting its members. The question is what needs to be done by the labour movement going forward?

Labour union's organisational form

Organised labour will need a radical paradigm shift in order to overcome these challenges. In a report presented to the COSATU central committee meeting on the 14-16 April 2003 it was admitted that there are major challenges facing the federation; the enormous increase in unemployment has led to pressure on the employed and increased casualization. These pressures have an enormous impact on organised labour, and in the same report presented to the COSATU central committee meeting it was stated that the overall membership of the federation has declined by 112 171. In the same report it was acknowledged that COSATU lacked strategies to effectively deal with casualization and outsourcing (Naidoo and Veriava, 2003: 10). This indicates that organised labour needs a new organisational form which encompasses the realities of the changing structure of the global market and labour market. By its own admission, the federation is not responding adequately to the pressures of change on its organisational form (Naidoo and Veriava, 2003). This was emphasised by Ashwin Desai cited in Naidoo and Veriava (2003) when he stated that the composition of the working class is changing but the organisations remain the same, and this creates a discrepancy because the labour unions can not represent the very nature of its workforce (Naidoo and Veriava, 2003).

The former general secretary of COSATU, Zwelinzima Vavi, once stated that COSATU "…must unite unionised and un-unionised workers, it must bring together blue collar and black professionals. It must unite the workers with permanent jobs with those employed by the labour brokers. The campaign must have clear demands and time frames how these should be realised by when" (Hassen, 2011: 38). This declaration by the former general

secretary of COSATU amplifies the argument that organised labour needs a radical paradigm shift in order to meet their challenges. Nevertheless, it is the argument of the labour unions that they are still the drivers of the South Africa's developmental agenda and they are still representing the voiceless poor and hence they are still relevant as ever and they are champions of the transformation and distribution (Hassen, 2011). On the other hand, the difficult truth for the labour unions is that the living standards for the South African workers have not improved meaningfully, and the labour portion in the economy has debilitated (Hassen, 2011).

In addition, some commentators are critical in their analysis of the gains made by the labour union post 1994 and they are raising a critical question of whether unions have been co-opted or become 'insiders' of the very same system they condemn? (Hassen, 2011). Certainly, the insider-outsider hypothesis postulates that the labour unions have been co-opted into the very system they criticise and they have contributed to shutting the door and leaving out the 'outsiders' (Hassen, 2011). The insiders (big businesses and labour unions) have received economic benefit while they have left behind the 'outsiders' who are the poor and unemployed (Hassen, 2011). What Seekings and Nattrass (2006) calls the 'post-apartheid distribution regime' decoding the end of the apartheid regime, saw the labour unions becoming the insiders and by doing so securing the advantageous position for their members in the expense of the 'outsiders' (Hassen, 2011). In its defence, organised labour has argued that the resources and wealth will gradually be transferred from the top income earners to the lowest and there are clear redistribution channels between unionised workers and those unemployed (Hassen, 2011). The argument here is that wage earners support many non-earners in household networks. This suggests a trickle down direct redistribution of wage income by means of networks of economic support. In this view, there is evidence indicating high dependence of those who are unemployed on those wage earners. The dependency ratio provided by the NPC indicates that 3.9 people who are unemployed depend on 1 worker (Hassen, 2011). This is conflicting because as indicated by the National Treasury (2011) the wages and salaries of the workers have not been high; between 2008 and 2010 real wage increase across the economy was 14.2 per cent. It is important to note that the real wage increase benefited the higher income earners more than the workers (Hassen, 2011). In other words the organised workers did not get "increases to wages and salaries that would entail the carving up of a small economic pie" (Hassen, 2011:36). However, the distribution of wealth and resource from the top end income earners to the lowest or unemployed is problematic

because the numbers of organised workers are shrinking as labour is casualised, and this is also ignoring a large number of working class who already dependant on the support of precarious workers in unstable jobs (Hassen, 2011).

Furthermore, this literature brings out the complexities and the state in which the labour movement is in at the movement. Zwelinzima Vavi who is currently outside of the federation is now able to make declarations which are in line with the argument that the labour movement or organised labour needs a radical paradigm shift in order to address its challenges. While he was still inside the federation he was defending the federation against the argument that it has become 'insiders' of the very same system they condemn.

Beside the insider-outsider hypothesis, Hassen (2011) highlights other paradoxes of the labour movement after the victory of democratisation, and he summarise this in three major arguments coming from left-leaning critique of the labour unions. On the first argument, he states that the successful transition into a democratic state and changes to the labour laws of the country have shifted the unions from being activists into bureaucratic organisations. He takes on from the argument made by Buhlungu (2010) that with democratisation the labour unions have lost their organisational strength they once had. Buhlungu (2010b) points out that there is a crisis of the industrial union model and this is demonstrated by its incapacity to deal with the labour market challenges such as the division of the labour market into the core (permanent and relatively secure) workers and the peripheral (precarious) workers. Buhlungu (2010) is of the view that the labour unions should regain their militancy in order to be able to fight for social justice and consequently it will be more progressive instead of being viewed as co-opted into the system.

The second argument talks to the criticism of the tripartite alliance that it has mainly played a disciplining role in respect of organised workers; however, Hassen (2011) laid emphasis on the relationship of the tripartite alliance is complex and hard to decode even for insiders because there is continuous shifting of positions in the alliance. Yet he points out that again the criticism above has merits because it has the potential to divide COSATU (Hassen, 2011). He cites Friedman (2011) who argues that mixing the African National Congress (ANC) politics with the agenda of workers would result to weakness and paralysis of the labour movement. At the same time there are weighty disagreements among the trade unions on how to engage with the ANC. Other independent unions and FEDUSA are moulding themselves

as non-political trade unions, while COSATU maintain their position in the alliance (Hassen, 2011).

Besides maintaining their position in the alliance, COSATU prides itself that it is still the main federation which is able to contest the neoliberal framework of the state and all the policies are implemented through the NEDLAC and alliance. Nonetheless, it is argued by Naidoo and Veriava (2003) that COSATU through its commitment to the tripartite alliance it has become part of the extension of the neoliberal democratisation in South Africa as it has adopted and participated in the corporatist models of governance guided by the neoliberal macro-economic background. Even though COSATU has come out publicly criticising the neoliberal GEAR framework and able to make small changes 'within a still unchanged neoliberal framework', but it was unable to reverse the non-negotiable neoliberal macro-economic path of the state (Naidoo and Veriava, 2003).

The third argument talks to the new forms of organisations which are emerging outside of the trade union movement. It is noted that COSATU has attempted to engage with these new emerging forms of labour organisation by offering support and taking resolutions which are sympathetic to these organisations (Hassen, 2011). It was argued by Webster and von Holdt (2005) cited in Hassen (2011) that the labour unions need to find strategies to engage with these emerging forms of organisations and understand their methods of protests which are situated in communities but link to the broader changes of work. Hassen (2011) emphasise that understanding these new forms of organisation is important because it will help to grasp why and how these formations are emerging. This report is attempting to find out why and how CWAO and the SC emerged in the East Rand. In my view, the analysis of these paradoxes of the labour movement which occurred after the victory of democratisation is important because it is systematically showing how the organised labour through the analysis of COSATU as the biggest federation in the country has weakened over years. As depicted by this literature, the weakening of the federation is partly a result of, firstly, the federation shift from being activists into bureaucratic organisations. Secondly, even though the tripartite alliance is complex and hard to decode even for insiders because there is continuous shifting of positions in the alliance but the federation remained as playing a disciplining role in respect of organised workers. Thirdly, the federation has side-lined the precarious workers and as a result the federation has contributed to the emergence of the new forms of organisations which functions outside of the trade union movement.

Although it is acknowledged that organised labour have made significant gains for labour in South Africa, and this includes making major improvements on the labour laws or legislation, embedment of the collective bargaining in many different sectors and social dialogue forums (Hassen, 2011). However, it is argued that COSATU has participated in the process of the labour law formulations which sought to protect the rights of organised labour while on the other hand it has made the introduction of the neoliberal strategies in the sphere of labour easier, i.e the introduction of flexibilisation. In addition, it is also mentioned by some critics that the labour laws such as "the 1995 Labour Relations Act (LRA), the 1999 Basic Conditions of Employment Act (BCEA) and the system of corporate governance under NEDLAC have provided the institutional regulatory framework for the implementation of neoliberal policy changes prescribed by GEAR" (Naidoo and Veriava, 2003: 10). The LRA procedures prevent any meaningful industrial action, and it separate issues of production and reproduction (Naidoo and Veriava, 2003: 8). In addition, the BCEA allows the employers to vary basic standards of employment in a downward trend based on individual agreements with the employees (Naidoo and Veriava, 2003). In application, this regulatory framework has made it difficult for the unions to organise precarious workers which they fall outside the category of permanent workers. It is also argued that the employers often abuse the labour laws by playing with definitions in order to prevent workers from organising. It is argued that it does so by binding labour to this established regulatory framework and the vision of augmenting productivity in the spirit of achieving growth as defined by the GEAR policy (Naidoo and Veriava, 2003). It is further argued that this has brought further changes to COSATU union's organisational culture and also brought 'a bureaucracy' at various heights inside COSATU. As a result there are several failed attempts by COSATU and its affiliates to contest the neoliberal path of the government. This has resulted "in a present-day COSATU that seems exhausted – tired of trying and failing, tired of arguing and being silenced, tired of losing jobs and protections for workers, tired of failing to understand…" (Naidoo and Veriava, 2003: 10). This literature indicates that the federation is in the state of paradox: this is because the federation has adopted new philosophies as per the evidence provided above which suggests that the federation have changed its organisational culture, while at the same time resisting changing its organisational form. The federation's resistance to modify its organisational form has resulted into clear differentiation within the working class and thus deeply dividing the labour movement itself. Therefore, while the federation is hesitant to include the non-core workers in their organisational form, the further the increase of the non-

core workers, and this would further have an impact on the shrinking membership of COSATU because of the expansion of the non-core zone with workers who are not organised by the labour unions.

Then again, what happened to the efforts of the SA Clothing and Textile Workers Union (SACTWU) as they once attempted to organise the non-core workers? It is argued by von Holdt and Webster (2009) that SACTWU in their attempt to organise informal workers in the clothing sector pilot study conducted in Mitchells Plain, a residential township outside Cape Town, suggest that conventional trade unionism has little chances of gaining purchases in the regions of the non-core zone where workers are externalised into informal sector workplaces (von Holdt and Webster, 2009). The union did not have concrete strategies to deal with the employers, their ideas were shaped by conventional trade unionism, and they targeted the sweatshops employers who maybe a wrong target since they were merely nominal employers and the power was with the formal sector originators elsewhere. The results of this project were not inspiring, and the workers were resistant to join the union and they were sceptical about how the union will benefit them (von Holdt and Webster, 2009). In addition, the non-core zone is vastly differentiated sphere with different employer specific strategies and thus requiring the organised labour to in turn implement "flexible organisational repertoire if they are to engage successfully in a process of remaking the labour movement" (von Holdt and Webster, 2009: 73). Therefore, the effort of SACTWU as argued by von Holdt and Webster (2009) also suggests that more radical innovations are needed. They argue that these more radical innovations "include new notions of associational power mobilised beyond workplaces in communities, and articulated with symbolic power which contests social injustice in the public domain" (von Holdt and Webster, 2009: 74). This proposition contextualises this actual research report within this identified gap, and it also reverberates the applicability of this research because it investigates these "new notions of associational power mobilised beyond workplaces in communities, and articulated with symbolic power which contests social injustice in the public domain" (von Holdt and Webster, 2009: 74), and it appears as indicated in the opening chapters that in the East Rand there are possibilities of the new forms of labour organisation emerging, and thus possibly giving signs to the argument made by Silver when she argues that labour and the labour movement are continuously made and remade (Silver, 2003).

Possibilities of Labour resistance:

Harvey (2005) argues that the opening of global markets, increased capital mobility, and the implementation of the free-market principles by the nation states have weakened and delegitimised the labour unions. This poses a serious challenge for labour, and it was indicated by Barchiesi (2010) that many black workers did not only see trade unions as merely a tool to improve wages and working conditions but they saw them as a potential to redeem wage labour from the injustices and abuse of the apartheid regime (Barchiesi, 2010). "In South Africa, black trade union mobilization was part of a broader political and ideological counterculture of the broad liberation movement, which sought to demonstrate the movement's moral and political superiority over racial discrimination and apartheid by operating in a democratic fashion" (Buhlungu, 2010: 91). The working class that held high the hopes and expectations of an improvement in wage labour in the post 1994 democratic election was heavily impacted by the economic restructuring of the 1990s and increasing high rates of unemployment (Barchiesi, 2010). There have been debates whereby some scholar's recommend that organised labour should align with precarious forms of organisation and that would strengthen labour organisation (Paret, 2013). Alignment "…with such struggles is key to the effectiveness of organised labour in the contemporary period" (Paret, 2013: 2). The focus question of most labour research in South Africa has been around whether trade unions are interested in organising precarious workers (Webster, 2008; von Holdt and Webster, 2009), and paying less attention on the preparedness of the contingent workers and other precarious workers to align their struggles with that of the unions they consider to be a weapon that is captured by the bosses. What strongly emerges here is that labour union organisation is seriously affected by the global neoliberal market forces. Therefore the question is what the possibilities are for the non-unionised workers in the East Rand?

Barchiesi and Kenny (2008) indicated that many scholars such as Moody (1997); Munck (2002); Waterman (1991); Lopez (2004); Buhlungu and Webster (2004); Lambert and Webster (2001) argued that social movement unionism provides an alternative to business unionism and narrow workplace interests, yet they argue that positing a model of organising in academic discussions has closed off our understanding of the range and importance of worker subjectivities and organising strategies. Paret (2013) highlights that it is documented that there are signs of success of the social movement unionism in some parts of the world (Paret, 2013), nonetheless it is pointed out by von Holdt (2002) that the success of social

movement unionism in the South African case was different in a sense that it was a response to specific conditions of the apartheid authoritarianism that are unlikely to reoccur. Based on their case study at docks and Shoprite, von Holdt and Webster (2009) argued that the fractional and short-lived successes at these workplaces "suggest that political will, the commitment of resources, sustained organisational effort and strategic innovation, including new associational strategies for forging solidarity between core and non-core workers, as well as exploring the potential of new sources of symbolic power in the public domain, will all be required if unions are to make real progress" (von Holdt and Webster, 2009: 74).

This paper studied the new organisational forms emerging in the East Rand in order to understand their organisational forms and their organising strategies which seem to have similarities with community unionism as an organisational model. We turn now to explore how authors have outlined what community unionism is in different context.

Community unionism:

Collins (2006) argues that in the apparel industry labour resistance emerged, however, in new models of 'community unionism'. It is argued that community unionism build ties between industrial workers and other organisations, and this goes beyond the narrow workplace interests to individuals and groups sharing the interest of workers (Collins, 2006). Moody (1997) cited in Collins (2006: 23) talks about community unionism as "the strongest of society's oppressed and exploited-organised workers-mobilizing those who are less able to sustain self-mobilisation: the poor, the unemployed... the neighbourhood organisations". Black (2005) emphasises that community unionism is mainly a 'local' response to the global progressions that affect the working people. As indicated that women in Mexico were historically excluded from the unions, Collins (2006) states that community unionism gave them the opportunity to organise and raise their grievances, as it linked workplace and community issues. The development of the SC can also be understood as a new form of community unionism whereby the exploited non-organised workers have formed a new formation which functions as a militant structure of the workers.

According to Black (2005) the use of the term 'community unionism' can be traced back into the 1906s in the writings of James O'Connor. It also owes its development to a number of United Auto Workers (UAW) organisers in the 1960s. One of these organisers was Jack T. Conway who spoke of new form of unionism constructed on the example of Farm Workers

Union (FWU) and Cesar Chavez. Black (2005) cites James O'Connor who in 1964 predicted that because of long-run employment and deskilling of the workers the working class organisation in the future will lay more in their communities. According to this view, the community rather than the workplace will become the place for the workers to organise. O'Connor as cited in Black (2005) believed that these new forms will rise in deindustrialised towns and slums and they will focus on issues including housing, welfare, and public services. Conway cited in Black (2005) observed that FWU was moulding a new organisational model because "the problems that face farm workers and their families go far beyond the workplace and work relationship, and for an organisation to be effective in dealing with these problems it has to dealt with the totality of the situation" (Black, 2005: 25). Both O'Connor and Conway believed that the labour unions 'must come to see' communities as if they were a workplaces (Black, 2005). The development of the SC in the East Rand which its activities are carried outside of the labour unions needs further analysis as fittingly depicted by Barchiesi and Kenny (2008: 3) that "containing [labour politics] within the functions of trade unions further inhibits our understandings of worker politics, and hence of possible organizational and political forms".

Community unionism as an organisational model

Black (2005) recommends that it is important to distinguish between community unionism as a process and community unionism as an organisational model that is independent of traditional unionism. He goes on to clarify that community unionism as a process entails cooperation between a trade union and a community group, and the two forge ties in a struggle for a common objective, and this partnership depends on the structure of the alliance. For instance, a community group might support the efforts of a trade union, and in other instances the union might support the efforts of a community group by supplying relevant resources (Black, 2005). On the other hand, the second model of community unionism is an autonomous community-based labour group, and they use workers' centres as the centre of their organisational activity (Black, 2005). In this report I argue that this second model best describes the solidarity committee in the East Rand for the reason that it is an autonomous group and not aligned to a particular union, and they use workers centres as the centre of their organisational activity and they include communities in their organisation. That being said, it is also important to note that the second model may vary in many respects, for instance, they

may vary by their organising tactics (such as legalistic and direct action), membership structure, source of funding, and organising geography (Black, 2005). Community unionism as an organisational model strives to empower the vulnerable workers in the neoliberal economy (Black, 2005).

Distinct from the trade unions, this model of community unionism aims to bridge the 'home-workplace divide' (Fine, 2003) whereby the unions primarily focuses on the workplace-related matters while community unions take a 'holistic approach' to include matters that affect the workers beyond the workplace (Black, 2005). Community unionism organises those employed, unemployed, and underemployed, and they organise for change in the workplace and beyond including issues such as healthcare, welfare reform, housing, immigration, and jobs (Black, 2005). It is argued that the occurrence of this model of community unionism is a response to two related socioeconomic trends: firstly, conditions created by neoliberal globalisation, and secondly, the failure of the labour movement to adequately address the conditions which are a result of neoliberal globalisation (Black, 2005).

Black (2005) raises an important question that is posed by community unionism around 'solidarity' which I expand on in order to also speak about 'collective identification'. The question is, "what happens to the sense of solidarity fostered by union membership when a unionized worker loses his or her job?" (Black, 2005: 27). He goes on to say that when a union worker loses a job the worker can experience a sense of political isolation as well as they loss a sense of their identification because the strength of collective identification is superior than individual worker (Black, 2005). Building from the work done by Kenny (2005) during the period of 1998 and 2002 where she examined the collective actions among shop workers in three branches of a major supermarket in the East Rand, in this report I also show that workplace based collective identification is earnestly affected by the neoliberal globalisation features such as flexibilisation which has led to increased use of contingent and other precarious workers. I will argue that the emerging new forms of organisation bring collective identification that transcends the workplace. As depicted by Black (2005), the membership of community unionism does not depend on employment hence it fosters a sense of solidarity that is beyond the workplace. It is in this light that many up-to-date community unions call for a more inclusive definition of work in order to take into consideration the unwaged work (Black, 2005).

Challenges of community unionism:

Community unionism is faced by some of the inherent tensions that face the traditional unions in a sense that they can be territorial and they may confront each other over attempts to organise in the same community. Due to limited resources, conflict amongst the community unionism members may arise over which struggles to take (Black, 2005). Internal disputes may arise over a number of issues such as long term goals of the organisation, and internal structure of the community unionism and its democratic processes (Black, 2005).

Some commentators in the organised labour have argued that even though community unionism can provide political representation for those who are not represented by the organised labour, however community unionism cannot provide the economic gains made by the organised labour through collective bargaining (Black, 2005). However, this critic of community unionism is also been criticised by the members of the solidarity committee in the East Rand.

In addition, it is pointed out that another challenge facing community unionism is that it has to win the hearts and minds of the people in order to add moral and political legitimacy to their campaigns, and thus making it difficult for the elected officials to ignore their demands (Black, 2005). However, according to Black (2005) community unionism is putting the labour movement back into labour, and he advises that the labour movement should not view community unions as pre-union formations, neither as threats to the labour movement nor as a space to be subjugated by the organised 'proper' unions. He adds that community unions have developed their own organisational structures and culture. He believes that both the organised labour and community unions would benefit if they engage on dialogues about their capabilities, limitations, and shared interests (Black, 2005). He further emphasised that "if trade unions are to regain their power and build strong organisation capable of challenging capital's agenda, they must learn from the tactics and organising strategies of community unionism" (Black, 2005: 31).

In-short, the changing labour market globally had – and continues to have an impact on the workers, companies and labour unions in various ways. As argued by Silver (2003) that companies attempt to avoid perishing in the competitive scuffle, employers worldwide were obliged to implement the new flexible production systems, on the same note Webster and Omar (2003) argued that the employers have adopted a mixture of managerial strategies in response to global competitive economy. In Chapter Two this paper will show that in the East

Rand some companies are utilizing different and sometime company specific strategies, and some companies externalised certain activities to intermediaries, while some are casualising leading to intensified use of precarious employment, and as a result there is increasing differentiation in the workplace. Historically, the East Rand in the 1980s had been a stronghold of black union militancy but now, this investigation, will depict that this has been weakened partly because of intensifying use of precarious employment and labour unions failure to organise precarious workers (also see, Barchiesi and Kenny, 2008; Bonner and Nieftagodien, 2001). Following Silver (2003) analysis that while labour has weakened in the areas where capital relocated to, nevertheless, new working class have been created and strengthened, and she argues that labour and the labour movement are continuously made and remade. In Chapter Four, this research paper will argue that even though the precarious workers are affected and weakened by restructuring, but the non-organised precarious workers are partly showing signs of backlashes against what Polanyi describes as the deepening and expansion of the unregulated labour markets which inevitably provokes backlashes for the protection of society (Silver, 2003).

Chapter Three: Research methodology and methods

Research strategy

One of this research paper's objective was to find out what explains the labour unrest and what explains the new forms of labour organisation taking place in the East Rand. In order to address those questions, an appropriate research strategy of qualitative research was used to gather and analyse its data. According to Bryman (2004) a research strategy means a general direction to the conduct of social research. A qualitative research strategy according to Greenstein, Roberts & Sitas (2003: 49) "is a broad approach in social research that is based upon the need to understand human and social interaction from the perspectives of insiders and participants in the interaction". Studies or projects that follow this approach aim to describe, understand, and explain human behaviour. Qualitative research provides a rich and contextual perspective on issues that may not be well covered by a standard questionnaire (Greenstein, Roberts & Sitas, 2003). Strauss and Corbin (1998) argue that the choice of whether to do qualitative or quantitative research depends on the nature of the research question. This research paper sought to uncover the views of the contingent workers on workplace restructuring in their workplaces. It is on this basis that qualitative methods were utilised in order to answer the research question.

Ethnographic field methods:

This paper used qualitative ethnographic field methods including observation and in-depth interviews. Observations allow the researcher to get an opportunity to observe the action or events as they unfold without necessarily interfering (Greenstein, Roberts, & Sitas, 2003: 49).

Observation technique:

Through the help of Ighsaan Schroeder I observed the meetings of the solidarity committee and few demonstrations led by the casual and contract workers in Germiston[2]. These observations helped me understand what is happening within the workers' solidarity committee and I gained first-hand knowledge and better understand of the SC how they organise decision-making processes, etc. I managed to attend five of the SC meetings

[2] Please note that my supervisor, Bridget Kenny, was Chair of the Board of the CWAO during most of the research. This has assisted me to gain access to the advice office, but the organisation has not interfered in any way to direct my research or conclusions.

between March and October 2014 and one demonstration in July 2014. See table 1 below for a number and dates of observations conducted:

Observations	Description	Dates
Observation 1	A formal meeting of the solidarity committee held at the advice office. It was attended by 13 members of the committee: 8 men and 5 women.	11/03/2014
Observation 2	This was a formal meeting of the solidarity committee held at the advice office, and a CWAO representative was present at the beginning of the meeting to present and give feedback to the committee on the new labour developments	18/03/2014
Observation 3	This was a formal meeting of the solidarity committee held at the advice office which was attended by 14 members; 6 women and 8 men.	08/04/2014
Observation 4	This was a formal meeting of the solidarity committee held at the advice office. A member of CWAO was present and presented on behalf of CWAO's their views on the new labour developments, i.e. See Cash and Carry supermarket.	20/05/2014
Observation 5	This was a demonstration at See Cash and Carry supermarket which was led by the SC members in order to submit a memorandum of demands to the employers in support of the suspended workers and demanding better working conditions for all workers, and a stop	22/05/2014

	to use of labour brokers.	
Observation 6	This was a formal meeting of the solidarity committee held at the advice office. It was attended by 9 members of the committee; 5 men and 4 women.	14/10/2014

Table 1: observations conducted in the East Rand (all employers names are pseudonyms)

Sampling technique:

Through snowball sampling technique and purposive sampling, I conducted 25 in-depth interviews with the casual workers, contract workers, 'extra workers', 'permanent workers', and dismissed workers from different workplaces such as company SS, Ekuthuthukeni Municipality (street sweepers), company BR, company A, company B, See Cash and Carry supermarket, HQ, and two members of the advice office in Germiston. See Table 2 below for a description of these companies. Company names used in this research report are pseudonyms in order to protect the identity of the workers.

Companies:	Description:
Company SS	This is one of the world's biggest snack and beverage company.
Ekuthuthukeni Municipality (street sweepers)	Ekuthuthukeni Municipality use temporary employment services called BCS to sub-contract the street cleaners of the CBD.
Company BR	Is a large global brand situated in the East Rand producing a variety of well-known products such as medicines, medical devices, hygiene and other home products
Company A **Company B**	These companies are owned and managed by the Chinese. Company A manufactures boxes. Company B prints on the boxes manufactured by Company A. Company A and Company B are registered as different companies with different registration numbers, but they are operating in one yard.
See Cash and Carry supermarket	One of the largest retail chain stores in South Africa selling a variety of products
HQ	HQ is a labour broker, and they supply catalogues for chain stores. Some workers put catalogues inside newspapers and magazines
Easy Buy Store	Is one of the biggest retail chain stores in South Africa
Company V	Is one of the well-known hair products company in South Africa selling a variety of hair products.

Table 2: Description of the companies which workers interviewed worked for, (company names are pseudonyms)

Some of the workers were currently employed and some were dismissed workers who were members of the solidarity committee. All these workers I interviewed are members of the solidarity committee and they are actively involved in its activities. I included workers from different workplace in order to get different views from different workers in the East Rand

area. 14 of these workers have been involved in the development of the solidarity committee since its inception, and the remaining 8 have joined the committee at the beginning of 2014 seeing the progress of the committee in the East Rand. All these workers have consulted the advice office at different points in time seeking legal advice in connection to their workplace issues. See Table 3 below for a description of interviews conducted. To organise the interviews I was assisted by a worker who is familiar with the workers' politics in the East Rand, Thabang Mohlala, a volunteer at CWAO. Through Thabang Mohlala and Ighsaan Schroeder I managed to get access to the members of the SC and hence it was easier for the workers to refer me to other workers for further interviews. 25 in-depth interviews mentioned above, includes 4 in-depth or key informants interviews (KII's) with Advice Office representatives (Thabang Mohlala and Ighsaan Schroeder).

In-depth interviews are understood as a conversation with a purpose (Webb and Webb as cited in Legard et al, 2003: 138). "As such it reproduces a fundamental process through which knowledge about the social world is constructed in normal human interaction" (Rorty, 1980 as cited in Legard et al, 2003: 138). In-depth interviews combine structure and flexibility; the interview might be unstructured but the researcher will have themes that will guide the interview. The in-depth interviews are interactive in nature and they allow the researcher to probe for further explanations (Legard et al, 2003). All the interviews for this research paper were conduted in the East. See Table 3: Description of interviews conducted on the next page.

Interview #	Description	Date	Age	Gender	Company worked/working for
Thato (#1)	He was dismissed in 2011 allegely for participating in an unprotected strike. He was contracted under a labour broker. He is a member of the SC	10/03/2014	35	Male	Company BR
Robert (#2)	He is unemployed former casual worker and now a member of SC	11/03/2014	50	Male	N/A
Thapelo (#3)	A former employee of company SS and a member of SC	11/03/2014	43	Male	Company SS
Thandi (#4)	A former employee of BCS working for the EK Municipality who is currently unemployed after their dismissal in 2012	11/03/2014	43	Female	BCS, Labour broker contracted by the EK municipality.
Lota (#5)	He is employed as a contract worker. He was on short term contracts. He is a member of SC	12/03/2014	31	Male	Box boys
Tapi (#6)	He is currently unemployed after his dismissals in 2013 because of partaking in a strike which employers regarded as illegal. He was working as a flock lift operator at company B as a permanent staff	12/03/2014	27	Male	Company B

	member				
Leader (#7)	He is currently unemployed after his dismissal in 2013. He was recruited from the rural parts of Free State. He is a member of the SC	12/03/2014	27	Male	Company B
Rebecca (#8)	She is currently unemployed as she was dismissed in 2011. She was contracted under a labour broker. She worked for company BR for 3 years as a casual worker	13/03/2014	30	Female	Company BR
Billy (#9)	He is currently unemployed; he was previously employed by company B from 2010 to 2013. He was dismissed in 2013. He is a member of the SC	13/03/2014	25	Male	Company B
Peter (#10)	He is currently unemployed member of the SC, a former casual worker who worked for company A for 4 years and 6 months. He is a member of the SC	17/03/2014	22	Male	Company A
King Hadebe (#11)	He is employed by See Cash and Carry, He has been working as a casual for 4 years	18/03/2014	35	Male	See Cash and Carry Supermarket
Refilwe (#12)	She is currently unemployed. She was working as a 'street	19/03/2014	48	Female	BCS, Labour broker contracted by the Ekuthuthukeni

	sweeper' as a contract worker under the labour broker contracted with the municipality. She is a member of the SC				municipality.
Sillo (#13)	He is a shop steward in one of the biggest retail store in South Africa located in, was seeking advice at CWAO following his suspension with no pay for more than 4 months pending his hearing	26/05/2014	32	Male	Easy Buy Store
Jabu (#14)	He was working for one of the biggest retail store in South Africa located in, was seeking advice at CWAO	27/05/2014	36	Male	Easy Buy Store
Busi (#15)	She has worked for more than 23 years as a casual worker; she is currently working at HQ in Germiston. She is a member of the SC	26/05/2014	40	Female	HQ
Ruth Baloyi (#16)	She is employed by a large supermarket chain store situated in the East Rand	27/05/2014	44	Female	Merchandiser at See Cash and Carry supermarket, under BMS labour broker
Malema (#17)	He was dismissed after partaking in a strike action in June 2011. Since then he is unemployed	28/05/2014	27	Male	Company BR

Cindy (#18)	She is currently unemployed since her dismissal in 2011. She was contracted by a labour broker. She is a member of the solidarity committee	12/03/2014	25	Female	Company BR
Thabang Mohlala (#19)	He is volunteering at CWAO	15/03/2014	36	Male	CWAO
Solomon (#20)	He is a member of SC and currently employed as a casual worker in one of the well-known hair products companies.	06/062014	29	Male	Company V
Mpho (#21)	He is a member of SC and currently unemployed. He was employed by company BR as a casual worker	13/03/2014	28	Male	Company BR
Libi (#22)	He is unemployed after his dismissed in 2013 after a strike action which was deemed as unprotected strike by the employers.	02/04/2014	21	Male	Company A
Ighsaan Schroeder (#23, 24, 25)	Coordinator	14/03/2013 06/06/2014 21/09/2015		Male	Casual Workers Advice Office (CWAO)

Table 3: Description of interviews conducted

Research instruments:

The research instrument used to gather the data were an interview guide for the in-depth and key informant interviews guides. These guides were semi-structured in particular to allow flexibility with the interview and thus an opportunity to further probe for clarity when necessary. Greenstein, Roberts & Sitas (2003) affirm that semi-structured interviews allow flexibility around the sequences in which questions in the list maybe asked. The research participants have more freedom to respond in great detail on the question asked because the questions asked are open-ended questions (Greenstein, Roberts & Sitas, 2003). With the participant consent I used a tape recorder to record the interviews which were then transcribed and coded for analysis. All other names of the workers mentioned in this report are pseudonyms with an exception of Thabang Mohlala and Ighsaan Schroeder who were interviewed in their formal capacities and who shared with me some valuable insight about CWAO and the SC.

As a researcher I was an important research instrument, and according to Greenstein, Roberts & Sitas (2003), for qualitative research, researchers need to have special skills and be able to look, listen and speak. In this type of research, researchers are the primary instrument for data collection. Therefore the skill researcher brings is very important in the field when engaging with participants, and it is important that the researcher can establish rapport with the participants.

Limitations during fieldwork:

The main limitation during the fieldwork process was lack of funding, it was difficult for me as a researcher to frequent the research site as much as I would like to. Due to a lack of funding I managed to attend only five of the SC meetings between March and October 2014. For the same reason I was unable to conduct more interviews with the workers as I had to travel a distance to my research site and I was unable to make follow up interviews with the workers I interviewed.

Ethical issues in Research:

In order to ensure that the information collected is reliable, when conducting my field work I will ensure that I behave in an ethical way so that the participants would have a sustained belief that any information which they share will be kept confidential. It is particularly important that I clearly communicate ethical principles to the research participants. This way,

participants will begin to trust that the information they will be sharing will be confidential. It is also crucial that I show respect for research participants and the research setting and avoid doing harm to the research participants. According to research ethics, it is also very important for researchers to respect the rights of participant to remain anonymous to the public (Babbie and Mouton, 2001). In this case I assured the participants that their identities would not be made available to the public and the interview recordings will be kept in a safe cabinet unit the end of the research. After the research has been completed all interview recording files will be destroyed. According to Babbie and Mouton (2001, 523) confidentiality includes that "the researcher can identify a given person's responses but essentially promises not to do so publicly." Before conducting observations I had to request for permission to the members of the committee to allow me to sit through their meetings. In the first meeting I was introduced to other members of the committee attending the meet and I also had an opportunity to introduce myself to the members and I declared my status as a researcher and informed them that I will be observing the meetings, taking notes, and recording the meetings if necessary.

As required by ethics that all research involving human participants, the researcher must give a consent form to a participant before beginning the study. Informed consent is consent given by a competent individual who has adequately understood the information about the study and who, after considering the information, has arrived at a decision without having been subjected to coercion, undue inducement or intimidation. The information that is given to the research participant must be in a language the participant can understand. Informed consent is based on the principle that competent individuals are entitled to choose freely whether to participate in research. Informed consent protects the individual's freedom of choice and respects the individual's autonomy. The important issue is that the participant be given an opportunity to refuse participation based on an understanding of what he or she is being asked to do, that there should be no implied or real negative consequences for refusal. Informed consent is usually achieved through reading the statement by the interviewer and the signing of a document by the participant.

I was careful not to make unrealistic promises about the purposes or results of this research paper or benefits to the person, their family, or their community.

Chapter Four: Restructuring of work and labour

According to von Holdt and Webster (2009:56) "the global and local restructuring of capital, disinvestment and the failure to attract significant new manufacturing investment, the globalisation of South African corporations and company restructuring have had – and continue to have – a direct impact on the world of work". This chapter discusses casualization of labour and the resulting employment conditions for the workers in the East Rand from the experiences of the workers I interviewed. It is depicted in this chapter that in the East Rand restructuring of work and labour is continuously developing and arguably companies are utilising a number of different and sometimes employer specific strategies to maximise productivity, while the employment and working conditions for the non-core workers are deteriorating as a result of this restructuring. Before we go into details on casualization of labour and the resulting employment conditions, let us now get a workers' perspective on what precarious employment entails or means to them.

What it means to be a precarious or casual worker

To begin with, it is important to note that when discussing issues faced by precarious workers in the East Rand, workers regularly used the term 'casual worker' to refer to precarious workers generally. 'Casual worker' seemed to be a commonly used term amongst the precarious workers, and it appeared that this term carried a substandard status from that of a permanent worker. When asked what is his employment status at Company R, Solomon, a member of the SC and currently employed in one of the well-known companies producing hair products laughed as he was stating that "I am a casual at Company R; well I can say I am working because I get something at the end of the month, but I am a casual worker" (Interviewee 20, 2014). This statement paints a picture that being employed as a casual worker is something not to be proud of, and some workers are even reluctant to say that they are casual workers. Peter, a member of the SC and a former casual worker for 4 years and 6 months at Company A, stated that he never tells people that he is working: "…I just tell them that I do "amatoklo" [part-time jobs] because I know that a casual job might end at any time, and sometimes we are randomly told there is no work and we must stay at home. I cannot tell people that I am working because today they see me going to work and tomorrow I am at home. This is not a proper job" (Interviewee 20, 2014). This highlights the difficulties faced by the precarious workers, and it was emphasised by Robert, an unemployed former casual worker and a member of the SC, that "casual workers are basically free labourers. It's just

like slavery, and employers are making huge profits because they are paying us very little. In actual fact they are giving us money to eat and come back to work. It is difficult being a casual worker and casualization of workers is persistently creating workers that cannot afford to financially provide for their families" (Interviewee 2, 2014). These descriptions by the precarious workers indicate that being a casual worker bears inferior status for the casual workers and not just in the workplace but also in their homes or communities. A study by Kenny (2005) in the East Rand where she studied three branches of a major chain supermarket in South Africa between 1998 and 2002 also depicted that casual workers occupy lower grade positions in comparison to permanents and they do not get benefits and nor basic conditions of employment (Kenny 2005). She further mentioned that "casual workers were in a subordinate position to permanent workers. Permanent workers often treated them as dependents" (Kenny, 2005: 167)

In the realm of social reproduction, it is expressed by the precarious workers that they do not have access to opportunities which are necessary to better their lives. King Hadebe, employed by See Cash and Carry, a large supermarket chain store situated in one of the townships in the East Rand, shared that he has been working as a casual worker for 4 years at this supermarket but he has nothing to show for the number of years he has been working at this supermarket because as casual workers they are paid salaries which do not allow them to have access to certain life opportunities. These life opportunities are expressed in the following citation as this worker elaborates that "we get a rate of R7.50 per hour and we work over time but we don't get paid for those extra hours we work. Can you afford to buy a house or give your kids better education with that money? I don't think so; there is nothing you can do, and worse these jobs can be terminated at any time. This means that we cannot progress in life even if we want to, there is no way. We cannot get home loans from the banks like other working people with better jobs, and also we cannot get loans to start a proper business" (Interviewee 11, 2014). This brings a sense that being a casual worker means that there are fewer chances of progression or upward mobility and fewer opportunities to advance one's life because of a lack of financial resources.

Definition of a casual worker—A complex phenomenon

Casual employment has no overarching definition and it is understood or defined differently in various employment environments and thus make it a complex phenomenon. As mentioned earlier, Chun (2009) stated that precarious employment which is also referred to as casual employment "is essentially defined by what it is not: a stable, permanent job under a single employer that is regulated under protective labour law frameworks" (Chun, 2009: 12). In the South African context, specific industries use different determinations to define casual employment and therefore what is defined as casual employment in the retail sector, the commercial and distributive trade would vary from casual employment definition in another sector. Historically, in the retail sector, the first regulation of casual employment in the 1930s, defined casual labour as whereby a worker is being employed by the same employer for less than 14 days in three consecutive calendar months (Union of South Africa 1931 as cited in Kenny, 2009). The definition and conditions of casual employment have been redefined over years, i.e. in 1953 casual labour was redefined as someone working not for more than three days per week. In the 1968 Wage Determination another clause was added which stipulated that a casual labour could work up to 5 days per week at the end of the month (Republic of South Africa 1968 as cited in Kenny, 2009). In the 1970s casual workers were predominantly white male students who earned a premium rate which was benched marked on the wage of a qualified male in a permanent position, and hence they earned substantially more than permanent females in the same category (Kenny, 2009).

The introduction of the Basic Conditions of Employment Act (BCEA) of 1997 also reshaped the framework of the concept of casual labour, and the definition varied by Sectoral Determinations or agreements made by Bargaining Council in different sectors. The findings of this investigation depicted that in some cases in the East Rand casual workers and other precarious workers in some companies worked more than 24 hours a week, sometimes worked more hours than the permanent workers, and some have worked for more than a year but they were still classified as casual workers by their employers. According to Ighsaan Schroeder of CWAO, guidelines and definitions of casual employment as provided by the Sectoral Determinations are disregarded by the employers and due to a lack of strict regulations companies do not comply, and hence there are workers who are working for more than a year in the same company as casual workers (Interviewee 25, 2015). Taking a case of Rebecca, an unemployed 30 year old female, a former employee of Company BR; a large global brand situated in Germiston with a history of many years of producing a variety of

well-known products such as medicines, medical devices, hygiene and other home products. She was employed for 3 years as an 'Extra worker', a subcategory of a casual worker, and she stated that "extra workers worked four or five days per week and usually from 07:00 am to 06:00 pm, but our salaries do not show that we work so many days and hours per week. We do not get any benefits, and we work under bad conditions" (Interviewee 8, 2014).

Rebecca described "Extra workers" as a subcategory of casual employment and they are supposed to work for few months (1 to 3 months or more in rare cases) and when the work is finished their employment is terminated. She emphasised that she was "…falsely told that my employment is for less than 3 months and my salary will be based on that fact" (Interviewee 8, 2014). Conversely, Rebecca has worked for Company BR for more than 3 years (Interviewee 8, 2014). 'Extra workers' were also described as workers that stand in for permanent workers who are on sick leave or those permanent workers going for annual leave, but somehow these workers end up working for a number of years without their employment contracts being reviewed. This worker alleged that "this is a common practice which is not only happening in this company but in other companies as well around here, we are given contracts to sign which do not have a start and end dates on them. I did not see any dates on the papers I signed and I was rushed to sign and go to work" (Interviewee 8, 2014).

Thato, who was also employed by Company BR, mentioned that "…some of the challenges faced by the extra workers are not experienced by permanent workers. I was permanent and we did not work those long hours worked by extra workers" (Interviewee 8, 2014). It was mentioned by Rebecca that extra workers worked long hours from 07:00 am to 06:00 pm but their salaries did not reflect the number of hours and overtime they worked (Interviewee 8, 2014). It was mentioned that extra workers described themselves as 'workers that are used' both by the permanent workers and the company (Interviewee 2 & 8, 2014); "we work for the permanent staff; when it is an 'extra worker' on shift the permanents increase the speed of machines to increase the speed of production and this leads to high production, but then only the permanents staff will get bonuses in December while 'extra workers' get nothing. Permanent workers are supervisors of the 'extra workers' and sometimes they instruct 'extra workers' to also do their work while the permanent workers are doing nothing. We work until you are fed-up" (Interviewee 8, 2014). According to these Company BR workers there is a division between some casual and permanent workers because of the exploitative relationship between these workers. "The permanents force extra workers to work harder and under harsh

working conditions because they want promotions and bonuses. They even swear at the casuals and 'extra workers' and there are no consequences for such behaviour" said Rebecca (Interviewee 8, 2014). The illustrations above are in line with an argument made by Kenny (2005) that the increase of contingent employment has divided the shop floors. These cases also illustrate that certain categories of workers are exploiting other more vulnerable categories of workers and creating a power struggle among workers, and as a result, this further divides the workers and exacerbates their vulnerability. These multiple categories of casual labour have not only further created a division among workers and increased a pool of non-unionised workers but it has also contributed to worsening employment conditions for the vulnerable non-core workers as illustrated by Company BR workers.

Casualization of labour and the resulting employment conditions:

It is argued by von Holdt and Webster (2009) that increased global and local market competitive pressures have stirred managerial creativities to find ways to reduce labour cost and maximise productivity, and as a result restructuring of the production processes has stimulated casualization. The findings of this chapter indicates that labour market flexibility has basically worked to the advantage of the employers in their quest to cut down on labour costs while on the other hand it has increased insecure precarious employment for the workers and thus increased unpredictability on the livelihoods of these workers. This chapter will show that the employment and working conditions created by casualization continue to deteriorate and also deepen the division among the workers because of differentiation among the workers based on their employment or working conditions. For instance, precarious workers are easily dismissible by the companies compared to the permanent workers who are better protected by the labour law.

Easy dismissal of precarious workers

The findings of this paper suggest that the workers have not benefited from the companies use of casual or precarious employment. It appears that the precarious workers are easily hired by the companies but then the companies also have the freedom to dismiss them whenever they want to dismiss them. What comes out is that the workers are the ones who suffer the consequences of this labour flexibility. Thapelo, a former employee of Company

SS and a member of the SC, used his case to demonstrate how easily he was dismissed by Company SS which he worked for 11 years as a casual labourer. He was easily dismissed during the dispute between the labour broker and Company SS. He shared that Company SS terminated its contract with the labour broker and they paid a labour broker a contract termination fee which was not disclosed to the workers. He added that he was given only R9000.00 by the labour broker after their contracts were also terminated (Interviewee 3, 2014). "This was a disaster for me because I have worked 11 years for Company SS and this labour broker, but we were dismissed over a dispute between the labour broker and Company SS. The dispute between the labour broker and the company was because of their own contractual matters and that had nothing to do with us the workers, but we are the ones who suffer the consequences now and we are struggling to find other jobs" (Interviewee 3, 2014). During this contestation Company SS opted to directly hire the workers supplied by labour broker, however the labour broker refused demanding R20 000 for each worker they supplied to Company SS, but Company SS rejected this demand and decided to hire new workers (Interviewee 3, 2014). This case went to CCMA but at the end of day the workers suffered as many of them lost their jobs. Thapelo, indicated that since his dismissal by Company SS he has been struggling to find employment so he can able to provide for his family (Interviewee 3, 2014).

In addition, the EK Municipality street cleaners who were employed as contract workers also had their contracts terminated without notice or negotiation. They tried to dispute their contract termination but they were unsuccessful. It was stated by Thandi, a 43 year old female member of the SC, and former employee of BCS working for the EK Municipality who is currently unemployed after their dismissal in 2012 whereby they "…were demanding to be employed directly by the municipality" (Interviewee 4, 2014). She emphasised that "it is hard working for a labour broker as a contract worker because we not protected by the labour laws of the country and we are dismissed at any time without any reason" (Interviewee 4, 2014). It was mentioned in the advice office website that the tender for street cleaning in Germiston was "up for renewal at the same time as the workers have been on strike. The Municipality refuses to divulge any information as to whether the tender has been awarded and to whom, although a new company, [Movers] Investments claims to have a short-term tender with the Municipality. [Movers] Investments is owned by the same individuals (under a different name) who also owned [BCS] the company that had the previous tender" (www.cwao.org.za).

Working hours

It was indicated that casual workers are working similar hours with permanent workers and in some cases they even work longer hours but the remuneration differs. Permanents are paid more than the contingent or other precarious workers. The street cleaners who were contract workers working for the EK Municipality while employed by the BCS labour broker worked 3 days a week and sometimes they worked on Saturday and Sunday's. These contract workers did not have a fixed work schedule; they worked different shifts as decided by their managers; sometimes it was 8:00 am to 16:00 pm and sometimes it was 16:00 pm to 10: 00 pm and no transport was provided for late shifts (Interviewee 4, 2014). "Sometimes we had to work long hours because if the work was not finished we used to get a zero day or half pay and there was nothing you can do about that. So we used to work long hours so we can make sure that we avoid getting a zero day or a half day. It was very difficult to work under these conditions because you will find out that we have to work until 11:00 pm and it was not their responsibility how we get home" (Interviewee 4, 2014).

In addition, it was mentioned by workers of Company BR that it was a common practice that precarious workers were working more than 8 hours per day. "We used to work very long hours in that company and that was not regarded as overtime work. Working from 07:00 am to 18:00 pm was treated as standard working hours and our salaries remained the same. I once inquired about these long working hours and I demanded to be paid for my overtime at work but I was told that there was no overtime paid from Monday to Thursday. They also told me that I cannot make salary increase demands because I am under a short-term contract. This was not true because I worked for that company for more than three years; the working hours were long and the salary remained the same throughout" (Interviewee 8, 2014). It was depicted by these workers that they persavied or stacked-through these long hours for the reason that it was not easy to leave these jobs because it was difficult to find new employment. "If you are out of the job you know that you will struggle to get another job. It is easy for the company to find your replacement who will be willing to work those long hours. There are many people out there who want jobs and the bosses know that. So we hold on to these jobs because there is nothing we can do, and we have to take whatever we get so that we can be able to get bread for our kids" (Interviewee 6, 2014). This depicts that there is high competition for low skill jobs and as a result of this competition workers are willing to work long hours in order for them to secure employment even though the salaries for these jobs are low with no benefits.

Wages and benefits

Companies in the East Rand such as Company A, Company B, See Cash and Carry supermarket, and Company BR use contingent and other precarious workers as their main work force with very few permanent staff members on the shop floor level. Precarious workers are paid far less compared to permanent workers (see *Table 4* below*)*, their jobs and salaries are unpredictable hence their chances of improving their living conditions are limited, therefore inequalities and poor living conditions are sustained. King Hadebe emphasised that casuals work harder than permanent staff, but their salaries are reduced at any time without explanation (Interviewee 11, 2014).

In addition, a major challenge faced by precarious workers is that their salaries fluctuate hence they do not know exactly how much they are supposed to be paid on monthly basis, and their hourly rates do not necessarily add up to their monthly salaries. "The workers have been working for many years without knowing how much is their salary. It is decided by the employers how much to cut on salaries of staff without any explanation or communication" said Peter (Interviewee 10, 2014). Table 4 on the next page indicates the hourly rates these workers get from their respective companies:

Company name	Hourly rate	Employment Category
See Cash and Carry Supermarket	R7.50	Casuals
Company BR	R15.50 R12.70	Permanent Casuals/Extra worker
Company SS	R12.00	Permanent casual
Company A	R10.00	Casuals
Company B	R10.00 R11.80	Casuals Permanent
HQ	R12.00	Casuals

Table 4: Hourly rates per company & employment category

Rebecca a former employee of Company BR added that precarious workers in the company did not get any benefits, and they had to demonstrate in July 2011 demanding that the precarious workers must also get benefits. They were demanding benefits such as "medical aid, provident fund, bonuses, UIF, and proper maternity leave for pregnant women because women were permanently replaced when they go on maternity" (Interviewee 8, 2014). She also expressed that during the recruitment process workers are forced to sign employment contracts without an opportunity to read through their contracts of employment. "We are rushed to sign contracts and immediately start working. I didn't know how much I was going to be paid and what are the conditions of the contract. We just sign because we want jobs and we can't do anything. Sometimes workers are employed without being given employment contracts" said Rebecca (Interviewee 8, 2014). This gives evidence that the labour rights stipulated under the 'Basic Conditions of Employment Act, 75 0f 1997 (BCEA) are disregarded by the employers. Some workers indicated that they are aware that their rights are being taken away, but because workers they are desperate to find employment they accept these unlawful practices by the employers which undermine workers' rights.

Employment categories and race

The findings of this research show that the fragmentation of workers into employment categories is complex because it is also linked with race, and consequently this further divides the workers along the racial lines. Taking the case of See Cash and Carry, it appears that there are jobs that are designated for African workers and other jobs are reserved for Indians, and Coloureds in the retail store. The "end-controllers" are Indians and Coloureds, and these are the highest paid workers followed by the cashiers who some of them are African workers. Most of the workers under labour brokers are Africans and they are casual or contract workers. These workers are paid less than the workers employed directly by the company which are mostly Indians and Coloureds. The permanent workers are mostly Indians and Coloureds and they are paid more than the African permanent workers (Interviewee 11, 2014). Also see below Table 7.1, Forms of employment by population group, as cited in Barchiesi (2003: 121) depicting a similar issue. Also Kenny (2007) found that in the retail sector the division expanded the sense of exclusion for the contingent workers within their workplaces, and they were marginalised as compared to the full-time and permanent workers who were mostly unionised. It is argued that these contingent workers contested their marginalisation at the workplace "through articulation of alternative constructions of collective worker identity, one through claims to rights and other through claims to skill" (Kenny, 2007: 482).

Table 7.1 Forms of employment by population group

Population group	Unemployment (%)	Casual and part-time (%)	Full-time employment (%)	Total (%)	% of total population
African	47.3	20.1	32.7	100.0	76.4
Coloured	8.6	20.0	71.4	100.0	8.9
Indian	21.8	16.4	61.8	100.0	2.6
White	8.9	5.8	85.3	100.0	10.9

Source: NEDLAC (2000); South African Institute of Race Relations (2000), quoted in Barchiesi (2003: 121).

No promotion to permanent positions

Moreover, it is stated by the former workers of Company BR, Company SS, Company A and Company B that there are few workers who start as casuals and end up being promoted to permanent positions regardless of the number of years they have worked in these company. Peter emphasised that some workers have 8 to 10 years working as casuals but they are not promoted, and "Some workers were informed verbally that they were promoted to permanent positions but they were not given anything in writing as a proof that they were promoted. They didn't get any benefits or wage increase. In fact, these workers were not being promoting but they were just silencing them so that they do not complain" (Interviewee 10, 2014). Another worker shared a similar experience when he mentioned that "I have worked for Company A for more than four years but I was never promoted. I even stopped thinking about such things. My colleague has been a casual driver for many years but he has lots of work experience. He is the one who taught us the work and they also relay on him because they know that he knows the work. He was only promoted this year after he wanted to leave the company. He is now a permanent but he is still complaining because his salary did not change that much, and the only big difference between him and us casual drivers is that he got three weeks leave in December and we were not given those days" (Interviewee 5, 2014).

What was common among the long serving casual workers in some of these companies was that the longer their service was to the company the more responsibilities they were given but that did not translate into wage increase or promotion. This was also depicted by King Hadebe when he stated that "the work I am doing is too much for one person; I am a driving, I off-load the truck, and recently I am the one who is called when they need a forklift driver. I am expected to do all these jobs while I am a casual and they do not want to promote me" (Interviewee 11, 2014). This worker stated that when he enquiries from the employers (See Cash and Carry supermarket) about his chances of being promoted into permanent position he says that the "managers say I must go to my labour broker and tell them to promote me because they say I am not directly hired by the company. This upsets me because the experience I have does not benefit me at all, and I don't progress into better positions regardless of my hard work I put into this company" (Interviewee 11, 2014). He further emphasised that the lack of promotion into a better paying position has a negative impact in his life, as he shared that "when looking at my personal life at home I am still in the same position I was at a couple of years ago and I don't see any improvement. I even got suspended due to these increasing responsibilities I am given by the company but when it

comes to issues of salaries and promotions I have to go to the labour broker who also directs me back to the company. When I am given a new task they don't tell me about the labour broker but when I should also benefit they tell me about the labour broker. This makes me angry, and I am very frustrated because I can't find another job. Now I am a bad person in their record books because I am vocal about these issues" (Interviewee 11, 2014). This also highlights that a lack of promotion into better paying positions means that there are less chances of upward social mobility for the workers since they cannot progress into better positions with better salaries.

No sick leave for casuals

Furthermore, at Company A and Company B, it was highlighted that casual workers would go to work even if they are ill because if they report ill they will be required to produce sick notes from private doctor's which they cannot afford. As a result the workers will have to report at work even though they are ill otherwise they will not be paid. "The sick leave is only given to the workers when they produce private doctors sick notes, however, the trick is that the company only recognises the sick notes from private doctors while they know workers cannot afford private doctors, and they do not pay the workers if they produce sick notes from the public clinics," said Leader, a former employee of Company B who is currently unemployed and a member of the SC (Interviewee 7, 2014). According to Peter "sometimes workers get ill at work but they will be afraid to report that they are ill because that might cause problems for them and they won't get paid for that day if they go home" (Interviewee 10, 2014). It was emphasised by King Hadebe that also at See Cash and Carry supermarket casual workers are not paid for sick leave and some workers are even dismissed when they are sick (Interviewee 11, 2014). The refusal of sick notes from public clinics by some of these companies appears as a strategy designed to discourage absenteeism and ensure continuous production or workflow, while on the other hand it is depriving the workers from accessing healthcare. This has become a challenge for precarious workers whereby they have to work even when they are ill because they cannot afford the fees of private doctors from their salaries and worse they do not have medical aids.

Ill-treatment of precarious workers

It appears that the vulnerability of precarious employment expose preacious workers to ill-treatment from their managers or employers. Precarious workers can be ordered by their superious to do any other duties which are not related to their scope of work. It was shared that some workers at See Cash and Carry were taken to the grave side during a funeral of the Director's family member and they were ordered by this Director to do the manual labour filling in the grave. Although the workers were not happy with such treatment and some experienced difficulties copying with such a situation, but then they had to do as told because their refusal might lead to dismissal. These workers wrote a letter to the Department of Labour regarding this treatment but the processes at the department are slow and they have not received a response. This behaviour can be described as misuse of authority and a violation of the basic employment conditions stipulated under the Basic Conditions of Employment Act, 75 of 1997 (BCEA) which advances fair labour practices. On a different case, it was added by Ruth Baloyi employed by See Cash and Carry supermarket that "at this supermarket we are ill-treated by the owners of the company and the managers and they swear at the workers, they call us 'izinja' (dogs) and they tell us that we stupid…" (Interviewee 16, 2014). "I tried to fight against this and I even reported these issues to upper management but they protected their managers that call workers izinja" said King Hadebe (Interviewee 11, 2014). This evidence highlights the ill-treatment and harsh working conditions experienced by the workers in their workplaces.

Transferred precariousness

The findings of this investigation suggest that the effects of casualization of workers are transferred from workplace into the households of the precarious workers. It was also argued by Barchiesi (2003) that increase of casual and precarious employment has highlighted a mounting gap between wages and household needs. He mentioned that for many employees their wages is inadequate to cover household's basic expenditure (Barchiesi, 2003). In addition, it was also pointed out by Kenny (1997) that there is a notable difference between the households with access to secure formal employment and those households dependant on insecure casual work. She states that casual workers are not only poorer but they also have fewer resources (Kenny, 1997). This investigation depicted that the precarious workers are struggling to meet their household needs from the wages they get in the workplace. The

findings suggest that casualization does not only affect the workers in their place of work but it also limits the financial resources the precarious workers bring in their households.

Sillo, a shop steward in one of the biggest retail store in South Africa who seeks advice at CWAO following his suspension, emphasised this point when he stated that "I was suspended without pay for taking two days leave to attend a funeral at home. I submitted my leave form to my supervisor and he approved that I should attend the funeral, but when I got back he said he did not approve it. They don't expect us casual workers to take leave even if a close family member has died. I showed them the death certificate but they didn't care. Now at home they have nothing to eat because I am suspended without pay and the children have to go school without food and proper school supplies, and how can I expect them to do well at school? This is why I came to CWAO and become part of the solidarity committee. I have to pay rent where I live but I don't have money, it's sad because I have kids and they don't have to go through this and I also cannot assist my parents back home" (Interviewee 13, 2014). These illustrations imply how the effects of casualization are transferred from the workplace onto the families of the precarious workers. It is also pointed out by Newman (1999) that casualization has impact on the family and individual life trajectories and sense of self.

It was emphasised by another precarious worker that precarious employment have negative impact on the workers life's because of the fact that they are struggling to provide for their families financially, and this also affects their social life or their social standing within their communities. "As a parent you are acknowledged and given respect by your family and the community when you are able to provide for your family and be able to build your house to be like other better houses out there. Business people and those who are permanently employed in proper firms they are able to financially provide for their families and even provide for their extended families back at home" said Billy (Interviewee 9, 2014). Workers in stable jobs and with better salaries are perceived positively and well respected by their community members compared to those workers with low paying jobs or insecure source of income. Billy explained that this is the case because "the people with proper permanent jobs have access to opportunities to help them have decent houses and better live styles. These are the people who are respected in the community, and I will never be given similar respect because I don't have anything" (Interviewee 9, 2014). According to this worker, from the salary he is getting at work he does not have the same acces to opportunities for him to

progress, and he emphasise that upward mobility is difficult because "…we are paid enough to basically purchase food and nothing more. I am paid 11.80 per hour and I am working from Monday to Saturday and sometimes Sunday. I usually get R2200 and few cents if I work a full month. This salary is nothing because from the same money I have to take out transport money and then I am left with nothing. You see what can I do with that money? It is painful to think about these issues because they won't change anytime soon, that is the truth" said Billy (Interviewee 9, 2014). In short, this paints a picture that casualization creates 'double marginalisation' since precarious workers are marginalised in their workplace, and now it is depicted that they are also facing marginalisation in their communities. It was mentioned by the precarious workers that at the workplace level they are marginalised by their fellow permanent workers and managers. Kenny (2007) also found that the contingent workers in the retail she studied were marginalised compared to the full-time and permanent workers who were mostly unionised (Kenny, 2007). At the community level precarious workers are further marginalised by their family and community members because precarious work is not perceived as a proper form of employment which enables a person to adequately provide for his or her family and also be able to progress or move up the social lines.

Health of the precarious workers:

At Company BR, Rebecca mentioned that permanent workers use warning letters and threats of dismissal to compel extra workers to work without safety attire such as hand gloves whereas they are working with dangers chemicals. In her own words she stated that "we work with dangerous chemicals such as bleach, and these chemicals burn us and they cause illness" (Interviewee 8, 2014). Workers reported that they are facing these challenges because the employers know that the workers have nowhere to go because they need and depend on these jobs. On the other hand, workers stated that they know that they can take these issues to the CCMA but they are reluctant to escalate these cases because they might be victimised and even be dismissed by the employers. They also stated that it does not help to take these issues to the CCMA because the companies ignore the ruling of the CCMA (Interviewee 2, 6, 7, 8, 2014). "We take cases to the CCMA but at the end of day the workers are suffering and very few workers are winning their cases at the CCMA. We are suffering and this will not end anytime soon because even the CCMA does not take our cases serious" (Interviewee 3, 2014). It was emphasised by another employee when he argued that "even at the CCMA the

commissioners are suppressing the workers, in many cases they take the side of the employers. Even the labour court processes are always dragging" (Interviewee 1, 2014). It was further emphasised by another employee that the poor working conditions and safety of the workers will not be prioritised by the companies, and in his words he stated that "all this is happening because the workers do not have any information about the channels and processes of the CCMA. The CCMA is not doing enough to educate the workers about their processes. We are only relying on the advice office to teach us and help through the processes of the CCMA. The conditions at work will not change because the companies are hiring expert lawyers to advise them, and they know how to win the cases against the workers at the CCMA" (Interviewee 7, 2014).

The impact of externalisation

Exploitation:

The main problem raised by the workers and members of the SC about externalisation is that the process of triangulation best benefits the employer and the intermediaries i.e. the labour brokers also known as temporary employment services (TES), while on the other hand it is highly exploiting the non-core. In an interview with Busi, a casual worker at Company HQ, she stated that "[she] works for HQ, a labour broker, and our biggest challenge is that we are paid very little while the owners of the company and labour broker are making huge profits from our efforts" (Interviewee 15, 2014). The challenge for the workers is that the company which is the client of the labour broker is making huge profits from the workers they are not responsible for, and then a certain percentage from the profits which should go to the workers is further deducted by the labour brokers, and thus leaves the workers with a fraction of a percentage which is allocated to them. This gets complicated because the workers of the labour broker are "…paid far less compared to the permanent workers employed directly by the company in the same jobs" (Interviewee 15, 2014).

This worker added that "the labour brokers don't want to pay us; they take all the money and give us peanuts. They buy big cars but then we can't afford to buy our kids shoes. They take all the money which was supposed to be given to the workers" (Interviewee 15, 2014). According to two workers of HQ they are paid R105 per day which is around R13 per hour, and there are more than 200 casual and contract workers working for this company (Interviewee 15 & 18, 2014). What makes matters worse in Company HQ is that they use a

rotation system roster for the non-core workers which in most cases it restricts workers from working more than 3 days a week and thus workers' salaries are low as they are paid per hours worked (Interviewee 15, 2014). This worker added that "a rotation system ensures that we are working less than 3 days a week and we cannot demand to be made permanent workers" (Interviewee 15, 2014). According to these workers the labour brokers are further exploiting the workers, and this was emphasised by Thato when he stated that "…the workers are at the bottom of the food chain and they are carrying the weight of both the employers and the labour broker" (Interviewee 2, 2014). In addition to these challenges, externalisation makes it easier for the clients of the intermediaries to dismiss the workers.

Externalisation and Easy Dismissal:

The labour brokers are making it easier for the companies to dismiss the workers at any time without following correct procedures. In some cases where the workers were challenging their dismissals by the company, a client of a labour broker, it was the labour broker who was called in by the company to intervene and discipline the workers. During my observation of one of the demonstrations at See Cash and Carry supermarket which was led by the SC members in order to submit a memorandum of demands to the employers in support of the suspended workers, I noted that when there is a dispute between the worker and the company the labour broker intervenes, and the workers mentioned that the labour brokers are usually called in by the companies to intervene, but then they usually dismiss the worker or workers in dispute with the company. As the SC members were demonstrating outside of the entrance door of the supermarket, it was interesting to witness how quickly the managers of See Cash and Carry supermarket phoned the owner of labour broker who quickly arrived at the supermarket supposedly to address the demonstrators. He wanted to know which employee(s) the demonstration was organised for, however the name of the employee was not disclosed by the demonstrating members of committee and they showed him their memorandum of demands. This evidence also illustrates how the labour brokers are used by the companies to distance themselves from taking responsibility and addressing the concerns of the workers, and thus how the working conditions for the externalised workers deteriorate.

The second case is that of Ruth Baloyi, an employee of See Cash and Carry supermarket who was suspended by See Cash and Carry waiting for her hearing date, however, she was further charged by the labour broker (BMS) for bringing their name into disrepute. It is alleged by

the workers that the labour brokers in some cases collude with companies to dismiss certain workers they consider to be trouble makers. According to Ruth Baloyi, after she was also suspended by the labour broker it was difficult for her to contest her suspension by the company (a client of a labour broker) because she was further suspended by the labour broker. She stated that after she was further suspended by the labour broker she did not know how and where she can challenge her suspensions, and hence she went to seek help from the SC. Ruth Baloyi told her story as follows:

"I work for [See Cash and Carry supermarket] under a labour broker. So it happened that on a Thursday I was standing by the fridge doing nothing, I then decided that rather than me standing there doing nothing let me get my work files and prepare them. I took them and I went to a place we call 'damage'; this is where we put damaged goods. I sat there and worked on my files. In few minutes the manager was there, he told me that he heard that I went there to eat. I stood up and showed him the forms I was working on, he just looked at me and left. I continued with what I was doing and then I went to the shop floor, after 5 minutes he came to me and said he has nothing to talk with me I must get out of the shop. I asked why must I get out, he said there is nothing he will talk with me I must just get out of shop and go speak with my labour broker."

"I phoned the labour broker and they promised that they will get back to me. A day after they phoned and told me that tomorrow I should go to [See Cash and Carry supermarket]. I went to [See Cash and Carry supermarket] but they didn't come and I sat there for hours up until 11am. The labour broker called and said I must go we will meet again Saturday and they will call me before they come to let me know they are on their way. Saturday they didn't call the whole day, I then called them and they told me that today (26/05/2014) I must go to their offices. I am coming from the office right now and they gave me a suspension letter and told me that there will be a hearing this coming Friday."

"There are 3 charges, it reads like this, Charge #1, You have been found in a place where you were not supposed to be because it has nothing to do with perishables. Charge #2, You have been seen on camera stealing. Charge #3, You have brought the company name into disrepute by your actions" (Interviewee 16, 2014).

On the other hand, these two stories depicts that there is a close relationship between the company and the labour broker, and it appears that this relationship shields the company from taking responsibility on the matters affecting the workers. This depicts that this relationship

creates a protection buffer for the company as highlighted that workers who are suspended by the company are further suspended by the labour broker and thus complicates the processes because now an employee is charged twice by both parties and with different charges. According to the workers at See Cash and Carry supermarket the labour broker usually further charges the workers who are suspended by the company and then dismiss them before they can even attend the hearing with the company (a client of a labour broker). "After you are dismissed by the labour broker it is over for you because the company won't proceed with its hearing processes if their client doesn't recognise you as their employee" (Interviewee 16, 2014). King Hadebe and Ruth Baloyi were able to challenge their suspensions through the assistance from both CWAO and SC who were able to mobilise and launched several demonstrations in support of these workers. Further details on this case are discussed in the following chapters. Nevertheless, what is also arising out of these cases is that externalisation displaces accountability.

Accountability:

During the recruitment processes some workers stated that they were recruited directly by the companies but some workers were not given employment contracts and those who were given contracts they were not given time to read through their employment contracts before they sign. They were told to sign fast and start working and as a result they were not aware that the contracts they signed belong to the labour broker and this meant that they were not employed directly by the companies (a client of the labour broker). According to the workers this is the usual practice in some of the companies in East Rand and "…many of our colleagues don't know the terms and conditions of their employment. For instance, many workers don't know how much is their actual salaries, working hours, and their status of employment, etc" said King Hadebe (Interviewee 11, 2014). Furthermore, King Hadebe started that when he started working at See Cash and Carry supermarket he was paid R2000 and when he went to negotiate for salary increment with the employers he was referred to the labour broker and it was only then that he knew that the contract he signed with See Cash and Carry supermarket was for the labour broker, and when he went to the labour broker to negotiate his salary the labour broker referred him to the contract that he had signed. The labour broker refered him back to the company where he signed and accepted the terms and conditions of employment list on the contract. In this process neither the company nor the

labour broker wanted to take responsibility and discuss with this employee. The company was referring him to the labour broker and the labour broker was referring him back to the company, and his issue was not resolved (Interviewee 11, 2014). These kinds of cases were commonly rised by the workers interviewed for this research report. In cases were the workers were disputing their dismissal or suspension by the company they will be instructed by the company to take their grievances to the labour broker who employees them. When they discuss with the labour broker they are told that the decisions about dismissals or suspensions by the company are made by the employer following their own company policies and procedures and that has nothing to do with a labour broker.

Nonetheless, as indicated above, some companies in the East Rand use company specific strategies to restructure their employment practices. Let us now move into a discussion of such employer specific strategies, starting with rural recruitment.

Costs and Productivity

Rural Recruitment:

This subtheme argues that beside precariousness generalised across the East Rand and precarious workers dissatisfaction with labour union representation, 'rural recruitment' is another critical feature that contributes to the recent labour unrests in the East Rand that have resulted in the emergence of new forms of organisations in that area. This subtheme looks at the experiences of the workers I interviewed for this report and the experiences of recruitment of migrant workers from the rural parts of the world into the factories in the industrialised areas or cities such as the city of Shenzhen in China and the city of Aguascalientes in Mexico. The literature above depicted that the recruitment of migrant workers from the rural parts of the world into the factories in the industrialised areas has provided leverage for some companies to minimise production commotion, maximise profitability and labour control. In some parts of the world such as in Mexico rural recruitment is not a completely new development of labour recruitment, while in South Africa, the East Rand in particular, it appears to be emerging as an innovative form of labour recruitment. In the East Rand, I argue that rural recruitment is also used to reduce the cost of labour by reversing the established wage standards won by the organised labour. In the retail sector as argued by Kenny (2005) that the use of casual labour has become a cheaper source of labour for companies. Some companies in the East Rand who use 'rural recruitment' are directly recruiting the workers

from the rural areas of South Africa using similar methods used in other countries such as Mexico to recruit workers from the rural parts of the country.

Rural recruitment should be distinguished from the migrant labour system as a form of labour recruitment in a sense that with migrant labour system it includes the recruitment of labour across one country. In South Africa, historically the mines relied heavily on the supply of cheap migrant workers recruited across the Southern African region (Forrest, 2014; Wolpe 1972). On the other hand, on the East Rand after the 1940s most workers were sourced from urban residents as these workers were living in the 'dormitory' townships. With rural recruitment this appears to be changing with direct recruitment from rural towns and then transported to the East Rand. The migrant labour system largely relied on migrant workers from countries such as Lesotho, Mozambique, Malawi, Swaziland, Zimbabwe, and South Africa (Forrest, 2014). The decline in migrant labour system facilitated a shift in the activities of recruitment companies such as The Employment Bureau of Africa (Teba) and it diversified to offer a wide range of migrant services. Teba was forced to diversify as the competition from the labour brokers providing short-term labour intensified (Forrest, 2014). Rural recruitment is different from the migrant labour system formalised under mining sector. And looks more like what we will see with the case of in Mexico as depicted below.

Today in the East Rand it appears that some companies are using 'rural recruitment' to recruit their labour force as a strategy to address some of the internal factory labour problems, minimise production commotion, and obtain constant supply of cheap labour from the rural areas. In Mexico, Collins (2006) points out that 'rural recruitment' was also used by some companies in cities such as Aguascalientes. Companies such as Confitek and Burlmex had access to hinterland small rural communities to recruit their labour force. In the 1990s as the labour market in the city of Aguascalientes tightened, the apparel companies began to recruit the majority of their labour force from the rural areas of Aguascalientes and Zacatecas (Collins, 2006). Both Confitek and Burlmex in Aguascalientes recruited their workers from the villages as far as two hours away using trucks with loudspeakers that passed through settlements to advertise good wages and "free dinning" and leaving leaflets with local officials and store owners describing employment opportunities" (Collins, 2006: 19). The workers had to travel long distances to get to work and then travel another two hours back home. It got harder when the workers had to work overtime because they had to knock-off from work at about ten o'clock at night and get home very late, and then they had to get back

to work very early in the next morning. This also affected the health and wellbeing of the workers (Collins, 2006).

Furthermore, it appears in Ngai (2004) that rural recruitment can be utilized for a number of reasons in different environments, and in the case of China in the city of Shenzhen it was also used as a strategy for labour control. Alongside labour control, "population control is another China's strategies to recruit labour" (Ngai, 2004: 32). It basically controlled the movement of people between rural and urban areas, and in Shenzhen the hukou system was finely coupled with labour control (Ngai, 2004). What emerges from this case is that the Chinese example suggests that control of labour is implemented partly through rural recruitment strategy. This analysis helps to understand the case of rural recruitment in the East Rand.

The findings of this research report depicted that some companies in the East Rand use 'rural recruitment': whereby they are recruiting 'inexperienced' workers from the rural parts of South Africa. The workers recruited from the rural areas as done by Company A and Company B are usually transported from the rural parts of South Africa into Gauteng by the employers using trucks, vans, and sometimes small cars. It depends on how many workers they are looking for in that particular time, however, they "usually take 25 or 30 people in a small truck" said Leader (Interviewee 7, 2014). Leader, a 27 year old former employee of Company B who was recruited from Free State and transported to Johannesburg by his former employers using a van, stated that "these Chinese [company owners] have other companies in Heilbron, Free State, such as [Nito car] plant where they make vans and trucks. They use these companies to recruit workers from Free State. When they need workers for their companies in Joburg they contact their partners in Heilbronn to bring workers to Joburg" (Interviewee 7, 2014). It was voiced by Lota, also a former employee of Company B who was recruited from Free State and transported to Johannesburg by his former employers, that there are people in Free State, in rural communities, who are known members of their communities who are tasked by these companies to recruit workers (Interviewee 5, 2015). These people, acting as employment agencies, collect copies of identification documents (ID books) and contact details from the job seekers and when there is demand for particular workers they will supply the needed number of workers (Interviewee 5, 2015). This 'labour supply system' ensures that there is timely and efficient supply of labour from the 'reserve army of labour' in the rural Free State.

According to those workers coming from the Free State who were interviewed for this invistigation they did not know where they were going to be placed in Johannesburg, what jobs they will be doing, how much they will be paid, where they will sleep, and who was employing them. They were told that they will be working for big companies in Johannesburg and earning decent salaries (Interviewee 5, 7, 9, & 10, 2015). "When they took us from Free State I was very happy, and on our first day at work we were told that we will be paid R30 per hour and we will work more than 180 hours per month. They also said that if we work overtime we will get more money. I was very happy when they told us this. My brother, these were lies; we were paid R10 per hour and we worked long hours, and we did not get paid for working overtime" said Peter, currently unemployed member of the SC, a former casual worker who worked for Company A for 4 years and 6 months (Interviewee 10, 2014). He added that they had to find accommodation at the hostels because the company did not provide accommodation (Interviewee 10, 2014).

Purportedly, rural recruitment is used by some companies in order to cut down on wages, and this was outlined by Leader, a 27 year old former employee of Company B, who was also recruited from the rural parts of South Africa by his previous employer: "When it comes to wages they [employers] can pay us any amount they want to pay workers because we dont have other options but to take whatever they give us. They know we are far from our homes and we really depend on them for survival. The other thing is that they know that we are not trouble makers and most workers from the rural areas don't know anything about wage struggles. A person from the rural paerts of Free State is happy for R10.00 per hour because for them that means they can put something on the table for their families. When coming to wage struggles they don't involve themselves, they will exclude themselves from these negotiations because they don't want to be dismissed as that would mean they would have to go back to Free State. So these are some of the reasons they are employing more people from Free State and some from Natal" (Interviewee 7, 2014).

In addition, the workers are making a connection between rural recruitment and control. It is of the view of the workers from Company A and Company B that according to their employers the workers from Gauteng are thought to be expensive labour and have a history of labour militancy that disrupt production compared to the workers from the rural areas who have less or no labour organisation experience because most of these workers they recruit from the rural areas are young workers who drop out of school to seek for greener pastures. It

was highlighted by the 6 workers from Company A and Company B, aged between 22 and 27 I interviewed for this paper, that the majority of the migrant workers recruited from the rural areas are young workers under 25 years.

This illustrates the labour market restructuring complexities whereby firm specific strategies and methods used by some companies' in the East Rand such as Company A and Company B are constantly evolving. It now appears that some companies are not only relying on the township reserve labour and immigrant workers from other countries residing in the country whose number has increased in South Africa since the dawn of democracy in the 1990s, but they are now actively recruiting workers from the rural parts of South Africa. In the mining sector, Forrest (2014) noted that as from 2003 Teba's recruitment geographies have changed and there was a decline of recruitment of non-South African mine labour.

As indicated, is purported by the workers that the workers from the rural areas are used by the employers to reduce the cost of labour recruitment and also reverse the established wage standards. The precarious workers in the East Rand who are recruited from the rural areas of Free State and KwaZulu Natal are not given employment contracts and as a result they are do not know their conditions of employment. This also indicates that unemployment and poverty in the rural areas exacerbates the labour market vulnerability as the 'labour reservoir' or what Marx called 'reserve army of labour' increases, and it appears that some companies in the East Rand are taking advantage of these realities. Similarly, it was pointed out by Wolpe (1972) that the recruitment of migrant workers provided a supply of cheap labour (Wolpe, 1972 as cited by Forrest, 2014).

On the other hand, these younger workers gained awareness and knowledge through their interactions with the older and more experienced workers at work and in their residences. "At the hostels we live with older workers from different working backgrounds who have lots of experience on labour matters and most of them have been shop stewards and some were union leaders. We are educated and prepared by these "madalas" (elders), they understand the struggle, but now they are old and tired, they can't fight anymore. It is now our responsibility to fight and we don't fear "magoa" (employers)" said Tapi. He is currently unemployed after his dismissals in 2013 because of partaking in a strike which employers regarded as illegal. He was working as a permanent fork lift operator at Company B (Interviewee 6, 2014). The dismissal of these workers included the night shift workers who were not present at the time of the alleged work stoppage. On the other hand, the company selectively rehired some of the

workers, and leaving more than 50 workers without jobs. The majority of these workers who were not rehired were the young workers from the Free State allegedly because they disrupted production, but these workers stated that they were dismissed because they were seen as leaders and perpetrators of the strike. After their dismissal these workers joined the solidarity committee and became active members of the committee. As these 'migrant workers' from Free State and Natal gain experience they become aware of their working conditions and the history of labour militancy and then they became active participants in the emergence of militant labour formation, as will be discussed in Chapter Four: Emerging Militancy: Formation of CWAO and SC

Other strategies used by companies in the East Rand:

Factory and labour sharing

Apart from recruiting workers from the rural areas, labour sharing is another strategy applied by Company A and Company B, arguably, to get more out of the workers and maximise their profits. By labour sharing I mean that Company A and Company B operate as two different companies in one yard and sometimes they share the workforce: Company A manufactures boxes, and Company B prints on the boxes manufactured by Company A, and therefore a worker in Company A who is operating the machines that manufactures the boxes can also be shifted to work in the printers section under Company B. Workers indicated that "these employers use one factory so that they can move workers between the two companies but they do not pay the workers double salary as they are doing jobs that should be done by two workers," said Peter (Interviewee 10, 2014). According to workers, this strategy used by Company A and Company B is also a source of confusion to the workers because these companies share the same building, however, employees are told that these are two separate companies, but on the other hand the workers indicated that these companies are owned and managed by the same people. Further investigation indicates that indeed these two companies are registered as different companies with different registration numbers, but they are operating in one yard. However it is not clear why these companies are structured in this manner, but the workers are convinced that this is a strategy to maximise profits for the company because they use minimal labour force between two companies instead of hiring workers for both companies.

Employment of non-South African workers

It appears that some companies in the East Rand such as See Cash and Carry supermarket use non-South African nationals' to reduce labour cost by paying them low wages and make them work over time without remuneration (Interviewee 11 & 16, 2014). The South African workers referred to immigrant workers from Zimbabwe and Mozambique as 'foreign workers' (Interviewee 16, 2015). The workers who are non-South African nationals are not organised, and they are not partaking in the activities of the solidarity committee, and I was unable to interview these workers. It is indicated that these immigrant workers accept being paid low salaries and as a result this creates a division among the immigrant and South African workers. The South African workers claim that the 'foreign workers' lower the standards of wages in the company. It is further stated that the workers who demand higher salaries (in most cases it is South African workers) are dismissed and more non-South African nationals are recruited to replace the dismissed South African workers. It is claimed by King Hadebe that "the foreign workers work like slaves; they work long hours per week but they are paid less than us. They usually work overtime without pay and they do not complain. If we complain, we are told that the Mozambique workers do not complain and we can go if we don't want to work" (Interviewee 11, 2014). However, this creates conflict among the workers and it divides the South African workers from the non-South African nationals. King Hadebe further emphasised that "the problem is that the South African workers are afraid to talk because they will be dismissed since non-South African nationals don't complain and they are not even given contracts of employment to sign. The company knows that they do not have identification documents (ID) and they are in South Africa illegally. So these employers use to their advantage the fact that most of the non-South African nationals they employ are in the country illegally," said King Hadebe (Interviewee 11, 2014).

The findings of this investigation depicted that as some companies prefer to employ non-South African nationals instead of the South African workers. This increases frustration and anger among the South African workers because of the perception that the non-South African nationals are taking their jobs and they are becoming more preferred by the employers due to reasons mentioned above. In addition, it was also mentioned that the use of non-South African nationals to replace the dismissed South African workers has exacerbated discrimination of immigrant workers by the South African workers. "At See Cash and Carry supermarket workers are not united because of the strategies of divide and conquer used by

the company. They employ non-South African nationals because they are vulnerable and they can work under poor working conditions while us South Africans we complain. So this divides us as workers and employers keeps employing more non-South African nationals because they are assured that the workers are divided and they can control us more easily if we are not united. These employers don't take into consideration that by replacing South African worker with foreign workers they are increasing discrimination and anger against non-South African nationals" (Interviewee 16, 2014).

Factory and labour sharing affects workers as this can be viewed as another mechanism that creates a division among workers at the shop floor level. It was argued by Thato that "when the workers are disorganised and divided, it creates a favourable atmosphere for the company to abuse and control the workers" (Interviewee 2, 2014). The issue of division among the workers created by factory and labour sharing was emphasised by another worker as he stated that "it is strange to have two firms in one building and both firms owned by the same people. These companies are sharing the work equipment and workers, but we are told that these are different companies. Some workers did not want to support the struggle of other workers because of the impression that they are working for different companies. There was no unity amongst us and it was easy for the company to selectively dismiss workers" (Interviewee 22, 2014). According to this worker their challenges at Company A and Company B are continuing because "the shop stewards and the union claiming to be representing the workers are working with the company. The employers had all the power because they were supported by the union and their shop stewards. It took us long time to realise that these Chinese and unions are fooling us," said Libi, a 27 year old male who was dismissed by Company B after a strike action in June 2013 (Interviewee 22, 2014). These workers were dismissed by Company A and Company B in June 2013 as the workers were questioning their shop stewards for an agreement entered into by their union and the company without the workers being involved (Interviewee 9, 2014). After the demonstration in June 2013 approximately 200 hundred workers were dismissed by Company A and Company B. This raises a critical question around workers collectivity; if the workers perceive some of their shop stewards as part of the problem, how is this affecting workers' collective identity?

Workers collective identification taken beyond the workplace

In the firms where these workers work, the findings suggest that restructuring has disentangled workers' collective identification in their workplaces and created an individual quest for one's own survival. Even though there is a common understanding of the effects of casualization, the growing workplace subjective interest of securing one's own job and prospect of promotion dominated the common interest and hence the collective workplace based collectively was weakened. Kenny (2003: 169) points out that "many have argued that the 'flexibilisation' of work has altered workers' subjectivity and represents a retreat from the coherent workplace-based identities of the ideal-typical Fordist production regime (Hardt and Negri, 1994; Castells, 1996; Bauman, 1998b; Sennett, 1998; Beck, 2000)". However, she argues that while flexibility has fragmented the retail workforce, the workplace remains an important site in the definition of collective alternatives (Kenny, 2003). I argue that even though workplace based collective identification is weakened due to casualization, deindustrialisation, and weakening unionisation, the new emerging precarious labour formations such as the solidarity committee and CWAO shows to be re-establishing the workers collective identification that transcends the workplace as it brings together different 'categories' of workers from different workplaces forming a new collective alternative. These new formations delegitimise individualisation and classification of workers into different distinct categories, and it organises all employees under one umbrella, the 'worker', which is closely tied to broader social justice. Although its bargaining processes have been workplace specific, there is a link across their struggles; they have delegitimised precarious employment, and they are advocating for permanent employment with benefits for all workers. The topic on the emerging new forms of labour militancy is covered in-depth in the following chapters.

Chapter Four: Emerging Militancy: Formation of CWAO and SC

Restructuring has affected the labour movement:

Barchiesi argues that "the precariousness of waged employment has negatively affected the identities and strategies of the labour movement, undermining collective solidarity and citizen access to social provisions" (Barchiesi, 2010: 68). As discussed in the previous chapter, in the East Rand there is evidence that the union's identities and strategies are negatively affected by the precariousness of wage employment. It is said by Kenny (2007) that the experiences of work and union organizing tactics have changed globally due to an increase of contract and casual employment. In the past years it was mentioned by schoolars such as Kenny (2003) and Barchiesi (2010) that in the East Rand the experience of work is rapidly changing, but on the other hand the unions are failing to change their organising tactics. The same sentimentalities were shared by the workers I interviewed hence they argued that they perceive unions as irrelevant in the struggle of the precarious workers due to their unwillingness to change their organisational form and give precarious workers full representation. It was emphasised by Kenny (2003) that growth in precarious work has seriously affected trade unions.

Trade unions response to increasing use of precarious of workers

It is indicated above and in the literature review chapter by scholars such as Kenny (2007); Barchiesi (2010); Clarke (2006); Webster and Omar (2003) that the use of precarious work force is increasing, yet the unions are failing to organise them (Kenny, 2003 and Barchiesi, 2010), and the findings of this research indicates that precarious workers are turning to SC and CWAO. Webster and Omar (2003) stated that the labour unions are realising their limitations in their response to the changing work order and they are searching for new forms of organisation so to include new forms of workers. Contrarily, the precarious workers in the East Rand suggest that the membership of unions focuses on permanent and fulltime workers, and precarious workers are not prioritised. In 2004, SAMWU and the Independent Municipal and Allied Trade union (IMATU) appeared to be partnering with community affiliates in the fight against privatisation, poor service delivery, and casualization as they organised three

marches across the Gauteng Province, in Vaal, East Rand, and Tshwane (Rees, 2009). However, such initiatives were not sustained by SAMWU and they died out.

Undeniably, as pointed out by Bezuidenhout (2000) that the nature of the structures and cultures of organised labour organisations require further problematization. Buhlungu (2010) indicates that labour unions around the world have had to restructure and adapt to this changing work order. As indicated elsewhere, Buhlungu (2010) is of the view that the labour unions should regain their militancy in order to be able to fight for social justice and consequently it will be more progressive. In the East Rand we saw increasing demonstrations or protests carried out by the non-unionised precarious workers, and this can demonstrate that labour unions are finding it hard to restructure and organise these precarious workers henceforth these workers are organising themselves independently from the labour unions. As mentioned elsewhere, there are a number of scholars such as Lopez (2004); Turner and Hurd (2001); Voss and Sherman (2000); Clawson (2004) etc. as cited in Kenny (2005:158) who indicated that "debates over the new forms of organising have highlighted the potential of social movement unionism, particularly in low wage, contingent service sector, to fight the erosion of workers' conditions and capacity for social reproduction brought about by such trends". Indeed the rise of the new forms of labour organisations which are a response to the changing work order highlights that there are lessons to be learnt by the labour movement and the scholars of labour movement in general from these new formations.

The two emerging forms of organisations in the East Rand, I argue, are different in nature and the manner they respond to the restructuring of work and labour. Both these formations are providing some form of representation for the precarious workers and they are both bringing different methods of organising workers. These two formations are viewed by the workers as different from the labour unions in a manner in which they represent the workers and how they firmly oppose restructuring of work and labour. The first formation is the advice office which is seen by the workers as a "corrective form" of a trade union; it is a model of how unions should be. The second is the solidarity committee which is seen by most of its members as a militant workers' organisation that mobilises the workers and their community members in response to restructuring of the labour market. Although I analyse these two formations as separate entities, the relationship between the two is complex and I will attempt to unpack this relationship when discussing these formations below.

Workers views and experiences with trade unions:

Cases against the unions

At Company A and Company B more than 60 workers were dismissed as they were given misleading advice by a union: on the 12 of June 2013 workers at Company A took their grievances to a union demanding a wage increase ranging between R10 to R15 per hour. However, the union advised them that according to their gross salary the increment they are demanding is too low as already there were some workers who were paid R7 per hour (Interviewee 5, 6, 7 & 9, 2014). According to these workers the union advised them that they must demand a wage increment raging between R25 to R30 per hour (Interviewee 5, 6, 7 & 9, 2014). Surprisingly the union separately signed on behalf of the workers a wage increase agreement of R2.20 per hour without consulting with the workers. After the workers received the news that the union signed for R2.20 they gathered during their tea time demanding answers from the union shop steward and the management regarding the agreement signed without consulting the workers. The following day the factory gates were locked down and the workers were dismissed (Interviewee 7 & 9, 2014).

After this incident, workers appointed a group of ten workers to go to the Department of Labour (DoL) to report this wage agreement incident. These workers took with them to the DoL a letter that was given to the workers by the union which stated that the R2.20 was agreed on at the CCMA. In this letter it was indicated that the CCMA had ruled in favour of the employers dismissing the wokers because the demonstration was unprotected. However, the DoL confirmed that the letter was fraudulent and advised the workers to go the CCMA (Interviewee 6, 7 & 9, 2014). The workers clarified that the letter was fraudulent because it was not from the CCMA as it did not have the CCMA logo and signature, and there was no signature of the shop stewards representing the workers. It was only 2 signatures (that of the union and the company lawyers) (Interviewee 5, 6, 7 & 9, 2014). According to the workers this shows that the agreement was between the union and the company lawyers, and this further indicates that the union is ‘selling out’ the workers while protecting the interest of the company (Interviewee 5, 6, 7 & 9, 2014).

After the workers took this case to the DoL the union promised the workers that they will take this case back to the CCMA, while on the other hand the union phoned some workers instructing them to go back to work or face dismissal. The workers disregarded this call for the reason that only few workers were contacted by the union leaving out the majority of the

workers. Subsequently these workers were also dismissed (Interviewee 6, 17, & 7, 2014). After this action by the union the workers were convinced that the union had an agreement with the employers to target those workers who were able to challenge the employer and the union leadership hence they refused to go back to work while their leaders where not reinstated. They stated that even if they accepted to go back to work that would mean they would be more vulnerable if their entire leadership was not reinstated. "This was just a trap, they were going to expel us after we agreed to this nonsense, that's how they play their game we know them" said Billy, currently unemployed, he was previously employed by Company B from 2010 to 2013 he was dismissed in 2013 (Interviewee 9, 2014).

Malema, a 27 year old male who is one of the workers dismissed by Company A in 2003, and he was a member of a particular union which broke away from the Congress of South African Trade Unions (Cosatu), indicated that their union played a part in their dismissal. He emphasised that they were betrayed by this union which "pretended to be defending us" (Interviewee 17, 2014). After their dismissal the union said they will take their case to the CCMA and yet even today the workers are still waiting for feedback from the union which is not coming back to them. It was argued by Malema that the union leaders are protecting the employers. He purported that "the leadership of the union take bribes from the companies and they abandon the workers" (Interviewee 17, 2014). He went on to state that the interest of the unions "is to protect and secure their recognition by the companies and in the process they have compromised the interest of their workers they supposed to represent" (Interviewee 17, 2014). It was highlighted by the workers from Company A that this has made unions frail and predictable, and employers have developed strategies to deal with the workers because they have established close relationships with the unions' leadership. Again a similar challenge was raised by an employee of See Cash and Carry supermarket when he argued that the union leaders are co-opted by the employers hence the employers can decide who or not should be a representative of an employee in the hearing cases and some unions are aware of such practices but they have failed to challenge such practices (Interviewee 11, 2014). King Hadebe, an employee of one of the labour brokers operating at See Cash and Carry supermarket, called Silverster Labour Brokers (SLB), shared that he thinks that one of the biggest challenges facing unions is their inability to challenge the decisions made by the employers because some individuals within the union ranks are benefiting from the close relationship with the employers hence they are protecting the employers (Interviewee 11, 2014).

He went on to argue that the unions have become irrelevant because of the relationships the leadership of the unions develop with the companies. "The relationship between the companies and some leaders of union only benefit them, and in the same process the workers are compromised. The companies do whatever they want to do because they have bought the support of the unions' leadership. So those in power in the union are benefiting from these relationships and as a result they have to compromise the workers. These are things which are happening and we know them. Let me give you a personal example of what happened to me. I was sold out by the union to the labour broker and the company. I was suspended without pay as I was charged for insubordination. What happened is that the supervisor asked me to do something whilst I was doing some other work; hence I told the supervisor that I will attend to what he is asking me to do after I finish offloading the truck. However, that was viewed as insubordination. The hearing was called by the management and I came with a representative from my union, but we were told that I am not allowed to be represented by the union because the company does not allow for external representation in its internal hearing processes. They elected a shop steward to represent me. My union representative didn't even question this nonsense, and I was left alone in this hearing. They called in a colleague to represent me. However, my concern was that the colleague they appointed to represent me was inexperienced, and the union didn't do anything to protect me. My representative failed to challenge this decision, he agreed with what they were proposing and then he left me in there" (Interview 11, 2014).

On the other hand, this also highlights how the employers can manipulate the bargaining processes in favour of their own interest and how vulnerable the workers have become. In addition, the street sweepers sub-contracted by the EK Municipality to BCS (labour broker) also shared their frustration with a certain union as it failed to represent them; they argued that this union did not take the cases presented to them by the contract and casual workers serious and hence they decided to turn to CWAO for advice. They stated that it was only through the advice office were they got a lawyer who represented them at the labour court. "What I want to ask is that if the advice office is taking the responsibility of representing the workers in the courts, where are the labour unions as they are supposed to be the voice of the worker?" said Thato (Interview 1, 2014).

Relevance of labour unions

The findings of this paper indicates that the precarious workers are losing confidence in the labour unions for the reason that there is a growing gap of non-representation of the precarious workers by the labour unions. It is alleged by the precarious workers that the union's inability to organise precarious workers also creates and sustains the expanding gap between the permanent and precarious workers. Those precarious workers who are 'organised' by the unions also indicated that there is an expanding gap between the workers and the union leaders for the reason that the union leaders are unwilling to commit themselves when it comes to issues concerning the precarious workers. The workers only meet with the union leadership when it is convenient and benefiting the leaders. It was highlighted by von Holdt and Webster (2009) that the attempts which were made by the labour union to organise the casual workers at Shoprite and the docks provided an opportunity to organise non-core workers and to mobilise amongst core workers to put pressure on the employers; however, the union record in organising these workers was ambiguous. In the East Rand, the growing gap between the unions and its members has exacerbated a lack of accountability from the unions to its members. It was also mentioned by Buhlungu (2000) that the transition by the South African trade unionism, moving away from its form of social movement unionism has created a gap between union leaders and its members.

It has been argued by the precarious workers that the unions are treating them as 'second hand workers' compared to the permanent workers who are prioritised by unions. By 'second hand workers' they meant that they come second best compared to the permanent workers. The cases raised by the permanent workers were prioritised as compared to the precarious workers. "As casual workers we are treated by unions as if we are like old clothes that no one wants to wear. You know those old clothes that you never wear because they are small or torn? Yes those are casual workers, unions treat us like that, our cases that we report to the unions are shelved in boxes and eventually they will be forgotten. That is why I say we are 'second hand workers', we are not a priority to the unions" said Peter (Interviewee 10, 2014).

The concern for these workers is that the labour unions have lost the momentum and commitment to the labour struggle as they once demonstrated throughout the liberation struggle. Some of these workers have recently joined some of the labour unions which have promised to represent them; however, the workers have yet to see the benefits for their

subscription with these unions. Some of these workers stated that they are aware that the unions are no longer fighting for the interest of all the workers, but they became members of these unions because they did not have any other alternative form of representation. Some indicated that they joined these unions because of the long standing history of trade unionism in South African, and without any form of representation the workers were convinced that "Magoa [employers] will continue to ill-treat us because they will be aware that we don't have any form of representation at all and they don't have to worry. Even though we are aware that the unions have become toothless but we had to keep our hopes high that one day they will chnge. Unfortunately to think that we are represented by unions is just an illusion because we know that they are not representing us, we are completely exposed" said Peter (Interviewee 10, 2014). It comes out that these workers joined unions because they needed a form of representation and protection. They believed that without representation the employers have all the power and also that would mean the workers would lose all their hard won rights of collective bargaining. However, it was argued that "the employers are smart; they are using the same bargaining processes to deal with the workers. The workers who try to organise are simply dismiss and the employers would say their action falls outside the bargaining rules. That is why we also fought hard to bring in the union at See Cash and Carry Supermarket so that we get some sort of protection and help us understand these rules" (Interviewee 11, 2014).

Interestingly, it appears that some of the workers would be fine with labour unions if they would fully represent them. It seems that the primary concern for these workers is that the labour unions should change their mind set and fully represent the precarious workers. The emphasis is that the unions have lost their militancy and dominance because of the shrinking numbers of the workers they represent and their inability to represent all workers regardless of their employment status. This is why the relevance of trade unions is in question. The argument by these workers is that the labour unions have over compromised and as a result they shifted to become 'partners' with the employers including the labour brokers. This perspective is in line with the arguments made by some scholars that trade unions are losing power and relevance as the permanent or full-time wage labour is declining (Hardt and Negri, 1996).

On the other hand, there are those workers who argue that the labour unions are no longer relevant in the labour struggle. Among those workers is Busi, a 40 year old woman who have

worked for more than 23 years as a casual worker. She is currently working at HQ in the East Rand, and she is one of those employees who has lost hope with trade unions and she thinks that "the unions are finished" (Interviewee 15, 2014). She emphasised that since there is SC and CWAO "I will never join unions anymore because they are no longer helping the workers, they don't even update the workers of the progress within their unions, and if the workers are faced with challenges the unions run around and they won't be available to address the concerns of the workers" (Interviewee 15, 2014). It is also argued by other members of the SC that they no longer believe that unions are interested in mobilising precarious workers because "casualization of workers is increasing and people are retrenched frequently but we don't see any action from the unions. Unions are struggling to adjust and respond accordingly. As a result we are striking alone without involving the unions anymore. There is no longer a significance of unions we see today, these unions are finished" (Interviewee 7, 2014). Looking closely at this argument, it brings another important question of political education. What is the influence of CWAO or Khanya College on these workers? This issue is discussed after our analysis of CWAO and SC in the following sections.

Going back to the debate about the relevance of labour unions in the labour struggle, a different perspective was raised by a union official who was attending one of the meetings of the SC: he argued that the workers partly contributes to some of the challenges faced by the labour union because "…when we tell our people that they must join unions they refuse to join, and they say they don't want unions anymore because the unions take people's money. But when there are problems the same people want unions to fight for them. Our South African constitution clearly states that the workers must be protected, but the reality is that the workers are not protected, and these companies take advantage of the workers because they know that the workers do not have unions representing them" (Observation 3, 2014). Contrary to this view, one of the workers pointed out that the challenge mentioned by the union official is caused by the fact that the precarious workers are not a priority for the labour unions and they are not willing to fully organised them (Interviewee 16, 2014). She emphasised that "…the unions are largely the main problem because they are failing to organise and unit the workers. For example, us as merchandisers at the shop floor we do not even know each other, and we do not have a platform to discuss about the challenges we face at the supermarket. I tried to organise the workers so we can meet and discuss about these issues, but this was leaked to the employers and I was confronted by the mangers that I am trying to bring a union. This work should be done by the unions who won't be victimised by

the companies as they do with us. The unions are not doing this, and this discourage the workers because we don't see anymore what is their responsibility" (Interviewee 16, 2014).

In short, the findings here suggest that the trade unions in the East Rand are losing out support from the contingent and other precarious workers. It appears that a major challenge for the unions is their alleged inability to organise precarious workers. This creates a gap between the precarious workers and the permanent workers. It also creates a gap between the labour unions and the workers hence a rise of precarious organissations. The rise of precarious organisations functioning independently from the labour unions further divides the labour movement itself. This is a serious challenge for the labour movement and some of this divisions were acknowledged by the former general secretary of COSATU, Zwelinzima Vavi, to be affecting the labour movement hence his call that COSATU "…must unite unionised and un-unionised workers, it must bring together blue collar and black professionals. It must unite the workers with permanent jobs with those employed by the labour brokers…" (Hassen, 2011: 38). It is the view of the workers that because of the trade unions inability to properly organise the precarious workers this has created a large buffer of workers who are not organised and not in support of the labour unions. Subsequently, there is evidence that many workers are now seeking advice and support from emerging organisation such as CWAO and SC.

In one way or the other, the challenge of the labour union to take into account the struggle of contingent and other precarious workers threatens the sustainability and support of the labour movement. Arguably the membership of the labour movement would be further affected if the labour movement is not prepared to organise the precarious workers because as it is demonstrated throughout this paper that casualization of workers is on the rise, and by its own admission, in the report presented to the COSATU central committee meeting it was stated that the overall membership of the federation has declined by 112 171. It is emphasised in Castells (1997) that the labour movement need to shift away from constricted trade union struggles and move towards lively local and global social justice struggles. The increase of precarious employment and the unions' indecisiveness whether they want to represent the precarious workers or either eradicates precarious employment, is the challenge that make the unions unable to represent precarious workers adequately. On the other hand, other organisations such as the advice office are gaining trust amongst the contingent and other precarious workers in and around East Rand as they are organising and supporting these

workers and thus becoming a viable option for those workers who are not represented by trade unions. It was emphasised that these new forms of organisation such as CWAO addresses the challenges of workers representation and it provides the support and protection which was primarily provided by the labour unions. In cases of protest or demonstrations CWAO provides technical or legal support, while the SC brings new tactics on how to protest while protecting the workers against dismissals.

Outline of CWAO and the SC

These new formations are basically viewed by the precarious workers as providing 'alternative' form of representation and organisation for all workers, and they bring different strategies of organising and representing the workers. Both CWAO and the SC service all 'categories' of workers, although privileging casual, contract, labour broker and other precarious workers. It is worth noting that CWAO does not organise strikes or demonstrations, and it has outlined its role as providing support and advice to the workers. Below, this paper shows that CWAO and the SC organise and represent workers using different tactics, but their organisation is complex because they also join their efforts and organise through each other. The former provides technical and legal protection, while the later provides militancy. The foremost difference between the two formations is that CWAO is an independent non-profit organisation (NPO) that provides free advice and support to contingent and other precarious workers, while the SC is not a registered organisation; it is a workers' formation that organizes solidarity actions with striking and dismissed workers. Unlike CWAO "Solidarity committee was formed as a militant weapon of the workers to fight for all affected workers" (Interviewee 1, 2014).

The formation of CWAO:

The advice office is a non-profit organisation founded in 2011 to assist workers in the East Rand, Germiston. For its existence it currently relies on private monthly donations from sympathisers and other formal donors. According to CWAO website the reason for this is that "the intention has always been to try and keep the initiative as free of donor dependence as possible. The strategy to do so hinges on sympathisers making monthly donations until such time as the workers using the services of the CWAO begin to assume responsibility for its on-going existence, based on their understanding of its role of encouraging organisation among vulnerable workers" (www.labournet.net/world/1109/CWAO_donate.pdf).

Organisation of precarious workers

The advice office provides advice and support to workers, particularly the casual, contract, labour broker workers and other precarious workers. In an interview with the coordinator of the advice office, Ighsaan Schroeder, he mentioned that the advice office does not organise protests or demonstrations for the workers, but they only provide support to the workers engaged in an industrial action. Nonetheless, this paper argues that even though CWAO does not organise protests or demonstrations for the workers, but their support or involvement can be viewed as a peculiar and innovative way of representing the interest of those striking workers. Further evidence is provided by a statement on their website stating that "the old industrial model of organizing seems unsuitable for precarious workers. Indeed, it seems no longer suitable for traditional industrial workers themselves. The new organizational forms that will take its place will be determined by workers through struggle" (http://www.cwao.org.za/).

How do the workers benefit from CWAO?

It is further argued by the precarious workers interviewed for this research paper that CWAO has provided them with new possibilities of representation and protection. They stated that CWAO has strengthened worker mobilisation because it provides legal support and protection. It was indicated by King Hadebe that workers "… trust CWAO because it works for the casual and contract workers while the unions are not representing these workers" (Interviewee 11, 2014). "The workers are in support of the advice office because they get immediate advice to address their specific workplace challenges" (Interviewee 8, 2014), and "the advice office helps to simplify the complex labour laws which were made to protect the workers, yet the workers are not taking advantage of such laws because they don't have expert interpretation of these laws. Therefore the advice office is providing this expertise to the workers" (Interviewee 2, 2014). "The workers want to know about their workplace rights and now the workers are getting this service at CWAO for free of charge. The office also helps the workers through the CCMA processes and they are not demanding any fees from the workers. CWAO continuously give us knowledge about workers' rights" said Leader (Interviewee 7, 2014).

As it is mentioned above that the unions lack accountability to their members, it appears that CWAO on the other hand provides accountability, and they work with the workers they

represent throughout their cases and they make follow ups to their cases. This is important because it challenges the delay tactics used by some companies to discourage the workers who make follow ups on their individual bases, i.e. those who won cases with the CCMA but the companies are not willing to honour the CCMA ruling. Another worker, Rebecca, added that the "advice office have given us hope and strength to fight, they are helping us to make follow ups on our dismissal cases and we hope that through CWAO we will get our money as ordered by the CCMA" (Interviewee 8, 2014). It is documented in the advice office annual report 2013 that on average it makes 5 follow up calls per case and undertakes an average of 8 actions per case. For cases that involve a large number of workers, the average number of actions taken exceeds 30 and this includes follow up phone calls, referrals, consultation meeting, legal support and briefing lawyers (www.cwao.org.za).

According to the workers who have visited the advice office and the members of the SC they mentioned that the biggest success for the advice office is that it is putting pressure on the labour unions. According to these workers the unions in the East Rand are now under pressure because of the number of the workers seeking advice from CWAO. Besides putting pressure on the unions, it appears that the advice office has gained acknowledgment from some of the trade unions in the East Rand: It is illustrated by workers of Company A when they stated that they were advised by a representative at Giwusa to visit CWAO for further guidance since the union was not able to help them. Through CWAO these workers were able to file their case of unfair dismissal with the CCMA and their dismissal was reviewed.

It is indicated in the advice office annual report of 2013 that over its three years of existence CWAO has dealt with a number of cases and issues affecting the workers: counting from October 2011 up to the end of 2012 it dealt with 270 cases involving a large number of workers. In 2013 the advice of dealt with 664 new cases directly affecting about 4 000 workers including 2 cases involving 729 workers which was carried over from 2012. Most of these cases were brought by individuals; 66 per cent of these cases were brought by male while 34 per cent were brought by females. These numbers include workers from other countries such as Zimbabwe. 70 per cent of these cases were over unfair dismissals, followed by non-registration for unemployment insurance fund (UIF), wages disputes such as payslips, underpayment, and non-payment over time. Fewer cases included Workmen Compensation claims (CWAO, Annual report 2013).

It is stated that the advice office has a striking success rate of 80 per cent in cases it has dealt with (CWAO, Annual report 2013). However, it is highlighted by the advice office that even though their success rate is impressively high, it is also misleading for the reason that workers' problems often start after they have won a CCMA or bargaining council award because the employers ignore these institutions and their awards or sometimes they push for the awards to be reviewed or rescinded, often without the knowledge of the workers. As a result many workers fail to pursue and enforce their awards through the Labour Court because they do not have the financial power or knowledge, and as a consequence many cases won by the workers, i.e. through Labour Courts are unenforced (CWAO, Annual report 2013).

Political education:

Moreover, as mentioned above CWAO supports and advises workers on issues they face in their specific firms. Although there are commonalities among precarious workers from different firms, it is important to note that there are also firm specific challenges faced by precarious workers, and through the process of support and advice CWAO is empowering and also politically educating the workers. I argue that this political education can be viewed as a method of organising the workers. Through the process of providing support and advice to the workers CWAO is also providing political education, and in turn the workers gain courage to face their individual struggles in specific firms. As the workers gain knowledge about their workplace rights, the workers gain courage and strength to mobilise and organise each other within their specific workplaces, and as a consequence collective action emerges. I argue that this collective action emerges because CWAO provide the workers with some form of legal protection against unfair dismissal or treatment hence the workers gain courage to organise themselves after they visited the advice office. This development was illustrated in the interview with Busi as it appears that after her involvement with CWAO she gained courage to organise fellow workers at her workplace. In her own words she stated that, "I have already proposed that there should be a general meeting with my colleagues so we can meet here [CWAO offices] and discuss about the issues affecting us and learn about our rights, I am still preparing this" (Interviewee 15, 2014). She went on to state that:

"The challenge with us workers is that we don't know our rights… As a result, workers are afraid, some of the workers do support me but they support me behind covers and when

things get tough they hide. This is why I proposed that there should be a general meeting so we can speak about these matters; we work under intense pressure in that company and it is not safe to speak as workers because we are threatened with written warning. That is why they are afraid to speak because they might get written warnings. This is a serious threat and I am against this treatment … All the workers should come here at CWAO offices, so that we can speak about our working conditions" (Interviewee 15, 2014).

This demonstrates that CWAO is innovatively organising and responding to the challenges faced by the workers. This creates a form of organising that is specifically responding to specific issues faced by workers in their specific workplace. In the same process CWAO provides political education to the workers and thus the wokers are empowered on how to address their workplace challenges as they become equipped with knowledge about workplace rights, what Nissen (2003: 146) calls "industrial justice". The importance of political education the workers are getting from CWAO is semphasised by Leader (member of SC) when he stated that "the advice office has helped many workers to know their rights, and it has opened up our eyes. We were members of the union but we were not learning anything. CWAO help even those who are employed as permanent workers. The advice office and the solidarity committee have won many cases for the workers in a short space of time and it has put many workers back into work…" said Leader (Interviewee 7, 2014).

In addition, as CWAO provided the SC with necessary resources such as meeting space, transport money for meeting and marches, posters, placards and memoranda, this can also be viewed as another strategy of further organizing through the solidarity committee since 'fights' of the solidarity committee are in line with the political position of CWAO. On the other hand, the advice office working with the workers of particular companies have done workplace visits to a number of companies including retailers, private securities, cleaning and laundry services to make educational presentations on the workers' rights in their workplace. The advice office has introduced a new outreach initiative to reach out to more workers as they believe that there is a need to find new approaches to organize the workers (CWAO, Annual report 2013). They have launched the use of 'mobile tables' in industrial areas, however, this approach was not carried out as anticipated due to limited resources (CWAO, Annual report 2013). The advice office also participates in community outreach programs such as women's advice office run by Khanya College, Setsi sa Mosadi. Setsi sa Mosadi "hopes to help individual women face and deal with the daily problems that confront them in

society. Advice, counseling, referral to other specialist organizations that deal with problems facing women, litigation, campaigns and advocacy are some of the methods that will be used by the centre in its work" (http://khanyassm.org.za/).

In addition, the office provides support to other advice offices, and it has conducted 2 national workshops attended by 82 advice office workers on how to use the resource guides, a reference book, and a CD. These resource guides contains information such as sectoral determination, bargaining council agreements, official forms etc. This service is also provided to trade unions and other worker support organization. Last but not least, the office conducted education and training workshops with a total of 84 Retail and Contract cleaning workers. The purpose of these workshops was to coach the workers on their workplace specific issues. Last but not least, the office was also invited to provide support and give its views on bargaining and organizing for the farm workers, Surplus People Project (SPP), and the Southern Cape Land Committee (SCLC), and both these organizations are not in the East Rand. The SSP emerged in the 1980's from the radical liberal tradition in South Africa to publicize and support the communities in the fight against the apartheid regime. The SPP advocates for social justice and equal rights for all (www.popularеducation.co.za). The later, SCLC, is an non-profit organization began in 1987 working in solidarity with rural women and men towards agrarian transformation, and it also supported communities in their fight against forceful removal under the Group areas Act (www.sclc.co.za). On the other hand, the support and CWAO views on bargaining and organizing for the farm workers can also serve as political education.

How the workers view CWAO

Although CWAO is still a new formation, however the members of the SC and other workers who seek advice at this office see this organisation as a 'corrective' form of a trade union. It is worth mentioning that the personnel at CWAO do not view the advice office as a 'new form of a union' but they are open to any future developments. The workers seeking advice at CWAO and the members of the SC stated that CWAO has created a new possibility of an alternative for the workers who no longer believe that the existing trade unions are useful. It was emphasised by Sillo, a shop steward in one of the biggest retail store in South Africa, that "I wish that CWAO can grow and replace trade unions existing today, the people in CWAO know the labour law and how to deal with different cases or disputes, and they advise

the workers throughout the processes of the CCMA and those of the labour courts" (Interviewee 13, 2014).

The formation of the SC:

The SC was formed in the East Rand, Gauteng, in August 2012 a week before the Marikana Massacre. It was formed when Giwusa called for a meeting which was attended by over 300 of its dismissed workers. These workers were from 7 different workplaces and their reasons for dismissals varied, however not all the workers who were part of the meeting were the members of Giwusa, for example, the Company SS workers and the EK Municipality street sweepers. The investigation of the SC has given us rich insight in an attempt to understand the nature of precarious politics and organisation as a new possibility of representation for the contingent and other precarious workers. In a form of SC it seems like the workers are forming 'new identities' and possibly developing 'new organising tactics' in response to precariousness of wage employment or increasing deregulation of the labour market in the East Rand. It was argued by Polanyi that the expansion of the unregulated labour markets inevitably provokes backlashes for the protection of society against the unregulated labour markets (Silver, 2003). The backlash resistance in the East Rand is fronted by the workers who are being unmade by economic and employment transformations taking place in South Africa (East Rand) and globally. Workers who were recruited through 'rural recruitment' formed part of the backlash resistance spearehead by the SC. Even though the committee has prioritised solidarity with striking workers, however it also supports the dismissed and suspended workers.

The committee was formed to address a number of challenges faced by the workers in and around East Rand. It was formed to organise solidarity marches or demonstrations with striking, suspended or dismissed workers. The committee was formed as a 'militant weapon' of the workers to fight for all affected workers in East Rand (Interviewee 1, 2014). Even though it is stated by its members that the SC supports other community initiatives, it appears that it has focused its attention on putting pressure on the employers and doing this outside of the bargaining processes for the reason that the workers are convinced that the labour laws guiding the bargaining processes are not working for the employees but they work in favour of the employers who have the financial power to manipulate the bargaining processes. The critic of the labour law was also advanced in Naidoo and Veriava (2003) whereby it was

mentioned that the process of the labour law formulations sought to protect the rights of organised labour while on the other hand it has made easier the introduction of the neoliberal strategies in the sphere of labour, i.e the introduction of flexibilisation (Naidoo and Veriava, 2003) and this paper has shown that such policies have negatively affected the workers. It is further argued above that the system of corporate governance under NEDLAC have provided the institutional regulatory framework for the implementation of neoliberal policies which has made it difficult for the unions to organise precarious workers.

Some members of the SC believe that the formation of the committee was in one way or the other a response to the incapacity of the unions to represent contingent workers and other precarious workers against the labour brokers and the company's exploiting the workers. Through the SC workers were able to represent their own interest. The committee members depicted that the companies and labour brokers are operating freely because the unions have weakened hence they are struggling to challenge them.

Inspired by the Marikana uprising

In the Rustenburg Platinum mines, an independent workers committees which was sometimes called 'Five Madodas' emerged as a seasonal committee responding to a particular problem, for instance, the Impala strike led by the rock drill operators (RDOs) occurred after these workers refused National Union of Mine workers (NUM) representation because they believed that NUM has been captured by the bosses (Chinguno, 2013), this is similar to what Wright (2000) describes as 'class capture' (Chinguno, 2013). However, the SC is a response to a number of issues raised by different workers from different workplaces: it is a response to precariousness generalised across the East Rand, precarious workers dissatisfaction with labour union representation, and rural recruitment of workers.

Just like the SC representatives, the 'Five Madodas' as they were called, who were the worker representatives in the Platinum mines were elected by workers at the mass meetings. Unlike the 'Five Madodas" who comprised of only men the SC representatives included women, and they were not recognised as leaders of the formation but they serve to coordinate the planned events of the committee. Some of the representatives of the SC were former shop stewards of Giwusa in their respective workplaces whist others were dismissed workers and some were precarious workers employed in different companies. Some workers in the

platinum mine claimed that the independent workers committees were not independent; they argued that they were well planned and premeditated by the Association of Mineworkers and Construction Union (AMCU) (Chinguno, 2013). This might be applied to the SC that it was not an independent committee and that it might be influenced by Giwusa as many of its members came from this union. However, its members argue that the committee developed independently of Giwusa. "The SC was formed and spearheaded by the workers outside of the union influence, and those members of Giwusa who formed part of the SC were dissatisfied about the operations of the union and they questioned the relevance of the union" (Interviewee 2, 2014).

Committee representatives

At the formation of the committee a group of representative's were identified and chosen from each of the affected workplaces. However, this structure has changed over time because some members were unable to attend the events of the committee, and some got discouraged for a number of reasons, i.e. during my observation of the meetings of the committee it appeared that some of the workers got discouraged because they did not believe that the committee should hold meetings every week because they felt that was mimicking the bureaucratic processes of the unions. On the other hand, some workers wanted to develop the SC into an organisation with proper structures. These workers emphasised that growing the SC into a proper structure would be an important measure of their progress. It was argue that "it is exhausting for us to be forever fighting and demonstrating without seeing any formal development of the SC. The SC needs to develop proper structures so that the workers can see that their efforts are not wasted, and there is something they can see which is developing. So this is a serious problem that discourages some of us because we want to see this establishment growing" said Robert (Interviewee 2, 2014).

The representatives of the committee organised and coordinated the actions of the committee. For instance, when there is a planned demonstration the committee representatives would ensure that the workers were organised in solidarity of the concerned workers, they ensured that transportation for the demonstrating workers was organised, they helped print the placards with the messages decided upon by the workers in the meetings leading to the demonstration, they typed the memorandum of demands which was drafted by the workers in the meetings, they informed other committee members who were not present in the meetings

leading to the demonstration, and they also sent letters of demands to the companies in question informing them about the planned demonstration and that they will be handing in a memorandum on a particular date.

The representatives of the committee included both men and women and they were all actively involved in the meetings of the committee. In all the meetings I have observed both men and women were actively involved in the decisions made by the committee and there was no hierarchy. However, as indicated above the representatives and the membership of the committee changed over time and another reason for this change was because some of the representatives and members of the committee who were unemployed found new employment and they were no longer able to attend the meetings of the committee which took place on weekdays. Only four members of the committee who were present at these meeting were present during the first meeting after the formation of the committee. It was also emphasised that some members of the committee preferred to only attend the demonstrations or protests because they had other commitments.

Planning and decision making: consensus

The organisation or planning of events and decision making processes was done by all the members and those in solidarity of the workers. The solidarity committee had arranged discussion sessions were they sat and discussed issues affecting the workers. From the observations conducted it was clear that the sessions of the committee were not exclusively for the members of the committee; and this decision was made for the inclusion of all workers who wanted to be part of these sessions. At these meetings the talking points ranged from a variety of issues, for instance, in one of the meetings the agenda included the following topics: reading of the previous minutes, projects to help raise the funds for SC, community issues, workplace issues, lessons learnt from Khanya College training attended by the committee members, and presentation from CWAO on the new labour developments, i.e. See Cash and Carry supermarket issue. The main issue discussed in this meeting was the issue of See Cash and Carry supermarket because they had to finalise the plans for the demonstration at this supermarket.

The meetings of the committee were held weekly and this was a space whereby workers continuously engage and strategize on how to assist workers on strike, dismissed, or workers

who were suspended. These meeting were attended by a diverse spectrum of workers: casual workers, contract workers, dismissed workers, workers on suspension, and employed workers. From the observations of the committee meetings there were some evident strategies or methods used by the SC which were similar to the strategies or methods used by movements such as Zapatista or the Occupy movement. For instance, the method of communication used by the committee was similar to that called horizontalism used by the above mentioned movements (Gautney, 2011). Horizontalism can be explained as a democratic communication that strives towards non-hierarchal and non-authoritarian decision making (Gautney, 2011). In the meeting sessions of the SC there was no hierarchy and all members were given an equal chance to put forward their views on issues discussed and then decisions were made based on consensus.

According to Nail (2013) consensus is an alternative of political representation and majoritarian decision making, which excludes those who do not support the decision of the majority (Nail, 2013). During my observations it appeared that the members of the SC discussed issues on the table up to the point where consensus was reached and thus the decision would be taken. For example, in a case of See Cash and Carry supermarket were the company suspended an employee pending a hearing case, the committee members engaged on whether they should take immediate action on this matter in order to put pressure on the company or they should wait for the outcome of this hearing case before any further action could be taken. There were those in favour of the first position and others in favour of the later. At the meeting leading to the demonstration at See Cash and Carry supermarket, the case of the suspended worker at this supermarket was the first item on the agenda and after the first item was read debates over this issue started. One worker raised a motion as follows, "comrades before we go to this company let us wait for the outcome of the hearing case so that we can decide based on the outcome of the case" (Observation 3, participant 1, 2014). Another worker stated that "the issue of this supermarket is complicated because the last report we got from the workers is that they will organise a meeting at shop level with the employers. So I think we should first get a feedback on the outcome of this meeting. However, the issue is that there is a communication breakdown and division amongst the workers. The workers agreed that the men will attend the meeting with the employers and the women will go home. Now the workers are saying that the company is promising to take some of their demands into consideration. For example, the employers agreed that they will look into the issue of paying overtime worked and sick leave. But they stated that they won't

be giving workers provident fund. The problem is that there is nothing on paper showing that the company is committing itself to these agreements. Another challenge here is that there is a union involved claiming to be representing the workers, but the workers did not give this union a mandate to represent them. Luckily this attempt by this union did not succeed and it is not recognised by the workers" (Observation 3, participant 2, 2014). Another worker jumped in and stated that "…comrades let us not side track and get confused, let us establish a way forward on this issue" (Observation 3, participant 3, 2014). "A way forward is that we take action because workers are discouraged since there is nothing happening. As workers of See Cash and Carry we need a different approach now because it doesn't help talking to them ourselves. Our attempts to organise and join a union are failing because it seems like for them to organise us they would be doing us a favour and so they are dragging their feet. Workers are getting discouraged because there is no progress and it is hard for an individual to organise these workers from the inside. Currently, the union has less than 40 members whereas there are more than 100 unorganised workers under a labour broker, there are casual workers who are registered under See Cash and Carry supermarket, and also there are merchandisers who are not under See Cash and Carry. All these categories of workers work in a same company and they will only gain courage when they see action. This will show the workers that the solidarity committee is fully supporting them. So comrades we must take action and put pressure on this company before they can even dismiss the comrade who is going for hearing Friday. We must launch a demonstration on Thursday so that they are aware that if they dismiss this worker then we will accelerate our demonstration" (Observation 3, participant 4, 2014). Another employee supported this call when he stated that "I agree comrade this will show them that we won't allow them to do as they wish, and this will put them under pressure and give them bad publicity in the community. We must demonstrate on Thursday" (Observation 3, participant 1, 2014). The workers in a meeting supported this motion, and they further engaged on other challenges faced by the workers at See Cash and Carry supermarket. On the 20th of March 2014, a demonstration was held in the premises of See Cash and Carry supermarket.

The Occupy Movement also used consensus, and it is described as a joint decision making tool where decisions are made after engagements in a large assembly (Gautney, 2011). As demonstrated above, similar decision making processes were applied by the SC, and according to the members of the SC this decision making process serves as an important critique to some of the labour organisations were decision-making is centralised to the

leadership. It is argued that in other cases the decisions taken by the union leadership are not in the interest of the workers. For instance, this is highlighted by what happened on the 12 of June 2013 as indicated above whereby workers at Company A took their grievances to a union demanding a wage increase and the union signed for a different amount.

The committee members were dissatisfied with how the labour unions operate and they claimed that labour unions misrepresent the people they claim to be representing. They added that the labour unions also exclude those workers who do not have access to the unions. Therefore, the SC provides them with an opportunity to raise their views and be able to discuss and make decisions on particular issues affecting them. For instance, on the 20th of May 2014 before the decision to demonstrate at See Cash and Carry was taken by the committee there were different views presented by the members of the committee. There were some who supported the view that on the 22nd of May 2014 the SC should demonstrate at See Cash and Carry so they can put pressure on the company before King Hadebe's hearing case on the 22/05/2014. On the other hand there were those who were sceptical about launching a demonstration before a hearing case as they argued that might give the employers grounds to dismiss King Hadebe because they will say he organised the demonstration. The advantages and disadvantages of demonstrating before the hearing sits were rigorously discussed and after a lengthy discussion all members agreed that it would benefit King Hadebe to demonstrate a day before his hearing because that would send a message to the company that if they dismiss this employee more protests would follow. Indeed the protest went as planned and fortunately King Hadebe won the case and he was reinstated. According to Nail (2011: 30) consensus is participatory and includes everyone and there is no representation, and "participants in an effective consensus process should strive to reach the best possible decision for the group and all of its members, rather than opt to pursue a majority opinion, potentially to the detriment of a minority" (Nail, 2013: 30). Although the committee have representatives the decision making process is open to all the members attending the meeting.

Other emerging forms of worker organisation:

From a follow up discussion with Ighsaan Schroeder of CWAO, it appears that alongside the efforts of the SC there are other forms of worker organisation taking place in the East Rand, Bekkersdal, Khutshong, and Freedom Park whereby the community organisations are being approached by community members with workplace matters. It was stated that these workers are approaching community organisations because they are losing confidence in trade unions hence they are going to concerned residencies association (Interviewee 25, 2014). It was highlighted that out of the increasing demand from the workers the community organisations are now keen on representing the workers. Some of these community organisations have begun talking to CWAO trying to set up satellite office or similar offices to those of the advice office in their communities (Interviewee 25, 2014). In connection to this, in Freedom Park CWAO hosted two workshops on understanding the labour law, how it works, and the workers in Freedom Park also visited the CWAO offices in Germiston to learn and see how the systems of CWAO works (Interviewee 25, 2014). It is stated that in Bekkersdal they have started the workers advice system similar to the advice office in Germiston, and CWAO have started referring workers who live in and around Bekkersdal. There are other workers from other areas such as Zandspruit, Daveyton, Katlehong, and Thembelihle who are also trying to organise with CWAO in order to open up satellite offices or similar offices in their areas (Interviewee 25, 2014). According to Schroeder, they are still in discussions about the possibility of opening up satellite offices in areas mentioned above, however he stated that these organisations should find a way to be accountable to their communities and not necessarily to CWAO; "we don't want them to be accountable to some bureaucrats in Germiston, but they should report and be held accountable by the communities they working from" (Interviewee 25, 2014). Nevertheless, it is suggested that the workers are turning to non-union organisations and community organisations with workplace problems and importantly the community organisations are keen to respond (Interviewee 25, 2014). Let us turn now to the campaigns and efforts of CWAO and SC in the past years in order to understand how they organise their campaigns, and if any, what are the challenges and implications for the workers.

Chapter Four: Strategies, Campaigns and efforts of SC and CWAO

Campaigns and efforts of CWAO and SC in the past years:

According to the CWAO 'Annual Report 2013', the committee held a total of 78 meetings involving 1325 workers of which 878 were men and 447 were women. In the same year the committee has undertook 26 marches, of which 23 were directed to different companies in the East Rand and 3 were to the EK Municipality. These 23 marches took place in companies such as Company GPC, Company S, and company VT. There were 12 marches to Company HP where over 130 workers were initially dismissed and after these marches the dismissed workers were offered new work contracts (CWAO, Annual report 2013). At Company GPC 63 workers were dismissed by the company and the SC had to intervene by marching to the company demanding that the workers must be reinstated, and subsequently the company reinstated the workers. It is noted that this outcome was not solely through the sustained efforts of the SC, but CWAO also played a vital role. CWAO provided technical support to the SC and at times they provided funds to support the marches of the SC.

Challenges for the SC workers:

Beyond the success story at See Cash and Carry, the findings of this paper suggest that strike actions are used by some companies to identify and dismiss the workers they perceive as 'problematic workers' or 'trouble makers' (Interviewee 1, 2014). Let us take Company BR as one case among other cases to highlight that some of the workers were targeted and dismissed by their companies after their participation in a strike. At Company BR there were shop stewards and other workers who were allegedly dismissed by the employers because they believed that these workers were influencing other workers to disrupt production by participating in a strike action. It appears that the orthodox striking method whereby the affected workers would strike against their employers have in many cases became a weapon of the employers to engineer charges against the striking employees, and eventually that leads to dismissal of the striking workers. The companies use protected strikes to identify the influential workers who they perceive as leaders of strike actions ('problematic workers') and these workers would be targeted by the companies and commonly they are dismissed. This has been a challenge for the workers because even the protected strikes do not protect the workers from being victimised and dismissed by their employers (Interviewee 1, 2014). The victimisation and dismissal of the 'problematic workers' by their employers, including the

labour brokers, have affected the campaigns and efforts of the workers because of the fear of dismissal. According to some of the SC members this appears to be a mechanism used by the companies to weaken the strikes because in the absence of their leaders other workers become afraid to continue striking, and thus the momentum of the strike is disturbed without the demands of the workers being met (Interviewee 1 & 8, 2014).

The case of Company BR

After a strike in July 2011, Thato, a shop steward at Company BR was dismissed with other shop stewards for allegedly participating in an illegal strike. However, these workers stated that the strike was legal and they were granted the certificate to strike (Interviewee 1 & 8, 2014). "That was a protected strike and the workers were well behaved in that strike. We were victimised by the company and they branded us as leaders of the strike and trouble makers in the company because they thought we were persuading other workers to strike against the company. The strike in July 2011 was massive and it attracted both permanent and casual workers. However, through the help of the police the workers who were identified as problematic workers were targeted: we were intimidated by the police and after the strike we were dismissed by Company BR" (Interviewee 1, 2014). The role of the police will be discussed below under its own subsection.

It appears that the common method of organising affected workers for a strike action whereby the affected workers strike against their employer has contributed to workers vulnerability. This is because some companies use the very same strike action to do away with the workers they perceive as problematic and thus attain labour control. It was added by Thato that "workers do not voice out their frustrations or organise themselves because they are afraid of being dismissed. What can they do when they see fellow workers who try to speak out or organise being dismissed?" (Interviewee 1, 2014). According to this worker the "victimisation and accusations that the leaders of workers are trouble makers who always causes confusion and disruptions hides reasons to why the workers end up striking" (Interviewee 1, 2014). He emphasised that the workers "do not strike for the sake of disrupting production or strike because they are influenced by certain workers. The workers organise because they are all affected. For instance, in 2011 the workers began to organise independently from the shop steward, and as shop stewards we later joined in because we also wanted to address the issues raised by the workers since we are also affected by these issues. The workers were demanding a wage increment because they were not satisfied with

an annual increase of 5 per cent. This annual increase of 5 per cent did not make any difference to our salary. As permanent workers we got R15.50c per hour and the casual got very little. So what is 5 per cent to this amount? You see no one was influencing anyone here, we were all struggling and that is why we decided to fight hoping that things will change but things got worse because we were dismissed" (Interviewee 1, 2014).

Rebecca, an 'extra worker' at Company BR, was another worker who was dismissed by this company after the same strike in July 2011. Rebecca was not a shop steward but she was also perceived by the company as one of the leaders who were persuading other workers to join the strike. She also stated that she "…joined the strike voluntarily because we were all demanding better working conditions and wages. We were demanding maternity leave for pregnant women, provident fund, and standard working hours. Casual and extra workers were working 6 to 6 (from 6 am to 6 pm) Monday to Saturday with only 1 hour break per day and overtime was not remunerated. During 6 to 6 shifts there was no time to rest because there were no breaks in between, only one hour launch... These were the things we were demanding from the company but they said we were causing chaos at the company. A day before our dismissal they locked us outside the gates, and on the same day the company and the union leaders contacted few workers which they wanted back at work and unfortunately I was in the list of trouble makers and we were dismissed" (Interviewee 8, 2014). After the dismissal of these workers the strike action was weakened and some of the workers started to go back to work because of the fear of being dismissed, and that was how the strike was terminated.

Workers who attempt to organise other workers are dismissed:

At See Cash and Carry supermarket workers were not allowed to organise or join unions. Even the permanent workers who were employed directly by See Cash and Carry supermarket were not allowed to organise. The labour broker, SLB, which was operating at this chain supermarket also "…did not allow their workers to organise or join the unions, and as a result the workers at this supermarket were not organised or represented by a union for a long time up until we stood up and organised a union to represent us. However, many workers are still not organised but through time they will join if we do not get dismissed" (Interviewee 11, 2014). The challenge for the workers to join unions is that the workers who were seen or reported to be organising other workers were dismissed, therefore workers were

afraid of organising. It is argued by the workers that previously the company somehow managed to identify the workers who were trying to organise, and the company developed charges against them and eventually they dismissed those workers. This is one of the challenges which affect the campaigns and the efforts of the SC and CWAO because precarious workers who are trying to mobilise other workers in their workplaces are targeted and dismissed. This limits the efforts of CWAO in particular as I have argued elsewhere that in one way or the other CWAO is organising the workers through their legal advice and technical support on workers' rights at the workplace. In the process of getting the legal advice and technical support from CWAO workers are empowered on how to address their workplace challenges and they are equipped with knowledge about their workplace rights, and as a result workers being to organise themselves within their workplaces. This was demonstrated in Chapter Four, where it appeared that after Busi, an employee at HQ, began to interact with CWAO she gained courage to organise fellow workers at her workplace.

Let us now look at the two particular cases were the workers who were attempting to organise fellow workers were facing dismissals from their worklpace. We will firstly look at the case of King Hadebe, and secondly look at the case of Ruth Baloyi. Both these workers were working for See cash and Carry supermarket.

First case:

King Hadebe and other workers argued that when a company dismiss the workers who are trying to organise other workers that was a violation of their constitutional right which provides the workers a right to join trade unions or be organised. King Hadebe was one of the workers who were vocal and able to raise matters affecting the workers at See Cash and Carry supermarket. He was amongst the workers who started to organise with Giwusa and actively mobilised other workers who were interested to join them. According to King Hadebe they were "…trying to organise all different categories of workers existing at See Cash and Carry supermarket under one umbrella, which is 'the workers', so that we will be able to bring forward our concerns under one voice and be protected by the union. After we started this process I was given warnings for insubordination and I was finally suspended, but I know that I was getting these warnings and suspensions because they were trying to build a case against me so they can dismiss me. This is how they dismiss workers, they do not want to see workers who speak about labour rights; they dismiss them" (Interviewee 11, 2014). Workers who were actively working with King Hadebe in bringing the union at See Cash and

Carry supermarket were also given warnings and charged with different cases and some were dismissed.

Second case:

Ruth Baloyi was another worker who was viewed as a 'problematic worker' by the company. She was among the workers who were vocal about the workig conditions and supported the idea of organising the workers at the supermarket. She was also part of the first workers who signed the petition to bring the union at See Cash and Carry. After her involvement in the plans to bring a union in the company she was also allegedly targeted by the company and cases were developed against her in order to dismiss her. As indicated above she was charged by the company and secondly charged by the labour broker. According to King Hadebe who was also involved in the plans to bring the union in the company "Ruth Baloyi was also a target because they knew she was involved in the plans to bring the union in the company. We were the first ones to join Giwusa so that we can test if it will work for us and then everyone who wants to join can follow. The workers were interested and they signed the forms but unfortunately the forms fell in the hands of the employers and that's how they developed a list of workers to target for dismissal. Some of the workers who wanted to join the union and signed the forms with us are already dismissed. This is a serious issue; they come up with funny charges against the employees who they think causes problems for them. They give them unfair warnings, call them for a hearing case, and then dismiss them. Then they will tell you that they have exhorted all the processes and procedures and they had to dismiss you. They are doing the same thing to [Ruth Baloyi] just like they did with me. She is also a target and they want to dismiss her" (Interviewee 11, 2014).

According to Ruth Baloyi, she stated that after the company management heard of their plans to bring a union she was under a lot of pressure and she even got threads of dismissal from her line manager. "They were trying by all means to dismiss me. They also threatened to dismiss me after I wrote something on our [workers] Facebook group page: I was trying to organise the workers because as merchandise workers we are not united despite the fact that we have similar problems. On this Facebook group page I wrote that we should meet outside of working hours so we can speak about issues affecting us as workers. However, I don't know who leaked this information and told the bosses of the company. I was called in by the bosses and they told me that they heard that I am organising the workers to join a union. I said to them no I didn't speak about a union; what I said is that as workers we should unite

and find ways to solve our work problems. I showed them what I posted on the page and they didn't have grounds to dismiss me because I did not say anything about the union or that we should organise against the company. I said we should unit to find ways to solve our work problems. After this case I knew that they will find something else to use against me and now they have managed to cook these charges against me" said Ruth Baloyi (Interviewee 16, 2014).

The role of the police in weakening the campaigns and the efforts of SC and CWAO:

According to the workers interviewed, some companies in the East Rand through the involvement of the police targeted influential workers who were seen as leaders of the workers during industrial actions. It is alleged that the police intimidate, harass, and arrest these targeted workers and thus weakened the strikes. "You know how they do this? The companies identify influential people in a strike action and then they will create charges against those workers. They will then open a case with the police against the identified workers and the police will arrest those workers" (Interviewee 1, 2014). This employee added that there are "some leaders which the police failed to arrest them during a strike action because they couldn't find reasons to justify their arrest. In such cases what they do is that the company give employees' personal details to the police officers they work with so they can threaten us in our homes. Some of us we were beaten by the police during the strike action in 2011 at Company BR but we continued fighting for our rights. On my way home I was later arrested with other shop stewards, and we were kept in the holding cells without any charges laid against us. This was a tactic because the following day while we were still in the holding cells the employers organised an urgent meeting with a union and agreements were reached by the two parties behind closed doors without consulting with the workers" (Interviewee 1, 2014). "…this is how the strikes are handled and terminated and it gets harder to continue fighting because of the fear of being arrested and then dismissed. After the agreement between the union and employers was made we were released from the police holding cells without any proper explanation to why we were arrested. Then the following day we were told that we were dismissed and we were no longer allowed near the work premises" said Thato (Interviewee 1, 2014).

It was emphasised by Thato that the workers resort to a strike action not because they are influenced by any one but they strike because of the poor working conditions they experience

in their workplaces and they do not have other platforms to raise their concerns and be heard by the company (Interviewee 1, 2014). He mentioned that "…In July 2011 the workers were demanding maternity leave for pregnant women, provident fund, and standard working hours for all the workers. In particular the casual and extra workers they were working very long hours. They were working 6 to 6 Monday to Saturday with only 1 hour break per day and the overtime was not paid. During 6 to 6 shifts workers get tired but there is no time to rest because they must reach targets. We also don't want to strike but we don't have any other way to address our challenges" (Interviewee 1, 2014). However, the company through the help of the police targeted the leadership of the workers and dismissed them. As a result of this action the strike action was crippled and the workers' demands were not met by the company and many workers were dismissed (Interviewee 1, 2014).

Just like Company BR workers, the street cleaners engaged in a strike in 2012 over working conditions and wage issues, however, the same happened whereby the police services personal were involved and the protest by the workers was halted. Allegedly, the workers argued that the police played a key role in demoralising the striking workers as they were intimidating and arresting them. The street cleaners mentioned that they were arrested allegedly for public violence: disruption and throwing rubble on the streets (Interviewee 4, 2014). On CWAO's website it was stated that there was "collusion between the employer and the local police to harass and intimidate the workers. Over the last 2 weeks of the protected strike police have, in several instances, been accompanied by the employer when they have arrested workers on the usual charges of "public violence". Not surprisingly, none of the charges have stuck and all workers have had to be released. The CWAO has evidence that the police possess a list of all the employees of the company, but were happy to release the thugs involved in the attacks on the workers" (ww.cwao.org.za). In addition, the workers mentioned that in some occasions they spent a month in Sun City prison for similar charges of "public violence" (Interviewee 1, 2014).

In addition, the street cleaners indicated that they were once attacked by their employers using a security company contracted by the municipality (Interviewee 4 & 12, 2014). These workers argued that this was another plan to destruct and demoralise the striking workers as they were beaten with "sjamboks" by a group of men who came out from the back of a bakkie chasing after the workers and assaulted them (Interviewee 4 & 12, 2014). On the same day this group of men also showed up at CWAO offices where they also assaulted a member

of the office who was later treated at Germiston hospital (www.cwao.org). These workers stated that the police claimed that they arrested two people in connection to these attacks; however these workers do not know what happened to this case because it just faded away and no explanation was given by the police (Interviewee 4 & 12, 2014). These workers who were beaten with "sjamboks" were members of one of Cosatu-affiliated union, SAMWU, and they claimed that the union again abandoned them and it did not protect or defend them while they were assaulted by the police. According to these workers the union leadership claimed that the strike was unprotected (Interviewee 4 & 12, 2014).

These cases give evidence that some companies violate workers' right provided by the Labour Relations Act in their attempts to halt mobilization from precarious workers. Strike actions and attempts by the precarious workers to organise themselves are used by some companies to engineer the charges against employees they view to be 'problematic workers' or 'trouble makers' and thus dismiss them. Allegedly, sometimes through the help of the police they harass and intimidate the workers in order to halt workers organisation. A result of police involvement the campaigns and the efforts of SC and CWAO are weakened; however, SC working with CWAO has developed counter strategies to strengthen the efforts and the campaigns. It appears that the involvement of media (both print and visual) in some instances help to neutralise the intimidation of the workers by the police. It is argued by the workers that this helps them because the police are afraid of being captured on camera while harassing or assaulting striking workers. Therefore, when the SC is going on an industrial action they also invite or alert different media, and this provides them with some form of protection because it makes it difficult for the companies and the police to assault or even arrested striking workers for public violence. This also put pressure on the company in question because it highlights the struggle of the workers in that particular company. Even though there are enormous challenges impacting on the effectiveness of the SC and CWAO, however, the workers through CWAO and the solidarity committee are not deterred from their course, and they are able to find strategies to strength their campaign and efforts. Through these formations the workers have been able to find strategies to counter these challenges and in some cases as it will be depicted below they were able to effectively meet these challenges. Let us begin by discussing how the SC workers organise their campaigns.

How do they organise their campaigns:

In organising their campaigns, before a mass action, the SC drafts the memorandum of demands in their group sessions. This is accompanied by a letter which briefs the company that the SC would be taking the case on behalf of the concerned worker or workers. In the letter they demand to meet with the management of the company in question on a suitable date for both parties in order to discuss the demands listed on the letter. There are different sets of demands for each case, and the example of demands is depicted below in a Memorandum submitted by the SC to See Cash and Carry supermarket. In cases where the company refuses to meet with the committee, the committee continues with their planned action on the dates listed in the memorandum (see Appendix A: Memorandum 1). They mobilise other workers from different companies and also organise the community members to give solidarity support to the concerned workers. The committee would also hand out pamphlets in their communities in order to inform the community members about the challenges faced by workers in their respective workplaces. One of the challenges facing community unionism as pointed out by Black (2005) is that it has to win the hearts and minds of the people in communities in order to add moral and political legitimacy to their campaigns. This is also one of the key challenges facing the SC as it has also struggled to mobilise large numbers of ordinary community members to take part in their campaigns and efforts. In its defence, it was argued by the members of the committee that the biggest challenge is that they do not have the funding and it is difficult to assist with transportation for those community members who are interested and willing to be part of the committee activities. Usually they had relied on CWAO to help them cover the transportation costs for the workers offering solidarity support. On the other hand, it was stated by Ighsaan of CWAO that due to their budget limitations they can only assist the workers wherever they can, but they cannot afford to cover all the events of the workers (Interviewee 24, 2014).

Campaigns and efforts of the SC and CWAO at See Cash and Carry supermarket

Using See Cash and Carry supermarket as a specific case study to demonstrate what led to the SC working with CWAO to launch several campaigns at See Cash and Carry supermarket, and how their efforts unfolded. This case study can serve as a motivation for precarious workers, and arguably it demonstrates the potential and usefulness of precarious organisation in a fight against precarious forms of employment. The aim of the campaigns of the SC and

CWAO at See Cash and Carry was to put pressure on the company so that it finds it hard to dismiss the two suspended workers. Secondly, the aim was also to highlight to the community members who frequent this supermarket about the challenges faced by the workers. The suspension of these workers came after the company learned that these workers were organising a union in order to fight against poor working conditions in the company. These workers were seen as influencing other workers to mobilise against the company. According to these workers their suspensions was part of the attempts by the company to unsettle their plans of organising a union (Interviewee 11 & 16, 2014). It was emphasised by these workers that their suspension was part of the usual tactics used by the companies in the East Rand to dismiss workers who are able to speak out about the poor working conditions they work under (Interviewee 11 & 16, 2014). The nature of these poor working conditions was discussed in detail in Chapter Two. The outcome of the disciplinary processes for both cases was in favour of the workers and they were both reinstated. Arguably, it was as a result of the campaigns and efforts of SC and CWAO that both these workers who were suspended by the company for various charges of misconduct were not dismissed.

On the other hand, by the end of 2014 See Cash and Carry supermarket took a peculiar stance whereby they terminated their relationship with the labour broker, and they hired the workers directly, most of the workers were made permanent, and also Ruth Baloyi and King Hadebe who were previously suspended were rehired on permanent bases by the company. This was a major victory for the workers' after a long struggle. It would be premature to pin point exactly what led See Cash and Carry supermarket to take such a drastic stance because while the SC was putting pressure on See Cash and Carry supermarket the union [Giwusa] was also engaging privately with the company. However, it can be argued that the persistent campaigns and the efforts of the SC and CWAO played an important role in influencing what happened at See Cash and Carry because the workers in their memorandums submitted to the company and distributed to the community members clearly expressed that they wanted the company to do away with labour brokers (SLB & BMS), and they demanded that the company must employ the workers directly because the labour broker further exploits the workers (see Appendix A: Memorandum 1). In addition, they demanded that workers should be given benefits such as payslips, annual leave, and sick leave. They delegitimised the use of labour broker and highlighted that the labour broker violates the labour rights: "These labour brokers also underpays their workers, they do not give them proper sick leave, and they illegally take money from them wages for uniforms" (memorandum submitted to See Cash

and Carry, 2014). It appears that most of the demands listed below in the workers memorandum submitted to the company were met by the company. They terminated their relationship with the labour broker, they directly hired workers, and some of the workers were made permanents. This is an important 'victory' for the precarious workers and precarious organisations. This can serve as a motivation for the effectiveness of new forms of organisation.

Let us turn now to some of these strategies used by the SC and CWAO in order to strengthen their efforts and campaigns.

Ways to strengthen the efforts and the campaigns of the SC and CWAO:

Moreover, as mentioned above, before a mass action the committee would send a letter of demands to the employers on behalf of the concerned workers. In the letter they would demand to meet with the management of the company on a suitable date for both parties in order to discuss the demands listed on the letter. In cases where the company's refused to meet with the committee in order to address the issues raised by the concerned workers, the committee then organised and mobilised mass action or demonstration. This involved two processes, firstly they mobilised other workers from different companies, and secondly they organised the community members in order to give solidarity support to the concerned workers. The committee also hand out pamphlets around the concerned workplace and also in their communities in order to raise awareness about the challenges faced by the workers in their respective workplace. Community organisation includes mobilisation of other community organisations to support the workers on their workplace struggles. These two processes are also used as strategies to counter act the dismissal of the workers who participates in the industrial actions.

Solidarity mobilisation from workers in different companies

It has been noted by the workers that the strategies used by the employers to target certain workers who participates in the industrial action and then dismiss them is weakening their strike actions. Therefore, when there was a strike in Company BR for example, the committee mobilised solidarity support from other workers in different companies to spearhead the strike action in Company BR. This tactic is important for the committee

because it would be difficult for the employers in Company BR to target workers who are not belonging to their company. The workers from Company BR would not be at the forefront of the strike. It is argued that this makes it difficult for the company to develop charges against the employees because their workers are not at the forefront or leading the strike events. Taking Company GCP as an example, the SC mobilised support from workers around Company GCP to avoid victimisation and further dismissal of the striking workers. As mentioned above 63 workers who were dismissed by the company were reinstated without any further dismissal of workers since the workers who led the strike were not Company GCP workers. "We went there to strike at Company GCP and we made sure that we put as much pressure as possible on the company and it was difficult for the company to ignore a large number of people who were demonstrating in solidarity of the dismissed workers. It was clear to the employers that if they do not reinstate the workers they dismissed the company would also go down. We also ensured that the news press was present to cover the strike. This was made so that we get more support from the local people, and also to protect us from the harassment by the police because they don't want to be recorded harassing people, so in this way we get protection while we are on strike" (Interviewee 2, 2014). According to the SC members the strategy whereby they use workers of different companies to lead a protest in another company has benefited the workers and they have won a number of cases in companies such as Company GCP, HQ, Company ETR, and Company HAWD.

Solidarity mobilisation from the community

In addition to the above strategy, the SC working with CWAO mobilised solidarity support from the local communities in the East Rand. It is argued by the members of the committee that they mobilise the community members because the challenges and the struggles of the workers in their workplaces also affect their families and communities. It is further argued by the committee that the workplace struggles cannot be detached from its consequences at the community level, hence its organisation and mobilisation strongly links the two spheres. It is emphasised that when the workers are dismissed that put pressure on their families because some of the dismissed workers are bread winners in their families. Rebecca shared that after her dismissal in 2011 she has been looking for a job but she is struggling to find employment, and as a result she could not afford to pay rent and sustain herself and her daughter. They had to go live with her brother who also has a family to look after (Interviewee 8, 2014). This

demonstrates that her dismissal in the workplace allegedly for participating in a strike action also affected her household and her extended family. “I had to move from where I lived with my daughter and I had to send her home to stay with my mother in the village. What worries me is that she was getting better education here in Joburg and at home education is not on the same level as this side” (Interviewee 8, 2014).

It was also elaborated by Sillo, a member of the committee, that “as a bread winner in my family, when I was dismissed my family was also affected because kids had to go to school without food and when they got back home there is no food for them, we don’t have the money to pay for their school fees, and at the same time we have to pay rents where we live. The day I lost my job that meant that my entire family was affected. This is why the community members also feel the need to join the strikes when their family members lose their jobs. So our families support the efforts of the SC. We have challenges in our settlements and when we are unemployed it becomes worse” (Interviewee 13, 2014). These are some of the reasons given by the committee members why they believe workplace struggle cannot be alienated from the challenges they face in their communities because some of their struggles in their communities are a product of workplace struggles. The evidence above highlights that the industrial relations also impacts the social life of the workers, and hence the struggles of the SC emphasises that some of the societal challenges are caused by workplace struggles. Therefore in their organisation the SC calls for support from their family and community members to demonstrate in solidarity of the dismissed or suspended worker(s). What appears here is that the SC is framing their struggle for workers’ rights in a form of social justice rather than narrow workplace rights, while on the other hand this also speaks to the role of political education the workers are receiving from CWAO and Khanya College in somehow shaping the struggles of the workers.

Furthermore, even though the focus of the collective resistance is the workplace, the SC has the ability to focus on broader social impacts of the industrial relations occurring outside of the workplace and frame their collective resistance in a manner that links the two spheres, the workplace and the home. This depicts that the attempts to address worker issues focusing exclusively at the workplace level and not taking into consideration the effects of workplace manifesting outside the workplace limits the workers’ struggle. This is because it conceals the severe challenges workers face at the community level which are transferred from the workplace into their communities. What is happening on the shop floor level has an impact

on the workers in their communities as well. As illustrated by Rebecca that "companies pay us low wages in order to maximise profits for themselves and they don't care about us; I was paid less than R500.00 per week and this amount was too little. Most workers in that factory were women and they were single parents. We were struggling to support our families on this salary because half of my R500.00 salary went into transportation cost. From the same R500.00 we had to support our children, and also provide something for our parents at home. These are some of the issues the committee wants to address and we should not separate our challenges from our workplace struggles. Our struggles at home also result from what is happening at work. At home we sleep hungry not because I am not working but because of what they had decided to pay me. The bosses get big salaries and bonuses because that is what makes them and their families happy. They live in beautiful homes because of the money they pay themselves. Their households are stable because of what they are getting from the workplace, then what about us? Trust me they don't care" (Interviewee 8, 2014). However, as discussed above, the SC struggled to mobilise large numbers of ordinary community members to take part in their campaigns and efforts.

Recent campaigns and efforts of CWAO:

Workshops for the labour broker's workers

The move by See Cash and Carry supermarket whereby they terminated their relationship with the labour broker, hired the workers directly, and most of the workers were made permanent, including Ruth Baloyi and King Hadebe, took place as the Government was reviewing the labour law which also aimed at addressing the issue of labour brokers in South Africa. According to Ighsaan Schroeder of CWAO, the newly passed provisions in the Labour Relations Act give the workers, especially the labour broker's workers, contract workers, and part-time workers, some sort of protection against the abuse of workers by the labour brokers. Under the new provisions, all contracts given to the workers by the labour brokers should be in line with the workers' rights as prescribed by the LRA, the sectorial determination or bargaining council agreement that covers the client company (Interviewee 25, 2014). He went on to mention that "a labour broker worker cannot work for a client company for more than 3 months, which would mean the worker would have to be permanently employed by the client company or the labour broker. If the worker is a contract worker his/her contract cannot be more than three months. After three months the worker

should become a permanent worker for whichever the company employs him/her, either the labour broker or the company" (Interviewee 25, 2014). As the advice office they have organised and hosted a number of workshops with the workers from different companies in order to share with them these new developments in the Labour Relations Act. For instance, on the 6 of March 2015 the advice office hosted a national scale meeting for all organisations interested in taking up the awareness campaigns to inform the workers about the new rights in the Labour Relations Act. The new provisions enforced by this law took effect from the 1st of April 2015, and the advice office has launched campaigns to inform the workers through various platforms as indicated below.

Distribution of pamphlets and posters

The office is distributing pamphlets and posters to the workers in various workplaces to inform them about these new developments. They are also engaging and distributing these pamphlets and posters through social networks such as 'whatsapp'. The aim of these campaigns is to educate or inform the workers about these new labour provisions.

Short films on new labour provisions

The advice office has also produced a series of short films or videos about 4 or 6 minutes long on these new labour provisions to be distributed nationally for workers to watch, discuss, and debate.

The campaigns of the SC unify small collective actions:

In a study of a major supermarket chain conducted by Kenny (2005) between 1998 and 2002 among shop workers in three East Rand branches it was found that there were a number of collective actions and forms of organisation that emerged, however these were generally small scale and the collective resistance was divided among three different employment categories, namely: casuals, permanent, and contract workers (Kenny 2005). Building from the argument I made above in Chapter Four, what is emerging today in the East Rand is that the formation of the solidarity committee is attempting to unify the small scale collective actions and connect the divisions which were created by the implementation of employment categories. The committee organises all workers under one collective identity, which is the 'workers', and this creates an integrated and strong sense of comradeship among workers, and thus delegitimise the employment categories which basically creates disjointed collective

resistance which dilutes labour resistance. This type of organisation is growing the scale of collective actions and potentially creating a strong mass movement or collective resistance. The formation of the SC could also be seen as an attempt by the precarious workers to reclaim their inclusion within the common conception of what it means to be a worker. This attempt creates strong worker collective resistance which is beyond one specific workplace. Unlike the case of retail workers studied by Kenny (2007) where the retail workers were recouping their inclusion within the common conception of a worker defined as workplace citizen showed that casual and contract workers have strong workplace collectivities, yet this reproduced the workplace division among the workers (Kenny, 2007).

It can be argued that to organise at the community level and workplace level creates a force that compels the companies to take the grievances of the workers into serious consideration because if they refuse that might lead into a consumer boycott. This was the main strategy used by the workers to put pressure on See Cash and Carry supermarket. Supermarkets, especially those situated near the settlements, generally rely on those communities for business hence the committee exploited that fact and framed their demonstrations around consumer boycotts. According to the members of the committee this strategy gives power to the workers baceuase if the companies ignore the demands of the concern workers that eventually lead to an organised consumer product boycott whereby the workers mobilise the communities in and around the East Rand to boycott a product produced by that company. For example, a similar product boycott was organised against Company SS where the workers mobilised the communities in and around the East Rand to boycott the products produced by this company. The workers believe that this boycott affected the company negatively because after they launched their product boycott the company approached them for negotiations.

Moreover, the fact that SC and CWAO combine efforts on some of their campaigns creates a strategy that generates strong workers' resistance that also compels the company to attend to workers' demands. These two institutions have developed a systematic relationship whereby they work together rather than duplicating their efforts. Taking the case of EK Municipality street cleaners contracted to BCS as one example among others: these new formations combined their efforts and provided alternative representation to these workers and organised the street cleaners using different tactics and channels to represent these workers. As mentioned earlier, in 2012 these workers had to go through a long strike demanding to be

employed directly by the EK Municipality, and striking against sub-contracting or casualization which increase the dominance of labour broking. They argued that there is a huge difference between workers employed directly by the municipality and sub-contracted workers. It is purported that the workers employed directly by the municipality are earning higher salaries and they have other benefits while the sub-contracted workers are subjected to performance-based salaries, and in many cases the sub-contractors deduct workers salaries and claim that the streets were unsatisfactorily cleaned. The SC maintained its militant position and mobilised solidarity demonstrations to the EK Municipality demanding that the municipality must absorb these workers. They based their campaigns on the social justice frameworks emphasising the point that these workers are parents, mostly single mothers, who have to provide for their families and without decent paying jobs their families are suffering. They stage a number of protests to the municipality in order to put pressure on the municipality to consider hiring the street cleaners directly.

On the other hand, CWAO took a legal route in their efforts to represent and advice these workers. In compliance with the Labour Relations Act the advice office referred the case of these workers to the CCMA where the workers gave 48 hours' notice that they will be striking against the municipality in their attempt to reach out to the municipality. However the municipality refused to meet with these workers stating that their planned strike was illegal. Through the advice office lawyers this case went up to the Labour Court level, however the municipality won the case. What is important to note here is that both the SC and CWAO worked together to fight for these workers to be employed directly by the municipality using different methods and channels. The relationship between CWAO and SC is recommended by the workers as they indicated that this connection creates unity among workers and thus potentially build a strong labour movement for the future. "The relationship between SC and CWAO is productive and strong, we share our views together, sometimes we reach a solution together, and we learn a lot from CWAO; we even get free legal advice from their lawyers. They also coach us on our how to address media and what we must do when we need media coverage. This relationship will make labour organisation strong" said Sillo (Interviewee 13, 2014).

Alignment of precarious organisation with organised labour:

Harvey (2005) emphasise that the opening of global markets, increased capital mobility, and the implementation of the free-market principles by the nation states have weakened and delegitimised the unions. This investigation found that in the East Rand the organised labour is further weakening as the workers in their specific workplaces are fragmented as a result of increasing use of precarious employment. Therefore, this has further divided and transformed the working class, and in the workplace this has positioned the precarious and permanent workers on opposing sides. However, as depicted in this research report, the platform provided by the SC is attempting to transcend this divide created in the workplace. This is in line with an argument made by Silver (2003) when she argues that labour is continuously made and remade. Silver further argued that the increasing transformation and commodification of labour has provoked in different times and places a strong counter-movement demanding protection (Silver, 2003). In the East Rand as depicted above there is evidence of 'emergence' of a new model of 'community unionism' whereby non-unionised contingent and other precarious workers, in particular members of the solidarity committee, have openly involved community members in their organisation, and also got involved in community issues.

On the other hand, the fragmentation of the workers in their workplaces have a significant impact on the unions; hence we see the rise of 'contingent organisation': labour struggles that are carried outside of union organisation by the non-unionised and the uncertainly employed workers. It has been recommended by some scholars that organised labour alignment "…with such struggles is key to the effectiveness of organised labour in the contemporary period" (Paret, 2013: 2). This position emphasises that the trade unions should build alliances with other community and social movements and "frame workers' rights in terms of social justice rather than narrow interest politics" (Kenny, 2005: 160). However, this investigation shows that in the East Rand the contingent workers and other precarious workers are shifting away from organising through trade unions; it appears that they have lost confidence in trade unions. On the other hand, the suggested alignment would mean that the labour unions would therefore reorganise their framework and tactics of mobilisation, and by doing so the labour unions would thus allow the inclusion of the contingent workers and other precarious workers in their organisation.

Accordingly the focus question of most labour research in South Africa has been around whether trade unions are interested in organising precarious workers (Webster, 2008; Von Holdt and Webster, 2002). Nonetheless, this would also depend on the preparedness of the precarious workers and precarious organisations to align their struggles with that of the labour unions they consider to be a 'weapon in the hands of the bosses' (Interviewee 11, 2014). The evidence presented by this paper illustrates that the non-unionised precarious workers struggle deserve to be studied on its own right before the focus on alignment because in the East Rand it appears that the non-unionised precarious organisations are coming with new strategies and methods of organising and responding to the current market system. As indicated elsewhere, some "other researchers show the potential of marginalised and contingent workers to organise through creative forms not based exclusively in the workplace or narrow employment demands" (Kenny, 2005: 106).

Chapter Five: Conclusion

This investigation looked at the recent labour unrest in the East Rand as indicated above that there has been a rise in the number of marches and demonstrations to several workplaces led by the precarious workers. Through a qualitative research strategy this investigation conducted 25 semi-structured in-depth interviews with the precarious workers and the advice office between midyear 2013 and continued throughout 2014. Most of these precarious workers were the members of the SC and some were seeking advice from CWAO. The key objective of this research paper was to study the precarious forms of organisation taking place in the East Rand, and it mainly focused on the SC. Nonetheless, the relationship between the SC and CWAO necessitated that this research paper also look at CWAO and the relationship it has with the SC.

Correspondingly the main findings of this paper suggested that there are new potential forms of collective organisation taking place among the precarious workers in the East Rand, namely, CWAO and the SC which were part of the labour unrest in the East Rand. From the investigations, we know that precarious workers have embarked on these marches and demonstrations because of casualization of labour including externalisation or outsourcing of labour, and deteriorating wage and working conditions. The deteriorating working conditions include the rise of insecure employment and consequently workers were losing jobs, and this had an enormous impact on their families, and thus, the upsurge of labour action. The upsurge of labour action in this area prompted this research project. The industrial contestations spearheaded by the SC centered on workplace issues but the mobilisation went beyond a single workplace. This was done in order to accommodate solidarity support from other workers and community members. The solidarity support from the community members was to highlight the impact of precariousation of the workers which extends beyond the workplace into their households.

The literature analysis depicted that there is a change in the global labour market and this has somehow affected companies, workers, and labour unions. It also highlighted that in the midst of these expanding competitive market pressures companies in the East Rand are also

employing strategies to meet these competitive market pressures, for example, they use strategies such as ‘rural recruitment’ and employment of non-South African labour.

This research paper found that both the SC and CWAO emerged as potential ‘alternative’ organisational forms which organise the precarious workers. Both CWAO and SC service all ‘categories’ of workers, although privileging casual, contract, labour broker and other precarious workers. As it was indicated these new formations bring different methods and techniques of organising workers, and these methods are different from those methods of organised labour unions. It was found that the advice office is seen as a direct potential alternative to the current form of unionism, it is seen by the workers as a “corrective form” of a labour union. On the other hand, the SC is seen by most of its members as a militant formation that mobilise the workers and their communities in response to restructuring of the labour market and the failure of the labour unions to organise precarious workers. Secondary findings suggested that the trade unions in the East Rand are losing out support from the precarious workers. It appeared that a major challenge for the unions was their alleged inability to organise precarious workers. According to this finding, this has also created a gap between the labour unions and the workers, and hence the rise of precarious organisational forms functioning independently from the labour unions.

Due to the failure of the labour unions to organise precarious workers, from a discussion with Ighsaan Schroeder of CWAO, it come out that there are developments of other forms of worker organisation taking place in the East Rand, Bekkersdal, Khutshong, and Freedom Park in their attempt to service the precarious workers. This seems to be crucial for further investigation because it can be viewed as highlighting that there is a gradual move from mainly relying on trade unions as a main source of worker representation were workers can take their workplace problems to. It look as if the workers are also turning to non-union organisations and community organisations with workplace problems, and as indicated by Ighsaan that the community organisations are keen to respond from this pressure coming out from the community members and this broadens the scope of community organisations. This strengthens the position of these organisations within their communities rather than mainly focusing on service delivery issues. In short, these new struggles shows how the communities in and around the East Rand area are organising around workplace issue but outside of the trade unions and this gives new possibilities for the emergence of other new forms of

organisations that organise outside the labour unions and thus bringing together the industrial and community matters.

In-short, as indicated above that the focus question of most labour research in South Africa has been around whether trade unions are interested in organising precarious workers (Webster, 2008; von Holdt and Webster, 2002), this research paper argued that the emerging forms of precarious organisation needs to be studied in its own right and not as a function of trade unions organising capacities. On the same light, Kenny (2007: 481) have urged for a broader examination of worker politics, and she emphasised that the "literature on labour mobilisation concentrates on institutional strategies to organise contingent workers" Kenny (2007: 481). This research paper indicates the necessity for more research on non-institutional strategies to organise precarious workers for a healthier understanding of precarious organisational replicas. The investigation of SC and CWAO was significant because these are new forms of precarious organisation.

Appendix A: Memorandum 1

***Memorandum of demand, to [See Cash and Carry supermarket] from the SC*:**

"[See Cash and Carry supermarket] would be bankrupt without our community buying from it. But [See Cash and Carry supermarket] pays us back for our support by exploiting the workers from our community.

Some workers at [See Cash and Carry supermarket] work for up to 12 hours per day, 6 days per week. [See Cash and Carry supermarket] says these are casual workers and does not give them payslips, no annual or sick leave, and underpays them according to the Wholesale & Retail sectoral determination. But the labour law is clear: these are permanent workers of [See Cash and Carry supermarket], not casuals.

[See Cash and Carry supermarket] uses a labour broker, SGS. This labour broker also underpays its workers, does not give them proper sick leave and illegally takes money from their wages for uniforms.

Workers have started to organise themselves against this exploitation. [See Cash and Carry supermarket] does not try to solve the problems raised by worker. Instead, it is now victimising worker leaders.

- We call on the community to support the struggle of workers from our community.
- We demand [See Cash and Carry supermarket] stop victimising workers standing up for their rights.
- We demand [See Cash and Carry supermarket] stop exploiting workers.
- We demand that [See Cash and Carry supermarket] give workers their rights
- We support the call of [See Cash and Carry supermarket] workers to be employed as permanent workers by the company.

Phansi casual work, Phansi labour broking

Phansi bosses who exploit communities and workers."

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