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Precarious workers, the casual workers' advice office and the 2014 labour relations act amendments

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Abstract:

The contemporary precariousness of workers in South Africa can be understood from the historical development of South African labour regulations and policies. The acceleration of globalisation in the 1970s and the 1980s posed the labour movement with a challenge of flexible labour that rendered many workers precarious. Labour broking/Temporary Employment Services, part-time and contract work became the central strategy of capital rejuvenating itself and to avoid costs and legislation. This forced workers to engage in other forms of struggles to fight their precarious status as they found themselves on the periphery of the labour movement and legislative protection. In 2012 the government introduced the Labour Relations Bill that came to take effect in 2015 as the Labour Relations Act Amendment of 2014 to protect these groups of workers against the super-exploitative practices of flexible labour. This thesis explores the struggles of precarious workers at (and the role of) the Casual Workers' Advice Office (CWAO) and self-organisation of workers in contemporary South Africa following the 2014 Labour Relations Amendments Act. The dissertation provides cases and notes struggles of workers at CWAO who sought to access their rights in terms of the LRA Amendments of 2014. It argues that the pursuit of legal struggles of various forms of precarious workers - TES, part-time and contract workers was important, but central to their victories was their own self-organisation, labour education and the role CWAO and David Cartwright Attorneys played in their struggles.