

Metal Industries Collective Bargaining Summit: 24-25 May 2023

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Michael Avery: Programme Facilitator

Welcome, recapping of key reflections from day one and setting the scene for day two



Mr Thulas Nxesi

Minister of Employment and Labour

Key Note Address



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Mr Thulas W Nxesi

Minister of Employment and Labour

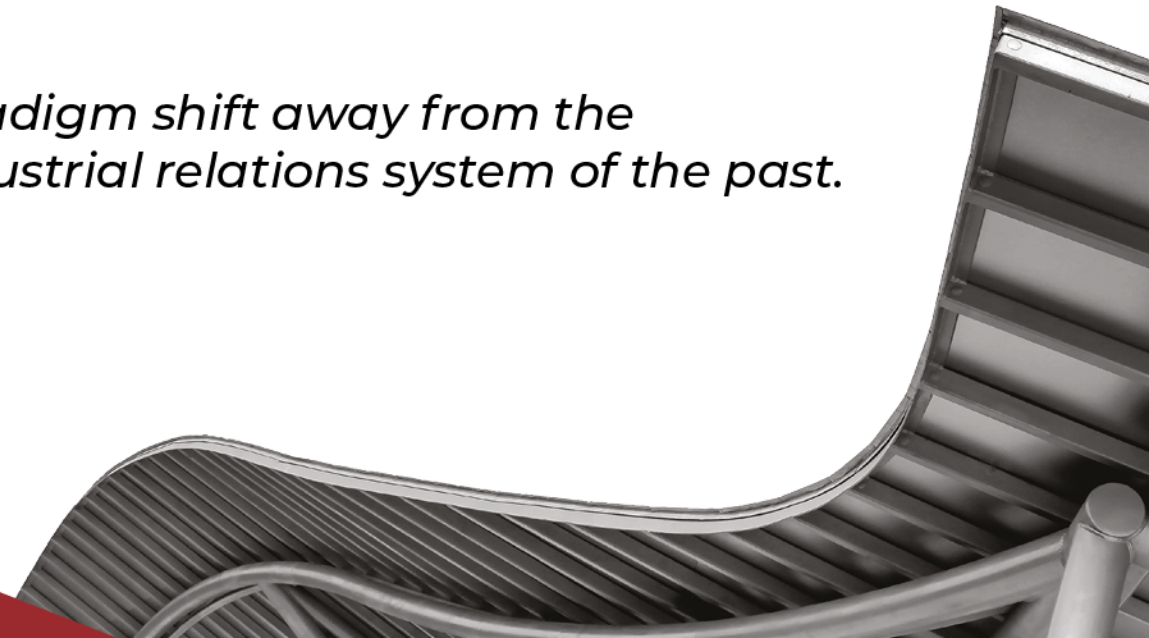
Collective Bargaining Under Fire

- *With union representation in bargaining councils declining and collective agreements being the subject of on-going legal challenges – is collective bargaining still an integral part of SA labour market?*

Irvin Jim: General Secretary
NUMSA

***Democratisation of the workplace and
the strategic importance of what
transformation means in the industry
and economy***

- *There is an urgent need for a paradigm shift away from the untransformed and polarized industrial relations system of the past.*





Input to the SIEFSA Collective Bargaining
Summit 25 May 2023

NUMSA General Secretary, Irvin Jim

Democratisation of the workplace and the strategic importance of what transformation means in the industry and economy:

The urgent need for a paradigm shift away from the untransformed and polarised industrial relations system of the past.



“I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.”

– Nelson Mandela



How do we transform within a failing economy?

1. The most difficult challenge about my task and input is that I have been called upon to talk about the most fundamental, important aspect of our development, which is transformation and democratisation of the workplace. In South Africa today it has become extremely difficult to talk about this fundamental challenge given the state of collapse of the South African economy. Today, the Rand has collapsed to about R19 to the dollar.
2. Internationally, a key driving force of the collapse of the South African economy is the unnecessary war of NATO Ukraine against Russia. It is about time that we take a stand that this war must end.



3. In our country, the driving force of the collapse of the South African economy is the current divisive rolling blackouts that are sabotaging the South African economy and job security of workers.

These rolling blackouts, NUMSA is very clear, must end with immediate effect by deploying capable leadership in generation in Eskom that can deliver quality maintenance of power stations, that must move swiftly and reconnect all the units that were wrongly and clumsily disconnected by Andre De Ruyter and those who supported him.

We do not want to be told stories about climate change goals as we remain committed to a proper just transition that must not liquidate the South African economy. Anyone who is undermining the urgency of our situation which has gone beyond a national crisis, is literally playing with fire. As the situation outside here is not different to a tinderbox.



4. That is why the union has not minced its words that whilst we understand and appreciate the current Minister of Electricity's understanding and appreciation of the problem, having engaged with him, but there is no replacement for appointing a CEO who is an engineer.

By now, Jacob Maroga should have been appointed already. And the decisive measures that were taken by the two previous CEOs who stopped loadshedding, must be brought back to Eskom with immediate effect. Some of us are not populist demagogues, we are very serious about the fact that concrete measures to stop loadshedding must be taken now and we must leave no stone unturned to deal with the issue.

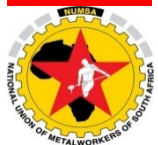


5. This point takes us to the strategic importance and the vision of growing and building the South African economy. A task that must be treated as extremely important, a momentary task of our times that must be rekindled.

6. Especially in light of the collapse of infrastructure in terms of roads (whose state of collapse is highlighted by the extent of potholes), water and sanitation infrastructure, public transport infrastructure, housing infrastructure, and public health infrastructure. Our education system is in shambles when we are supposed to have free and compulsory education by now. It is extremely criminal that we can say that almost 20 people have lost their lives in the current cholera outbreak in Hammanskraal. All of our country's irrigation schemes have collapsed, the state has been hollowed out because we endorsed a wrong fake believe that the state has not business in business and we replaced it a corrupt tendering system as a result at various levels of the state we are experiencing vicious Melicia who demand their share in what ever tender that is awarded.



7. To be blunt, the country and its people need a decisive, intervening state with a sense of urgency, to take the necessary measures to stimulate economic growth, to retain the current fragile and bleeding manufacturing sector and the South African economy. We have been firm in this front that there is no replacement for a state that takes ownership and control of all our countries commanding heights of the economy, all of our country's minerals, and ensures that at the back of these minerals, it drives beneficiation and champions manufacturing.
8. A state that is prepared to move away from austerity measures, deploy an expansionary budget with a stimulus package focussing on rebuilding the collapsing infrastructure and create the most needed jobs both in manufacturing and fill all vacancies in the public sector and pay public service workers a living wage. Such a state programme must have focussed measures that protect and grow the existing capacity of manufacturing, diversify and build new sectors, and invest in hardcore, critical skills for manufacturing. This includes the critical sectors on the value chain such as energy, transport and logistics, mining, construction, auto, and agriculture.



9. A state that ensures that its SOEs are run efficiently and effectively and they play a catalyst role in building the economy and that procurement is used strategically at all levels of government to drive localisation, where the state must champion designations for local production in all municipalities and all SOEs.

10. We must be a country that continuously invests in research and development so that we continue to be on the cutting edges of the 4th industrial revolution with a clear mission to harness the latest technologies without displacing workers, but to make work easy and safe, create modern jobs that are paying a living wage, and book our place in the future of work among the developing nations.



11. The union, NUMSA, respects and values the convening of this very important Collective Bargaining Summit to reflect in advance about the next round of collective bargaining. We have noted that the programme has been the festival of ideas, indiscriminately, even those who hold backward, reactionary ideas have been allowed to speak.

12. At the centre of this initiative is how the leadership in this sector is thinking proactively about fundamental challenges that confront the industry and how do we position ourselves as social partners in driving a dynamic vision to tackle all the challenges that have featured in the agenda of the summit.



13. NUMSA has been given the most difficult task, to stimulate debate and discussion on how can we drive transformation and democratisation of the workplace? This is taking place against the backdrop of 2021 engineering militant strike which NUMSA led. What that strike revealed was the extent to which the country has not broken new ground in terms of driving transformation and democratisation of the workplace.

If anything, what these sessions and discussions must be frank and honest about, is that we still have in this country workplaces whose management and leadership still belong in thinking in the old Apartheid order where the baaskap mentality attitude, driven by white males is still the order of the day. Who still think it is correct to hold back the wheels of history, instead of embracing change and progress for the future of all.



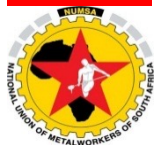
14. We are very humble to state that we know for a fact that the South African economy, write back from the union of 1910 between English and Afrikaner capital, has been built on the super-exploitation of black and African labour as an accumulation strategy of building the South African economy and to profiteer from the sweat and toil of unpaid labour. This has been the case in this sector in particular companies with well-known associations that are hell-bent on keeping us in the past.

As a union, we must use this conference to make a clarion call to all progressive employers who have ears to hear that they must dump those associations and join SEIFSA. This has been the case in the mining sector where the migrant-labour system oppressed and exploited workers.



15. At the point of victory by democratic forces that are fighting for change in 1994, what has not happened is that the South African working class was not paid its reparations by MNCs and mining houses who oppressed and exploited the South African working class for peanuts and exported its labour surplus value.

16. All of those who constitute the African majority in our country, who are economically marginalised, landless and dispossessed, were not affirmed into ownership and control of the South African economy. The South African economy, which we know is the minerals-energy-finance complex, was not transformed. As such, we failed as a country to change power relations in society. To be frank we won hollow political power without economic power.



17. In order to achieve the noble objective that Nelson Mandela spent 27 years for in Robben Island, that of building a non-racial, non-sexist, democratic and prosperous South Africa where both black and white can live together in brotherhood in our communities and work together in the workplace to build a future for us all.

“I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.”

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18. We regard this topic as part of the whole challenge that calls for leadership in the country. Democratisation and transformation in the workplace is intrinsically linked to an important vision of building the South African economy, transforming the South African economy, sectors and strategic industries. The engineering sector, within the minerals-energy-finance complex which constitutes the South African economy, constitutes one of the most strategic sectors. It is key in pursuing manufacturing and industrialisation of our country to create the most needed jobs to smash poverty, unemployment and inequalities.

19. The union has been very consistent that to release our peoples' energies and to unite the country, and to build a non-racial, non-sexist, democratic and progressive society, visionary leadership should know that what we have not won in the base, which is the economy, in terms of transformation, cannot be won in the superstructure, which is politics.



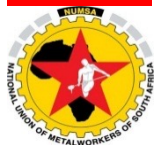
20. And therefore, we firmly submit that what does not need to be researched is the fact that it is black and African workers who produce quality production across various firms and companies in our country. Therefore, they must be known by their names by those who are in management positions, they must be respected, as it is them who delivers qualitative, competitive production that competes worldwide. They must feature in demographics and in key decision making in companies.

When they produce wealth out of their sweat and toil, that wealth must be redistributed to them both by paying them a living wage and to deliver a social wage in the surrounding communities where these companies exist. We must not compromise in smashing and burying racism in all its stereotypes and backwardness whenever it surfaces its ugly head. As it is a crime against humanity.



The role of trade unions and collective bargaining in democratising the workplace

21. It is against such a background that we must never forget the role that trade unions have played in democratising and transforming South African society. It is the vital importance of our time to defend collective bargaining, linked to democratisation of the steel and engineering industry. Workers, through their labour, produce the commodities that are traded in this industry, and they are affected by every decision taken by employers. Workers have a right to intervene in decision making, and workers have a right to demand the fruits of their own labour.



22. To determine how we defend workers' right to benefit from the fruits of their labour, the question that we must answer is *what kind of radical paradigm shift* do we want to take us away from the untransformed and polarised industrial relations system of the past that continues to be stubborn to wither away? What kind of model do we want to move towards?

It is curious and frustrating to many, that for NUMSA and the trade union movement at large, the answer to this question is *not* workplace forums. The simple reason for this is that the labour movement must maintain its independence in order to advance the demands of workers.



23. It is a widely accepted fact that the *independent* trade union movement was critical in the struggle to overthrow the Apartheid regime. Workers and their unions fought against white supremacist authoritarian employers in the workplace at the same time as they fought against a white supremacist authoritarian government whose converging point was to oppress and exploit an African on the basis of the colour of their skin.

This fight against white supremacist authoritarian employers was intrinsically about the relationship between democracy and the economy, it was a fight over the right of the exploited and oppressed to be directly involved and influence decisions in the workplace and in production processes.



In post-Apartheid South Africa, through collective bargaining trade unions have continued to play an important role in defending the gains of the past and continuing to transform South African society.

But we still live in an unequal, racialized order where the oppression and exploitation continues to be the order of the day in South Africa and in the workplace, race is a class issue. That is why democratisation and transformation of the workplace is a necessary, compulsory task that must be taken forward.



24. Through experience we have seen that it is clear that the workplace participation models of Western Europe are not going to work in South Africa. We rejected workplace forums and co-determination, we continue to advance our members interests through a centralised collective bargaining system which is currently under attack.

The national question remains unresolved, the Black working class remains alienated, they are not part of decision making in the workplace. As a union, we remain very clear that post-94 unity of the working class, both in the communities and in our factories have been completely undermined through corporatist institutions that promoted class harmony in a class divided society.



25. Shop stewards must represent their constituencies views and take collective action to do so if necessary. In order to represent these views it is necessary to have an independent platform through their union which explains that the nature of the relationship between NUMSA and employers is a working relationship, it can only be maintained through negotiations.
26. The benefits of collective bargaining for workers are the development of a common base, the collective power it provides to labour as a constituency and the ability to create minimum standards across the industry. Of course, with such a centralised system it can have the appearance of limiting the opportunities for workers on the shop floor to participate directly in certain workplace decisions that are taken in negotiations at industry level.



27. However, as the union, we have never disengaged in production processes at plant level where companies see trade unions as an important social partner. In many companies, we have negotiated incentive production bonuses, but we have also engaged in what we characterise as extended collective bargaining where we discuss matters that affect workers and how to keep the company productive and competitive. All of this is done within the democratic mandates of our members.



28. Despite the fact that we negotiate at industry level, we still believe that workers must be involved and play a contributing role in decision making at plant level. We have to do this to find ways to become more effective as a country and in the Steel industry. Workers and unions must be empowered to make inputs on the shopfloor.

Of course, the visionary leadership in the industry of both employers and unions must be very firm in appreciating that our common enemy that we must defeat is the divisive cancer that is anti-worker, and union-bashing within some management in respective companies, as it polarises industrial relations. It creates conditions where battle lines are drawn instead of harnessing energies and working together.



There is nothing that demonstrates this crisis more than the agenda of a tiny group of employers in the industry who have carved a destructive agenda for themselves to collapse and sabotage collective bargaining and by undermining all settlement agreements that have been reached in the MEIBC.

This backward grouping of employers is driven by the most right-wing, conservative ideology, who see the mass of the unemployed in our country as labour to be exploited. Therefore, they see absolutely no need to respect workers and they don't see worker rights as human rights. They don't respect the fact that we have a bill of rights in this country, which also gives workers the freedom of association to join trade unions of their choice, and that those unions have a right to represent them.



29. Collective bargaining does not preclude *direct* democratic involvement of workers in their workplaces. There must be mechanisms where workers give input into manufacturing processes, they must be able to give input on both working conditions and production issues. It is the workers who deliver quality production, who know what is happening on the shop floor every day. This is what is at the centre of the Japanese management techniques of continuous improved called Kaizen.
30. The union has an obligation to train and capacitate it's shop stewards with full support given by management for those shop stewards to have a deeper understanding of what globalisation, the 4th IR and world-class production are and how these concepts affect workers and how they have changed the workplace today in South Africa and in the world.



31. The shop steward council must be *properly* consulted every step along the way, and it is through the shop steward council where workers take up their issues, rather than through another line of management which is essentially what workplace forums amount to. Which is the reason why it is extremely important for unions not just to be recognised in the workplace, but their existence must be accepted by management and shareholders, and that shop stewards must be allowed to operate freely as representatives of workers, not as an extension of management.

It is a well-known fact that there is nothing more dangerous than having a weak union in the workplace as signing an agreement with such a union is a waste of time as it will only exist on paper. If you have a strong union, once you reach an agreement, workers will observe and respect such an agreement because their union has been mandated to negotiate and to sign it.



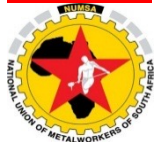
32. The industry must reject with the contempt it deserves, the remaining remnants of the Apartheid past in the workplace that still continues to be a lingering irritation where in some companies, instead of hiring Human Resources and IR managers who must blend both workers' interests and shareholder interests, which can only create stability and sound industrial relations in the workplace.

We are still faced with a situation where there is backward leadership in positions of power in some of these companies, who in the hiring of HR and IR managers, they are looking for specialists who can destroy the existence of the union, pursuing the so-called undemocratic management prerogatives. As such, in this day and age, the unions must still fight for their existence and recognition. Here, we are talking about companies who target union shop stewards, put up trumped up charges, and dismiss them.

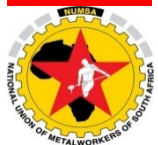


33. For those who doubt that we still have companies that have not moved an inch in terms of transformation; despite the fact that we have 11 languages in this country we have companies that completely ban workers from speaking their mother tongue on the production line. We still have experiences of companies where health and safety of workers, whilst it is supposed to be viewed as a right of workers to life, there are companies who still completely disregard health and safety of workers, who completely ill-treat workers. They work in conditions that can be compared to a vicious, prison environment. See the photos below for an example:











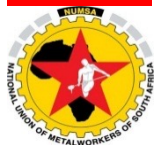
34. One of the things we must defeat is the idea that workers cannot think, and the idea that workers are lazy. This goes to the extent of blaming workers for their injuries, instead of employers who fail to provide a safe working environment for workers. All that they are concerned about is their production. Production now, health and safety later.

35. When we talk about consultation, we do not mean that management must call shop stewards together to present a powerpoint presentation where workers must just sit, listen and accept a predetermined outcome. The *paradigm shift* that we are talking about is one where we put in place genuine mechanisms for workers to give input into the manufacturing process because they understand what is happening on the shop floor. They must be able to raise their insights about improving production and working conditions.



36. Then, it becomes clear that if you want democratisation and transformation in any company you have to have transparency with workers. We have to have an open process between workers and management where we have access to the books, we want workers to be able to see what is happening financially in the company and in the plant. Things must not be hidden. Where shop stewards, representing workers, do not agree with a position adopted by management, that should not amount to declaration of war against shop stewards, but management must seek to understand why workers and management feel different about a particular issue.

37. Of course, the skills must be developed for workers to be able to understand and engage with the finances of the company. Workers must be capacitated with training and skills development in areas of production issues and management in order to influence key decisions.



38. Thus, the *paradigm shift*, is a genuine one that champions worker control and direct democracy rather than the current system that continues to view the black working class as units of pure labour power which is simply targeted for oppression and exploitation.

39. When we talk about the current training and skills development programmes, they are not aimed at developing whole human beings with the ability to participate in all levels of manufacturing plants and in the rest of different sectors of the economy. These programmes are principally concerned with developing only the necessary skills that employers need to perform certain limited production tasks in a specific company.



40. When university students called for a free decolonised education system, we must critically think about how that demand filters into all levels of qualifications, skills development, education and training in South African society. What type of education is designed to create colonial exploitation? And that we must develop skills that develop a person as a whole and that we can develop a workforce that is multi-skilled, flexible and that can be absorbed in any sector in the labour market.





Thank you!

Presentation by NUMSA General Secretary, Irvin Jim

Jonathan Goldberg: Chief Executive Officer
Global Business Solutions

***What is the future of trade unions
and collective bargaining in a
reimagined industrial relations
framework?***



What is the future of trade unions and collective bargaining in a reimagined industrial relations framework?



A global view

A future with trade union revitalization

The four future scenarios for trade unions - **marginalization, dualization, replacement** and **revitalization** - are all possible, and in fact are all happening now, sometimes in the same country, in different sectors and in different combinations. For instance,

- Dualization as a holdout against marginalization;
- Replacement as a source and inspiration for revitalization;
- Revitalization as the opening-up of dualization.

Various tools, such as foresight or scenario thinking, can be useful for trade unions in dealing with this uncertainty - to anticipate change, to explore possible futures, and enable transformative action.

Yet in this context of multiple transitions, with trade unions are faced with so many serious challenges, they have shown great resilience and a remarkable capability to revitalize themselves in innovative ways. This bodes well for the future. Strong trade unions are needed now more than ever to build a world of work founded on sustainable development that ensures decent work for all.

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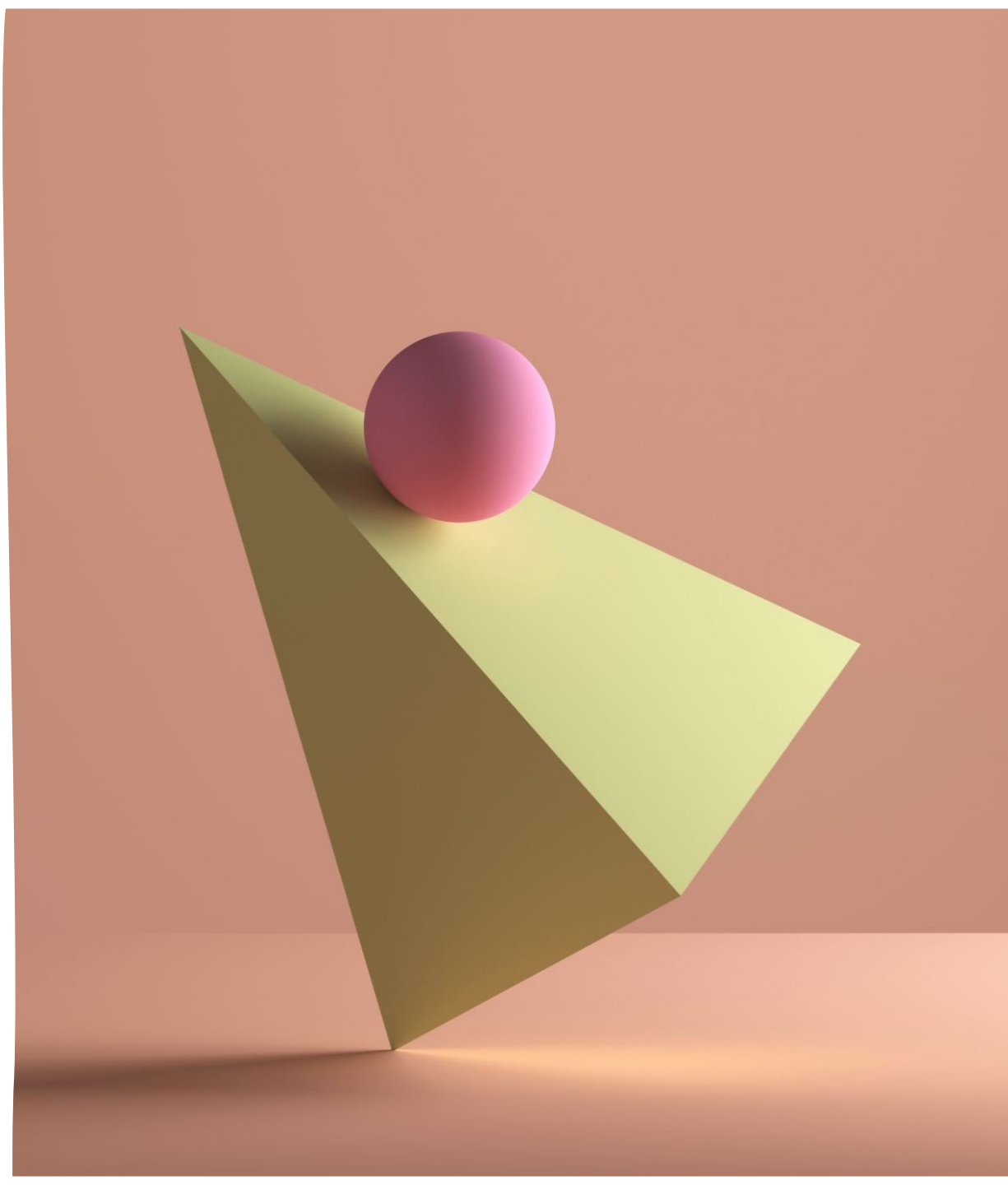
International
Labour
Organization

THE UNION MOVEMENT IS LOSING RELEVANCE IN SOUTH AFRICA

02 MAY 2023 - 05:03IMRAAN BUCCUS

With mass unemployment and decades of steady deindustrialisation, the union movement can only be far weaker than it was in the 1980s. The kinds of jobs where unions become effective at organising workers have been disappearing for years, and unions have not been successful in organising workers in new areas of work such as delivery and e-hailing drivers.

The National Union of Metalworkers of SA (Numsa), uniquely, has been able to expand into areas of work beyond its original base in the metal factories. Some unions have been able to expand beyond the base of the metal industries.



A global view



“Identify the most severe risks on a global scale over the next 10 years”

■ Economic ■ Environmental ■ Geopolitical ■ Societal ■ Technological



A South African View

POLARIZATION



Extremely divided

Edelman has identified four metrics to watch:

- 1 Economic Anxieties
- 2 Institutional Imbalance
- 3 Class Divide
- 4 Battle for Truth

Nations with fair economic outlook and high trust in institutions including China, Singapore and India are less polarized.

Divisions can't be overcome



What you *used to do*
to deliver ...



What you *now need* to
deliver ...



A South African View, What it may look like, for now

Economy: SA executives fear state collapse

SA executives fear the state will collapse, while global sentiment expresses concerns over the cost-of-living crisis in the short term and the climate crisis in the long term. This is according to the 2023 Executive Opinion Survey (EOS) in the World Economic Forum's (WEF) Global Risk Report, which uses data from over 12 000 business leaders from 121 countries to determine the biggest risks posed in specific countries for the next two years. **BusinessTech** reports the five biggest fears of SA executives who took part in the EOS include the following: State collapse; debt crisis; collapse of services and public infrastructure; cost-of-living crisis; and employment and livelihood crisis. SA is only one of three countries to have a state collapse as the biggest perceived risk facing the country – Peru – which is currently in the midst of deadly anti-government protests – and Bosnia and Herzegovina. Financial



Highest concern

Descending order

State collapse

Debt crisis

Collapse of
services

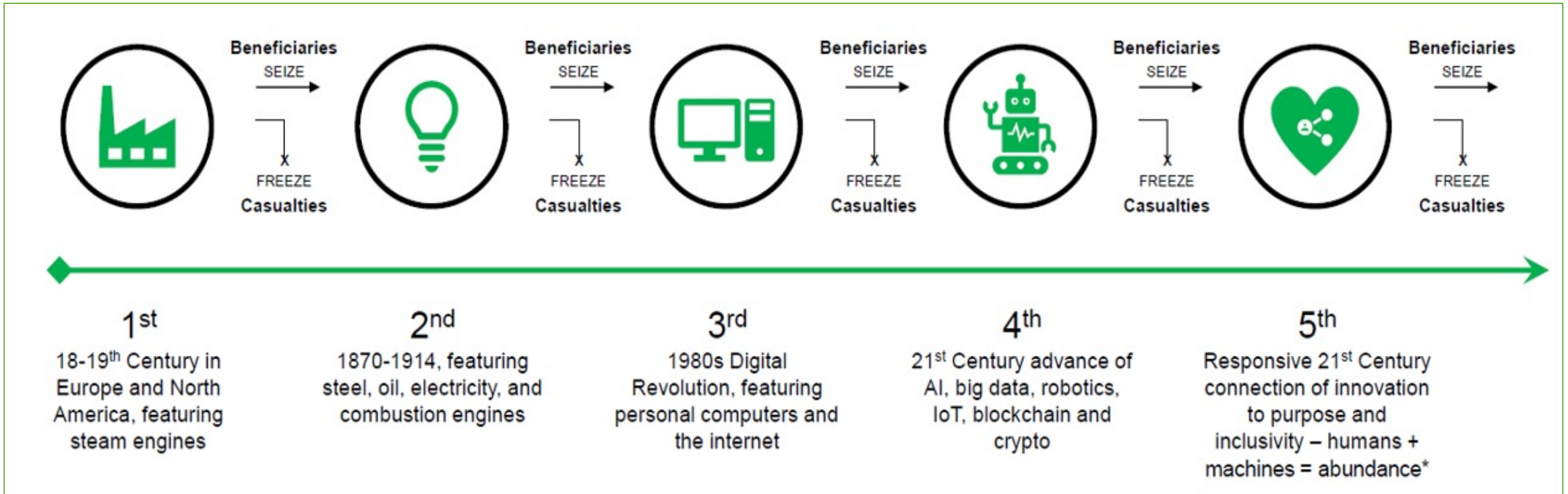
Infrastructure

Cost of living

Employment
crisis



Social partners need to make a decision to be a beneficiary of change



A South African View, starting with rebuilding trust



Lencioni's Five Dysfunctions

Absence of Trust

An absence of trust is the most severe dysfunction. Without trust, productive work and growth are almost impossible. Social partners spend time and energy protecting themselves or undermining each other, instead of focusing on the work and goals of the collective.

By contrast, when team members trust one another, they're willing to be open and "vulnerable" with the group. They trust that no one will attack them maliciously, which means that they can spend their time and energy on the work at hand.

Team members show a lack of trust when they:

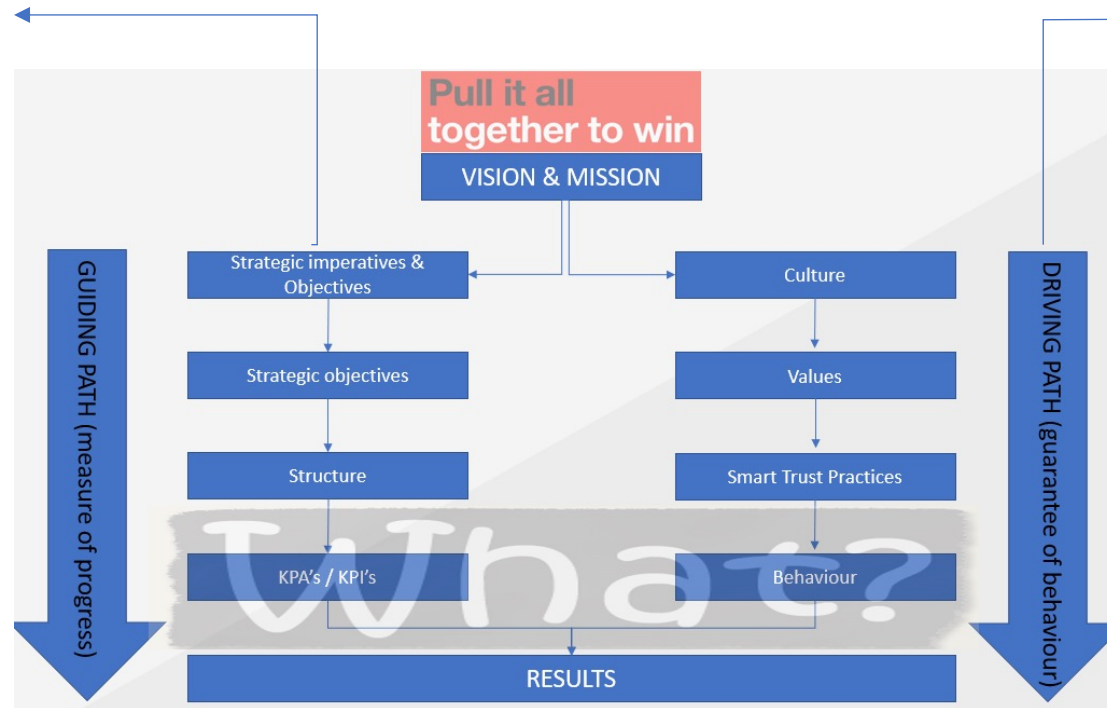
- Hold grudges.
- Don't ask for help, or don't give feedback.
- Hide their mistakes or weaknesses.
- Find ways to avoid spending time together.

A South African View

Having a clear strategy and a culture of collaboration

Key matters on the agenda

- Economic growth
- Wage inequality
- Service delivery (broad)
- Transformation
- Digitisation
- New workforce models
- Unemployment
- New labour laws coming
- Illegal conduct and corruption
- Generations at the workplace
- and the like.

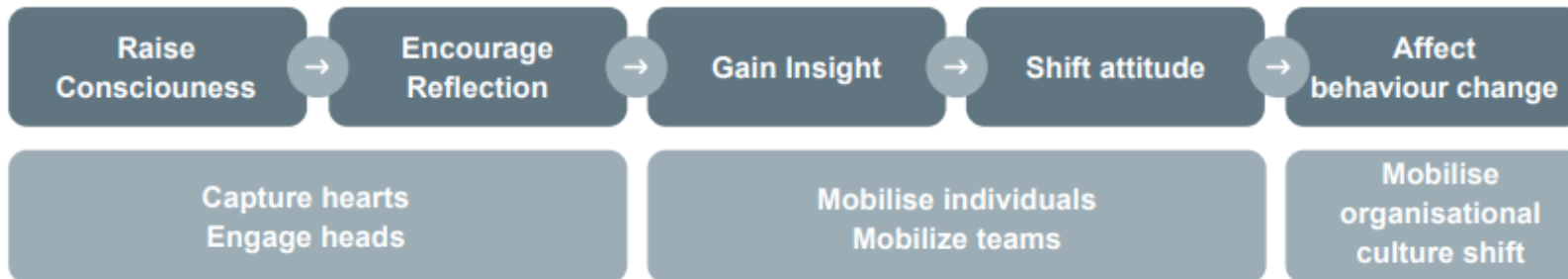
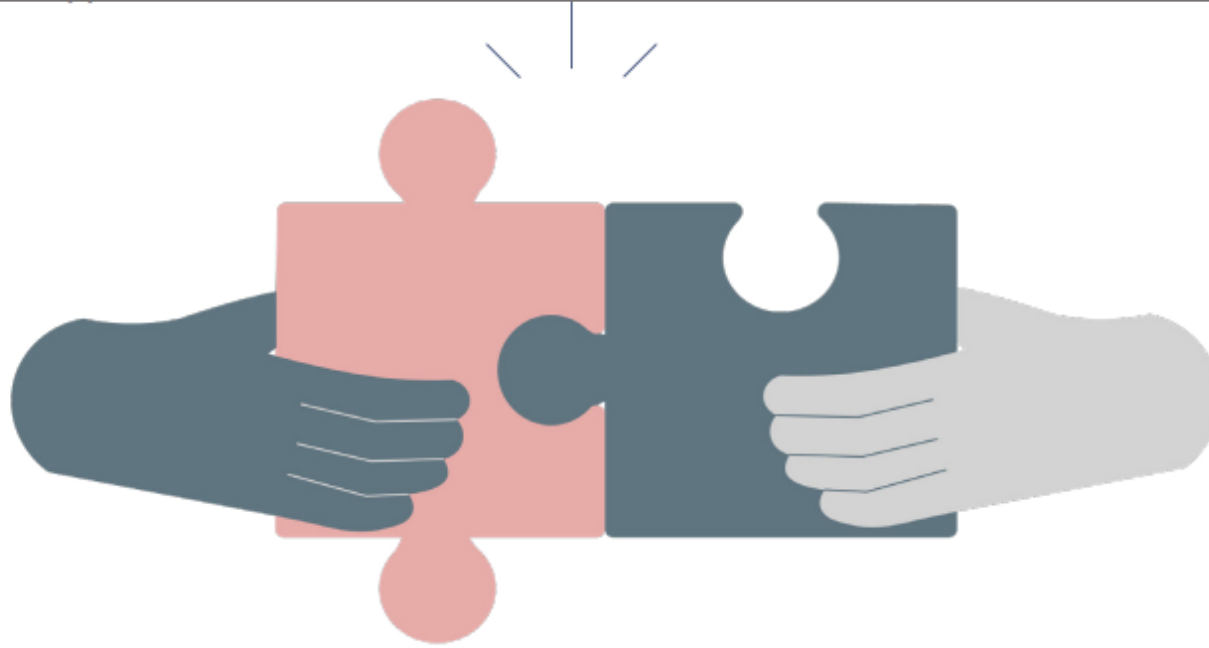


Key matters on relationships

- Leading by taking care of people
- Managing by taking control
- Relationship-building
- Constructive conflict
- Play the ball, not the person
- Display character
- Adapt to change

A South African View

Possible approach, because having laws and national policies will not generate the results alone, we need to connect and focus on the task



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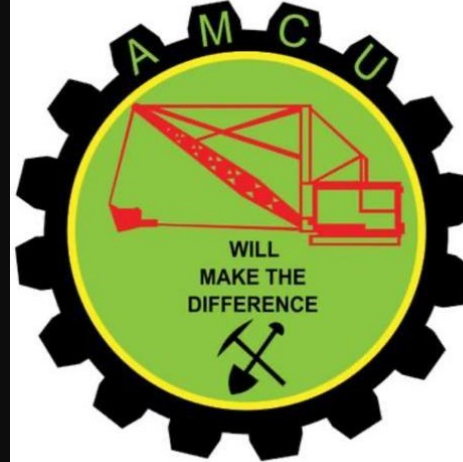
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Conclusion

- Discovery Vitality
- Too much division and litigation
- Not enough creative thinking around retrenchments
- Virtually no creative thinking around dispute resolution
- There is work to be done between multi-year agreements
- Compulsory arbitration

BREAKING NEWS: The Labour Appeal Court delivered a judgment today declaring that the appointment of Joseph Mathunjwa as AMCU President was lawful.



Discovery
Vitality



Thank you

Jonathan Goldberg, inter alia

- NEDLAC LMC Convenor for Business
- Ministerial appointment to NMW Commission
- Member of the Employment Services Board
- Chairman of Global Business Solutions

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Panel Discussion

Michael Avery: Programme Facilitator



Lucio Trentini



Tanya Cohen



Irvin Jim



Mike Benfield



**CAN EMPLOYERS AND
EMPLOYEES FIND EACH
OTHER WHERE IT
MATTERS MOST – THE
SHOPFLOOR?**

PANELISTS

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Michael Avery

Reflections and key takeaways



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Elias Monage: President and Board Chairperson
SEIFSA

Final comments and closure



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Thank you for joining us.

