

Resolution OF SAMWU STRIKE BY SALGA

commendable

The recent strike by the SA Municipal Workers' Union (SAMWU) centred on two key issues: inequity in wage curves (the income bands according to which workers are categorised) and the disciplinary bargaining collective agreement which governs the union.

As part of its bid to get market-related salaries for lower- and middle-income workers, SAMWU originally demanded a 7% salary increase. However, as negotiations proceeded, SAMWU agreed to accept a lower percentage, on condition that workers received two years' back pay from municipalities. SAMWU argued that a reduction in salary of senior ranking council officials (whom they believed were overpaid) would allow for the salary increment that they demanded.

In a bid to resolve the strike, the South African Local Government Association (SALGA) adopted a 'double-barrelled' strategy. The first strategy was the invocation of the statutory provisions stating that any strike by employees in the essential service areas was illegal. The second strategy encouraged the striking workers to utilise alternative avenues of negotiation to address their grievances. As part of the negotiations, SAMWU workers received nine months' back pay. What this signifies is that both SALGA and SAMWU were able to find the middle ground in respect of their demands.

What was the strike about?

The strike was prompted by SAMWU's bid to resolve seven years of negotiations to make middle- and lower-income municipal workers' salaries market-related. The union argued that their demand for a salary increment did not have a direct bearing on municipal budgets as it would be accommodated through a reduction in the salaries of higher-ranking council employees who were overpaid. Furthermore, SAMWU argued that a market-related salary increment would address

corruption, one of the key reasons behind service delivery protests. According to SAMWU, a demand for market-related salaries for lower- and middle-income employees was possible if higher-ranking officials' salaries too were market-related. This, SAMWU further argued, would curb problems of overpayment and hence reduce municipal financial waste.

SALGA's approach

SALGA's initial approach was to invoke the provisions of section 64 and 65 of the Labour Relations Act (described as a 'contingent plan'), which essentially prohibit strikes by employees in certain service areas classified as essential. SALGA also pointed out the consequences of non-compliance with such legal provisions. This could arguably be described as a 'hard approach' on the part of SALGA, as any labour dispute can be resolved by way of arbitration. In this case the 'hard approach' did not succeed, as it had the effect of radicalising the position of SAMWU.

The 'softer approach' that SALGA later adopted, which took the form of negotiations with SAMWU, was successful in that it led to the end of the strike. SALGA took the view that negotiating with SAMWU, rather than taking a hard line, reflected a compromise in which there was no winner or loser. The negotiated settlement provides for the implementation of a new job grading system and a back-dated salary increment for nine months.

The success of negotiations in resolving the SAMWU strike is a lesson to many municipalities. The amicable resolution of the strike shows that dialogue, rather than 'flexing muscles', is conducive to democratic local governance.



Douglas Singiza
Doctoral intern