

FAWU BULLETIN

Electronic Newsletter For Members and Staff

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FAWU Members To March To Department of Labour on Women's Day

Hundreds of FAWU members, women and vulnerable workers in the farm worker, hospitality, wholesale and retail sectors from the Gauteng Province will be marching through Tshwane on Women's Day, Sunday, 9 August 2009 to the Department of Labour to hand over a memorandum to demand improvement to their respective sectoral determinations.

With the demonstration, FAWU will highlight:

- Deliberate violations by employers in these sectors;
- Poor overall enforcement of these laws by Department of Labour(DoL);
- DoL's lack of creating awareness about these determinations among workers;
- DoL's reactive approach towards inspections, particularly with regard to IUF, illegal employment of foreigners or immigrant;
- Poor cooperation with workers and unions in terms of complaints raised by both;
- Job insecurity caused by labour brokers in these sectors;
- FAWU's intention to establish bargaining councils and/ forum that will give these workers bargaining to improve general working conditions, benefits and wages.

FAWU therefore demands that the Department of Labour:

- ❑ Raid the sectors and enforce compliance;
- ❑ Eradicate the labour brokerage system;
- ❑ Arrest and prosecute employers for employing and exploiting illegal immigrants;
- ❑ Dismiss corrupt labour inspectors and officials;
- ❑ Embark on a joint advocacy program with the union to empower workers;
- ❑ Address issues that are of particular concern to women in these three sectors.

The march is held on Women's Day to recognize the heroic roles played by our late veterans, comrades Ray Alexander, Liz Abrahams and Elizabeth Mafikeng in contributing towards the liberation and empowerment of women during the apartheid struggle as well as their sacrifices in establishing a vibrant and militant food workers union with strong women leaders.

FAWU Western Cape Embark On Recruitment Drive In Rural Areas

FAWU officials, branch and provincial office bearers will embark on a recruitment campaign in the Overberg region on Saturday, 8 August 2009 where a total of 172 unorganised farms were identified. The majority of farm workers work on fruit and apple farms and again, the majority appear to be seasonal workers.

The task team will target Grabouw and Villiersdorp in particular as these are areas which are densely populated with farm workers. Starting at 08h00, the team has decided to target shopping centers where information tables will be set up to attract workers. Copies of the sectoral determination in isiXhosa and Afrikaans were obtained from the Department of Labour and will be handed out by staff and office bearers. It was decided to start recruiting at these shopping centers since it is where most workers can be found shopping on Saturdays. It will also be the province to recruit more effectively and in large numbers as access to farms is often difficult to obtain.

As there was no funding for the campaign, the province decided to approach service providers. Unfortunately, these efforts have not yielded any successes and the task team decided to use their own resources to kickstart the campaign.

Labour Inspectors To Raid Steel, Farming Employers Again

Department of Labour inspectors will hit the road again in the second week of August to pursue employers who were served with contravention notices in the agriculture and iron and steel industries a few weeks ago.

Chief Inspector Thobile Lamati said the focus would be on ensuring compliance with health and safety regulations though other areas of non-compliance with other labour laws will be checked as well. "It is the Minister's position that workers are sacrosanct and that employers should not sacrifice workers' lives for profit," Lamati said.

The initial inspection identified the two sectors as being among the culprits in terms of risk. This latest round of inspections came hot on the heels of countrywide visits to employers in the construction sector. The latter revealed, among others, that there was a high degree of non-compliance among employers. The situation is worrying especially regarding small employers and sub-contractors.

The construction sector remains one of South Africa's most dangerous workplaces, with the highest number of occupational fatalities and injuries, but a series of Labour Department's nationwide blitz inspections a fortnight ago suggest the trend is still far from improving – with disregard of occupational health and safety standards being a glaring factor.

Lamati said a highly-trained team of inspectors would comb the country from August 11-12. He said the department would stop at nothing to ensure "safe and healthy workplaces in South Africa."

(Released by Department of Labour, 30 July 2009)

Outcome of the case against Teuns Broers

COSATU is very disappointed at the manner in which the magistrate of the regional court in Garyesa is playing delaying tactics in relation to the sentencing of the farmer/shop owner who used his dog to bite a domestic worker.

The farmer was found guilty on 21 May 2009 at Morokweng Local Magistrates' Court. He was supposed to be sentenced in June 2009, but the matter was postponed for reasons presented by the same magistrate that he could not find a file. The matter was postponed to 29 July 2009, when it was postponed for the same reasons with the addition that magistrate has not had enough time to study the case. Therefore the case is now postponed to 11 September 2009.

Once again COSATU is very disappointed. We suspect that the matter might be thrown out of court, in favour of the farmer, as is normally done in the province.

We demand that:

- The farmer be arrested and wait for the court decision whilst in jail, because he is already found guilty.
- The police take responsibility for the safety of the domestic worker who has been receiving threats and intimidation.
- This case be referred to Vryburg Magistrates' Court.

COSATU protests at trials of farmer charged with violence against farm and domestic workers

The Congress of South African Trade Unions is back at three North West courts to protest against racist farmers who allegedly killed farm workers, shot their families and used dogs against domestic workers.

COSATU, with the support of communities, will be demonstrating at the following magistrate courts when farmers charged with shooting workers appear:

- 29 July 2009 at Garyesa Regional Court, when a farmer/shop-owner will be receiving sentence after he was found guilty on 21 May 2009 at Morokweng magistrates court for using his dogs to assault workers who worked for him for years.
- 31 July 2009 at Lichtenburg magistrate court, when Johan Nel, who allegedly shot a 16-year-old boy three times, to death in October 2008, will appear. Till today no trial has taken place. The case has been postponed more than three times, due to delaying tactics by his close friends in Lichtenburg magistrate's court. COSATU's position has not changed. The case must be referred to Mafikeng High Court, because in Lichtenburg justice will not be done. The killing of Oupa was racial motivated. Johan Nel still treating farm workers badly by calling them racial names and using his dogs to bite workers and their chickens.
- 7 August 2009 back in Madibeng (Brits) court, when Dawie Swart will be on trial for the first time after he allegedly shot four boys on 14 June 2009 and Petrus Mokopane in October 2007. No case was reported and this case will be investigated and come to court in due course.

The DA and Agri-forum must tell us if this is normal life or racism. We will not keep quiet. Intimidation and threats to kill us will not stop this federation from exposing racism, killings, abuse, assault and the poor conditions of farm workers. We do not need permission from the DA and its supporters.

In most of cases that we have taken to court on charges assault, racial killings and evictions, the courts have ruled against the perpetrators (farmers). Therefore it means workers are right.

FAWU North- West is actively participating in the protests against abusive employers in the farm sector.

Western Cape on Alert for Bogus Companies

The Department of Labour in Western Cape has warned communities no to fall in the trap of ghost companies operating in the Cape Metro Region. The fictitious companies reportedly demand R50 from work seekers in exchange for job offers. The department's provincial executive manager, Teboho Thejane said yesterday, these acts of exploiting the vulnerable would not be tolerated and the department would work closely with the police in identifying the culprits and have them brought to book. In order to verify a company's legitimacy, members of the public are urged to report such incidents and submit its details to either nearest police or Labour Department offices.

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