

LABOUR REPORT

Labour Report Autumn 2013

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UTATU SARWHU branch directory – many more branches at your service.

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Above: 6E1 Locomotive in the 'puts' during shedding. Above right: 6E1 Locomotive hauling Shosholoza Meyl coaches.

Much ground to level at this year's pay talks

t Transnet, Thursday 14
February was not only
Valentine's Day. The day
marked the beginning of the
2013/4 wage negotiations.

This year the plan was to meet early with the view of having the negotiations finalised and implemented on 1 April 2013.

At the start of negotiations management have been adamant that they wish to obtain a multi-year (three years) agreement. "We have on numerous occasions informed the Group CEO, Mr. Molefe that Transnet needs to first ensure that it complies with all agreements and improve the trust relationship before we would consider such proposal. Secondly the offer must be worth it to Labour," says Steve Harris, general secretary of UTATU SARWHU.

The parties met on 26 and 27 February and 14 and 15 March and will continue on 8, 11, 12 and 22 April.

"We have also agreed to again make use of the service of Advocate John Brand, a well-respected person in the facilitation/conciliation of disputes in the labour environment."

Steve says labour expects that management will try to keep the increases as low as possible.

"We have strong arguments, though. There are the Eskom increases, the petrol and diesel hikes, escalating medical costs and the looming e-toll – everything is lined up against workers' pockets. Our members are becoming poorer and poorer and the fat cats are enjoying their lives.

"Labour is opposed to the present situation in which top managers pay themselves bonuses (look at the parking garages at head office – luxury cars wherever you look) while the workforce – the people who actually keep Transnet's wheels turning - are paid peanuts and have to fight to survive.

"The current situation cannot be allowed to continue. If the company does well financially, labour is happy to see management getting its fair share of the spoils. But the current distribution of salaries and bonuses is far from fair. The gap is still far too wide and is widening year on year.



UTATU SARWHU in desperate bid to save SA's inter-city passenger rail services

an this government afford to look the masses in the eye and say: 'We are prepared to subsidise the fat cats to fly, but we're not prepared to contribute to the cost of your rail travel'?"

UTATU SARWHU, South Africa's foremost rail union, is locked in a desperate bid to save Shosholoza Meyl, the long-distance passenger rail service that links South Africa's main cities.

To achieve its aim, the union is trying to forge an accord between the four main players funding the service - Treasury, Transnet, Prasa - the company which operates the passenger service - and Transnet Freight Rail - the rail service that determines the Shosholoza Meyl's haulage charges.

"Our union is prepared to make major concessions in order to save the rail service. It is our hope that the government and its rail utilities will display similarly serious levels of commitment and flexibility," says UTATU SARWHU general secretary, Steve Harris.

"The Shosholoza Meyl service was established as part of the goal to give South Africa the integrated transport service every economy should have.

Although the aim was to make the service self-funding, government knew up-front that, like most other

passenger services in the world, its inter-city rail service would have to be subsidised," says Steve.

"South African Airways has been a serial loss-maker. Yet for the sake of national pride and the economy, the government has spent billions of rands to keep the airline afloat. Why, then, is the government reluctant to spend a fraction of those costs required to keep our similarly important inter-city rail services alive?

"The need for an inter-city rail service goes far further that national pride," Steve argues. "Government's hold on road transport through its petrol taxes and toll roads has taken road transport beyond the means of the poorest of the poor and of the average worker. To deprive these millions of their only affordable means of long-distance travel will be an act of callous disregard.

Steve says his union appreciates that drastic restructuring is needed to keep Shosholoza Meyl afloat.

"Our union has taken the lead in this regard by declaring its willingness to rewrite the company's service conditions," he says. "We have had some positive feedback from Prasa. What is now needed is for Treasury, Transnet and Transnet Freight Rail to come to the table.

"In the weeks to come our union will work flat out to bring the four

parties together to work with us to thrash out rescue measures.

"The alternative – a South Africa with no inter-city trains and an unnecessary boost to unemployment (each Shosholoza Meyl employee supports about nine dependants) – is too bleak to contemplate."

U/S's disaster management UTATU SARWHU is leaving nothing to chance on the Shosholosza Meyl issue. Anticipating the possible collapse of the rail system, it has launched a programme to save its employees' jobs. To this end, it is already engaging Prasa, Transnet Freight Rail and Transnet

Engineering.
Steve explained the union's efforts to Labour Report thus:

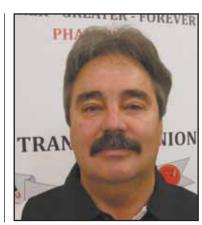
We believe that some of Shosholoza Meyl's train drivers and train assistants and yard personnel can be can be accommodated by Transnet Freight Rail (TFR) and we have asked Prasa to engage the company in this regard. We will also be engaging TFR on the matter.

Similarly, we believe that there is room for Shosholoza Meyl's technical employees in rapidly-expanding Transnet Engineering and we are urging Prasa to join us in bringing this about.

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COMMENT





Steve Harris

he past three months have seen an unusual departure for UTATU SARWHU. Your union has spent more time and effort supporting and praising the various managements than taking them to task.

But this is not the good news it should be. The reason for the employer/employee unity has been their need to unite to battle breakdowns in law and order, essential worker services and the burgeoning cost of services.

When it comes to having to take on the State, your union becomes our employers' most important ally because, as an independent voice which is not addressing its masters or being hobbled by alliances, this union can tell it like it is and can criticise individual ministers and departments without fear or favour.

The issues dominating our attention have been cable theft and its disastrous effects on rail safety and efficiency, the proposed Eskom tariff increases, and the Compensation Commission's failure to give workers the support which is the reason for its existence.

As you will see from articles elsewhere in this edition, UTATU SARWHU and the rail companies are speaking with one voice on the issue of cable theft. Together we are

insisting that:

A more concerted crackdown on the crime by the SAPS is urgently needed.

Punishments for cable theft be elevated to murder, attempted murder, manslaughter and - where no death or injuries result - more punitive fines and prison sentences.

Trains, rail workers and commuters travelling the most vulnerable routes be given armed protection.

Moves are also afoot to up-grade signalling systems in ways that no longer require copper wire.

Your union will keep pressing for these improvements until they happen.

There is no need for me to comment here on the campaigns against the Eskom price increases and toll roads. Both are the results of poor government administration and planning. And both are assaults on the individual public purse that will

retard economic stability and growth and job creation. Even if we cannot win this battle in the short-term we can perhaps modulate the cost and create sufficient pain in the appropriate areas to prevent repeats of this type of inefficiency.

The impending collapse of the Compensation Commission is most worrying. The Commission has sufficient reserves to improve the level of its payouts services and urgently needs an efficiency shake-up. This union will continue to apply the pressures needed to bring about these improvements.

On the domestic front, witnessing the union rivalries that are diverting other unions and their resources from their main tasks – providing an affordable, quality service to the workers that fund them – UTATU SARWHU members can feel relieved that they belong to an efficient and focused

trade union which puts its members first and which achieves the best possible results for them.

As you will see also elsewhere in this issue, your union has declared 2013 The Year of the Member. Prime aims during the year will be to expand the number, spread and skills of our TURs and to increase membership. In this latter regard members have an important role to play in getting the following message to non-members: 'Why pay more for less when you have UTATU SARWHU to provide you with by far the best representation and benefits?'

I began this report by telling you about the improved relationship and collaboration between this union and the managements with which it interacts. Let's hope they do not ruin both by adopting a mean or short-sighted approach at the forthcoming salary negotiations.

All correspondence must be addressed to the General Secretary at headoffice@utatusarwhu.com.

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UTATU SARWHU in desperate bid to save SA's inter-city passenger rail services

UTATU SARWHU has asked Metrorail to freeze its recruitment in order to give Shosholoza Meyl's administrative employees the first option to fill vacancies.

In addition, in the event of either a new work relationship being created or job losses, the union is asking Prasa to consider a raft of measures designed to ease employee hardships. These include:

Intensive application of the company's Employee Assistance Programme.

A 'soft landing' approach that will help employees who are facing reduced or lost income opportunities to reschedule their debts.

The establishment of a bi-lateral monitoring committee that would meet monthly to track the effects of any changes on the company and its employees.

"Because saving the Shosholoza Meyl is a patriotic necessity as well as a business duty, UTATU SARWHU is also prepared to soften its stance on voluntary severance packages to help the company to survive," says Steve.

"With our affected members' permission, we will also be prepared to entertain reasonable adjustments to the company's working hours and remuneration policies.

"This union's view is that UTATU SARWHU will not be found wanting on the Shosholoza Meyl issue. It is our hope that the SA Government, Transnet, Prasa and Transnet Freight Rail will employ a similar commitment to this critical national, employment and service challenge." ■

y changes on the company and its and service changes.

Why UTATU SARWHU is affiliated to FEDUSA



The affiliation of trade unions to trade union federations worldwide is directly related to the principles of freedom of association and strength in numbers. Trade union federations can therefore be defined as the umbrella bodies of likeminded trade unions choosing to be associated with each other in order to promote a broader agenda.

Trade unions focus on matters which affect their members directly, such as wage negotiations, conditions of employment and representation during hearings. Labour federations have a broader focus on provincial, national and international matters of socio-economic significance affecting all citizens of the country. Where trade unions tend to limit their attention to developments in particular sectors of the economy, federations look at the economy as a whole.

Federations are therefore seen as national stakeholders and their constituencies include representation in most of the economic sectors. In this regard all trade unions, regardless of size or focus, should form part of larger groupings such as trade union federations in order to participate in social dialogue on national and international levels. Via its FEDUSA affiliation UTATU SARWHU has a real benefit through its enhanced participation in national and international dis-

course and debates. Immediate benefits include:

Playing a leading role in the Federation, both through the office of Vice-President (Public Sector) and through broader socio-economic interactions.

Representation on FEDUSA structures and forums.

Representation on NEDLAC structures, chambers and task teams. Representation at international level.

Exposure to advanced levels of training and education for UTATU SARWHU's officials, shop stewards and leaders.

Access to other benefits such as participation in public hearings and bilateral meetings with Portfolio committees at National Parliament, ad hoc affiliate support and support during negotiations.

The following is a list of trade unions currently affiliated to FEDUSA:

HOSPERSA, IBSA, JAMAFO, MISA, MTWU, NASUWU, NATU, NDCAWU, NULAW, PTAWU, SAAAWU, SACU, SAOU, SAPTU, SATU, UASA, UNIPSAWU, UTATU SARWHU – a total of 311 800 members.

Training for staff and members

Leadership Training: FEDUSA currently focuses its training and education resources on training its leadership on issues such as media liaison, provincial leadership and strategic management.

International Training: The International Labour Organisation (ILO) training college in Turin, Italy, has a full training schedule every year. Depending on funding and resources, FEDUSA nominates persons with expertise or interest in specific fields to undergo this

training. FEDUSA is also offered various training opportunities and participation in capacity-building on international matters through our affiliation to the International Trade Union Council (ITUC).

NSF Training: FEDUSA has been successful for the past several years in obtaining funding through the National Skills Fund (NSF) Constituency Capacity Building and Advocacy (CCBA) funding windows. These projects have traditionally focused on skills development and specifically the National Skills Development Strategy (NSDS). In 2011 FEDUSA was successful in broadening the scope of the training to include socioeconomic issues and interventions such as the New Growth Path and National Development Plan.

CCMA Commissioner Training: This training course has been very popular among FEDUSA affiliates over a number of years. This course is facilitated by actual CCMA commissioners and at the end of the course participants are empowered to understand the workings of the CCMA and the processes of conciliation, mediation and arbitration.

SETA-Funded Training
Programmes: Every year
FEDUSA delivers many training
programmes that are funded by the
SETAs. One of the main collaborating SETAs is the Services SETA,
which has, in the past, assisted
FEDUSA with Generic
Management Training, Artisan
Training and various other projects.

Bursaries: On an annual basis, the ETDP SETA allocates a set number of bursaries to employees of FEDUSA and its affiliates to develop their skills and educational goals. Although these bursaries can be used for anything from shorter

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NEWS

End this horror! Enough is enough!









ail deaths and injuries and the damage to trains and rail efficiency being caused by cable theft can no longer be tolerated.

Because of cable theft, when a train control officer clears a line for traffic, or when a train driver steers a train along an accustomed route, there is no knowing what lies ahead. A rail disaster could be waiting around the next bend.

Rail workers and the commuting public should not be exposed to such dangers. They should not have to worry that their lives might be at risk each time they board a train.

"Transnet, Transnet Freight Rail and Prasa are doing all in their power to eliminate the problem. Our union is impressed by the level of their efforts and by the financial and moral support they are giving the victims of cable theft," says UTATU SAR-WHU general secretary, Steve Harris.

"But the rail companies cannot beat the menace alone. They need support from the top.

"Combating cable theft must be made an immediate national priority – that is why this union criticised President Zuma for failing to mention the crime in his State of the Nation Address.

"The South African Police Service and the judicial system have the skills and powers to crack down on the cable thieves and scrap merchants holding the country to ransom.

"They must use their powers more effectively ... and with sufficient

ruthlessness to make the crime no longer worth the risks.

"UTATU SARWHU and the rail companies agree that the penalties for cable theft need to be radically increased. They also believe that when deaths and serious injuries result, the perpetrators should be charged with murder or attempted murder.

"Only when there are sufficient numbers of perpetrators behind bars for long stretches will we see a decline in cable theft."

FEDUSA slams Govt inaction

The influential Federation of Unions of South Africa (FEDUSA) backs UTATU SARWHU's call for stronger action against cable theft.

In its own press statement issued in the wake of the fatal 31 January rail crash caused by cable theft on the Delfos/Saulsville line near Pretoria, the Federation called for more effective action against cable theft and criticised the authorities for not responding to its earlier calls going back more than a year.

"The country simply cannot afford this situation. It needs more action and less talking," said FEDUSA general secretary, Dennis George, who went on to praise the Hawks for last year having recovered more than a million rands' worth of copper wire and other scrap materials from a scrap metal yard.

"We would like to see more of this kind of action," he said. ■

Phansi cable theft, phansi scrap metal dealers!

2013 is the year of the member - see page 13



Camden Power Station.

Finance union's study exposes Eskom folly

asbo, The Finance Union, has shared with UTATU SAR-WHU the findings of a study on the potentially crippling effects of the proposed Eskom tariff increases which Sasbo commissioned top economist, Mike Schussler, to make on its behalf. The disturbing findings of the Sasbo/Schussler report have been submitted to the National Energy Regulator (Nersa).

"Our union is grateful to Sasbo for sharing its research with us. Their study has struck an important blow for worker interests and we support its findings," says UTATU SAR-WHU general secretary, Steve Harris.

Key findings of the Sasbo/Schussler study are:

If Eskom is allowed to go ahead with its plan to increase its tariffs by 16% per annum for each of the next five years, South Africans will end up with one of the world's most expensive domestic electricity tariffs.

The effect on most householders would be far greater than Eskom's suggested 16% as most municipalities add 'obscene' mark-ups to their water and electricity tariffs.

In addition to burdening existing users/salary earners, if allowed to go through the proposed electricity cost increases will seriously retard economic development and job creation.

In a letter to Nersa, Sasbo has urged that in seeking to modulate the country's power costs:

Nersa should not only focus on Eskom, but must also cap municipal tariff hikes.

Tariff increases should be returned to inflation-related increases as soon as possible.

Nersa must only allow efficient cost for Eskom and should eliminate extra-ordinary expenses as in primary energy and wages.

South Africa's international ranking in terms of electricity tariffs can-

not be ignored. Nersa needs to study the OECD data in the Sasbo-sponsored study to understand that South Africa has lost its competitive edge in energy prices.

Municipalities profiteering

A disturbing feature of the Sasbo/Schussler report was its revelation that municipalities are adding a gross profit margin of up to 75% to their water and electricity charges. Sasbo has strongly opposed this practice for two reasons:

The union considers that, as service organisations (not business enterprises), it is immoral for municipalities to profiteer at the expense of the more than nine million ratepayers who are thus being bled financially.

While they are able to supplement their inefficiencies at their ratepayers' expense, the municipalities are unlikely to pay appropriate attention to the greater efficiencies and economies they should be employing.

Sasbo is demanding inter alia that municipal electricity and water rates be immediately capped and that all of the nation's power suppliers return to inflation-linked increases.

The finance union has also demanded that, in the national interests, Nersa conducts an immediate study to determine the negative impacts that Eskom's proposed tariff increases are likely to have on overseas investment, inflation and job creation.

More key findings of the Sasbo/Schussler report

Eskom cannot be allowed further massive hikes in the price of electricity as presented to Nersa.

Once energy was plentiful and very cheap in South Africa, and this was a major selling point when attracting inward fixed investment. However, we have conducted a thorough international comparison of

electricity prices, and conclude that South African customers no longer pay the cheapest tariffs in the world. Over the last few years cheap energy has become pricier energy and South Africa is losing out to other countries that have more energy options than just electricity.

Moreover, the tariff hike application by Eskom which is currently before Nersa would see the cost of electricity more than double in the next five years, from a dangerously high base, where inflated costs are driving down consumption.

Tariff hikes will inevitably have an impact on jobs and growth at a time when the South African economy can ill afford such high levels of unemployment and low levels of GDP growth.

If any increases are approved, they should be below inflation.

We have also looked at the affordability of energy to both industry and households.

We looked at 33 countries and found that in 18 of these workers find their electricity is more affordable, while those in 14 other countries find it less affordable.

We also noted the stranglehold which SA electricity suppliers have on the customer, whereas gas is often supplied as a cheap alternative energy source elsewhere in the world.

We are critical of the astronomic mark-ups by local authorities on electricity prices, with fuel charges being used as a covert revenue-raising tool, and we urge Nersa to closely apply caps on increases beyond Eskom and across the whole electricity sector.

"We are relieved that Nersa agreed to an only 8% increase, however, it will still have a direct impact on all in this country while few can afford it," says Steve Harris, UTATU SARWHU general secretary.

NEVVS

Rail union wants immediate investigation into allegations of RSR fraud and nepotism

ail union UTATU SARWHU has called for an immediate investigation into the allegations of corruption and nepotism at the Railway Safety Regulator contained in an article published by The Star.

"The detail provided in The Star's report is disturbing," says Steve Harris, the union's general secretary. "Where there's smoke there's usually fire. The newspaper could hardly have dreamed up all the chapter-andverse detail in its story.

"The nature of the Railway Safety Regulator's work makes it doubly imperative for it to be seen as an

impeccable and impartial organisation. To date, the RSR has measured up to those standards and has become the respected champion of fair play in the rail industry.

"Against this backdrop, UTATU SARWHU believes that the only way the RSR can conserve its good reputation will be by suspending the officials named in The Star's report while conducting an immediate, transparent investigation into the allegations made against them.

"If the RSR decides to sweep this case under the carpet, what value can any of its future findings possibly have?" ■

Most recent UTATU SARWHU media releases

s part of its ongoing campaign to achieve justice and better all-round circumstances for its members and all South African workers, UTATU SARWHU has issued the following media releases in recent weeks.

Rail union calls for armed guards on commuter trains UTATU SARWHU, the rail union of which Mr JP du Plessis - the train driver stabbed to death on Christmas Day - was a member, has called for armed guards to be employed on urban commuter trains.

"Rail workers - and more particularly train drivers - cannot be asked to put their lives on the line each day when they report for work. They have to be protected," says general secretary, Steve Harris.

"This is not a panic call on our part. Sad experience has shown that the lives of commuter train drivers and their support personnel are under constant threat from gangsters and even from commuters when there are rail delays.

"Our union will formally demand armed protection on selected trains when it meets with Metrorail's

group chief executive, Lucky Montana, on 3 January to discuss the murder of Mr du Plessis and safety issues going forward. We are not expecting problems at that meeting because we know that Metrorail is as concerned as we are about rail safety.

"Our union compliments Metrorail and its senior executives for their sensitive handling of Mr du Plessis's murder thus far.

"The du Plessis family, JP's former colleagues and all of our 30 000plus members appreciate Metrorail's decision to honour the memory of its murdered train driver by cancelling its New Year's Day commuter services in the Pretoria area.

"We were all touched to have Lucky Montana and Metrorail's CEO, Mossenga Mofi, as fellow mourners at JP's funeral."

Fedusa, the labour federation to which UTATU SARWHU belongs, has added its considerable weight to its affiliate's calls for armed guards to be employed to protect rail workers.

ARRESTS

Commenting on the news that two male suspects have been arrested in

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LABOUR REPORT

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ransnet has taken ownership of the old Durban International Airport site for the development of its proposed Dig-Out Port in the south of Durban – a R75 billion investment.

According to conceptual plans, the proposed Dig-Out Port will be built in four phases with the first four-berth terminal scheduled to come into operation during the first quarter of 2016 and to be fully commissioned by 2020. The completion of all future phases will be dependent on projected growth in cargo and container handling demand.

The project consists of: A 16-berth container terminal which will provide an additional 9,6 million Twenty-foot Equivalent Units (TEUs) in container handling capacity.

An automotive terminal.
A liquid bulk handling facility by 2050.

Construction of road, rail and other basic port infrastructure.

The aim of the development is to help Transnet meet rising port capacity demand and to accommodate larger cargo vessels. "The need for additional container capacity and deep water berths in Durban is clear and compelling," says Transnet CEO, Brian Molefe, in a media release.

South Africa's cargo volumes have increase fivefold over the past 30 years. They are expected to increase by roughly the same order over the next 30 years, from 4 million TEUs per year in 2010 to 20 million TEUs per year by 2040. In that period Durban is expected to

Old airport now part of Durban Port



handle about 70% of the country's cargo volumes.

The Durban port will complement Transnet's container handling capacity at its ports in Durban, Ngqura, Port Elizabeth and Cape

Town

The Dig-Out Port will: Provide 64 000 jobs during construction.

Provide 28 000 operational jobs. Become the largest container ter-

minal in Africa.

Boost Transnet's container handling in Durban to approximately 14,5 million TEUs. ■

15159

Job creation initiative applauded

o help create jobs in impoverished rural areas, Transnet Engineering (TE) and Transnet Freight Rail (TFR) have embarked on a plan to decentralise their operations, Pottie Potgieter, Transnet Engineering's chief operations officer, has told Labour Report.

"We have opened a depot at De Aar as this has been identified as a very poor area with high levels of unemployment," says Pottie. "The programme is part of our social investment in communities and our drive to help in the job creation targets set by the government.

"In addition to being positive for the community, the move is a costsaver and will be beneficial on enhancing engineering skills and capability within the area.

"De Aar is not the only community that has been identified, says Pottie. "We will be expanding the programme to include other rural areas.

Transnet has high hopes that this move will motivate other industries to follow its lead."

Commenting on this development, UTATU SARWHU deputy general secretary, Eddie de Klerk, says: "We applaud Transnet for introducing this enterprising programme. It is the kind of decisive initiative that our country needs. Hopefully, we will soon see similar job-creating schemes opening up all over the country."

TE Uitenhage now world-class

n December the 100th salt wagon produced at Transnet SOC's manufacturing plant in Uitenhage for Botswana Rail was delivered. This places the Eastern Cape region at the centre of Transnet's plans to accelerate its sales of heavy equipment to the rest of Africa.

The delivery was part of an initial 260-wagon order for specialised wagons to convey bulk chemical grade salt from Sua Pan in Botswana to Sasol's factories in South Africa. In total Botswana Rail has ordered 562 wagons for manufacturing.

This partnership between Transnet and Botswana Rail signalled the beginning of a new approach to intra-regional co-operation to drive Africa's economy. The agreement follows the successful execution of an order for 200 wagons for mining plant giant Rio Tinto's operations in Mozambique.

The two awards are in line with Transnet's Africa strategy.

The project included the development of two new prototype cartransport wagons with adjustable



hydraulic top decks in line with specific requirements from the customer – one of Transnet's greatest engineering achievements.

Transnet Engineering was awarded the contract through an open tender, confirming that the Uitenhage plant has the capacity and ability to compete with the best rolling stock manufacturers around the world. The facility, which employs about 1 500 people, is one of the largest wagon refurbishment and new-build plants in Africa. ■

Deaths

Decembe

Nawane SA Member Germiston Mpanza MM Spouse Richards Bay Madela ME Spouse Durban Sithole GA Member Vryheid Pillay SM Child East London Mofokeng PT Member Durban Sibisi BD Member Richards Bay Potgieter PC Member Johannesburg Molife SA Member Vryheid Dunge TS Member Vryheid Vilakazi RDS Member Newcastle Madlala ME Child Ladysmith

January
Du Plessis JP Member Pretoria
Le Roux PJ Member Cape Town
De Villiers JP Member Lydenburg
Page D Spouse Koedoespoort
Massyn AJH Spouse Bloemfontein
Mkhwananzi PM Spouse Empangeni
Ngcobo SK Spouse Durban
Malan A Spouse Durban
Ngobeni MM Member Germiston
Ncanana CB Member Richards Bay
Petersen TP Member Kimberley
De Kock MB Member Bethlehem
Gould JC Member Pretoria
Jansen W Member Sishen
Cele LI Member Pretoria
Van Zyl SJ Member Cape Town
Zuma JS Member Durban
Bruce GF Member Durban
Hallowes AGS Member Capital Park
Mabasa KS Member Pretoria
Mchunu S Spouse Durban
Mkhwanazi TC Member Iohanneshu

February
Malinga S Member Lydenburg
Ncayiyana AT Member Pietermaritzburg
Pieterse W Child Cape Town
Morure GH Spouse Krugersdorp
Baloyi PR Member Springs
Malidzi TS Member Germiston
Delport CW Member Waterval - Boven
Segae SJ Spouse Braamfontein
Buthelezi NS Child Pietermaritzburg
Van Zyl JJ Member Vryheid
Nortje JJ Member Vryheid
Sefu AT Member Germiston
Janse Van Rensburg JDW Member Saldanha
Moloto PR Spouse Braamfontein
Sethe JL Member Kimberely
Wilkinson AG Member Kimberely
Wilkinson AG Member Kimberely
Skhozana VG Child Richards Bay
Kwinika MF Member Germiston
Matebele Member Germiston
Khumalo M Member Vryheid
Makatesi SM Member Cape Town
ELE S Member Sanatkons

TRE name change

ransnet Rail Engineering (TRE) has changed its name to Transnet Engineering (TE). The reason for the change is that the previous name created the wrong impression, i.e. that the division concentrated only on engineering in the rail sector. Transnet Engineering is currently expanding its focus to

include the total engineering field

including the private sector, ports, pipelines, etc.

"TE's new vision is great news for Transnet, for Transnet Engineering and for the country. The company is now better positioned to compete for big contracts nationally and internationally," says UTATU SARWHU general secretary, Steve Harris.

TFR's self-defeating telephone curbs need amendment – UTATU SARWHU

ransnet Freight Rail (TFR) has implemented a new telephone policy. In a letter to all general managers, Chief Financial Officer, Nomfuyo Galeni, said that the new policy was being introduced to curb 'spiralling costs' resulting from the number of personal calls being made.

The new measures include: A ban on calls to Vodacom or Cell C numbers.

The use of landlines limited to R180 per employee per month. If this amount is exceeded, the excess will be deducted from the employee's salary. Employees may make a submission in such cases and, if approved, a refund will be considered.

The top 20 individual users to be reported to TFR's Executive Committee.

UTATU SARWHU is concerned that these stringent curbs could become a self-defeating overkill.

"We understand the need to manage excessive telephone use. But management needs to be realistic. Communication between key people is imperative to make the trains go where they are supposed to. Making workers scared to use the company's phones will threaten



efficiency and safety," says general secretary, Steve Harris.

"If a signal is not working, the train driver must be contacted, regardless of the cost. Reaching him or her could be essential to prevent an accident. The only way train drivers are accessible is through their their personal cellphones as train drivers are not issued with company cellphones. More often than not their cellphone contracts will be with one of the barred service providers.

"Unless TFR is prepared to publicly put saving costs ahead of saving lives, it cannot cut off -or overly curb - communication," says Steve, who has requested a meeting with TFR management to discuss its new telephone policy.

"We appreciate the company's problem. But there must be better, safer, fairer ways of curbing telephone costs and we intend to help management find them," he told Labour Report. ■

24198

Transnet taps into CSIR's research capacity and engineering know-how

ngineering News has reported that Transnet and the Council for Scientific and Industrial Research (CSIR) have signed a historic partnership that will allow Transnet to tap into the CSIR's technological innovation and research capabilities. In terms of the partnership, Transnet and the CSIR will work together in identifying possible areas of co-operation and enter into specific arrangements in all areas of Transpet's operations These include port, rail and pipeline operations. Ownership and other rights, especially intellectual property, will be negotiated on a project basis, depending on the work to be done.

Transnet Group Chief Executive, Brian Molefe, said: "For Transnet to play its rightful role in the economy, we have to grow, invest and modernise at an unprecedented rate. Therefore, we need to constantly explore innovations and technological advancements. We have that in abundance at the CSIR, an institution that has developed the expertise over the last couple of decades.

"With this agreement, we have given ourselves access not only to decades of the knowledge we need, but to a body of specialised skills that the CSIR has at its disposal."

Transnet is about to enter into the second year of its rolling seven-year Market Demand Strategy, which entails a huge improvement in its operations, including its capital investment programme, volumes, operational efficiencies and safety levels.

CSIR Chief Executive Officer, Dr Sibusiso Sibisi, said: "This partnership is an excellent opportunity for the CSIR to provide comprehensive research and development support to a pivotal state-owned company such as Transnet. Supporting industry is in keeping with our mandate. We are excited to be part of a series of projects that, apart from benefiting the sophistication and modernisation of Transnet's operations, will assist in job creation and growing South Africa's economy."

In addition to the company's five operating divisions, the partnership will augment Transnet's own inhouse engineering and project management unit – Transnet Capital Projects, which manages Transnet's mega projects.

Transnet and the CSIR have started work in the following areas:

Infrastructure including rail, port and coastal engineering, roads and

buildings

Rolling stock including energy efficiency, alternative fuels and energy regeneration.

Operations – water use, waste management systems, logistics supply chain, greening, climate change, sensor tracking and automation as well as safety and security.

Strategic decision support which looks into planning, environmental management system and enterprise engineering

Transnet has previously used the CSIR's services on various specialised projects including:

Monitoring of the quality of water in all ports

Ports maintenance dredging support at the Port of Durban

Marine life monitoring at all ports Waste water monitoring for the Durban-to-Johannesburg fuel pipeline.

"The CSIR's expertise will come in handy in various areas of our operations. This is particularly so in Environmental Management, a key focus area of our strategy and a major challenge for our divisions, especially projects," concluded Brian. ■



New time-keeping system

ransnet is regulating its time-keeping. There will no longer be a manual system of time keeping, or different systems for different divisions.

"Because there were problems with the reconciliation of the manual system, a uniform system is being implemented," explains Steve Harris, UTATU SARWHU's general secretary.

"A standardised system makes sense. Transnet is looking toward the SAP system. Although at this stage there is no certainty, we are worried that there could be job losses in the

"We cannot stand in the way of progress. Technology is the way of the future. If a company wants to stay competitive and relevant, it has to embrace technology.

"Nevertheless, your union will be doing all in its power to ensure that the new system is not implemented in such a way to avoid as many job losses as possible and consider alternatives for those who could be affected."

Transnet Employee Assistance Programme (EAP)

he Transnet Employee
Assistance Programme is available to all employees and their dependants to help them to achieve personal well-being in their work and at home.

The benefit offers access to the following services:

24 hours' telephonic counselling with a qualified psychologist.

Up to six sessions of face-to-face counselling with a psychologist in the areas in which the employees live.

Lifestyle management, legal and financial telephonic guidance.

Access to the electronic e-Care service that provides health and wellness-related information.

The Assistance programme is there to help you deal with your problems and - by tackling them early - to prevent them from gaining a negative hold on your life.

To access the service, you and immediate members of your family can call dial 0800 000 408.

UTATU SARWHU applauds this initiative and urges members with personal problems to make use of the service as it is condifential. ■



Online carelessness can prove costly

riting in the February issue of YOU magazine, Pieter van Zyl offered sound advice on the hazards of posting nasty remarks about others on Facebook, Twitter and the other social media. This article alerts you to key points made in that article.

Pieter van Zyl began his article by citing an example of a Facebook quarrel. A woman he called Natasha had harangued William, a long-time friend, on Facebook. After William's divorce from his wife, Sarah, Natasha referred to him as 'a drunk, drug abuser and bad father.'

'Not even a lawyer's letter would make her retract her harsh comments,' van Zyl wrote, 'but now a court has ordered her to do so. In a landmark High Court ruling in Johannesburg, Judge Nigel Willis issued an interdict compelling Natasha to remove all entries about William on Facebook, Twitter and all other social media networks, failing which she can be found in contempt of court. She also has to pay all William's legal costs.'

Van Zyl went on to say that this ruling has made legal history in South Africa.

'It's changing the local landscape of Facebook forever. In future users will have to choose their words carefully. You could even end up in jail for 30 days if you submit defamatory entries and refuse to remove them.'

Judge Willis is quite clear in his ruling: "The social media are about building friendships around the world rather than offending fellow human beings."

Van Zyl's article in YOU magazine went on to cite the following advice by Professor Annaliese Roos - a lecturer in private law at the University of South Africa, and author of Privacy in the Facebook Era - on what you may and may not say on Facebook.

What is defamatory on social networks?

When you write something about someone on Facebook that can change their reputation it could be defamatory. This would depend on whether there are legal justifications for the things you say: they must not only be true but also in the public interest. And your commentary must be fair.

If a person you allegedly defamed is a public figure the court may

decide it's in the public interest that the truth be told.

You may not make accusations on Facebook you wouldn't make "in real life." The test is whether the victim would be demeaned in the estimation of a reasonable person who reads your remark on Facebook.

Would I be contravening the law if I shared someone else's defamatory remarks on my Facebook page or "like" them?

Yes. Anyone who spreads defamatory claims, affirms them by hitting "like" or focuses attention on them is complicit in the "publication" (announcement) of the offending words.

Could I be sued if I published pictures that damaged someone's reputation?

A photo can also be defamatory. If a picture of a drunk minister of religion appeared on Facebook or Twitter it would probably damage his good name. "But I think a case could be made that it might be in the interest of truth and in the public interest," Professor Roos says.

What if my remarks are true? Say I'm a single mother and I post on a social network that my ex owes me R200 000 in child maintenance.

In a America you'd have to prove in a defamation case that you were telling the truth and you'd get off scot-free. But according to South African law you can defame someone even if you're telling the truth. Is it really in the public interest for people to know your ex owes you maintenance or are you doing a character assassination for personal gain?

The public perception here pre-

The place, time and way you choose to publicise the information are also taken into consideration. For example you may not dig up old issues and tell the world someone was apprehended for drunk driving as a student decades ago.

It's also important who you tell. If it's just a handful of relatives and close friends on Facebook, they have an interest in knowing your ex isn't paying maintenance. But if your share your profile with the public or have 2 000 friends, the publication would probably be judged as unreasonable.

People should take the trouble to use the privacy settings and as far as

possible limit information to a small group of people, Professor Roos says.

What can I do if someone defames me on a social network?

A click of the mouse is all it takes to report a defamatory post to Facebook. The site administrators then send a message to the writer to remove the entry, although that won't necessarily happen.

Facebook will, however, intervene if a crime such as child pornography is involved.

Confront the person in real life if you can. Or do it on Twitter or Facebook via a private message. If the person refuses to remove the post you can take legal action. You can lay a charge of crimen injuria with the police. It will then be treated as an alleged crime and be investigated.

You can ask a lawyer to obtain an interdict forcing the person to remove the defamatory remarks, or institute a civil claim for restitution. The court will decide on a reasonable amount based on the circumstances.

What does this mean for young cyber bullies?

Parents can use this case to warn young cyber bullies to be careful. If someone says something defamatory about your child you can lay a charge of crimen injuria with the police. The police out of ignorance or laxness, might decide the case has no merit, warns Dr Johan Burger, senior researcher at the Institute for Security Studies. "But the prosecutor decides whether the case should go further."

South African law determines children from the age of 14 may be held legally accountable for their actions. "Cyber bullying can lead to suicide, which is why the courts must intervene," Professor Roos says.

Don't demean yourself either Media experts also advise against posting stories and pictures that put yourself in a bad light.

'Young people often think it funny to post pictures of themselves doing drunken, dangerous or other outrageous things,' they say.

'These actions can come back to bite them. The first thing an employer does when you apply for a job is to check out your image on the social media.' ■

Little mitigation in dishonesty cases - broken relationships can never be restored

by Tony Healy

eputy General Secretary, Eddie de Klerk, urges members to read this article carefully and be guided by it.

Dishonesty goes to the heart of an employment relationship. Employees have a positive duty to promote and sustain, in good faith, the interests of the employer.

This includes, for example, refraining, from stealing from the employer and not surreptitiously and clandestinely working for - and being remunerated by - a competitor of your employer while simultaneously being employed by your employer.

Case law is predictably littered with authority expressing the legitimate disdain with which such misconduct ought to be dealt.

The Labour Court matter of Kalik v Truworths (2008 – D600/05) was seized to determine whether mitigating circumstances or, more precisely, the failure to consider mitigating factors, rendered the dismissal for dishonesty unfair. Not so, held the court. 'An employment relationship broken down as a result of an act of dishonesty can never be restored by whatever amount of mitigation.'

In this case the employee had been dismissed for having removed a Clinique tester from the store and concealed in her pencil case without authorisation. The applicant, more especially, argued that her dismissal was reviewable in the light of the fact that the commissioner at the prior arbitration hearing had not afforded her an opportunity to present mitigating factors.

The court disagreed and held that it is not necessary to hear mitigating factors 'where the relationship between the employer and the worker has irretrievably broken down due to misconduct relating to dishonesty.'

The court continued that 'the underlying reason for this approach is that an employer cannot be expected to keep dishonest workers in his/her employ.

'The other reason for this is to send an unequivocal message to others that dishonestly will not be tolerated.'

This judgement was further premised on the incontrovertible truth that 'a worker with an unblemished record cannot, after an incident relating to an act of dishonesty, continue to be trusted. It is then an operational risk to the business of an employer that arises from the dishonest conduct which cancels off whatever good record the worker may have had before the commission of the offence.'

This sentiment was echoed in the Labour Appeal Court case of Toyota South Africa Motors (Pty) Ltd v Radebe & others (2000) wherein it was held that 'there are certain acts of misconduct which are of such a serious nature that no length of service can save an employee who is guilty of them from dismissal. To my mind, one such clear act of misconduct is gross dishonesty.'

That's not to say, however, that every act will unquestionably warrant dismissal.

There is case law which supports the contention that minor acts of dishonesty, when committed within the context of exceptional and compelling mitigating factors, may not warrant dismissal.

All cases of dishonesty should be assessed on their own merits, with dismissal ordinarily being the appropriate sanction.

43332

Fedusa applauds 2013 budget



edusa has applauded the 2013 budget of Finance Minister, Pravin Gordhan, saying that it remains overwhelmingly true to the government's aims to:

- Eliminate and reduce poverty
 Lower the cost of living and doing business and of increasing exports
- Establishing a job creation trajectory
- Making job creation more inclusive
- Creating a growth path with the focus on service delivery

Fedusa's analysis of the budget singled out the R3,2 billion that has been allocated to signalling infrastructure along with the lesser allocations made to water development, road construction, technology and training projects.

Fedusa's main criticisms of Gordhan's 2013 budget focused on its treatment of women and civil servants.

The Federation said that not enough had been done to secure the safety of women or to improve their economic and employment opportunities.

Fedusa also questioned the sincerity of the State as an employer, pointing to the fixed amounts allocated to improving the salaries of civil servants ahead of the collective bargaining process.

NEWS

NEVVS

Why UTATU SARWHU is affiliated to FEDUSA

Continued from page 2

courses to Masters and PhD studies at universities, in the past it was focused on trade union-specific training needs such as Office Administration, Computer Literacy and Human Resource Management.

Ditsela Training Programme & Support: In 1996, FEDUSA (then still FEDSAL), along with COSATU, established the Development Institute for Training, Support and Education for Labour (DIT-SELA). This organisation is mainly funded by the Strengthening of Civil Society Fund (SCSF) at the Department of Labour. Through this organisation FEDUSA and its affiliates can access training from their annual training programme as well as specific support requests based on ad hoc needs.

Early in 2012 eight (8) participants from FEDUSA affiliates successfully completed a pilot programme for the first formal qualification in trade unionism, the Further Education & Training Certificate in Trade Union Practice (FETC-TUP). This qualification was designed and implemented in collaboration with FEDUSA and it is hoped that it will be rolled out on a broader level in the near future.

International exposure

Apart from invitations to numerous international conferences, training programmes and seminars, FEDUSA participates at various international structures and events.

Annual ILO Conference

The member states of the International Labour Organisation (ILO) meet at the International Labour Conference (ILC), held every year in Geneva, Switzerland, during the month of June. Each member state is represented by a delegation consisting of two government delegates, an employer delegate, a worker delegate and their respective advisers (Employer and Worker delegates are nominated in agreement with the most representative national organisations of employers and workers.)

While FEDUSA in the past mandated only the General Secretary to attend the ILC, the practice has now become to obtain funding for additional members of the FEDUSA leadership to attend. This way they can get exposure to policy-making in the international arena and also to network with their international counterparts.

ITUC

FEDUSA is an affiliate of the International Trade Union Confederation (ITUC), an organisation that represents 175 million workers in 155 countries and territories and has 311 national affiliates. ITUC gives FEDUSA international power and solidarity with other global unions. An example of FEDUSA using this power is the recent court case against Investec Employee Benefits, where FEDUSA mobilised the ITUC with great success. See http://www.ituc-csi.org/IMG/pdf/4GC E 21 b -

_FEDUSA_Campaign-3.pdf for more detail. FEDUSA also attends meetings and conferences of the ITUC and its African arm, the ITUC-Africa, on a regular basis so that leaders can participate in discussions and network

TUAC

The Trade Union Advisory Committee (TUAC) to the Organisation for Economic Co-operation and Development (OECD) is an interface for labour unions with the OECD. It is an international trade union organisation which has consultative status with the OECD and its various committees.

FEDUSA has participated in various events organised by TUAC and the OECD, including the response to the global economic crisis and the G20. Most recently, FEDUSA has been admitted as an Associate Affiliate to the TUAC.

International Solidarity

FEDUSA is also in the process of developing strategic partnerships with like-minded trade union federations abroad such as the TCO (Sweden), AFL-CIO (USA), CNV (Netherlands), DGB (Germany) and ACV (Belgium), in order to facilitate networks between our affiliates and overseas unions in both the public and private sectors. There have been long-standing relationships with the Chinese, Japanese, Brazilian and other trade union movements.

We also have good relationships with Global Union Federations (GUFs) such as the International Transport Federation (ITF), Education International (EI) and Public Service International (PSI).

SATUCC

FEDUSA is affiliated to the Southern African Trade Union Co-ordination Council (SAT-UCC). Formed in 1983, SATUCC has become the main regional trade union organisation in the South African Development Community (SADC). Its membership consists of all major trade union federations in the SADC region, including FEDUSA as South African trade union federation.

SATUCC has been at the centre of various critical initiatives over the years. During the 1980s and into the early 1990s, the key focus was on supporting liberation struggles in the region confronted with oppressive colonial and apartheid regimes. However, following the political liberation in the entire SADC region, SATUCC's political focus has shifted towards promoting and defending democracy and good governance.

Trade unions have always played a critical role in advancing, defending and promoting democracies the world over including in the SADC region. The new democracies in the region remain challenged and under threat for many reasons and FEDUSA will continue to play a significant role in the region.

FEDUSA has a seat on the General Council and Vice-President (Finance) Dana de Villiers serves as Treasurer of SATUCC. Further Benefits of Affiliation
Part of the benefit of being affiliated to a Federation is the ad hoc support it can provide through its access to alternative channels of dispute resolution. FEDUSA is held in high regard at institutions such as the Presidency, Parliament, Provincial Legislatures, NEDLAC, the CCMA and key government departments. It is also a stakeholder in State-Owned Enterprises (SOEs) such as Eskom, Transnet and South African

Airways (SAA). FEDUSA has very good relations with the National Treasury, the South African Reserve Bank (SARB), the Department of Labour and the Department of Economic Development. FEDUSA is also very well-profiled in online, print, radio and television media.

These connections enable the Federation to make successful and targeted interventions in challenges faced by its affiliated trade unions. Examples of this kind of intervention include:

Single Public Service: FEDUSA was successful in ensuring that its former affiliate, the Independent Municipal and Allied Trade Union (IMATU), could resist the move to a Single Public Service (SPS). FEDUSA arranged a personal audience with the Minister of Public Service and Administration and, through various interactions, including a NEDLAC task team, the matter has been held off for a substantial amount of time.

Public Holidays: In 2009 FEDUSA asked the then-President, Thabo Mbeki, to proclaim an additional public holiday because Human Rights Day and Good Friday both fell on Friday, 21 March 2009. More recently, one of our affiliates, the National Union of Leather and Allied Workers (NULAW) raised the point that Christmas fell on a Sunday and, in terms of the Public Holidays Act, it would have meant that the subsequent Monday would be a public holiday. However, Monday 26 December 2011 was the Day of Goodwill, meaning that it fell outside the ambit of the Public Holidays Act. FEDUSA requested President Jacob Zuma to declare 27 December 2011 a public holiday and the request was also successful.

Social Security Reform: The process of vast reforms in the Social Security environment led to various concerns on the part of trade union members. Many pension funds suffered as members resigned due to the uncertainty and FEDUSA was called upon to channel these concerns. Back in 2008 FEDUSA met with then-Finance Minister, Trevor Manuel, to discuss these concerns. This resulted in a national call for calm while the process was being finalised. When the process seemed to quiet down with certain rumours being spread, FEDUSA was instrumental in calling the third NEDLAC Labour Constituency Retirement Funds Conference held on 4 and 5 April 2011 in Rustenburg. Our Retirement Reform Task Team met with National Treasury on 16 April 2012 after an urgent call to current Minister of Finance, Pravin Gordhan. The main thrust of our discussions was to remind Treasury of the need to table planned changes at NEDLAC so that we could make the necessary inputs. FEDUSA again called for calm in the media and was afforded the opportunity to comment on the draft legislation and policy papers being developed by Treasury.

National Health Insurance: The announcement of a National Health Insurance (NHI) was met with mixed reactions. While some felt that it would provide a much-needed relief to poor people and would advance public health infrastructure, others were concerned about the effects on medical aid funds and the industry as a whole. Apart from two bilateral meetings with the Minister of Health, FEDUSA also hosted a very interest-

ing panel discussion on the matter. The panel included academics, experts and a variety of stakeholders and was followed by a policy formulation session. This policy was subsequently adopted as a Resolution at the FEDUSA National Congress of 2011 and formed the basis of our response on the draft NHI policy position.

Nationalisation: After a variety of calls for nationalisation of the mines by factions within the ruling party, there was a lot of concern on the matter. In 2011 FEDUSA participated in a briefing session by the ANC Task Team on State Intervention in the Minerals Sector (SIMS) and subsequently made a presentation to a panel discussion hosted by the South African Chamber of Commerce and Industry (SACCI). FEDUSA hosted another interesting panel discussion. The panel included academics, experts and a variety of stakeholders and was followed by a policy formulation session. This policy was subsequently adopted as a Resolution at the FEDUSA National Congress of 2011.

Research Capacity

Apart from the in-house research capacity of the FEDUSA Secretariat, the Federation also uses the services of consultants and institutions to assist with the research needs of affiliates. The Senior Secretariat is currently busy with building up strategic research partnerships with leading academic institutions to support the work of the Federation.

Bilateral Meetings with Ministries Apart from engagements at NEDLAC, FEDUSA also invites the President and key ministers such as the Minister of Labour, Minister of Finance and the Chairperson of the National Planning Commission to bilateral meetings so that the interested affiliates can pose direct questions and deliberate on issues. These meetings add a lot of value and emphasise the unique participative and debate-centred approach of FEDUSA unions to interaction with government.

Participation in Parliament

Over and above the opportunities to influence policy and engage with legislation at NEDLAC and in other strategic meetings, FEDUSA has also expanded its capacity to facilitate affiliates' participation in parliamentary processes. Through FEDUSA's Parliamentary Office in Cape Town, affiliates are kept abreast of the most recent legislative developments, invited to interact with portfolio committees, and enabled to participate in public hearings on the issues that affect their sectors.

FEDUSA

Most recent UTATU SARWHU media releases

Continued from page 4

connection with the murder of JP du Plessis, Steve Harris complimented the SA Police Services on their 'speedy and efficient policing.'

"If these suspects are proved to be JP du Plessis's killers, we will expect the courts to deliver sentences that will clearly show that heartless and senseless killings are not going to be tolerated," says Steve Harris.

Metrorail sends clear message to commuters

"The shock and anger of South Africa's train drivers at the Christmas Day murder of JP du Plessis on his train near Hercules station goes beyond words," says Steve Harris, the general secretary of UTATU SARWHU, the transport union of which Mr du Plessis was a member. "The sympathy of all of our union's members goes out to Mrs du Plessis and her family.

"The reasons for Mr du Plessis' murder are still unclear. Our union supports the police in their efforts to bring the perpetrator - or perpetrators - to justice, and is hoping for early arrests. We also appeal to members of the public who might have information that will assist the police to come forward.

"Our union is grateful to Metrorail for cancelling its New Year's Day services as a mark of respect to Mr du Plessis, and for all the other safety measures and deterrents that they are putting in place. The company's sensitive gesture is appreciated by all of its train drivers and other rail employees.

"Thanks to Metrorail's gesture, Mr du Plessis' death will not be in vain. The cancellation of its Pretoria services on New Year's Day will highlight the facts that train drivers should be highly valued because they dedicate their time and skills to connect people with their work and with their loved ones . . . that each time commuters harm a train driver, or attack a train, they are actually harming themselves."

Following the murder of its train driver, Metrorail announced that:

Armed security guards will be deployed to all high spot routes and corridors as per the identification of Protection Services and Security.

All trains scheduled to operate after 18h00 in Gauteng will be suspended as of today for the festive season until the 04th of January 2013

All train drivers and guards with immediate effect are requested to be extremely vigilant and are highly encouraged to be in constant communication with CTC to report any suspicious activities that they might witness while on duty.

No train service will operate in Gauteng on 01 January 2013 in honour of Mr Du Plessis and the dedication he had in serving our commuters.

Union agrees improved Metrorail safety measures Transport union, UTATU SAR- WHU, the union representing most of Metrorail's train drivers, has expressed its satisfaction at the company's response to its calls for drastically improved safety measures on its trains and at its stations following the Christmas Day murder of Driver J.H. du Plessis.

"After Mr du Plessis's murder, our union demanded that Metrorail meet with us to plan immediate drastic safety action that will prevent further attacks on rail personnel. This has been done to our satisfaction," says UTATU SARWHU general secretary, Steve Harris. "Noting that no system is likely to plug all safety leaks on so broad an operation as a rail system, Metrorail has agreed to meet regularly with us to review safety progress and adopt additional measures that may become necessary.

"It must be placed on record that there is no union-management conflict on the safety issue," says Steve Harris. "Rail systems are always open to abuse and Metrorail is as determined as we are to ensure worker safety. Measures introduced over the past year resulted in a 37% improvement to worker safety."

The new measures decided between UTATU SARWHU and Metrorail at their 3 January meeting includes:

Introduction of mobile armed guards at the identified hotspot

Visible policing by the South African Police Services (SAPS) Railway Police including joint operations with PRASA security.

The allocation of R100 million to complement the current security measures with the introduction of technological security systems (e.g. CCTV surveillance, tactical security equipment, alarm systems, tactical radio communication system, fit for purpose patrol vehicles).

The provision of additional security facilities at identified hotspot areas which will be part of the allocated R100 million.

The contracting of helicopter services to enable a rapid response to emergency situations.

Additional to the above measures will be the ongoing intelligence passed on to the safety team by frontline workers, said Steve Harris. "We will be meeting with Metrorail again in three months to assess the progress of these measures."

Commenting on the measures adopted, Metrorail CEO, Lucky Montana, said: "The horrific passing of Mr JP du Plessis galvanized us to find solutions to crime in our environment. We hope that these interventions will go a long way to ensuring a safe environment for our employees and commuters."

Zuma must lead on cable theft – rail union

Railway trade union, UTATU SARWHU, has sharply criticised President Zuma for not referring to cable theft in his 14 February State of the Nation address.

Says the union's general secretary, Steve Harris: "President Zuma cannot possibly be unaware of the recent train accidents caused by cable thefts. His cabinet ministers know what's going on and are deeply concerned. Nor can our president be unaware that more than two million commuters and railway personnel have to worry every day that they are taking their lives in their hands each time they step on to a train and that cable theft is costing the country billions in maimed lives, lost production and wrecked trains.

"Why, then, did he not regard cable theft as important enough to address in his SONA?

"Does he not appreciate that his soft approach is giving the thieves and the scrap merchants funding them - the confidence to continue their evil acts?

"Our union fully endorses the calls by Transport Minister, Ben Martin, and by Prasa for the crime of cable theft to be up-graded to attempted homicide or attempted murder. As Minister Martin has pointed out, the cable thieves and their scrap merchant masters know that their actions are likely to cost lives – and they simply don't care.

"There will be no denting the level of cable theft until a sufficient number of perpetrators are behind bars for long enough to make the risk unattractive."

In recent weeks, UTATU SAR-WHU has seen one of its train driver members murdered and another critically injured as a result of signalling faults caused by cable theft.

Hundreds of train staff and train control officers are being severely traumatised by the crime, says the union. "Imagine the horror that a train control officer experiences when, after acting correctly in clearing a line for traffic, he or she sees the train wrecked and hundreds of people maimed," says Harris, "or the train drivers and guards stress having to go to work each day not knowing whether it will be their last.

"No workers or their families should be exposed to such tensions."

"In our fight against cable theft, our union is hoping for a groundswell of support from commuters. The crime is also placing their lives and livelihoods on the line each day."

Rail union wants Government and employers to intervene in Compensation Fund Crisis

Ill and injured workers are being denied medical care as a result of the Compensation Commission's non-payment of hospital and doctors' bills. The latest example occurred yesterday (February 19) when a Bloemfontein train driver, who fell and broke his arm while on duty, was turned away from a Bloemfontein hospital.

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GLOBAL

Global transport Round-up

New agreement ends Indian port strike

A strike which brought the Kochi International Container Transhipment Terminal (ICTT Vallarpadam) in Kerala, India, to a standstill for 10 days has ended after drivers and cleaners secured a new collective bargaining agreement (CBA).

Container movement at the port was halted on 3 February with 3000 workers from 11 unions, including ITF-affiliated Cochin Port Staff Association, demanding a revision of their wages in line with inflation and to reflect the increase in hire charges for trailers. It followed the expiry of the previous CBA for logistics workers at ICTT Vallarpadam, which is operated by global network terminal operator, DP World, in September last year.((Previous attempts to agree a new CBA had proved unsuccessful. Following industrial action in December the Kerela district collector ordered the Trailer Owners Association (COCOWA) and the Trade Union Coordination Committee, which represents the unions concerned, to come to a settlement. However, despite agreeing to increased daily allowance (bata) to both drivers and cleaners, the COCOWA failed to honour this which lead to the latest walkout. These allowances had not been increased since 1993.((Following a meeting with the CPSA the labour and port ministers of Kerela staged an intervention which has led to the agreement of a two-year settlement reflecting the increased hire charges and inflation.((CPSA president, P M Mohammed Haneef, said: This is a fair deal for workers who were forced into action by the lack of good faith, open negotiations surrounding this dispute. Eleven unions came together here to work towards a common goal and they have managed to secure a great result for workers.

Female dockers make their point

A new poster campaign designed to challenge traditional preconceptions about what a docker looks like has been launched by ITF unions in the Asia Pacific region.

The women dockers meeting in Manila last month was the backdrop for discussion on the public, union and employer perspective on the characteristics of port workers with the new poster template being the result. Unions from across the region are adding their own images, of women and men in traditional port roles but also other positions like clerical and hospital staff, to the template to make the posters engaging and relevant for local audiences.((It s hoped that the posters will promote joint working between male and female colleagues as well as encouraging women to become union members.

(ITF women's co-ordinator, Alison McGarry, said: Women workers are increasingly active in dockers unions and are keen to see women port workers represented in union activity. ((McGarry also went on to highlight the importance of the 15th annual V-Day Rising, an internationally recognised date for the organising of events raising awareness over violence towards women. She said: ITF unions in the Asia Pacific region will be supporting V-Day Rising to increase awareness and show how active transport unions are combating violence against women transport workers. The ITF unions have a proud record of saying no to violence against women, violence both in the workplace and in the home. (

Ghanaian railway deal
According to the Ghana news link,
Modern railway lines for Ghana
Railway Company Ltd will be built
in the next few years following a
US\$6 billion contract signed by the
Ghana Railway Development
Authority with China National
Machinery Import and Export
Corporation (CMC).

New rail lines will connect Nsawam, near the capital Accra, with Paga, close to the border with Burkina Faso, and Tamale with Yendi, in the northeast. Construction is scheduled to commence in September 2011 for the first phase of the project and in June 2014 for the second phase.

Ghana News Link quoted Mike Hammah, the Transport Minister of Ghana, who stressed the need for the development of railway infrastructure in the country as a means of accelerating economic growth and opening up the country.

State-owned CMC has been engaged in several railway projects in China, Turkey, Pakistan, Sri Lanka and Thailand.

Scottish oil tanker drivers protest pay and pension cuts

Tanker drivers at Scotland's only oil refinery in Grangemouth have started industrial action in a dispute over cuts to pensions and earnings, severely impacting all aviation supplies and BP forecourts across Scotland and the North East of England.

The workers union, Unite, notified RP - which posted profits of over £7.6 billion in 2012 - that a threeday strike would begin on 22 February and that a continuous ban on overtime would start on 25 February.((Ninety per cent of the 42 LGV tanker drivers balloted voted for strike action to defend their pension rights and in protest at the loss of a company share-match for 2012 as a result of the imminent aviation contract transfer from existing employer BP Oil UK to DHL.((Unite regional industrial officer, Tony Trench, said: It's an outrage that BP, a multi-national giant which earns billions every year, is exploiting the UK s weak employment laws to effectively swindle workers out of their retirement savings and future earnings.

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Mossel Bay Port Elizabeth Port Elizabeth Maritime East London Maritime Port Elizabeth PRASA East London TRE Swartkops TRE Uitenhage Queenstown Area 3 – Western Cape POSITION Chairman Vice-Chairman Secretary Chairman Deputy Chairman	Chairman Chairman Secretary Chairman	B Faltein Marius Prinsloo VACANT FJ Mdyogolo D Vingqi Wynand van Tonder Edwin Godfrey Bill Hart Keith Hoffmann Albert Visani Lareece Volkwyn M Losi Margaret Ndima JL Cyster Adridan Grobler Clayten du Plessis Malcolm Bubb Brian Hayes Leon van Heerden TEL 021 507 2509 023 348 4262 022 703 2229 021 940 2036 — 021 940 2036 021 449 4288 — NAMME	- 044 604 6236 041 505 5204 041 507 2643 041 507 5167 043 700 2237 043 700 2068 - 041 507 5191 041 507 5191 041 507 5191 041 507 5191 041 507 5191 041 507 5194 041 994 2341 045 808 2074 045 808 2022 CELL/HOME 084 600 3304 071 363 3938 079 225 9168 083 897 4756 082 708 6264	- 044 604 6209 - 041 507 2645 041 368 2793 041 507 5006 086 630 7920 043 700 2044 - 041 507 4869 041 507 5189 041 507 5224 041 994 2412 045 808 2003 045 808 2150 FAX - 023 348 4260 - 021 940 2899	- 073 374 5041 BepVoor@transnet.net 084 582 5932 - 078 605 3617 - 082 950 6821 Wynand.vantonder@transnet.net 071 671 3523 Edwin.godfrey@transnet.net 084 807 9351 Bill.Hart@transnet.net 083 287 4234 Keith.Hoffmann@transnet.net 072 154 8818 - 073 396 7473 Lareece.Volkwyn@transnet.net 083 961 2910 mangoliso.losi@prasa.om 083 315 7601 - 082 921 0790 Julius.Cyster@transnet.net 083 265 2957 Grobler9@yahoo.com 084 236 1902 Clayten.duplessjs@transnet.net 078 212 6211 Malcolm.Bubb@transnet.net 083 964 9544 - 084 406 9544 - 083 944 9385 E-MAIL Vermaak007@telkomsa.net Henk@breede.co.za Lutwena.Saul@transnet.net sectionmanagersbellville@transnet.net
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Labour Report Autumn 2013

UTATU SARWHU DIRECTORY

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JTATU SARWHU INFO GUIDE

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FIRST NAMES:		D. NUMBER:	
EMPLOYEE / SAP NO:		OLD PENSION NO:	
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(CELL)	(E-MAIL)		

• FORMULA FOR CALCULATING SUBSCRIPTION: 1% OF BASIC MONTHLY SALARY (Minimum of R40.00 and maximum of R70.00) • I, THE UNDERSIGNED, HEREBY AUTHORIZE THE RELEVANT COMPANY AS INDICATED IN THE TABLE BELOW TO MONTHLY DEDUCT THE AMOUNT AS CALCULATED PER THE ABOVE FORMULA FROM MY SALARY, AND TO PAY THIS AMOUNT TO UTATU SARWHU.

JOB TITLE:

POSTAL CODE:

WHERE ARE YOU EMPLOYED? (Please mark with X)

POSTAL ADDRESS CENTRE/ DEPOT:

PRASA - Metrorail	TPT	Transnet Freight Rail	Bombela
PRASA - Autopax	TNPA	Transnet Properties	Bombardier
PRASA - Shosholoza Meyl	Transnet Capital Projects	Transnet Corporate	Mega Express
PRASA - CRES	Transnet Engineering	Transnet Pipelines	Risk Pool

THIS STOP ORDER CANCELS THE MEMBERSHIP OF ANY OTHER UNION

• I fully understand and accept that this STOP ORDER can only be cancelled by giving one month's written notice to the General Secretary

> NOMINEE FOR DEATH BENEFIT I, the undersigned, hereby nominate and appoint:

(1)	Relationship:	I.D. No	
(2)	Relationship:	I.D. No	
to be my nominee	s. This death grant shall form no part of my legal estate and shall be	neither executable nor attachable a	t the instance of any

creditor of mine, but shall be paid direct to my nominee.

SIGNATURE:	DATE:	
SIGNATURE.	DATE.	

		ENROLLED BY	<u>'</u>	
INITIALS:	SURNAME:	<u> </u>	EMPLOYEE NO:	
BANKING DETAIL: BANK:		BRANCH:	BRAN	CH CODE:
ACCOUNT NO.:		TYPI	E OF ACCOUNT:	
FOR OFFICE USE		ENR	OLLER'S SIGNATURE:	
RECEIVED	PROCESSED	COMMISSION	PENALTY	SIGNATURE

Non-profit Organisation - Ref: Number 036-913 UTATU House, 182 Louis Botha Ave, Houghton Estate, 2198; P.O. Box 31100, Braamfontein, 2017; Tel: (011) 728 0120; Fax: (011) 728 8257/8; Internal Fax: (011) 773 7920; E-mail: headoffice@utatusarwhu.com; Website: www.utatusarwhu.co.za Affiliated to FEDUSA USSO002E

Change of ad	dress	
The General Secretary, UTAT 31100, Braamfontein, 2017 (Please print)	U SARWHU, PO Box/Posbus	New home address:
Business unit:	Title:	
Initials:	Surname:	Previous address:
Employee no:		
Tel:		NB: Please furnish previous address as it appears on the forwarding envelope.

Hidden name competition

In every issue of Labour Report, UTATU SARWHU publishes the latest SAP/employee numbers of ten members from the membership lists – drawn at random.

Each latest SAP/employee number appears somewhere in the newspaper. If yours is one of the lucky latest SAP/employee numbers published and you can find it, claim your prize by writing to:

UTATU SARWHU Hidden Name Competition

PO Box 31100, Braamfontein, 2017

Give your name, latest SAP/employee number and address and you will be sent R100.

Phone numbers to know

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2013 the Year of the Member

UTATU SARWHU has declared 2013 the Year of the Member.

"Our union has always strived to offer our members superb service. But this year we want to take our excellent service even further," says deputy general secretary, Louis Brocket.

How is this going to be achieved? Labour Report asked Louis.

"By vigorously and efficiently following a plan that includes:

Regular and continuous training of TURs.

Regular depot/workplace visits by Exco and head office staff.

Keeping members updated and fully informed of all developments in the workplace.

Maintaining our current loyal membership.

By (with our members' help) aggressively recruiting new members to provide them with a 'home' where they will enjoy many benefits and impeccable protection at work.

By informing members of the ways in which they can increase their benefits.

By sustaining our record of having the lowest membership contributions in the transport sector and by far the most outstanding and lucrative benefits."



Review your policy every year.

By reviewing your policy regularly, you could save on your premiums by making allowance for the depreciation of your possessions. And to make sure you keep saving, we're constantly negotiating with service providers to give you great deals!

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Most recent UTATU SARWHU media releases

Continued from page 9

"The Compensation
Commission's failure to meet its
obligations has become a national
crisis," says UTATU SARWHU
president, George Strauss. The train
driver's rejection is just one of thousands of cases of treatment denials
happening around the country. We
cannot yet lay any deaths at the
Compensation Fund's door. But that
tragedy is only a whisker away.

"Our union has been engaging the Compensation Fund on the crisis and non-registration and nonpayment for several years - to no avail. Going back more than a year, I personally handed letters detailing the crisis and specific

Compensation Commission fund failings to the previous Minister of Labour, the present Minister and to the Director General of the department. I have yet to receive a reply from any of them.

"We cannot let the matter rest while workers are suffering. As our next step we are appealing to employers to use their muscle to resolve the crisis. They need to become involved because it is their money that is being wasted and their workers who are being mistreated.

"It is totally unacceptable that cases with a backlog with up to four years have yet to be finalised. It was reported that the Compensation Fund has R14 billion in reserves with a clean audit report for 2011/2012. How is it thus possible that we find ourselves in this crisis situation?"

MEMBERS

UTATU SARWHU has new Durban home



UTATU SARWHU House in Durban.



Nonkululeka Sishi (Group HR Executive of Transnet) at the opening of the new building.

n the previous issue of Labour

Report we reported on UTATU

SARWHU staff's involvement in 16

"We identified two homes that act

Days of Activism for No Violence Against Women and Children.

as shelters for abused women and children - Bethany and Frida Hartley



Hook, line

■ TATU SARWHU member, Hester Kingsley-Wilkins, is very proud of her 17-year-old son, Marcel. When he goes fishing, he does it in style. Marcel recently won the Rock and Surf Fishing National Championship in Durban. It is an annual three-day event.

This achievement was no flash in the pan. Marcel was selected for the South African team in 2011 and represented the country in that year's Rock and Surf Fishing World Championship in Italy. He holds two national records and seven Border records, which include the most fish caught and the biggest fish caught -220 kg. ■

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n 18 February UTATU SAR-WHU officially opened its new offices in Durban.

"The union is very proud to become the owner of a second property," says Steve Harris, UTATU SARWHU's general secretary. "Our members can share this pride because the property belongs to them - it is a union asset and the union belongs to its members.

'This is the beginning of big things for our union," says Steve. "It

is wonderful to own our own property and build our own assets instead of enriching property magnates. For this reason, we are planning to expand this type of ownership to the other regions as well."

Steve went on to explain why the union's new Durban offices have been made large enough to accommodate training courses for its Trade Union Representatives.

"We have done this because we take the training of our TURs very

seriously. They are the cornerstone of our service to our members. Because a representative without the proper training would be like a soldier without a gun, we equip our TURs with the skills and knowledge to enable them to provide the highest possible standards of service to the members they serve."

The union's new office building has been named UTATU SARWHU House. ■



The opening of UTATU SARWHU's new offices in Durban was a festive affair.



George Strauss (UTATU SARWHU president) and Brian Molefe (Transnet Group CEO) open the office doors.

UTATU SARWHU

Steve Harris (UTATU SARWHU general secretary) welcomes the delegates at the opening ceremony.

Homes situated in Bertrams and staff show they Yeoville. With the help of our members we donated toiletries to both of these homes." These pictures were taken at Frida care Hartley Home on the day we visited to make our contribution.



Share your stories and experiences with us

Because Labour Report is your newspaper, we'd like to publish your stories. They could be your accounts of funny or serious incidents in the

workplace, or pictures and stories of you and your family pursuing extramural interests.

Send your contributions to your

UTATU SARWHU representative or to your nearest UTATU SAR-WHU offices. We look forward to hearing from you soon. ■

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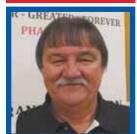


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NEWS

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The history of the SA locomotive in pictures

We continue with our series of the history of the South African locomotives. In this issue we feature some steam locomotives.



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