

South Africa: Volkswagen blocks sacked workers from returning

Our correspondent
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Volkswagen SA launched a Labour Court action to block the return to work of strikers it fired last year. The action was taken to prevent implementation of the decision last week by the Commission for Conciliation, Mediation and Arbitration (CCMA) that the sacked workers should be allowed to return to work Monday.

In a move suggesting behind the scenes intervention by the ANC government, the CCMA ruling was overturned last Friday following the urgent application by Volkswagen SA. The ruling is now said to be under "review".

The workers from the Uitenhage VW plant were sacked whilst on strike in defence of their elected shop stewards, who had been suspended from office by their union, Numsa (the National Union of Metalworkers of South Africa). Numsa leaders collaborated with VW management in ousting the militant shop stewards and the workers that supported them from the plant.

VW has since employed 1,300 replacement workers from the Uitenhage area, where unemployment is over 60 percent. Following the dispute Numsa collaborated with the management in making sure no further industrial action took place.

South Africa's President Thabo Mbeki pleaded corporate interests in his State of the Nation address last year when he singled out the VW workers for attack. He decried their action saying, "Illegal and unjustified strikes such as the one at Uitenhage cannot be tolerated."

Given this background, business interests were clearly dismayed by the CCMA ruling in favour of the strikers. Apparently attempting a compromise, the CCMA said the dismissal of the men was "substantively fair", but then criticized VW management for failing to follow agreed procedures. Britain's *Financial Times* commented, "South Africa's

labour legislation is always cited by foreign businessmen as one of the great deterrents to investing in the country" and suggested that investors were pulling out because of events like that surrounding the Volkswagen dispute. Chief executive of the South African Chamber of Business, Kevin Wakeford, is quoted saying "the CCMA's judgement sends a negative signal about the country."

It seems likely that the Labour Court review of the dispute, which will take three to four months, will be an attempt to reassure business investors.

Numsa leaders have attempted to cover up their role in the sackings, hypocritically attacking VW for not reinstating the men. General Secretary Silumko Nondwangu said the dispute was an internal union matter and "nothing to do with VW management." He said, "the workers had been wrong in striking, but VW was wrong in dismissing them. It was too harsh a reaction." Nondwangu is responding to the fact that Numsa, which in the past had a reputation as a militant union, has lost much support because of the sackings.

The sacked workers have since joined another union, the Oil, Chemical and Allied Workers Union (Ocgawu), which represented them at the CCMA hearings. Ocgawu said that whilst the workers were "devastated" by the Labour Court's ruling they had agreed to respect its decision.



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