

Memorandum on assistance to Trade Unions.

1 A trade union should be able to subsist from its own income from members. Only under these circumstances is there continuous pressure on union officials to increase membership, to satisfy and keep existing members, and, in general, to keep in close touch with the shop-floor. Otherwise the union is likely to remain a small body which specialises in issuing press statements, but provides no real service to anybody other than its paid officials. There have been a number of such client-unions in recent South African history.

2 In the early stages of its development a union could benefit from external financial support, but this support should only be given after some organising initiative has been undertaken by workers in the industry concerned, and it should be limited both in time and in amount. It should also be given on a decreasing sliding-scale, in terms of which the union would immediately have to bear some costs, and at the end of a two to three year period would have gradually taken over total financial responsibility. A guide to the amount needed is given by the annexed memorandum prepared by the Trade Union Advisory and Coordinating Committee. This programme envisages a system whereby aid to existing unions would be rapidly phased out, and these unions would take the responsibility for training organisers for the new unions as they were started.

Given the sprawling configuration of most urban industrial centres in South Africa, transport is a serious problem for union organisers. New unions will not be able to buy their own vehicles, but without their own transport their organising work will be severely hampered. Financial assistance for buying vehicles will therefore be a priority.

least , there will be different unions in each area for each industry. The major industrial areas are widely separated, and it would not be financially possible to have a powerful central organisation at this stage. Where there are different trade unions for the same industry in different areas, it is obviously desirable that they should keep in touch with one another, or even that they should be formally linked, but in either case they will necessarily operate more or less autonomously.)

6. In the field of training there already exists bodies providing the services and organised roughly as described above. These are the Institute for Industrial Education, which at present confines its activities to Natal, but will extend to Cape Town and Johannesburg next year; and the Urban Training Project, which has its headquarters in Johannesburg, and an office in Durban. These two bodies cooperate closely, and offer programmes which are to a certain extent complementary. The IIE provides a basic correspondence course on industrial economics and the principles of trade unionism, while the UTP specialises in shorter, more specialised courses for particular unions. There is some overlap, in that the IIE is also beginning to offer such courses, but there is a great demand for both kinds of courses, and the overlap does not lead to any unnecessary duplication. It is desirable that these two bodies should continue to receive financial support. Financial aid could be usefully supplemented by sending out experts in particular technical fields, such as collective bargaining techniques, the administration of medical aid, pension and benefit funds, and industrial safety, to assist in running specialised intensive courses on these topics.
7. The greatest need at present lies in the field of legal aid. In the main centres there are lawyers who offer free assistance on an informal basis. But full-time professionally staffed legal advice bureaux in each centre are urgently needed. South African factory legislation is relatively advanced and enlightened, but both workers and managers are often ignorant of the law. The Department of Labour is understaffed and cannot keep an adequate check on the observation of legislation. Therefore only strong trade union action with specialised assistance can make sure that the laws are obeyed. The laws with regard to workers' organisation and representation is also very complex, and is likely to lead to much litigation. At present managers seem to be taking advantage of much ignorance of the law to impose the least desirable form of representation on workers. It will be particularly important to take care in selecting test cases in such a way that their successful outcome can apply to as many workers as possible.
8. Thus we recommend that the major part of any new assistance to African unions in South Africa should be used to set up a legal aid clinic in each centre. Each bureau should be staffed by a full-time lawyer and a typist, and should have sufficient funds to retain an advocate. The work of the bureau should be supervised by a board consisting of a representative appointed by the funding body and one representative of each of the unions open to Africans in the area. Each union should contribute on a proportional basis to the cost of the bureau, and complaints should be processed first by the union staff before being referred to the bureau. This is so that the union itself should handle complaints which can be dealt with direct intervention with management. Complaints from

non-union members should also be dealt with for a small fee. Legal problems not arising from the employment situation should also be dealt with if possible. A further important service which could be associated with the legal aid bureau would be a book-keeping service which could assist union treasurers in keeping their books and organising their finances.

9. As regards the funding of these bureaus, it would be important to encourage firms, whether locally or foreign owned, to contribute a certain amount.
10. Bureaus should be set up at the very least in the following centres:
Johannesburg,
Pretoria,
Durban,
Port Elizabeth,
East London, and
Cape Town.

Bloemfontein and Kimberley should also be considered.

The minimum cost for each bureau would be in the region of R14,000 per annum, assuming that there are lawyers who would be willing to work for low salaries.

Attorney's retainer	R500 per month
Typist	150
2 Clerks @ R200 per month	400
Office rent	50
stationery, telephone and equipment	50

approximately = 14,000 per year

There would also be a need for a reserve to cover the cost of employing an advocate for test cases, paying bail and possible fines, and to make it possible to pay for costs in the case of risky but important private prosecutions and test cases.

It should be possible to staff such a legal firm with young lawyers and article clerks willing to work for low wages for a year or two both for reasons of conscience, and also to gain important experience.