

Briefing and background to ongoing Dis-Chem strike

Workers demand:	1
Open letter to the press - silence of media to report ongoing industrial action by SACCAWU	3
SACCAWU MEMORANDUM TO DISCHEM PHARMACIES MANAGEMENT	4
Dis-Chem Hell-bent on destroying SACCAWU.....	5
The Life of Ethelina a Dis-Chem Employee.....	6
Harassment by SAPS of striking Dis-Chem workers	7

Close to 2 000 SACCAWU members at more than forty Dis-Chem Pharmacies nationwide have been on strike since the 27th of May. For some time now Dis-Chem has consistently demonstrated a hostility towards its employees joining SACCAWU and actively participating in union activities. Earlier this year SACCAWU had to declare a dispute to compel the company to recognise SACCAWU. Since then the company refused to bargain with SACCAWU over wage increases and issues of terms and conditions of employment for its employees. SACCAWU once again had to go to the CCMA on the issue of bargaining rights for our members. The outcome of the CCMA sitting granted SACCAWU a certificate which allows our members the right to embark on a protected strike to press for our demands. Consequently, workers at all Dis-Chem outlets have decided to embark on a national strike.

Workers demand:

Dis-Chem must recognise SACCAWU's right to bargain for our members

Despite the economic crisis over the last year we have witnessed a slight decline in retail sales in general, recent statistics show that the retail pharmaceutical sector has been doing very well, with an increase in sales of more than 7%. This indicator, we believe makes it entirely possible for

Workers further demand:

- R3500-00 minimum wage
- 15% across the board increase
- conversion of casuals to permanent after three months
- guaranteed 13th cheque
- parental rights, medical aid, transport allowance and improvement of other benefits

Over the recent period the Union has noticed a tendency by some national, regional and local companies of adopting extremely intransigent positions in dealings with SACCAWU. This development appears to be a calculated move on the side of some employers to use the national mood and patriotic fervour during the FIFA World Cup to push through severe wage increases, retrenchments and hostile terms and conditions of employment this will erode workers' rights fought for and won through bitter struggles over decades. Such employers hope that workers will not engage in industrial action during the World Cup, while at the same time employers embark on rampant attacks on the working class. Dis-

Chem's attitude in this dispute is a clear example of this.

Underlying this attitude is the ongoing attempts throughout the wholesale and retail sector to weaken the trade union movement. However, we will not allow the rights of workers to be eroded by such anti-union employers, neither will we be blackmailed, held hostage or silenced because South Africa is hosting the FIFA World Cup. This tendency is calculated to solicit support from the unsuspecting public, pitting them against the labour movement and working class under the pretext of so-called and selective patriotism. If the corporations were genuinely patriotic as they would like to be projected, why is it that we always have to drag them kicking and screaming when it comes to workers rights or the Proudly South African Campaign. Even today many still do not support this campaign. It is for this reason that we warn the public of such convenient and selective patriotism of the bosses and must be rejected with the contempt it deserves.

Despite workers being harassed by store managers, mall managers, Metro Police, SAPS, including the assault of some workers on the picket-line by a store manager in Pretoria, the workers remain united and determined in the strike. The harassment faced by striking workers on the picket-line is a further attempt to provoke workers and turn public opinion against the strike instead of negotiating with SACCAWU the issues placed on the table by the workers. SACCAWU also expresses concern about CCMA role in imposing picket rules that negate workers' right to picket and instead outrightly favour companies that further exacerbate the problems on the picket line. In this regard SACCAWU has decided for a review or variation of the picket rules. Recently some striking workers were fired at with rubber bullets by private security injuring four workers, while in another instance more than twenty striking workers were arrested on Friday 18th June, held in custody over the weekend and released on Monday 21st June without charges.

In other instances mall managers and mall security have attacked workers using pepper spray on striking workers. It has also been reported that other stores/companies in that are not party to the dispute some Malls have called police to remove striking workers from picket-lines. We will challenge these and all other attacks faced by our members during this legally protected strike.

SACCAWU has also called for international solidarity and are currently running an on-line with more than 1800 people having sent letters to the management of Dis-Chem. To add your name to the campaign the LabourStart website at www.labourstart.org. SACCAWU also plan to meet with unions at companies that supply Dis-Chem with stock as well as health services unions to discuss solidarity action.

In almost every strike organised by SACCAWU we experience problems arising from picketing-rules, usually imposed by the CCMA. These rules always tend to favour the companies. Companies and often with the collusion of Centre/Mall management, under the guise of and opportunistic use of the Property clause in the Constitution, always seek to place picketing areas outrageously far from the company affected by the strike on spurious grounds. Failure to reach agreement on picketing rules between the the disputing parties often mean that the picket-rules imposed on us are determined by presiding Commissioners at the CCMA. However, we are concerned that these CCMA imposed picketing rules still disadvantage striking workers and favour companies. These rules often place workers far away from the company that we are in dispute with as well as out of sight of the general public, which we believe is important to be informed of such disputes and strikes. Further, such rules usually often place striking workers on the picket-line in front of stores where no dispute exists; thus causing tensions and conflict which always result in

the use of the police against striking workers.

Most of the times these imposed picket rules fail to take into account the concrete reality faced by our members especially those working in Malls, and therefore in terms of such rules striking workers might find themselves picketing in front of other business with whom no dispute exist or place demarcated areas for picketing in the sea, on freeways or on the other side of railway lines as was the case with previous strikes. It is universally accepted that strikes during industrial strikes workers picket the company with whom they in dispute and is therefore an integral part of the strike, however, these unfair rules automatically the purpose of the picket and in the process erode the constitutional right to strike which essential render the strike ineffective.

Despite our objections the CCMA seems to continue establishing picketing-rules that negate the right of workers to picket and undermine workers basic constitutional right to strike and to picket. Given the nature of the sector we organise in we insist that strikers should be allowed to picket inside the workplaces/stores, the entrance of stores and not further than five metres from the entrance of the store instead of rules that sometimes place workers so far from the company the strike is against that, it in reality render the pickets and the objective of the right to picket, completely ineffective.

Open letter to the press - silence of media to report ongoing industrial action by SACCAWU

We have note with concern that despite the fact that our members at Dis-Chem have been on strike and the picket-line for more than two weeks, the media has not been covering this industrial action. We have issued numerous press releases and have received no coverage, but for the very rare reporting by a very few radio stations and even less by the print media. This trend is of concern because this is tantamount to silencing the voices of the workers and their struggles. Of particular concern is the failure of SABC, the public broadcaster, to report on our national strike actions, especially when it come to worker issues in general, off course unless there's controversy. This tabloid attitude of when it bleed it lead is disappointing While in the recent past the strikes at Woolworths, Makro, Game, Dion and Sun International were reasonably covered the current round of strikes has yet to make the news or receive the coverage it deserve as matters of public interest; and this is so despite the massive job losses, enterprise re-engineering/restructuring in the sector at the expense of workers while the anti-union train to transform our sector into a Wal-Mart like clone moves on.

This blanket silence on workers struggles from the side of the media is of grave concern to us. We cannot help but wonder whether we are experiencing some sort of self-censorship by the main stream media where workers voices are muffled and workers struggles sacrificed at the altar of the World Cup. This is not only unacceptable, but also dangerous, as these same striking workers are called upon by the same media to throw their lot behind the country in making this the greatest FIFA World Cup competition ever, while ignoring these workers struggles.

Further, of concern to us is the fact that we will be embarking on a second strike at Game & Dion from tomorrow and we also have obtained a certificate of non-resolution in our dispute with Makro, which might even see a third SACCAWU strike in the near future. A continuation of this trend will be a gross failure of the media in reporting news and matters of public interest. Finally, it also appear that some companies are using the FIFA World

Cup competition to ride rough over workers, displaying extreme anti-union attitudes and hoping that they can use the general mood surrounding the World Cup to impose upon workers extremely unfavourable wage increases and terms of conditions of employment and the silence of the media demonstrate in the most unambiguous way the callousness of bosses and the extent to which the media, even if it is unwittingly, serve the interests of their masters.

We refuse to accept that workers rights and interests should be sacrificed at the altar of the FIFA World Cup competition and call on the media to do justice to these genuine struggles of the working class and give it the coverage it deserve as items of news and issues of public interests.

SACCAWU MEMORANDUM TO DISCHEM PHARMACIES MANAGEMENT

We the members of SACCAWU; supported by other progressive Civil Society formations; are gathered here today to demonstrate against the Company's failure and/or refusal to negotiate with our duly mandated representatives and meet our fair, reasonable and just demands. Whilst our Union is sufficiently representative the Company still refuses to negotiate with our Union of choice despite advice contained in the Advisory Award issued by a CCMA Commissioner. Whilst the Company purports to be a caring employer our experiences on the shopfloor are contrary to this public relations exercise as we have to deal with hostile management attitudes in the form of unilateral changes to terms and conditions of employment in the form of different wages and increases for the same jobs. Despite such divide and rule tactics; which are reminiscent of the old Apartheid Regime which perished in 1994; we are more determined then ever before to transform the workplace since our democratic dispensation would have failed workers and the poor without fundamental transformation at the workplace.

The Company only recognized our Union after a threat of a National Strike in 2009 whilst it purports to be a caring and a benevolent employer. Their refusal to bargain and meet our fair and reasonable demands clearly indicates that they are hell-bent on undermining our right to Freedom of Association which is not only enshrined in the Labour Relations Act but is also protected in the Constitution of the Republic through the Bill of Rights. Whilst Rights that are now protected through the Constitution of the Land were achieved through sweat, blood and tears; of workers and the poor; employers like Dischem Pharmacies are determined to trample upon such rights at the slightest opportunity as they have not yet recovered from the Apartheid era hangover. Management has further demonstrated its opposition to our democratic dispensation through consistent intimidation and harassment of workers who have decided to exercise their right to embark upon this protected strike. We cannot fold our hands and hope for a change of heart on the part of management but we have no choice but to intensify our legally protected and legitimate strike as the Company is only interested in profit maximization and is least concerned about the well-being of its employees. Gone are the days when employers used to trample upon workers rights and get away with it. Now is the time for workers to demand a fair share of their contribution to the Company's well being.

It is precisely because of these reasons that we demand the following:

- Meaningful engagement with our Union aimed at meeting the following fair and reasonable demands:

- A minimum wage of R 3 500-00 per month;
- An across the board increase of 15%;
- All casual employees should be converted to permanent full-time employees after three months of employment;
- Parental Rights; a subsidized Medical Aid Scheme; a housing subsidy and meaningful long service awards.
- An immediate end to all forms of harassment and intimidation of workers who are currently on strike and are exercising their right to picket;
- That the Company should practice cordial industrial relations.

We further demand that the Company should meet our fair and reasonable demands within 48-hours of receipt of this memorandum. Failure and/or refusal to accede to our demands, as outlined in this memorandum, will compel us to intensify our strike and the boycott of the Company.

Dis-Chem Hell-bent on destroying SACCAWU

After spending a fruitless day in a CCMA convened conciliation meeting with Dis-Chem, we have concluded that not only is the Company unwilling to make any effort to resolve the current dispute that have lead to workers now entering their fourth week on strike, but they are hell-bent on destroying the Union.

Despite all the efforts and willingness by the Union to make concessions to resolve the dispute and end the strike, Dis-Chem openly stated that even if SACCAWU had 100% membership in the company they are not oblige to negotiate with the Union. This disdain towards the SACCAWU is a clear indication of the company towards trade unions. In the conciliation meeting, the company went further and stated they are not prepared to meet with SACCAWU to seek a resolution to the current strike under any circumstances, and might consider negotiating with the Union next year. This blatant Apartheid style Industrial Relations is a serious attack by Dis-Chem not only on these workers but on our democracy and the labour laws, that seek to resolve disputes, promote healthy employer employee relationship and industrial peace. It was clear to us that the Company came to frustrate the process and not to seek a resolution to the strike as the legislation intend. This intransigent stance by the Company is unfortunate, because they will have to deal with SACCAWU, whether they like it or not, and this misguided approach will only make for hostile relations in the future instead of the healthy relationship the union strive for.

In fact, the visit by the owner, Ivan Saltzman, to some stores the day after the CCMA meeting where the Dis-Chem basically told the Union to get lost (much harsher words was used by workers to describe the attitude of the Company), to probably assess the morale of strikers further confirm the view that it is Saltzman himself driving this campaign to smash the Union. Of course, given the background of the HR manager, formerly from Solidariteit the mainly Afrikaner and white union, it is understandable why many workers believe this attitude by the Company has to do with the majority black employees having organised themselves and joined SACCAWU to represent their interests. Further, the fact that the HR manager arrived with plain-clothes armed guards to collect the memorandum a week ago demonstrate the mentality of the Company.

All these developments angered the striking workers, and instead of succumbing to this attitude coupled with the ongoing harassment on the picket-line workers have decided to intensify the strike and actively campaign for a consumer boycott of Dis-Chem.

In the meantime Dis-Chem have unilaterally implemented wage increases ranging between 0% and 10% with the bulk of the striking workers having received less than 3%. Many of the workers still earn less than R2000, even after the unilaterally implementation of increases.

SACCAWU is in the process of setting up Dis-Chem Strike Support Committees in communities that will actively mobilise the communities to boycott Dis-Chem. Further, SACCAWU intend calling meetings with Doctors and Nurses organisations to develop strategies that will show their active support for the striking workers.

We will not tolerate Apartheid style union-bashing! We call on the public to boycott Dis-Chem!

The Life of Ethelina a Dis-Chem Employee

“My name is Ethelina and I am fifty-eight years old. I am on strike at Dis-Chem. I work as a cleaner. I've been working for Dis-Chem since January 1996 and I still only earn R3600-00 per month. I live in a shack in Orange Farm, I started at Dis-Chem Randpark Ridge but was transferred to Cresta.

Every morning I get out of bed at 3:30am and leave the house before 4:00am, when my family is still asleep, to make sure I get to work on time at 7:00am. When I get home in the evening it is already dark, after seven sometimes even after 8:00pm. Then I must still cook, iron and wash clothes, feed and wash the little-ones before I can go to bed at after 10:00pm, because I must be fresh at four in the morning to go to work. Many times when the train is full I have to stand all the way. Sometimes I am so tired, I don't even have energy to cook, and I just give the children bread and tea and put them to bed.

My train fare is R150-00 per month and I spend a further R15-00 per day on taxi-fare, this mean I spend more than R300-00 on taxis every month. Every second week I work over week-ends and get one day-off during the week. I am the sole bread-winner in the family and have four dependents to take care of, two of my own children – young men who are still unemployed and looking for work and two grandchildren. In Orange Farm where I live, I stay in a one-bedroom shack, I want to extend it and even later build a proper brick-house for my family, but with my income and given my age it will not happen.

In 2003 I had an accident and my leg was broken, my leg was in a cast and I was in a wheelchair, but my bosses insisted I must come to work. I had to sit in a wheelchair still mop the floors, or I was going to loose my job. This was degrading and humiliating and I felt very angry and insulted by this.

My daughter Mavis also worked at Dis-Chem for seven years until she got to sick and passed-away, now I'm taking care of one of her children as well. While Mavis was sick, and with no-one to take care of her I asked my bosses to give me a few days off to make arrangements to send her to my sister in Cape Town that is at home and will be able to take care of her, but the bosses did not believe me. They insisted I must first bring my sick daughter to work so that they can see if she really is sick. Even when she came back from Cape Town later they told me to bring her to work to see if she is still sick, they did not believe me.

Shortly after that my daughter passed-away. When I went to the company about funeral benefits, they told me my daughter was out of work for too long and I received no funeral benefits for my daughter, despite the fact that they deduct funeral benefits. For Provident Fund they only gave me R5000-00 and told me the rest of the money must go towards paying tax, they did not even tell me how much it was. I had to depend on donations from family and friends and still had to borrow money from the loan sharks to arrange the funeral and bury my daughter. Today I'm still paying that loans, that's why I don't think I'll ever extend my shack or build a house for me and my family

All this make me very angry. I'm not the only one who suffer like this, there are many of my fellow-workers who suffer like this at Dis-Chem. This Company does not care about us workers, that is why I have joined SACCAWU and that is why we are determined to strike until Dis-Chem meet with our Union.”

Harassment by SAPS of striking Dis-Chem workers

Since the commencement of the Dis-Chem strike on 27th May our members have been subjected to various abuse from the members of SAPS often in collusion with store level management., below are some of the reported incidents.

Carlswald- 23 workers (19 females and 4 males) who are on strike were arrested on the 18-07-2010 and spend three days in police cells only to be released on Monday by the court without being charged and this surprised even the Magistrate.

Warehouse situated at Kaya sand – Police are seen transporting scab labour inside the company yard this happens daily.

Rubber bullets fired at picketing workers and charges were preferred against the manager and the security implicated. No arrest yet?

3 of our members were arrested on the picket line and paid R500 each for bail; they are to appear in court on the 8-07-2010.

Another arrest happened in Green Stone on the 30-06-2010 they are also on R500 bail each and they will appear in court on the 8-07-2010.

Cases reported but no progress reported yet:

Northgate

A case was reported the case number is Ref number 1318/5/2010

Brackenhurst

A case where Police pointed a gun towards workers and threatened workers Ref number 279/6/2010 the investigating officer is P. Hlongwane.