

Bheki Mdakane

Abstract

Mdakane has been working since 1990 when he was employed at Van Leer where he stayed until 2004. While there he became interested in trade unions and joined Numsa and soon became a shop steward. With training that he received from Numsa he was able to represent workers on the shopfloor. When he was fired by Van Leer, a dismissal which he challenged and received compensation for, he then went to work for East Rand Plastics. At the time of the interview he was working at Kelloggs where he has been since 2010. The interview gives a good glimpse into conditions experienced by black workers on the factory floor – there is no sense of a real change between 1994 and current day. He touches on the tensions between black and white which were exacerbated by the fact that supervisors were generally white; the lack of promotion of black workers, discrimination against black workers, black workers fear of whites. He describes how overtime pay often had to be fought for. He was employed at Kelloggs through a labour broker. Because of Kellogg's policy of employing these workers permanently after a certain period of time, and because he showed initiative in his job, he became permanently employed.

Facilitator: This is an interview with Bheki Mdakane, we are in Springs, the interview is done by Brown Maaba. Thank you very much for your time. You can speak any language you are comfortable with. Just give me a background as to how you ended up in firms and the various positions you held in those industries?

Respondent: You've mentioned my name. In industry the companies differed in terms of work ethics and the way employees are treated. Other companies did not apply a code of good practice at all. I found that I had to treat white people differently from my black colleagues. Due to that as workers we were unable to be productive because of the prejudice. The other thing I picked up was the way white people behaved in the different industries. Sometimes they would want to be isolated from black people especially in social gatherings. We would be given the cheapest party, everything that was given to blacks was at the lowest level, discrimination was visible. They would hold their own parties and spend more money

in their functions. Of course other companies treated people equally, no strong language, people were treated with respect. Other companies forced their employees to tolerate strong language from white persons. I remember an incident whereby I had a disagreement with a white man, I was complaining on behalf of a colleague who has not been paid his overtime in two weeks. The white man said I am talking shit, I then said to him so are you. I was charged for that, but fortunately it did not get anywhere.

In terms of production, black workers had the tendency to assume they are working for the supervisor and not the company. For instance one would knock off without switching off the machine which makes it difficult for the person who is taking over from him. When I questioned this I was told it is knock off time. Such a person his work record was not good. Such a person's production dropped, the very same person did not have good working relations with other colleagues.

In terms of gender equality I always found that women communicate better, they are also good at gossiping, unfortunately they were unable to perform some of the jobs we were performing as men. Gender equality must have limits because clearly women cannot do all the jobs performed by men.

Facilitator: So at the moment where are you based?

Respondent: I'm based at Kellogg

Facilitator: What was the role of the labour movement, you guys are affiliated under FAWU am I correct?

Respondent: Yes

Facilitator: Does the union take gender issues seriously, labour equity issues etc?

Respondent: They do take the matters seriously but what I noticed is that they do not hold general meetings like NUMSA, NUMSA holds general meetings every Tuesday. The other thing I noticed about the union is when training sessions are scheduled, HR will be part of the meeting, why do we need the HR department to be part of the trade union movement. I am not a shop steward but I asked them why is the HR department involved in training sessions. Most things that are supposed to happen do happen within the union

Facilitator: What do you mean most things happen?

Respondent: For instance gender equality is taken seriously. There's something called key value, you need to understand that there must a line when you communicate with other fellow colleagues, correct manner of approach and respect is emphasised. We use the same change rooms as white people, we also eat in the same canteen. We are all treated equally.

Facilitator: What is the focus of the union if everything is okay?

Respondent: Usually wage negotiations, they get involved in the negotiations, medical aid etc., they get involved

Facilitator: But is it effective?

Respondent: yes it is very effective

Facilitator: You talked about someone who was not paid overtime?

Respondent: This is the previous company I worked for Van Leer, it is now called API

Facilitator: When did you join Kelloggs?

Respondent: I joined Kelloggs in 2010 November

Facilitator: Are you okay with it, were you impressed by the place?

Respondent: Ja sure

Facilitator: What about women, are they part of the union structures, do they participate in union structures?

Respondent: Ja they do, we have women serving in the executive as office bearers. The number is balanced

Facilitator: Does the company adhere to safety issues?

Respondent: Ja

Facilitator: So there are no complaints about these issues at all?

Respondent: No complaints but the issue is if there is a problem they do not respond immediately. For instance we went on a course which informed us that "your mind should be on task and so should your eyes". I challenged this because I believe you cannot do two things at the same time. In our department we drive forklifts and at the same time I operate a machine. I told them that I feel that my safety is compromised because as I drive the forklift my mind will be on the machine, what if I'm driving and a siren goes off, it is likely that I will knock someone off because my mind cannot operate two jobs at the same time. They are trying to rectify this but they are taking too long.

Facilitator: Does the union interfere or try to do something with such issues/cases?

Respondent: Ja because I told the guys that we should approach the Chairman of the shop stewards about the issue

Facilitator: But generally are the workers happy with the union, FAWU?

Respondent: Yes

Facilitator: And it is the only union at Kelloggs?

Respondent: Yes they are happy. We wish they could schedule meetings fortnightly to update us, and also give workers an opportunity to raise their issues because there is no platform and that meetings are not scheduled regularly.

Facilitator: Does the company meet the Basic Conditions of Employment?

Respondent: Yes they do and they even do more, they compensate .., based on what I read from the Basic Conditions of Employment compassionate leave is 3 days, they give us more than that, up to 5 days. If you need more days they negotiate with you to take leave after the 5 days

Facilitator: So generally you guys are fine with it?

Respondent: Yes

Facilitator: Any other benefits that workers have or need?

Respondent: Currently they were talking about a housing subsidy

Facilitator: Is it an urgent need?

Respondent: Ja

Facilitator: So you currently don't have it?

Respondent: I believe they had it before we don't know what happened.

Facilitator: Has FAWU taken it up?>

Respondent: Yes

Facilitator: Is it promising?

Respondent: Yes it is promising because in the last meeting the employer indicated that he is prepared to give us the housing subsidy, we will get feedback at the next meeting.

Facilitator: Are the workers okay with other benefits?

Respondent: Yes so far they are okay

Facilitator: You said you worked at Van Leer before?

Respondent: Yes

Facilitator: For how long?

Respondent: 12 years

Facilitator: Which year did you join van Leer?

Respondent: 1990

Facilitator: It is also in Springs?

Respondent: Ja, I started 1990 and left 2004.

Facilitator: When you came to Van Leer, what kind of a place was it, what was your impression of Van Leer?

Respondent: It was bad in a sense that a white person was feared, but I then took over from another shop steward and things started changing

Facilitator: Under which union was it affiliated, Van Leer?

Respondent: NUMSA

Facilitator: So you became a NUMSA shop steward?

Respondent: Yes

Facilitator: What was the problem with the previous shop stewards of Van Leer because you took over when you came in?

Respondent: Well they didn't attend meetings of the union and did not even attend ANC meetings, they were just relaxed, the boers capitalised on the relaxation, things were gradually changing but they remained where they are because they were outdated, they did not understand a lot of things. The boers initiated competitions in

order to corner me through a newsletter. Every month I won something and realised that I was being set up. I stopped entering the competitions. I had a good influence with the workers. In November they trapped me, in November they used to give us Xmas hampers. I was doing the 2 to 10 shift, my Xmas hamper box was filled with stolen goods. That is how I left and ended up at the labour court, they settled out of court with me by paying me out. Apparently they are still behaving in the same way to date.

Facilitator: You mentioned that when you took over as a shop steward the employer treated workers very badly, what was the employer doing?

Respondent: For instance the worker works overtime for two weeks and he is not paid, when he inquires nothing happens. When I went to inquire the white paymaster would just say "you are talking shit", the foreman did not submit the overtime sheets. The workers were generally underpaid, workers were expected to work long hours. The workers were expected to sometimes work two shifts at a go and they were afraid to challenge the employer. Food was not provided to workers even when they were working overtime. They also used very strong language, insulted workers by calling them baboons. The working environment was not good, the machines we operated were not properly serviced, if you complain they would say "you blacks are not skilled but you talk too much".

Facilitator: Did you manage to solve these problems?

Respondent: Yes I did, it's unfortunate things are back to where they were?

Facilitator: So NUMSA was not strong at Van Leer?

Respondent: It became strong when I joined, now it is no longer strong because they still refuse to attend meetings.

Facilitator: What were the conditions of employment like at Van Leer, generally?

Respondent: It was Van Leer and API, Van Leer ran things accordingly, API was the problematic one, things changed but now they are back to square one. They complied with the conditions of employment. Workers were allowed to take things like family responsibility days off. When the company had social functions like parties they did not invite other staff members only shop stewards.

Facilitator: Did you not challenge the NUMSA shop stewards?

Respondent: We did challenge them only to find that I had to leave, the process was still ongoing, the person who was assisting me also resigned because they started victimising him, you probably know him Jabu Nkosi

Facilitator: Did he study at Fort Hare?

Respondent: No I think IPM, he might have studied at Fort Hare. He was an affirmative action appointment, he continued with his studies and was never promoted

Facilitator: What was their excuse for not promoting black people?

Respondent: They said blacks were incompetent

Facilitator: But as NUMSA did you try to fight such cases?

Respondent: Yes Jabu did after I left but the boers were adamant they were continuously setting him up. The employer would tell him that he is promoted and promote three other people, a month or so later they would take him back to his old job and say he is incompetent.

Facilitator: So after 1994 did Van Leer or API change? What is the difference between the two companies?

Respondent: It was the same company but a company called Gangle which bought machines in one of our departments, then that is how it was formed

Facilitator: Was Van Leer a safe working environment?

Respondent: Yes they ensured that health and safety was adhered to because they did not want to pay higher insurance premiums in respect of casualties.

Facilitator: Did management take the union seriously or undermined it?

Respondent: Let me say if there was no organiser in place they accepted the union but once an organiser is in place they changed

Facilitator: Were the workers willing to join NUMSA?

Respondent: Yes

Facilitator: Did you have to deal with cases as a shop steward, expulsion and so on?

Respondent: Yes I did

Facilitator: Were the cases winnable?

Respondent: Yes

Facilitator: Who was on the wrong side of the law, the workers or the employer trying to victimise people?

Respondent: The workers because for instance they would not record the right thing. The employer will check the production and realise that the figures are not balancing because the records are not properly recorded. The employer will charge this person, we won such cases most of the time because I managed to put the employer in the shoes of the worker.

Facilitator: Did you receive any training from NUMSA to run such cases, labour relations, labour acts and so on?

Respondent: Ja

Facilitator: So it helped you as a shop steward to deal with these things?

Respondent: Yes

Facilitator: Over the years did Van Leer change or did it get worse?

Respondent: Other departments changed while I was there but currently I believe things have reversed, people do not have the correct knowledge, they still ask me to represent them and I can't because I no longer work there.

Facilitator: When you look back in this 12 years at Van Leer, what were the major achievements as a shop steward?

Respondent: I achieved a lot. I know how to work with people and know that people are different, we have to tolerate them and treat them differently because we are all different. I learnt how to deal with people in the right way without being harsh or too soft. I learnt how to solve problems. I'm also aware of what is happening around the country and world, I also understand politics better.

Facilitator: Difficulties of being a shop steward or the stress of being a shop steward?

Respondent: To lead people that do not want to listen, you have to find ways to get them to understand what you are saying to them, speak their language, crack your head trying to explain to them. I will give a good example about Malema, I heard a comment on radio that these people do not know that negotiations have to take place. Maybe the workers expected R12 500 across the board, the union is forced to accept less than R12 500 and the workers must reach a compromise,

unfortunately they do not understand the process of negotiations. Somebody needs to sit with the people and teach them, get them to understand the processes, they do not want to accept anything less than R12 500. They are not going to get anywhere and this is a problem. As a leader you have to pretend as if you understand their demands so that you can knock some sense into the workers, you have to compromise.

Facilitator: Salaries, were they ever an issue?

Respondent: Yes salaries were a big issue, to date salaries are still an issue

Facilitator: So it was never resolved?

Respondent: Yes

Facilitator: Did you have to go on strike or on a go slow?

Respondent: Strike, but the strike was always protected, in most cases we would wait for a national strike because an illegal strike in most cases will meet our demands. Because currently workers are not well organised, but in the past they would meet our demands.

Facilitator: 2: I believe in the past and even today, when there were wage negotiations, 13 grade structures, are they still there?

Respondent: No at Van Leer it was not there altogether, we were still negotiating.., are you referring to gradings?

Facilitator: 2: Ja

Respondent: When I left nothing had happened as yet, I am not sure about now but definitely not

Facilitator: So were you happy that you left Van Leer?

Respondent: Ja. After leaving them I joined East Rand Plastic, the conditions were worse. No tea break, you have a working lunch, when you go to the toilet you must clock out, I wore the clothes branded clothes API whilst working for Astra pack.

Facilitator: Did they not have a union at East Rand Plastic?

Respondent: There was a union .., CEPPAWU

Facilitator: Is it also affiliated to COSATU?

Respondent: Yes

Facilitator: Why is it so weak, why can't they handle these things, tea break and protective clothing etc.?

Respondent: I think the workers were terrified of the employer/white person, even if they knew their rights they would not challenge the employer, they just left things as they were, even the shop stewards did not know how to go about things, I am the one who corrected them that is why I never got a permanent job with them, my contract was terminated soon

Facilitator: 2: Does it mean that things like Main Agreements were not in place?
The agreement is binding

Respondent: Not at all, I think the employer was bribing the shop stewards because recently I heard everybody was fired what they are doing now they have labour consultants.

Facilitator: They fired everybody in the firm?

Respondent: Yes, they went on an illegal strike

Facilitator: And they were all fired?

Respondent: Yes, the ones that were retained were retained at a lower rate, about 30/40 employees they are being paid plus/minus R18

Facilitator: 2: The strike was in 2010 am I correct, I remember?

Respondent: Yes. I went to the firm to speak to them about employing my late brother.

Facilitator: 2: So they now employ through labour brokers?

Respondent: Yes

Facilitator: Is it the case at Kelloggs, do you have labour brokers?

Respondent: They are there, the difference with Kelloggs is that you come in through the labour brokers, but as soon as there's a permanent position they employ you permanently. I am one of the people who came through labour brokers, I worked for six months and then a position was advertised and I applied internally. This year they employed 25, a year ago they employed 30. When I was employed I was alone because through the years I've learnt that you need to create a job for yourself, do not wait for the employer to give you a job to do. Impress your employers by taking initiatives. There was a big machine everybody was terrified of it. I then approached the plant manager to use the machine during my spare time in order to learn how it is operated. I saw an opportunity, he was impressed and informed the chain director. I made it my business to understand the machine, I worked on it three hours a day without being paid, I used my own transport. Three months later I was called by the chain director. He called our head office overseas and got the go ahead to appoint me immediately. These are the kind of things I learnt through trade unions.

Facilitator: So for you was it worth it to get involved with unions, as a shop steward?

Respondent: Yes

Facilitator: Was your time wasted?

Respondent: No everything was right (interruption) – when I joined Kelloggs through the labour broker, in a month's time I asked my colleagues who were also employed through the labour brokers if there was a union or not. They told me that the union in place was FAWU and that they are not allowed to join a union. I then told them that there's no such as workers and South Africans they are allowed to join a union. I went to speak to FAWU and informed them about what is going on at Kelloggs, they immediately released membership forms. We all joined FAWU. Then management started taking us seriously. I was immediately appointed to represent the workers, and the company appointed me on full time basis. I accepted because at the time the shop steward executive did not have the workers' interest at heart, they were only there for their own positions. They were only there for the positions. I didn't want to cause conflict immediately.

Facilitator: What do you mean they are there for their own positions, the shop stewards?

Respondent: They were less interested in worker issues, whereas the company was doing well but they were less interested in worker in issues. There was a lot of conflict, people were overworked and the representatives were not doing anything about it. The supervisors did not treat the people well and the shop stewards did not want to get involved because they were not affected. There was also a lot of favouritism. Most shop stewards are given higher positions and as you know they cannot be on management and represent the union. A few people are left to represent the workers. Most of the shop stewards did not have the necessary skills to represent the people.

Facilitator: So basically there's no commitment?

Respondent: Yes

Facilitator: How were you introduced to unions? Were you always in unions?

Respondent: I did not belong to any union, I had no knowledge, I learnt about unions, I knew a lot about mzabalazo (struggle), PAC, ANC, and had no knowledge about worker rights, I was just not interested

Facilitator: So you started having an interest at Van Leer?

Respondent: Yes

Facilitator: And you learnt from there?

Respondent: Yes

Facilitator: Any training from NUMSA that you received?

Respondent: Yes there was some training like Employment Equity, there's quite a lot, more than 5

Facilitator: When you were still at Van Leer, did you feel the labour department, did you feel it's effectiveness on the ground or they never showed face?

Respondent: No

Facilitator: Did they ever challenge you as NUMSA and demand their presence?

Respondent: Not as far as I know, or perhaps it was lack of knowledge on my side.

Facilitator: Are the labour laws being applied?

Respondent: Yes they only apply if there's a watch dog. When I arrived they were not applied, but since I've moved they are no longer applied

Facilitator: 2: Does this mean that the labour laws are not displayed anywhere, it is a requirement by law?

Respondent: When I arrived they were not displayed, they were then displayed I'm just not sure that they are currently being displayed. What I do know is that most workers are complaining that there's been a lot of changes.

Facilitator: Lastly, what is the future of COSATU in this country, maybe?

Respondent: I think it's bright because it takes a person from point A to point Z in terms of education, awareness and a person's attitude towards life. If your attitude stinks towards life because you lack knowledge you have no future. I believe it is 100% good, although some people do not realise this but I believe it is okay. I also believe it's a watch dog for the workers, it watches over political issues. It speaks on behalf of the workers. Their future is bright. ..(unclear) will eventually affiliate to COSATU because all the things that he is doing are so wrong, he is not attending to worker issues and this is hurting the federation. When you speak to the youth of

today most of them say they are going to join the DA. When I ask why they say there is no way apartheid will come back, people are more educated now. There is a belief that the DA will bring order in our country. They have lost hope in our government. If apartheid comes back it means the constitution must be changed, things like employment equity must be removed. You cannot remove such things. This makes sense to me. What we are doing currently, we are fighting amongst ourselves. There's a lot of nepotism, you cannot run the country like that. The politicians play golf that's it. Look at Malema, he is making things worse, the things that he is saying to mineworkers are just not right. People might lose their jobs because of what he is saying

Facilitator: 2: People are dying, that's politics

Facilitator: Marikana is sad

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