The Battle of the Giants: Dissecting the inter-union rivalry within South Africa's mining industry and possible means of achieving stability

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Date: 4 March 2014



The Main Characters: NUM and AMCU

• NUM:

- Former heavyweight
- Government-aligned
- Apartheid credentials
- Criticized for comfortable relationship with employers

AMCU

- New player
- Portrayed as independent
- Recent groundswell of support



AMCU – A breakaway from the NUM

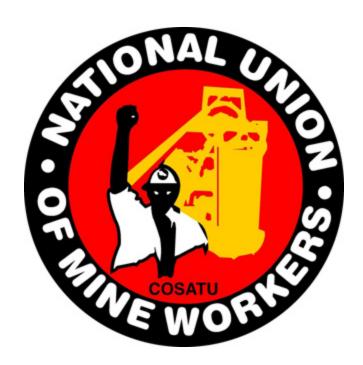
- Formed in 2001
- Leader Joseph Mathunjwa previously NUM chairperson
- Expelled from NUM
- Started AMCU and NUM members followed
- Initial focus on coal miners and construction workers





The changing face of NUM

- Originally represented lowest and vulnerable job categories
- Increased "white-collar" membership
- Divergent interests





NUM's mistakes / AMCU's opportunities

- Impala Platinum offer to give rock drill operators higher increase than rest of workforce
- NUM shop stewards demand split of increase across workforce
- Rock drill operators turned to AMCU
- Illegal strike for 6 weeks
- Strong foothold for AMCU



The Rise of AMCU

- 350% increase of membership from 2011 to 2012
- NUM lost approximately 44 000 members by 2013
- AMCU became majority union at world's top three platinum producers
- AMCU increased membership in gold mining sector
- AMCU now majority union at three of South Africa's biggest gold mines





Centralized Bargaining in the Gold Mining Industry

- Centralized bargaining between Chamber of Mines and recognized unions
- Centralized agreements extended to non-members of party unions

AMCU invited to participate in negotiations over 2013 – 2015

wage agreement





AMCU's refusal to Accept Industry Wage Agreement

- NUM and other unions accepted Chamber's wage offer and concluded wage agreement
- AMCU refused to accept offer or validity of agreement
- Dispute as to meaning of "workplace" under labour legislation
- AMCU issued strike notice
- Chamber brought urgent application in Labour Court
- Labour Court granted interim interdict







AMCU's Rejection of Centralized Bargaining in Platinum Industry

- AMCU refusal to participate in centralized bargaining
- NUM and other recognized unions willing to establish bargaining council
- Potential to perpetuate income disparities
- AMCU strategy to win monopoly on a mine by mine basis





AMCU's Failure to learn from NUM's mistakes

- Agreeing to high thresholds with employees excludes minority unions
- Foundations for conflict
- Undermines stability of mining industry





Can Stability be Achieved?

- Affording greater rights to minority unions
- Respect centralized bargaining and majoritarian principle
- Avoidance of unduly high thresholds for recognition
- Interest arbitration
- Labour Court power to declare lawful strikes unlawful where demands are grossly unreasonable or strike is marred by violence





A Silver Lining?

- Government, employers and organized labour committed to resolving the problem
- Framework Agreement for a sustainable Mining Industry
- Acknowledge of importance of mining industry in South Africa's economy and shared responsibility
- Nonetheless, vibrant and democratic trade union movement





