



## **Numsa Special National Congress December 17 to 20, 2013 Declaration**

### **1. Introduction**

Numsa's Special National Congress convened from December 17 to December 20, 2013. It was attended by 1,200 delegates representing 338,000 metalworkers from 50 Locals throughout the provinces of South Africa. Numsa was proud to announce in the Congress that it is the biggest union in the history of the African continent. In the last 17 months, since our 9<sup>th</sup> Congress in Durban, we have grown from 300,000 members to 338,000 members. We are ahead of schedule in our goal to organise 400,000 workers by the time of our 10<sup>th</sup> Congress in 2016.

### **2. The passing of Madiba**

The congress started by paying tribute to Comrade Nelson Rolihlahla Mandela as a giant in our struggle for liberation. His passing marks the end of a political era in our journey towards full freedom.

The congress agreed that, if we are to truthfully and fully honour Mandela and his Comrades, his passing must herald the birth of our renewed commitment to intensify the struggle for full economic sovereignty, for complete economic freedom of the working class and the rural poor. His passing must spur us to fight even harder for the attainment of all the ideals he stood for: liberty, freedom, dignity, democracy and full social and economic equality of all human beings. Not to do so, will be to betray him and his Comrades.

The Congress remembered vividly the words Madiba offered to the Cosatu Special National Congress in 1993, when he said:

***You must be vigilant! How many times has a labour movement supported a liberation movement, only to find itself betrayed on the day of liberation? There are many examples of this in Africa. If the ANC does not deliver the goods you must do to it what you did to the apartheid regime.***

### **3. Unity**

There was a lot of talk, in the build-up to our Special National Congress, about how divided Numsa is. Much was made of the resignation of our former president, Cedric Gina. Stories were spread of a union dominated by a single individual. There were even stories, which

became the subject of much humour in the congress, of Numsa's leadership comprising business people who were simply firing up the militancy of the union for personal gain.

In the last five days Numsa has shown those stories to contain not one atom of truth. The most notable feature of the congress has been its unity. Even independent analysts and media commentators have confirmed the remarkable unity of the membership and the leadership in the congress. The delegates have been solidly united in their approach to the current crisis of the working class. There has been vigorous debate on detail, but absolute agreement on the key decisions that the congress faced.

Numsa emerges from the congress in the same condition as we went in – united in our militant determination to use our strength to win fundamental change in the policies and strategies of government as the only way to solve the triple crisis of poverty, unemployment and inequality.

#### **4. Origins of the Congress and its democratic process**

In the view of the Numsa National Office Bearers and the Central Committee, the situation in the Alliance and in Cosatu had reached a point which required the leadership to consult our members. The decisions of our 9<sup>th</sup> Congress were no longer enough to guide us. The situation had changed to a point where we needed a new mandate from the membership.

The Numsa Central Committee therefore called this Special National Congress and Numsa's democratic process swung into gear. Discussions were held in all 50 Locals and all 9 Regions. The debate was consolidated at national level and sent back for further discussion. By the time we arrived at this Special National Congress on Monday evening, the delegates were all well aware of the issues on which there was agreement and the issues on which there was a need for more debate. The congress was founded on a solid base of discussion and debate throughout the structures of the union.

#### **5. The crisis of deindustrialisation and unemployment**

Both the Numsa President and the General Secretary set out very clearly and at length the context for the deliberations of the Congress.

The global crisis of capitalism continues and offers a bleak future for any emerging economy that fails to build its own manufacturing industry. South Africa is not only failing to increase industrialisation. The ANC government, including its component from the leadership of the SACP, has presided over a dramatic decrease in the levels of industrialisation in the country.

This is not an accident; it does not come from incompetence or inefficiency on the part of the ANC and SACP leadership. It comes from the fact that the leadership of the ANC and SACP is protecting the interests of white monopoly capital and imperialism against the interests of the working class. The ANC and SACP leadership defends the ownership and control of the mines, banks and monopoly industries in the hands of white monopoly capital and imperialism. The manipulation of the resolution by the ANC branches on nationalisation by the leadership, the Deputy President of the ANC (and others), exploit the black working class in alliance with white monopoly capitalism and imperialism.

That is why South Africa has been steadily deindustrialising. It is not in the interests of mining and finance capital to invest in manufacturing industry, especially that part which does not affect the MEFC. That is why South Africa has such high levels of unemployment. It is in manufacturing industry that large numbers of jobs can be created. That is why our comrades died as they did at Marikana and de Doorns. It was not incompetence on the part of the police. It was the conscious, deliberate support, by the armed forces of the state, for the interests of shareholders and against the interests of workers.

## **6. Four key developments since Numsa's 9<sup>th</sup> Congress**

Many things have happened since Numsa's 9<sup>th</sup> congress. We will highlight 4 of them in this declaration:

### **The NDP**

The ANC has adopted a strategic programme – the National Development Plan. The fault of the NDP is not that it is technically flawed or in need of adjustment and editing. On the contrary, it is a very competent and detailed document. Its fault is that it is the programme of our class enemy. It is a programme to continue to feed profit at the expense of the working class and the poor. It is a strategic plan that will benefit white monopoly capital, imperialism and the comprador black capitalist class, not us.

In the order of priorities of the ANC, the NDP has replaced the Freedom Charter. A militant, popular programme which challenged property relations in South Africa has been replaced by a neo-liberal programme which entrenches existing property relations and attacks the working class and the poor in the interests of mining and finance capital.

### **The ANC leadership has clarified that it will not tolerate any challenge**

The ANC leadership has demonstrated without doubt, at Mangaung, that they will not allow anybody else to challenge their direction. The National General Council of 2010, and Policy Conference which preceded the Mangaung Conference, had a clear majority in favour of nationalisation. That majority was transformed by the ANC leadership into majority support for a fundamentally opposed position in which the National Development Plan focuses on reducing the role of the state rather than increasing it.

### **Cosatu has experienced a sustained, vicious attack on its militancy and independence**

Cosatu has become consumed by internal battles between forces which continue to support the ANC and SACP, with its neo-liberal agenda and those which are fighting for an independent, militant federation which stands for the interests of the working class before any other. In the process Numsa has been continuously vilified and smeared by those opposed to its militant approach, in Cosatu itself, in the ANC and in the SACP.

### **The state attacked and killed workers on behalf of capital**

Both at Marikana and in the farmworkers strike in the Western Cape, the armed forces of the state intervened in support of the owners of capital against striking workers. In both instances the result was the murder of workers whose only crime was to refuse to sell their labour for less than a living wage.

## **In summary**

The ANC has been captured by representatives of an enemy class. It has adopted the strategic plan of that class. Its leadership has shown that it will not let the small issue of democracy get in the way of defending its control. As well as the continued poverty of the majority of the working class, the result of this has been the slaughter of workers.

It is clear from this picture that the working class cannot any longer see the ANC or the SACP as its class allies in any meaningful sense.

## **7. The tasks of the congress**

The Congress had to discuss how to respond to this situation. Numsa has a proud record of support for the ANC and SACP over the last 20 years that it has been in government and for long before that during the struggle. For more than 20 years we have been urging our members to swell the ranks of the ANC and SACP. We have been convinced that it is in our power to move the ANC and SACP in a direction that supports the working class and the poor.

The evidence, leading up to this special congress, was that our existing strategy was becoming outdated. Swelling the ranks has merely resulted in delivering more working class victims, like lambs to the slaughter by the ANC's bourgeois leadership.

## **8. Marikana**

### **Marikana is a turning point**

Since the first post-apartheid massacre took place in Marikana, it has been the view of Numsa that what happened on that day, similar to the 1922 Rand Revolt and the 1960 Sharpeville massacre, marked a turning point in the social and political life of South Africa.

What happened in Marikana is one of the reasons why we convened this Special National Congress. As a union we said that after the mowing down of 34 miners in Marikana, it can't be "business as usual" in South Africa. How do we explain the killing of striking workers in a democracy? As a union we have conducted a sustained and thorough analysis of the political meaning of Marikana.

What we wanted to do at this Congress was to look closer home and ask what Marikana means for trade unions and the entire labour movement. We wanted to do this introspection because as Numsa we sincerely believe that as a union we are not immune from the mass desertion by members of a traditional union to a new union.

### **Marikana was a deliberate defence of mining profits and mining capitalists!**

Delegates at this Congress were shown a new documentary that gives an alternative narrative to what we have been fed; that the police in Marikana were acting in self-defence. What we saw was that Marikana was a well-planned and orchestrated strategy by the state to defend the profits of mining bosses.

### **The Congress resolved**

With all this evidence, delegates at this Special National Congress resolved as follows:

- To call for a full and impartial investigation of the causes of what happened in Marikana as the 11<sup>th</sup> National Congress of Cosatu had called in September 2012. This investigation, unlike the Farlam Commission, would look not only at who pulled the trigger or who gave instruction to murder the workers in Marikana but would also investigate the root causes of the massacre such as the persistent migrant labour system and super exploitation of labour by capital in South Africa.
- To call upon the South African government to make available all the necessary resources and requirements to the Farlam Commission of Inquiry into the massacre, and more especially, accede to the demand for necessary assistance to the families of the miners and the injured miners and their lawyers.
- To call for the dismissal of the Commissioner of Police, General Riah Phiyega.
- To demand that all the politicians and individuals who are in complicity with the police and state in the murder of the Marikana miners be brought to book.
- To demand that the mining bosses accept full responsibility for the deaths of all the workers on the mines, and that where appropriate, necessary prosecutions must follow.
- To demand the immediate absolute dropping and withdrawal of police charges against all the arrested Marikana miners.
- To call on our trustees to investigate how workers, through withdrawal of pension fund monies, can punish those involved in the massacre.

### **A word to the media**

The Special National Congress had a word for the media. It noted the poor media coverage of the massacre, which in the main serves the interests of private capital. You as media, like us, need some introspection.

### **International Day of Action**

The Special National Congress committed, on behalf of the entire membership of NUMSA, that if the above demands are not met, we commit ourselves with our allies to an International Day of Action in support of our demands.

### **Numsa and delegates and staff raise R350,000 for Marikana families**

Through personal pledges by worker delegates at this Congress and the entire staff of Numsa, we collected an amount of R80 000 from worker delegates, R70 000 from Numsa staff and R200 000 from the Numsa Investment Company (R350 000 in total) which will be donated to victims and the children of victims of the massacre. The National Office Bearers (NOBs) have been asked to investigate what is the best trust in this regard.

## **9. On the Alliance**

### ***Analysis***

The congress noted the history and current situation of the Alliance and its partners:

### **The Alliance is dysfunctional and captured by rightwing forces**

The Alliance is dysfunctional, in crisis, paralysed and dominated by infighting and factionalism. It has been captured by rightwing forces. As a result:

- The Freedom Charter, which we understood as the minimum platform of the Alliance, has been completely abandoned in favour of rightwing and neo-liberal policies such as the National Development Plan (NDP).
- Those who are perceived to be against neo-liberalism or to be advocates of policies in favour of the working class and the poor are seen as problematic, isolated or purged.
- There exists little common understanding within the Alliance of the real objectives of the National Democratic Revolution.

### **The Alliance does not lead struggle**

Although there are protests everywhere and every day in the country, the Alliance is not an instrument in the hands of these struggling masses, nor does it provide leadership to these struggles, which are largely leaderless struggles. The reality is that there is a political vacuum and the working class is on its own.

### **The Alliance is just for elections**

The Alliance operates only during election periods. It is used to rubber stamp neo-liberal policies of the ANC and not as a centre of power that debates policy issues and implementation. It is our experience that the working class is being used by the leader of the Alliance – the African National Congress – as voting fodder.

### **The ANC is the only strategic centre**

The ANC has resisted the reconfiguration of the Alliance into a strategic political centre where issues of policy, deployments into government and programmes are jointly decided upon by all Alliance components. Our strategy of swelling the ranks has not worked and all resolutions of COSATU congresses in relation to how the Alliance should function have not been implemented by the leaders of the Alliance.

In practice the Alliance is still in the hands of one alliance partner, the ANC. The ANC is the centre and implements government programmes and policies alone, with little or no consultation with other components of the Alliance. It has made it very clear that it has no intention of allowing this situation to change. As evidence of this, the recent alliance summit still failed to make fundamental changes to the NDP and had no significant impact in changing policies in favour of the working class and the poor.

### **This is a common development in post-colonial countries**

The treatment of labour as a junior partner within the Alliance is not uniquely a South African phenomenon. In many post-colonial and post-revolutionary situations, liberation and revolutionary movements have turned on labour movements that fought alongside them, suppressed them, marginalised them, split them, robbed them of their independence or denied them any meaningful role in politics and policy-making.

### **There is no chance of winning back the Alliance or the SACP**

There is no chance of winning back the Alliance to what it was originally formed for, which was to drive a revolutionary programme for fundamental transformation of the country, with the Freedom Charter as the minimum platform to transform the South African economy.

The South African Communist Party (SACP) leadership has become embedded in the state and is failing to act as the vanguard of the working class. The chance of winning it back onto the path of working class struggle for working class power is very remote.

### **The working class needs a political organisation**

For the struggle for socialism, the working class needs a political organisation committed in theory and practice to socialism.

### ***Decisions***

The Congress therefore resolved the following:

### **Call on Cosatu to break from the Alliance**

Numsa calls on COSATU to break from the Alliance. The time for looking for an alternative has arrived.

### **Establish a new United Front**

NUMSA will lead in the establishment of a new United Front that will coordinate struggles in the workplace and in communities, in a way similar to the UDF of the 1980s. The task of this front will be to fight for the implementation of the Freedom Charter and to be an organisational weapon against neoliberal policies such as the NDP. For this to happen our members and shopstewards must be active on all fronts and in all struggles against neoliberal policies, whether these policies are being implemented in the workplace or in communities.

### **Explore establishment of a Movement for Socialism**

Side by side with the establishment of the new United Front, Numsa will explore the establishment of a Movement for Socialism as the working class needs a political organisation committed in its policies and actions to the establishment of a socialist South Africa. Numsa will conduct a thoroughgoing discussion on previous attempts to build socialism as well as current experiments to build socialism. We will commission an international study on the historical formation of working class parties, including exploring different type of parties – from mass workers parties to vanguard parties.

We will look at countries such as Brazil, Venezuela, Bolivia, Greece. We will examine their programmes with the aim of identifying elements of what may constitute a revolutionary programme for the working class. This entire process will lead to the union convening a Conference on Socialism.

### **Set a deadline for this process**

This work to explore the formation of a Movement for Socialism must be regularly reported to constitutional structures and the work must be finalised by the first NUMSA Central Committee in 2015.

### **Look for electoral opportunities**

In addition, in all the work being done, whether on building a new united front or exploring the formation of a Movement for Socialism, we must be alert to gains that may present

possibilities of either the new united front, or any other progressive coalition or party committed to socialism, standing for elections in future. The NUMSA constitutional structures must continuously assess these developments and possibilities.

## **10. Special resolution on possible inappropriate use of taxpayers' money to upgrade the President's home in Inkandla**

### ***Analysis***

#### **There are allegations of inappropriate use of public fund on the President's property**

There are allegations that taxpayers' money has been inappropriately used to build a home costing more than R200 million for the President of the Republic of South Africa. This alleged use of the taxpayers' money takes place in the sea of poverty in our country. When asked in Parliament in 2012, the President told the whole nation that development of his house was from his family's own pockets.

#### **There is an attempt to squash the truth**

Since the allegations on use of taxpayers' money for renovations of the President's home, there have been concerted attempts to squash the truth about the expenditure including the classification of the Inter-Ministerial Report on Inkandla, the use of the notorious and apartheid style legislation such as the National Key Points Act of 1980 as well as the attempt by the Security Cluster Ministers to interdict the Public Protector. NUMSA's National Executive Committee has called on all facts on Inkandla to be put on the table and in public.

#### **This is not an isolated instance**

President Zuma's administration has been marked by one scandal after the other if one considers the landing of the Gupta Group from India at a National Key Point which posed security risks for the country and the presence of the President's family in business deals.

President Zuma's administration continues to be characterized by lack of transparency and attempts to hide the workings of the state from the Public. An example of this lack of transparency is the passing of the so-called Protection of Information Bill or Secrecy Bill.

#### **Neo-liberalism dominates**

President Zuma's reign has seen the continuation of neo-liberalism through policies such as the National Development Plan (NDP), the Employment Tax Incentive Bill, Youth Wage Subsidy, Labour brokers and E-tolls.

#### **This raises the question of calling for the President to resign**

It was correct that the NUMSA President in his opening remarks raised the question of whether it is appropriate to agitate for the recall of the State President if the final report of the Public Protector proves that taxpayers' money was used inappropriately.

As a country, we have a recent experience where the former State President was recalled for pursuing neo-liberal policies. The Zuma administration not only pursues neoliberalism but it is characterized by scandals, nepotism and patronage.



The Public Protector's report has the potential to destroy the image of the State President and send a negative image about this country.

### ***Decisions***

#### **The Congress condemns attempts to hide the truth**

The congress condemns all the attempts that have tried to block the truth on Inkandla, such as the classification of the report by Minister of Public Works Thulas Nxesi as well as the interdict of the Public Protector by the Security Cluster Ministers.

#### **President Zuma must resign**

The congress called on President Jacob Zuma to resign with immediate effect because of his administration's pursuit of neo-liberal policies such as the NDP, e-tolls, labour brokers, youth wage subsidy, and the track record of his administration which is steeped in corruption, patronage and nepotism.

## **11. The situation in Cosatu**

### ***Analysis***

#### **The federation is paralysed**

The federation is currently in a complete state of paralysis and about to implode if no serious measures are undertaken to save it, unify it, rebuild it and reclaim it from forces who want to destroy or liquidate it. COSATU is no longer a campaigning federation. There has been a failure to implement congress resolutions such as the resolutions for a campaign against the banning of labour brokers, against e-tolling and the proposed youth wage subsidy.

Since September 2012, there has been a failure to carry out the revolutionary programme adopted in COSATU's 11<sup>th</sup> National Congress.

#### **There are two voices**

There are two voices, crystallised into two camps, coming from within and amongst COSATU's top leadership:

- a camp that wants COSATU to continue to fight for socialism and against neo-liberalism
- another camp that wants a COSATU that acts as the "labour desk" of the ANC, thereby consciously or unconsciously advancing the neo-liberal project underway in South Africa.

The divisions in COSATU are about the soul and the character of the federation.

#### **There is an attempt to turn Cosatu into a conveyor belt**

At the centre of these problems are concerted efforts to turn the federation into a conveyor belt that feeds ANC-led government policies into the working class and thus turn COSATU from a revolutionary, militant and independent union movement into a "yellow federation".

Certain leaders of the Alliance are deeply involved and are in fact the main drivers of the divisions in our federation.

### **The SACP is leading this attempt**

Instead of uniting the labour movement, the South African Communist Party (SACP) has been the leader of criticising those who are for an independent and campaigning COSATU, labelling them as counter-revolutionary. Motivating the SACP to launch this attack is the official criticism that COSATU levelled at the Party, arguing that since Party leaders went into government, the SACP has been absent in mass struggles and has become an apologist of the government. Irritating the Party more than anything else was the call for the General Secretary and Provincial Secretaries of the Party to leave government and be fulltime in the organisation.

The SACP Congress in Ongoye openly resolved to intervene in COSATU, which is supposed to be an independent formation of the Alliance, to isolate and defeat us. Ever since then, the political crisis in COSATU deepened and COSATU divisions worsened.

### **We need unity in action around a revolutionary agenda**

There is no priority more important than safeguarding the capacity of the working class to act in its own interests. The unity of the working class is critically important, but it has to be based on unity in action.

We need to continuously assert, in action, that we need a united, independent and campaigning COSATU that is able to implement its own resolutions without favour or fear. For this assertion to happen in action, the unity and independence of COSATU is sacrosanct and of paramount importance.

COSATU must at all times advance a revolutionary agenda. We need to capture the masses through the Freedom Charter and its implementation because many people and affiliates want to see that happening.

### **We need an accountable Cosatu leadership**

We need COSATU leaders that are first and foremost accountable to the federation, who adhere to its constitution and are committed to implementation of the federation's policies, resolutions and programmes. COSATU leadership, affiliates and members should champion policies agreed upon in constitutional meetings and not turn them into individual members' or leaders' mandates. There must be immediate implementation of both the 11<sup>th</sup> National Congress and March 2013 Collective Bargaining Conference resolutions of the federation.

### ***Decisions***

#### **We must fight for a militant, independent, unified Cosatu**

Numsa shop stewards must continue to be visible and active in all COSATU structures and leadership positions in order to deepen our ideological perspectives, to change mindsets and to develop a clear understanding of the challenges confronting COSATU. We must fight

for the unity and independence of COSATU. It should not be influenced by outside forces and that we must resist COSATU from being reduced into a toy-telephone. As Numsa, we should continue driving and championing all COSATU campaigns that are relevant to the workers and the working class at large.

With all our strength and intelligence, we must continue the fight to keep our federation independent and on the path of militant action in the interests of the working class. We must guard against any splinters in COSATU and the fragmentation of the federation; instead we must continuously engage other affiliates of COSATU, winning over those that are on the other side of the trenches.

In striving for unity within the federation, we must ensure that we alleviate the social distance between the leadership and the general membership.

### **We must fight for a Cosatu Special National Congress**

Only a Special National Congress of COSATU can help us move out of the current crisis in the federation. Failing the convening of the COSATU Special National Congress by the President we will invoke clause 3.3.2.2. of the federation's constitution. This clause states that the COSATU Central Executive Committee (CEC) can appoint a convenor for the Special National Congress. In case we fail to have the CEC appoint a convenor, as NUMSA we must explore other routes beyond possible legal avenues that will lead to the COSATU Special National Congress being convened.

### **We must develop a better understanding of Cosatu's crisis**

Numsa must conduct further work in order to deepen our understanding of the crisis in COSATU. This work must explore, among others:

- The evolution and historical development of the Federation
- The history of and the developments around different unity talks.
- COSATU's strategies of engagement and its programmatic manifestations
- The shifting class composition and the shifting values within the federation

### **We will withhold affiliation fees until the Special Congress is convened**

As part of the fight, Numsa should adopt the tactic of withholding our subscriptions to COSATU as an ultimatum for the convening of the Special National Congress of COSATU.

### **We will mobilise around a programme of action for a militant, united Cosatu**

While we want to guard against splinters in COSATU and the fragmentation of the federation, we may not under the circumstances succeed. We must continuously engage other affiliates of COSATU, winning over those that are on the other side of the trenches. If COSATU is incapable of remaining united around a militant programme of action we should begin the process of forming a new federation. But not before embarking on the following programme of action:

- We will organise a march to COSATU House to push the COSATU leadership to accede to the clarion call for a Special National Congress and the withdrawal of

charges against the COSATU General Secretary. The march should coincide with the 1<sup>st</sup> COSATU CEC in February 2014.

- We will consistently mobilise the rank and file to build capacity and enhance confidence amongst all workers and encourage other affiliates who support the call for an independent, militant and campaigning COSATU to follow Numsa's approach in terms of ensuring a wider and broader involvement of members. This must include producing a pamphlet about the crisis facing COSATU, for circulation to the rank and file across all affiliates.
- We will engage the broader mass democratic movement to appraise them about the impact of the challenges facing COSATU together with the collective affiliates behind the COSATU Special National Congress.
- We give a mandate to the Numsa Central Committee to assess and to make strategic decisions from time to time towards the COSATU 12<sup>th</sup> National Congress in 2015 as part of our struggle to reclaim the federation.

## **12. Elections**

### ***Analysis***

This is how the Congress summed up Numsa's view of the ANC:

#### **We have traditionally supported ANC in elections**

Since 1994, Numsa has invested resources and personpower towards ensuring an ANC victory in elections. The Alliance led by the African National Congress (ANC) expects the working class as the motive force of the revolution to go all out and campaign and mobilise communities to vote for it, and to put resources into its 2014 election campaign as they have done in the past.

#### **ANC dominates its Alliance partners**

The ANC continues to undermine the Polokwane resolutions to make the Alliance a strategic centre of power. In addition, its national leadership is part of the agenda to turn COSATU into its labour desk through targeting loyal working class leaders within COSATU.

#### **ANC imposes anti-working class measures**

It has just passed anti-working class laws and policies such as e-tolls, the Employment Tax Incentive Bill, and the regulation instead of banning of labour broking.

#### **ANC has abandoned the Freedom Charter and any change in property relations**

The Freedom Charter, as the basis of our existence as an Alliance, the glue that brought the Alliance together, has not found expression in government policies. In fact the ANC no longer adheres to it. The ANC has not only departed from the Freedom Charter, but also from the Morogoro Conference core values and the Reconstruction and Development Plan (RDP).

The ANC-led government continues to ignore and duck the question of how to fundamentally change property relations in the country.

#### **ANC imposes neo-liberal policies including the National Development Plan**

The African National Congress as the ruling party, particularly since 1996, has and implemented, and still implements, neo-liberal policies against the wishes of its Alliance partners, particularly organised labour.

The ANC-led government has imposed the National Development Plan (NDP), which is a neoliberal policy embedded in the failed Growth, Employment and Redistribution (GEAR) strategy of 1996. It will not address the triple crisis of unemployment, poverty and inequality. In fact, it has the potential to reverse working class gains, even those secured under apartheid.

As the NDP is now the policy of the ANC it has been made abundantly clear by the ANC leadership that the National Development Plan will be the ANC government's strategy until 2030. It will be government's blueprint according to which all government departments and ministries must develop their budgets for 2014.

Part of neo-liberal policies is the South African Reserve Bank's continued targeting of inflation instead of jobs. This has produced massive joblessness.

### **There is a history of broken ANC promises**

Given its track record of not delivering on its manifesto promises, there is no guarantee that, even if the ANC comes up with a "progressive" platform for 2014, that manifesto will be implemented.

### ***Decisions***

Therefore the Congress decided the following:

- NUMSA as an organization will neither endorse nor support the ANC or any other political party in 2014.
- Although endorsing no political party, the union however recognizes the constitutional right of its members to vote.
- Officials and shopstewards who feel the need to campaign for the ANC or any political organization will have to do this in their own time and using their own resources.
- Any individual member is entitled in their own time to be active in any political party including getting elected to leadership positions. However, no NUMSA Office Bearer is allowed to hold any office bearer position in any political party.
- Numsa will cease to pay into the COSATU/SACP political levy.

## **13. Positioning Numsa as the Shield and Spear of workers**

### ***Analysis***

#### **There is no such thing as core and non-core workers**

Outsourcing "non-core functions" through breaking up different services within a workplace has weakened unions and shopfloor organisation. Employers are using the concept of "non-core" to deal with the strength of the union. In most cases this strategy of employers is not based on financial reasons but is an attempt to deal with the power of the union within a workplace.

This fragmentation of the workforce makes it difficult for outsourced workers to join the union because employers threaten them and tell them that they will terminate their contracts if they join.

The split of jobs and outsourcing affects us as Numsa as it undermines the principle of workers' unity and the principle of one industry one union. A consequence of outsourcing is the emergence of many unions within a single workplace and the creation of multi-bargaining forums in a single establishment

### **Pressure in the value chain prejudices workers**

Primary employers and original equipment manufacturers (OEMs) dictate to component companies and providers of outsourced services in terms of pricing. This leads to the cheapening of the labour of those who work in outsourced services and the entry of labour brokers.

### **We cannot ignore workers who want an effective union**

Numsa is not poaching members from other unions. Workers are coming to Numsa on their own accord. It is difficult to turn away workers who want to voluntarily join Numsa particularly when, if we do turn them away, they are likely to go to non-Cosatu unions.

### ***Decisions***

#### **All workers in our workplaces must be Numsa members**

While our first goal should be to intensify our fight against labour brokers and oppose any new outsourcing in production processes, where outsourcing takes place and where we are unable to block it, we must reject management's division of workers into "core" and "non-core" and organise every worker in workplaces that are in our sectors, whether they are in cleaning, security, catering, health services or any other service that is provided in support of activities in our sectors.

#### **We must move to organising along value chains**

Technological changes, changes in production and restructuring of sectors and the impact of value chains necessitate new organisational strategies. Over time we should move from organising along industrial/sectoral lines to organising along value chains.

#### **We will study value chains**

NUMSA's Research and Policy Institute will thoroughly investigate the value chain linkages relevant to our industries, including the possibility of having one collective bargaining for the same value chain. The outcome of such research will be fed into constitutional structures.

#### **We will register the change of scope from our 9<sup>th</sup> Congress**

We should register the amendments of Numsa's scope of operation from the mandate of the 9<sup>th</sup> National Congress in June 2012 which called for the inclusion of the following:

- *Glass production, sale and fitment*
- All car valet and wash bay establishments
- the manufacture of jewellery
- the refining of petrol, wholesale transportation, extraction and distribution of petrochemicals
- refining of petrol,

- The mining and smelting of both base and precious metals

**We will register the following additions to our scope:**

- Drivers that provide support to activities of NUMSA sectors’.
- Building and construction;
- Auto industry textile workers (car seat manufacturing);
- Security, cleaning , canteen workers and health services that are employed in all sectors covered by our scope.’
- Kiosks linked to garages and forecourts along with ancillary businesses such as shops, wash bays, restaurants, attached to garages irrespective of whether they are owned by a franchisee and/or any third party’.
- Industrial Chemicals
- Alternative energy
- Information and Communication Technologies

## **14. Service Charter**

Numsa is a revolutionary union and as such plays a leading role in the defeat of capitalism and the exploitation that is associated with it. We are democratic centralist – we believe in robust, vigorous and democratic debate leading to a united decision and action.

We are going into a period of intensified struggle both with the bosses and with the state that is supporting them. As we lead our members in these struggles, they constantly confront management, and management fights back, disciplining and harassing them.

If we are going to expect our members to continue the militant fight which we have planned, we must make sure that we constantly improve our ability to protect and defend them. We believe our service to our members is good; but we know that it can improve. We realized that even though we have a Numsa constitution and policies, there is no document that sets out clearly what a member can expect from Numsa and what Numsa expects from its members.

The congress produced drafts of a summary service charter and also a more detailed document. The basis of the documents is to outline what service members can expect from the staff and structures of Numsa and what, in turn, are the responsibilities of a Numsa member. These drafts will be finalised by the Numsa Central Committee in 2014. The summary versions of the charter will be posted on the wall of every Numsa office.

## **15. Section 77 Campaign**

### **Background**

The 9<sup>th</sup> National Congress of Numsa adopted a set of socio-economic demands that were meant to reverse neoliberal policies that were being implemented. The socio-economic demands were also to address the plight of the working class and the poor in our country. NUMSA took these demands to the September 2012 National Congress of COSATU with the call for the federation to serve a notice to go on a socio-economic strike as stipulated in Section 77 of the Labour Relations Act (LRA).

Although the federation filed the notice for a Section 77 with the National Economic Development and Labour Council (NEDLAC) at the end of 2012, little energy has been injected into the campaign. The situation has been made worse by the political and organisational paralysis that exists in COSATU.

### **Numsa will take forward its own programme**

After detecting that there was no enthusiasm within COSATU to mobilise for the socio-economic strike, the union's July 2013 National Executive Committee (NEC) meeting took a decision that as NUMSA we should have our own programme of rolling socio-economic strikes that will be taken on the basis of Section 77 notices.

The union has established its own Section 77 Task Team led by the General Secretary. The role of this task team is to coordinate the programme of rolling socio-economic strikes.

### **Employment Tax Incentive Act**

Despite labour's objection and opposition by the Young Communist League, the Employment Tax Incentive Act was tabled in Parliament without National Treasury having taken the Bill to NEDLAC. It has since been signed into law by the President. The Act provides for tax incentives:

- To employers who employ workers earning less than R6 000 per month and who are 18 to 29 years of age,
- To employers who employ people in "Special Economic Zones". No age restrictions would apply in the tax incentives meant for SEZs.
- To employers who employ workers within sectors that the Minister of Finance has the power to designate. No age restrictions would apply in the tax incentives in these designated sectors.

NUMSA has lodged a Section 77 application on the Employment Tax Incentive Act as the union believes that the Act will have negative consequences for workers and the working class. It will not encourage real employment creation. On the contrary it will discourage decent work and will lead to the displacement of unsubsidised workers, as the protections for unsubsidised workers are wholly inadequate. It will exert a dramatic downward and negative pressure on wages, the provision of benefits and other terms and conditions of employment, resulting in an increase in the numbers of working poor. It will negatively affect orderly collective bargaining by creating multi-layered labour markets and result in the exploitation of both subsidised and unsubsidised workers. It will not promote skills development and training as there is no mandatory requirement in the bill to link the incentive with issues of skills and training. By reducing the amount of money that government is able to raise through taxes it will negatively affect government's capacity to provide for basic services. Finally, the Act's provisions are not properly aligned with the provisions of the Labour Relations Act and other employment laws.



NUMSA is also currently seeking legal guidance regarding bringing the Minister of Finance to court for not bringing the Bill to NEDLAC. We will endeavour to convince labour federations (COSATU, NACTU and FEDUSA) and also SANCO to join the legal matter

### ***Decisions***

#### **Numsa's rolling mass action**

The Numsa programme will unfold in 6 phases:

**Phase 1:** Employment Tax Incentive Act; beneficiation of all strategic minerals, a ban on the export of scrap metals and rebuilding of foundries, import parity pricing and an export tax on all strategic minerals.

**Phase 2:** an increase in import tariffs on certain goods to the maximum allowed by the World Trade Organization (WTO).

**Phase 3:** Nationalisation of the Reserve Bank, exchange controls and an end to inflation targeting

**Phase 4:** de-commercialisation of state owned enterprises and the re-nationalisation of SASOL and Arcelor Mittal South Africa

**Phase 5:** Labour market issues and low wage employment including the minimum wage.

**Phase 6:** Nationalisation of the mines

#### **Mass action against the Employment Tax Incentive Act**

After exhausting all the procedures within NEDLAC, NUMSA has targeted Budget Day (26 February 2014) as the day when our members will embark on the first of our protected socio-economic strikes. NUMSA will engage other COSATU affiliates and urge them to join us in the Section 77 notice on the Employment Tax Incentive Bill so that we can turn the action on 26 February 2014 into a general strike. The NUMSA Youth Forum has agreed to spearhead the campaign amongst young people and expose how inadequate the legislation is, in solving the issue of youth unemployment.

As NUMSA we will build a broad coalition against the law, bringing into the campaign community organisations, faith based organisations and other social movements.

#### **16. Numsa's new leadership collective**

A vacant position was created when Numsa's former President Cedric Gina suddenly resigned on 25 November 2013. Cde Andrew Chirwa was unanimously elected as the new President of Numsa. Before his election on the first day of this Special National Congress, Cde. Chirwa who is a worker and shopsteward at Ford assembly plant was the First Deputy-President of the union. Cde Christine Olivier who was the Second Deputy-President takes

over from Cde Chirwa as the first woman First Deputy-President of the National Union of Metalworkers of South Africa (Numsa). A new face in this collective is Cde Basil Cele who takes over as the Second Deputy-President. Cde Basil is a veteran worker leader. Until his election, he served as the Chairperson of KwaZulu-Natal region of Numsa and until recently was the Chairperson of COSATU in that region.

### **17.Eskom Dispute**

We note with serious concern the failure of Eskom to give a decent increase for workers. Eskom is pushing for a wage cut for all workers and this might set a precedent for paying workers increases even lower than the rate of inflation. If the dispute is not resolved, Numsa will have no option but to take action against Eskom, which might include a black out.