



WINNING STRIKES

A GUIDE TO STRIKE ACTION





The right to strike was won by the working class after decades of struggle against apartheid and capitalism. We live in country today that is very different – the right to strike is a right in the South African constitution.

This booklet is about knowing strike laws and rights, tactics for strike organizers and anticipating the responses of bosses. Moreover, it is a guide to winning strikes. And, even if we do not win all our strike demands, it is about ensuring that we gain strength and unity from our action.

Cover photos

Front: 1. Numsa in 2015. Courtesy of Ventures

2. Healthcare workers protest for safer working conditions and Nehawu, threatens strike action, 3 August 2020. Photo by Themba Hadebe

Back: Workers at ITB plastics in Durban on strike to demand permanent jobs, 21 August 2018. Courtesy of IndustriALL Global Union

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Strikes ... teach the workers to unite; they show them that they can struggle against the capitalists only when they are united; strikes teach the workers to think of the struggle of the whole working class against the whole class of factory owners and against the arbitrary, police government. This is the reason that socialists call strikes "a school of war", a school in which workers learn to make war on their enemies for the liberation of the whole people, of all who labour, from the yoke of government officials and from the yoke of capital."

VI LENIN (A LEADER OF THE RUSSIAN REVOLUTION OF 1917)

INTRODUCTION

For workers and the working class, a strike is your most important weapon – whatever the issue that confronts you at work or in society. Whether you work for a private company, whether you work for the state, whether you are not sure which company is actually your employer. Whether you are a member of a trade union or not. Whether it is about not getting your correct wage, the attitude of supervisors, discrimination, outsourcing or any of the hundreds of issues which are wrong and unfair OR whether it is about crime and violence in communities, whether it is about inefficient and unsafe public transport or high unemployment and the lack of social support for working class people, a well-supported strong strike is the most effective working class weapon because it disrupts the company or the economy and hurts the capitalists most to ensure that they take demands seriously.

A strike is about as many of your fellow workers as possible standing together and telling your boss that we all won't work if this unfairness is not corrected.

An Injury to One is an Injury to All. Unity is Strength! These have been slogans of the working class for generations.

For many years some of us have also been able to negotiate our wages with the bosses and the only way we were able to get anything close to a living wage is when we went on strike.

While under the system of capitalism under which we live forces us to work if we have any hope of having money to put food on the table or getting education for our children, your bosses also need you to make them a profit. So withdrawing your labour – even if only for a short period of time – is sometimes the only way to get the bosses to listen.

But precisely for this reason the capitalists and the government have put in place procedures and laws to intimidate us and divide us and limit our right to strike.

In fact, the fight against the system of apartheid was not only about getting the right to vote and to stop racial and gender discrimination but also to ensure that workers in this country – whether South African or from any other country - have the right to strike.

That right is now in the Constitution of South Africa.

Often we see on TV or read in the media or on social media that workers have launched an “illegal strike” or that the police have broken up an “illegal strike”. This is untrue – fake news. With a few exceptions (e.g. a strike by members of the army) strikes are not illegal. They can however be protected – where the bosses are not allowed to dismiss striking workers because the strike followed all the steps laid out in the LRA – or unprotected, where the bosses can dismiss striking workers.

This booklet draws on a booklet produced by a trade union in the late 1980s (Chemical Workers Industrial Union, CWIU) when we negotiated over wages every year. At that time we were still trying to win the full right to strike.

But since then much has changed and we live in country today that is very different - but yet has many features of the past. We have many important democratic rights enshrined in our Constitution and a commitment to a non-racial and non-sexist society in which there is participatory democracy. And we have the right to strike.

But we are also the most unequal country in the world.



SACTWU demonstration against gender-based violence, national strike (7 October 2020). Photo: IndustriALL Global Union

We have had a new set of Labour Laws since 1995 which gave us important organising rights. Since then the government has made amendments to these Laws up to 2018 – laws which recognised the rights of casual workers and established a national minimum wage of R20 per hour. But the same amendments have made it more difficult to exercise our right to strike.

But the biggest changes since the 1990s have been that the system of capitalism has changed – first in many other countries around the world since the 1980s – and then in South Africa shortly before we won democracy in 1994. This type of capitalism is known as neo-liberalism.

Neo-liberalism is a form of capitalism that has sought to overcome a crisis of profitability for capitalists by intensifying the exploitation of the working class, imposing market-type relations into every aspect of human life and using state power to redirect the country's wealth to a smaller and smaller elite group of capitalists at the expense of the lower classes.

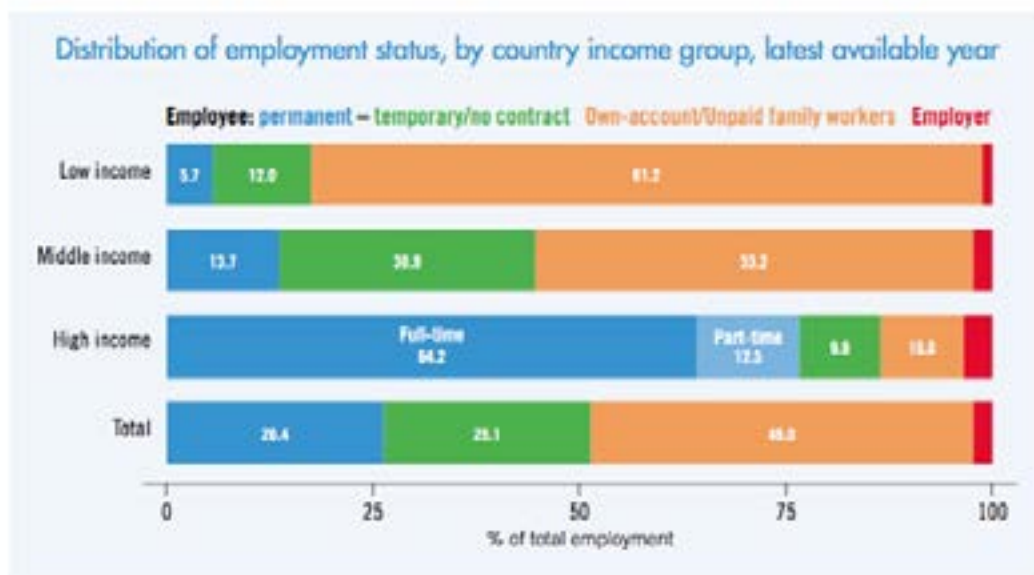
A consequence of this strategy has been the growth of unemployment everywhere in the world. Today the levels of unemployment, globally, are on a scale last seen before World War Two. During and after the COVID-19 pandemic, South Africa's actual unemployment rate will be over 50%, the highest in the world for "middle income" countries. Unemployment is especially high amongst black youth.

Of those workers who are in some kind of employment, all will experience greater forms of precariousness and insecurity. A 2015 ILO report estimated that only a quarter of the employed workers in the world today are on permanent contracts. The ILO said the remaining three quarters are employed on temporary or short-term contracts, working informally often without any contract, are self-employed or are in unpaid family jobs.

In its World Employment and Social Outlook, the agency highlighted a rise in part-time employment, especially among young women.

Since the triumph of neo-liberalism the nature of

work has been changed significantly. Work is flexible, part-time, and precarious. The workplace can as well be a home, street, dump site or network as much as a factory, farm, mine or shop. It is outsourced, informal and sometimes appears "self-managed".



The decline of state employment and the scale of unemployment and informality has opened spaces for waste-pickers, home-based carers, child-minders, zama-zamas, car-guards, dog walkers etc. as livelihoods amongst the working class and the regular wage as the form of livelihood has changed for many workers.

Neo-liberalism has also been about the state largely abandoning providing affordable water, electricity, quality education and healthcare etc. It has meant the commercialization or privatization of these basic services and millions of people now have to provide these life necessities themselves. This has largely increased the economic burden on working class people, especially women.

The forms of reproduction of the working class have also changed alongside the world of work and production. As a result, the composition of the working class has changed in many countries – in age, gender and nationality.

The legal frameworks of most countries, and global institutions do not as yet fully reflect this reality in their Labour Laws and policies, including UN institutions like the ILO.

This has meant that the working class is today experimenting with many different forms of organising. Many are trade unions. But many are not.

For instance:

In the Western Cape farmworkers strike in 2013 seasonal and casual farmworkers blocked roads, marching from farm to farm and focused their demand on the wage determination of the state rather than negotiate with farmers through traditional trade unions who had failed to fully organize farmworkers.

For many years poor people from Zimbabwe and elsewhere have been forming cross-border organisations to act collectively instead of competing with one another when selling and buying goods across the Zim-SA borders. When the Zimbabwean state clamped down on certain cross-border goods in 2016 they were part of popular protests that forced its re-opening.

The 2012 Marikana struggles in South Africa, and the aftermath of the August massacre were most emblematic of forms of experimentation. Rock drill mineworkers revolted against their trade union and forced platinum bosses to negotiate with them, even forming strike committees to co-ordinate their struggles. The post-Marikana strike wave was notable for the range of experimentation with new forms and even the revelation that there had been forms of experimentation well before – the Bokoni Labour Forum – a forum of workers and community members fighting both against the platinum company employer, Anglo-Plat, as well as the traditional leaders who had stolen money meant for community development was a notable example.

By 2014, the pressures to sustain struggles and

livelihoods and the inflexibility of the bosses and the legal framework encouraged many of the workers to seek out an unaffiliated traditional trade union, AMCU.

Today in South Africa community healthcare workers (CHWs) or home-based carers who perform essential care for HIV and TB or disabled patients and others in communities as the state reneges on health care for the working class – find themselves caught between fighting, sometimes with NGOs who employ them, and/or Provincial Health authorities who refuse to accept them as health-workers have also been experimenting with forms of organizing – from acting in their own networks and forcing negotiations - through struggles to form their own trade union. Their marginalization includes not having access to trade union rights and influencing their conditions of employment.

Some workers employed by labour-brokers and casual workers in Gauteng formed councils across various industrial areas. These Councils operate across sectors and eschew trade union methods of organizing yet force companies to negotiate with them. They then link up to the Simunye Workers' Forum in the wake of a campaign by the Casual Workers Advice Office around new rights in South Africa's Labour Relations Act in 2016.

At the same time the largest grouping of organised workers in the country are in trade unions – many of these are small and unaffiliated. The majority however are affiliated to trade union federations, COSATU, FEDUSA, NACTU and SAFTU.



The strike by mine workers at Marikana in August 2012 signalled a militant turn against co-opted unions – and the democratic government's willingness to perpetrate massacre to repress the rebellion.

The neoliberal restructuring of the working class and these divisions have not helped our cause. We now have the Right to Strike but our organisations are fragmented and our living standards are getting worse.

And yet our most powerful weapon is still the strike.

The two graphs below show that despite everything workers are still striking for their rights and that the number of strikes in the country is still on the increase (Figure 1). It is just that the strikes are shorter and victories are not being won (Figure 2).

Looking at this data demonstrates that there have been years where the number of working days lost has been high – including during the 2010 **public sector strike** and the 2014 **platinum strike**. Overall, though, there has been a slight decline in the number of working days lost.

The data also demonstrates that strikes in South Africa don't tend to be prolonged. In the last decade

nearly three quarters of strikes were resolved within two weeks; 42% were resolved in less than a week. Only a very small proportion – 6.8% – last for more than a month.

This booklet is a guide for any worker, trade union organiser or shop-steward – whether you are a South African or a foreign national working in South Africa; whether you are a factory worker, farmworker, mineworker or domestic worker; whether you work full-time, part-time or as a “casual worker”; whether you work for a large company, the state or a labour broker; whether you are not sure who your employer is; whether you are a member of a trade union or not.

The right to strike is a right in the South African constitution. It is a right won by the working class after decades of struggle against apartheid and capitalism.

But rights are like our muscles – if we don't exercise them they become weak and the government and the rich will undermine them and even make them something that can be used against us.

Having a right guarantees nothing unless we exercise it.

This booklet is about knowing strike laws and rights, tactics for strike organizers and knowing the responses of bosses. Moreover, it is a guide to winning strikes. And, even if we do not win all our strike demands, it is about ensuring that we gain strength and unity from our strike.

Figure 1. Number of industrial actions 2006-2016. Department of Labour Industrial Action Annual Reports

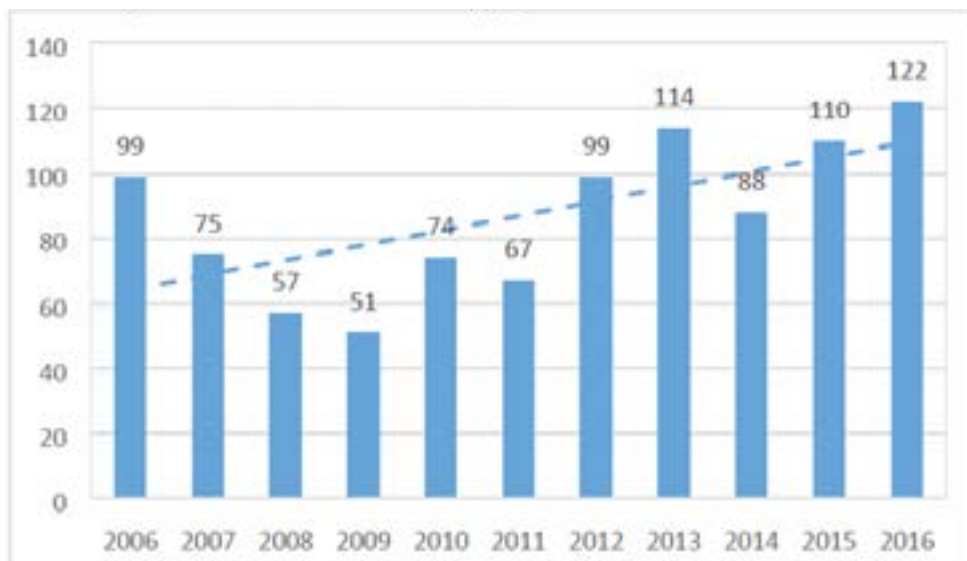


Figure 2. Number of working days lost, 2006 – 2016. Department of Labour Annual Industrial Action Report

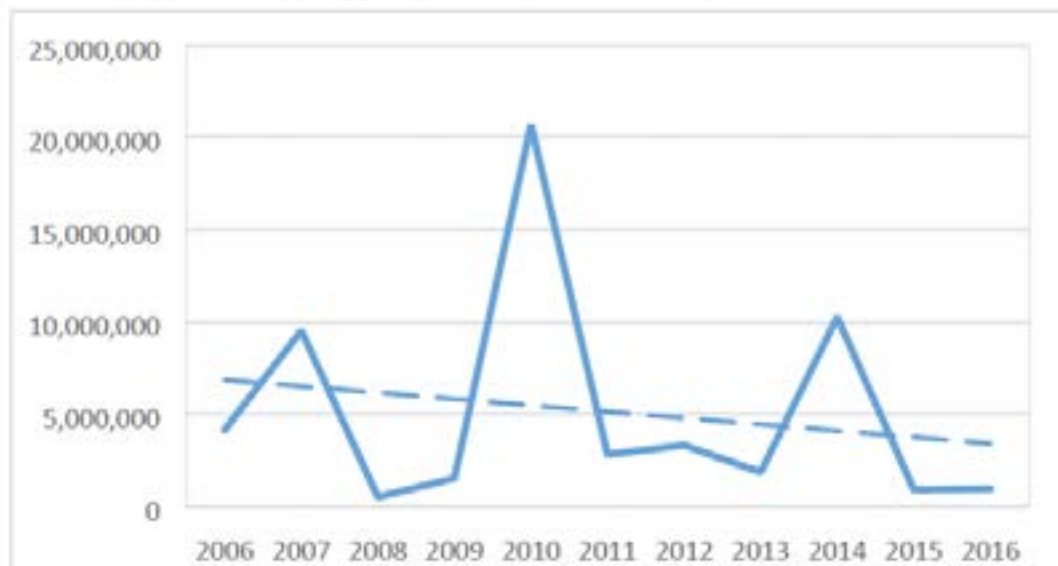


Figure 3. Number of Strikes and Days lost (Eddie Cottle: 2020)

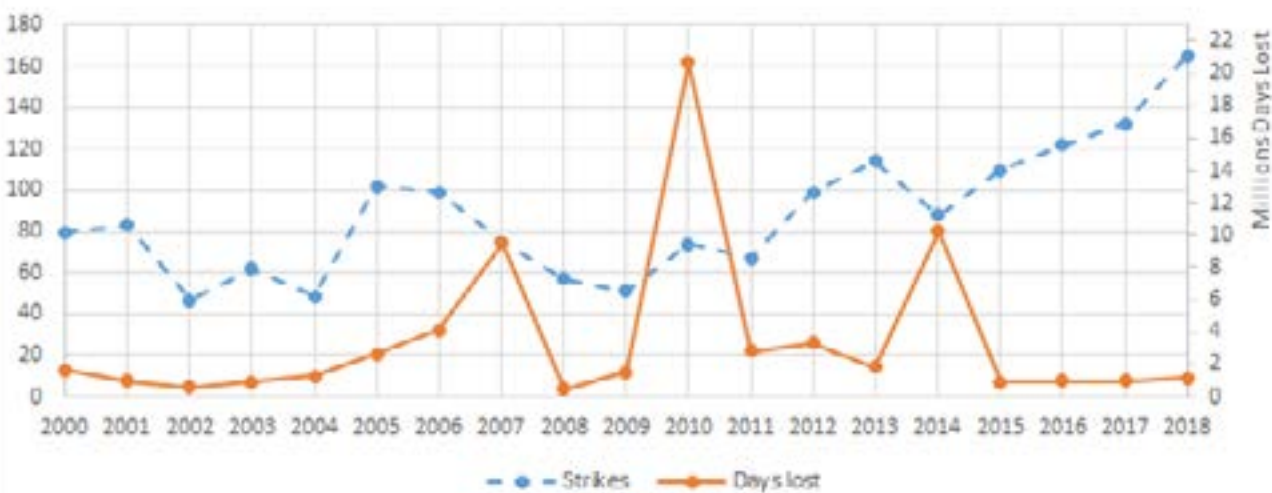
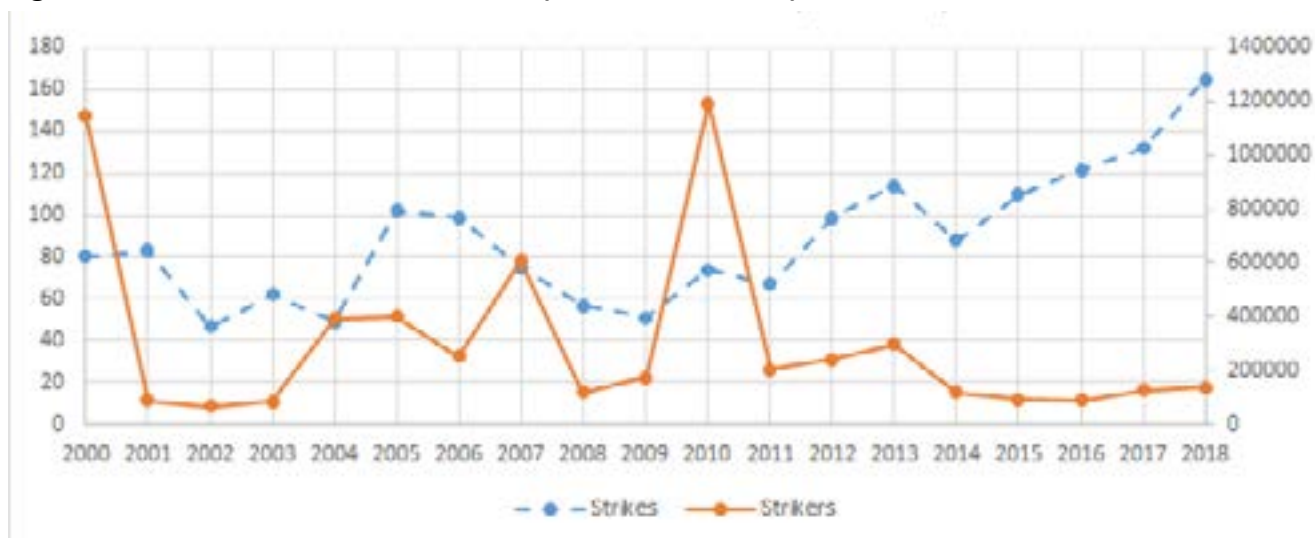


Figure 4. Number of Strikes and Strikers (Eddie Cottle: 2020)



In this booklet we will try to achieve 4 things;

1. We will draw on the past experience of trade-union organised strikes, which remain part of the general lessons that every worker needs to think about and know.
2. We need to know what the Labour Laws say about our strike rights so that we can use this knowledge as a weapon and;
3. At the same time, we need to renew our fight against the way the government and the bosses have rolled back our right to strike.
4. At all times we need to must be prepared to experiment with new ways of undertaking and managing strikes because the working class has changed along with the system of capitalism itself.

This booklet is a manual for strike action. We hope that it will assist workers, trade unionists and community activists in taking effective and planned action to avoid some of the pitfalls of the past. The booklet outlines some of the key questions that workers should answer before going on strike. It also discusses the most important elements of strike organisation.

This is your booklet! Read, discuss and take action!

CHAPTER ONE

WHAT IS A STRIKE?

This chapter has two sections:

- The strike as a key weapon in our struggle against the way neo-liberalism has fragmented and made us poorer
- The strike as part of the fight for against the way the government and the bosses are rolling back our right to strike

The strike is a weapon in our struggle for socialism

A strike is a collective action by workers when they refuse to work to force the employers or the state to listen to their demands. This is a simple definition. In reality, strikes are much more than this. They have their roots in the way in which our society is organised for profit.

Workers produce the wealth, but the bosses pay them the lowest possible wages to make the highest possible profits. When the bosses want to save money, the first thing they do is cut their labour costs.

Because the bosses own and control the factories, mines and farms they believe that they can set their employees working conditions. The conflict is deeper than a struggle over money. It is also a conflict over who takes decisions in the factories, mines, farms and workplaces.

For this reason, a strike over wages and working conditions can lead workers to challenge the way in which their lives are controlled by the government and bosses. Even in a strike which is not won, workers gain political and organisational experience. In the course of a strike they are forced to ask:

Who should make the decisions? Is the state neutral in the conflict? Who are the workers' allies? How do we organise to increase our power? Who should control the means of production?

This is why we say that the strike is a weapon in our struggle for socialism.

So, strikes are not only about fighting against employers. In the struggle against neo-liberalism, we have to resist the government and the bosses rolling back our right to strike.

A strike is defined in *Section 213* of the LRA as “the partial or complete *concerted refusal to work*, or the retardation or obstruction of work, by persons who are or have been employed by the same employer or by different employers for the purpose of remedying a grievance or resolving a dispute in respect of any matter of mutual interest between employer and employee and every reference to ‘work’ in this definition includes overtime work whether voluntary or compulsory” (emphasis added).

In 2018 the bosses and the government made it more difficult to get a protected strike

A number of amendments were introduced to South African labour laws during 2018.

These amendments impact on the ability of workers to exercise their collective action in the battle with employers. In summary, the amendments include the following:



Workers at the Hendrina Power Station in Mpumalanga march in support of the national strike against Eskom (June 2018). Photo NUM media

- **A set of picketing rules** must be in place before a certificate of non-resolution by the CCMA will be issued. If the parties to a dispute cannot reach an agreement on the rules, the commissioner shall issue a set of picketing rules guided by a default set of rules. (sec 69). The Minister of Labour, in December 2018, issued a Code of Good Practice: Collective Bargaining, Industrial Action and Picketing; and a set of Picketing Regulations inclusive of default picketing rules.
- **The LRA now also makes provision for something termed Advisory Arbitration** in the Public Interest. This Director of the CCMA must set up this arbitration if directed to do so by the Minister of Labour; if one of the parties to the dispute request; if ordered to do so by a Labour Court order; or by agreement of all the parties to the dispute. Any award made will be circulated to the parties for comment within 7 days. Parties must indicate if they reject or accept the award. If no response is received within the 7 days or a period extended by a maximum of 5 days, the award will be deemed to have accepted by a defaulting party. (sec 150A -150D)
- **Unions have to conduct secret ballots** prior to embarking on strike action. The ballot must be recorded. All union constitutions must be amended to comply with this requirement. Noteworthy is that the absence of a ballot does not render the strike unprotected.

WHAT WOULD EXERCISING OUR FULL RIGHT TO STRIKE LOOK LIKE?

<p>The Right to Picket</p> <ul style="list-style-type: none"> • The right to picket without having to obtain permission under any law • No unreasonable restrictions on the number of picketers • Non-interference by the state or private security agencies in the dispute. • The right to picket on company and public premises, including shopping malls. • The right of access to company premises and facilities • During a strike, the right of access to telephones, canteens, hostels and to all other facilities normally provided 	<p>Strike Fund</p> <ul style="list-style-type: none"> • The right to set up strike funds with stop order facilities for contributions to strike funds
<p>No scabs</p> <ul style="list-style-type: none"> • Bosses must not employ scabs during strikes 	<p>No evictions</p> <ul style="list-style-type: none"> • Bosses must not be able to evict workers from company premises, hostels or houses on farms or mines during a strike.
<p>No dismissals</p> <ul style="list-style-type: none"> • We demand the right to strike without fear of dismissals 	<p>Right to call boycotts</p> <ul style="list-style-type: none"> • The right to call for boycotts of company products and services during industrial action
<p>No interdicts</p> <ul style="list-style-type: none"> • We demand the right to strike without the threat of court action in any form 	<p>Right to sympathy strikes</p> <ul style="list-style-type: none"> • The unconditional right to support other workers by taking sympathy strike action
<p>Self-defence</p> <ul style="list-style-type: none"> • The right of picketers to be defended and to defend themselves against attacks by private security companies or the police (SAPS). 	<p>Right to hold strike ballots at the company</p> <ul style="list-style-type: none"> • If unions are to hold ballots, then bosses must provide time and facilities to hold ballots on company premises and in working hours. These ballots must be held without management interference

CHAPTER TWO

MUCH TO LOSE BUT A WORLD TO WIN

The biggest risk workers face is that the boss or the company feels that they are in such a strong position and the workers are divided or demoralised, that they can simply fire the workers and get away with it no matter what the law says.

Or, even if the strike is well-prepared and the workers determined but the bosses may feel that they can wait the strike out until the workers are defeated and straggle back to work.

As every worker knows there is much to lose if we lose a strike... but there is a world to win if we can learn from the best practices of our past struggles and adapt them to the new period.

It begins with knowing exactly what we want.

We gather together and say exactly what we want changed – it may be a wage increase, or to end discrimination and abuse of female employees, the fight to be made permanent or to recognise our union or organisation.

If we do not say what exactly we want it is not easy to unite and it is easy for the boss to dodge us with false promises or dismiss us as criminals.

In the trade unions there is much experience of formulating demands because since the 1970s they fought battles to be recognised and learn many invaluable lessons in how to go about negotiating with the bosses and winning strikes. We now have good experience gathered from their annual rounds of wage negotiations.

Some of these are:

- Are we fighting an offensive or defensive struggle?
- Who are our comrades and allies in struggle at the workplace and in our communities?
- How do we gather our demands into something we can present to management or government?
- Which of our demands are lines in the sand and on which we will not compromise?

Our answers to these questions can go a long way to helping us win strikes.

Offensive and defensive struggles

Examples of Offensive Struggles

If we want higher wages and feel sure that we can win at least some way towards our demands or if we are putting new improvements for workers – like increased maternity benefits – or that more casual workers or labour broker workers be made permanent, or where we are pressurising the government to make the right to strike unconditional. These are examples where we are on the offensive in struggles against the bosses.

Defensive struggles on the other hand could be for example if the company wants to retrench workers or implement new rounds of making permanent workers work flexibly or implement a wage freeze, or the government wants to limit the right to strike even



COSATU and SAFTU affiliated unions were on the streets for the national strike against corruption and unemployment (7 October 2020).

Photo: Rob Rees

more in labour law amendments .. then we would be fighting a defensive battle.

The decision to strike or not would not be determined by whether we are fighting an offensive or defensive battle – the key is always about how united and determined workers are to strike – but we should be clear that when the bosses are on the offensive we need to work harder and be more determined to win a strike.

Who are our comrades and allies in struggle at the workplace and communities?

We have spoken before how neo-liberalism has divided the working class. This can often be a key issue if we are considering strike. Permanent workers at a company or in a state department may sometimes not even consider casual workers or security guards or cleaners when gathering their demands for negotiations because they are not union members or do not fall in the bargaining unit. This is a big mistake.

Similarly, casual workers or labour broker workers fighting for permanency may feel that the permanent workers are not interested in the issue. Or women workers fighting against sexual harassment may feel that male workers are not sympathetic.

Or foreign workers threatened with dismissal because they do not have legal, residential or work status.

Preparing for a possible strike is the best time to break down these barriers and divisions that stand in the way of winning a strike.

How do we gather our demands?

In the past there were bad examples and good examples of this. Sometimes union officials or shop stewards would simply consult with “experts” (like economists) and get workers to rubber stamp their plans. This meant that when a strike was contemplated most workers had little commitment to fighting for their demands and had to be persuaded to strike.

But some unions went about things differently. They would have general meetings in workplaces to gather demands and even convene mass meetings of ordinary members in the townships.

In this case the demands put to management were also a form of preparation for a strike. And inevitably the strike was more successful.



#OutsourcingMustFall – an action supported by the community healthcare workers union, NUCWOSA (14 December 2017). Photo: Nic Dieltiens

Which of our demands are lines in the sand?

Often we have a list of demands – all of which are legitimate. When it comes to wages, we can have a demand that we would like to win but are not sure whether we can really get such an increase.

When it comes to a strike it will be important to say – amongst ourselves only - how far we are prepared to compromise. This is important and has to be done as democratically as possible and requires regular report-backs from negotiators at forums where general members can finally take the decision that compromise is no longer possible and that we are prepared to fight.

If we do this then we increase the possibility of a strike being successful.

What is the measure of success?

- To win all or at least some of our key demands;
- To not win our demands but preserve our jobs and our unity in preparation for future battles;
- To not win our demands, but help build our organisation and democratise our union;
- To lose this round but win for our class – **UNITY, CONSCIOUSNESS AND STRONGER ORGANIZATION.**



CHAPTER THREE PLANNING A STRIKE

One of the biggest failures in strike action is the failure to prepare. Often when we are involved in negotiations, problems are dealt with step by step. We don't prepare for deadlock and strike action. By the time we realise that the next step is to strike, we have to rush our preparations.

To win, we have to begin preparing for strike action the days our demands are formulated. Management will listen more carefully when they see that we are prepared to take action. This section outlines some of the key questions to answer when planning for a strike:

1. Are workers prepared to take action?
2. How important is the demand?
3. What type of strike are we planning?
4. Do we have a strike plan or programme of action?
5. Have we done our research?
6. Can we get industrial, community and political support?
7. How strong is the company?
8. Should we follow procedural legal channels to strike?
9. What is the attitude of our families and communities?
10. Have we organised our media and communications?

Are workers prepared to take action?

This is one of the first things to assess before deciding to strike. When preparing to strike, organise other actions, like go-slows or demonstrations to mobilise workers. These could be used at different stages of the negotiation process and be part of the plan developed when demands are first formulated.

IF NEGOTIATIONS DEADLOCK ASK:

- Were plans made for action at different stages of the negotiations
- What is the mood of the workers?
- Are they fed up with conditions and ready to take action?
- Is further preparation needed?
- Did members fully understand the demands?
- Were workers clear that to win demands they must be prepared to take action and fight?

How important is the demand?

Under capitalism, the bosses are in a stronger position than workers. In any battle between workers and employers there is potential for victory or gains. There is also the possibility of defeat, losses, setbacks and demoralisation.

Before going on strike, the value of the issue must be carefully assessed. It may be disastrous to have an unprotected strike when a company is retrenching

if we do not have enough strength to squeeze the company elsewhere.

Some issues are obviously more important than others. The dismissal or victimisation of a shop steward is more important than a one-week delay in the payment of bonuses.

What type of strike are we planning?

The preparation for a strike in a small plant is different to preparing for a strike in a national company or sector or industry. From the beginning you must be clear of the size of the strike you are organising. This depends on the size and position of the company as well as the demands being made.

A strike in a large transnational company (TNC), with branches around the country and the world demands far more organisation than action in a single plant company.

In a large national strike, communication and co-ordination are the key. One factory cannot take action on its own. Joint action has to be carefully planned. The lack of strong centralised co-ordination in a national strike can be disastrous. Workers will come out on strike and begin making settlements at plant level at different times. This can lead to demoralisation and defeat.

Do we have a strike plan or programme of action?

If we are thinking of striking, we must have a clear programme of action. We must carefully plan our strategies and the different aspects of the strike. In this way all workers are clear of the strategy from the beginning. It is also easier to get support from other organisations if there is a clear programme to which they can fit into and contribute.

Have you organised?

- A regular meeting place
- Transport
- Co-ordination if a national strike
- Money for travel to co-ordinating meetings
- Money for media and pamphlets
- Resources for social media
- Livelihood support if the strike goes on for long.

Have we done our research?

The strike/shop stewards' committee together with union officials should do research to find out as much about the company as possible. Union officials or sympathetic NGOs and academics should assist and train the members of the strike committee to research the company and its links with other companies:

- There should be a list of factories/shops which are economically related as part of the same holding company/conglomerate
- There should be a list of companies that trade with the company
- Sensitive information regarding the company – profits, wages, environmental record, safety standards, corrupt deals, misleading adverts etc., must also be researched.

DO YOU KNOW:

- How strong is the company?
- What links does the company have?
- Which other companies trade with the company - suppliers, service providers and customers?
- What sensitive information can be used?

Can we get industrial and community support?

Before going on strike or taking action, we must have an idea of how much material, and political support we can organise. We must make contact and call meetings with our allies.

- Make contact with various union structures, other unions, federations and community organizations.
- If it is a large company, organise meetings with workers at other plants.
- Formally (in writing) inform unions which organise companies with links to your company about the intended action.
- Call joint meetings, both mass and shop stewards council meetings with related factories/shops.
- Build unity with other workers' organisations – including affiliates of COSATU, FEDUSA, NACTU, SAFTU and independent unions and Workers' Forums - by informing and requesting support from related affiliates.

- Inform civic/youth/religious/political organisations in writing. Invite them to meetings to discuss a proposed programme of action and request their support.
- If it is a multinational company, adopt a similar approach with its overseas plants. The union can contact international unions through the International Trade Union Confederation (ITUC).

How strong is the company?

If you are planning industrial action, you must know the strength of your company. It is no use going on strike during a quiet period in production. The best time to take action is when the company has to complete many orders.

Understanding the financial strength of the company, allows you to make a better decision over the length of the strike.

DO YOU KNOW:

- How much stock does the company have?
- What are the customers' demands?
- Does it have serious competitors in the market?

- Could it possibly shift/transfer production?
- What is the economic standing of the factory/company?
- When (which time of day/week/month/year) is production most vital to the company?
- Can it easily replace workers?

Should we follow the steps in the LRA to have a protected strike?

Although we have the Right to Strike in the Constitution we still have problems exercising the full right to a strike where we do not face the possibility of dismissal.

To have a protected strike, we are supposed to follow a number of procedures which are set down in the Labour Relations Act. These procedures take some time before workers can actually go on a protected strike.

When workers want to take action they often don't want to go through all these procedures. The choice of whether to strike without using the procedures, depends on the strength of the workers and the nature of the issue. There are several advantages and disadvantages with both protected and unprotected strikes.



Meeting of community health worker organisers

PROTECTED STRIKE

<p>Advantages</p> <ul style="list-style-type: none"> • Greater legal protection from dismissal • Could make workers more confident • Useful for a first round of industrial action • Allows proper planning to build up pressure on management 	<p>Disadvantages</p> <ul style="list-style-type: none"> • It favours existing registered trade unions and can alienate casual or outsourced workers • Foreign migrant workers can be alienated • It could be long and drawn out and weaken workers' militancy • Management is alerted and can also prepare
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UNPROTECTED STRIKE

<p>Advantages</p> <ul style="list-style-type: none"> • Could provide a quick and immediate response to an issue • It can unite all workers – casualised or others 	<p>Disadvantages</p> <ul style="list-style-type: none"> • Workers are more vulnerable to dismissal • Management could use it to intimidate workers
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PROCEDURES AND REQUIREMENTS FOR PROTECTED STRIKE ACTION

Chapter IV of the LRA gives effect to the constitutional right to strike. The exercise of this right is subject to complying with a set of procedures set out in the section. The main requirements are that:

- a dispute has been referred to the CCMA or a bargaining council and a certificate has been issued that the dispute remains unresolved after 30 days
- 48 hours' written notice of the commencement of the strike has been given to the employer unless the dispute relates to a collective agreement to be concluded in a bargaining council, in which case the notice must be served on the council, or the employer is a member of an employers' organisation, in which case the notice must be served on the employers' organisation
- where the State is the employer, at least seven days' notice of the strike must be given.

If the dispute relates to a Company refusing to bargain, it must also be referred to advisory (non-binding) arbitration before a protected strike can take place.

However, these requirements do not apply where employees strike in response to an unprocedural lock-out by an employer, or where the employer unilaterally amends the terms and conditions of employment and does not restore the original conditions within 48 hours of a notice requiring it to do so (section 64(3)).

What is the attitude of our families and communities?

It is important to involve strikers' families and the communities where they live in strike activity. You cannot just spring a strike on those who are normally closest to you. During strikes, strikers depend heavily on their families, religious groups and communities for material and emotional support. Strikers who were the main breadwinner now have to rely on others who might not support the strike. If they do not fully understand the situation, they could pressurise the striker to return to work.

Advanced planning is vital: The striker's family should understand the reasons for a proposed strike. Their support, or lack of support must be seriously considered in any decision to go on strike. They could also be incorporated into the strike programme of action. Individuals from the community could also be co-opted onto the strike/support committee.

Have we organised our media?

A social media campaign needs to be planned using all available platforms (Facebook, WhatsApp, Twitter and You Tube).

Regular pamphlets will need to be produced and distributed during the strike. Reliable printing facilities should be prepared and money set aside for bulk production of information pamphlets.

CHAPTER FOUR

STRIKE ORGANISATION

Often during strikes workers sit around doing nothing. They may play cards or sit in small groups and talk. This does not build solidarity and commitment. In fact, a strike should be the most active time in a worker's life. There is no time to sit around and talk if we want to organise to win. This section looks at some of the many tasks to be organised before and during a strike.

- Running a strike ballot
- Elect a strike committee
- Picket the company premises every day
- Make sure that blacking is effective
- Organise a consumer boycott
- Raise funds for the strike
- Make sure that money is properly administered
- Keep the strike in the public's eyes
- Produce your own media
- Plan and actively implement a social media strategy
- Gather strategic information
- Educate yourselves
- Keep in contact with the union office
- Ensure that the strike is disciplined
- Make sure that you can defend yourselves

Running a strike ballot

A strike ballot can be an important way of finding out whether workers want to strike. With the 2018 Amendments to the LRA the constitutions of Registered Trade Unions must say that the union will not declare a strike unless the majority of affected members have approved the strike in a secret ballot.

This is part of the government's strategy of rolling back our Right to Strike by making it more difficult to have a protected strike.

But we can turn this around if we use this requirement to build support for the strike. We can even do this if we are not a registered trade union

A democratic, mobilising approach to a strike ballot can assist in preparing members for action.

The following are guidelines for running a ballot at the national branch, factory and departmental levels of the union;



Photo: Nic Dieltiens

- The shop stewards' committee must take the overall responsibility for running the ballot at the factory level
- Each member must be notified of the ballot 24 hours before it is taken. The ballot will not be invalidated if a member does not receive notice
- The shop stewards' committee must appoint at least two union members as scrutineers who will oversee the ballot and count the ballot papers. One of the scrutineers is usually a union official.
- The ballot can be held in any convenient place
- Each member who is entitled to vote will be issued with a ballot paper in the presence of a scrutineer. The completed form must be put in a sealed container provided for the ballot papers

- The ballot papers must not be marked in any way other than what is needed to vote otherwise they will be spoilt
- After the vote, the ballot boxes must be sealed in the presence of the scrutineers. They must count the votes and inform the membership of the results as soon as possible
- Ballot papers and spoilt papers must be placed in a sealed box and given to the Branch Secretary who must keep the papers for not less than 3 years.
- At least 30% of the eligible membership must vote for the results of the ballot to be valid
- The shop stewards' committee will be bound to act in accordance with the decision of the majority of the members

EXAMPLE OF A STRIKE BALLOT FROM GIWUSA, L'OREAL MIDRAND

Are you prepared to take strike action in support of GIWUSA Demand submitted to L'OREAL MIDRAND?

The demand is:

- Removing Francious Du Toit from dealing with workers and subject him to a disciplinary process.

YES	
NO	

MANAGEMENT WILL:

1. Try and watch the strike ballot to intimidate workers
2. Deny balloting facilities unless they can watch
3. Try and make the union agree to rules for the strike ballot
4. Want copies of the ballot papers
5. Try and interdict the strike on the grounds that the ballot was not properly run or wasn't secret.

Remember a strike ballot is a union issue. It has nothing to do with management

Elect a strike committee

At the centre of the strike is the strike or shop stewards' committee. The strike committee should be elected well before the actual strike begins, or at the latest on the day that the decision to strike is made. The elected shop stewards should form the core of the strike committee. Workers with leadership potential or special skills should be encouraged to serve on the strike committee. The strike committee must provide the leadership of the strike.

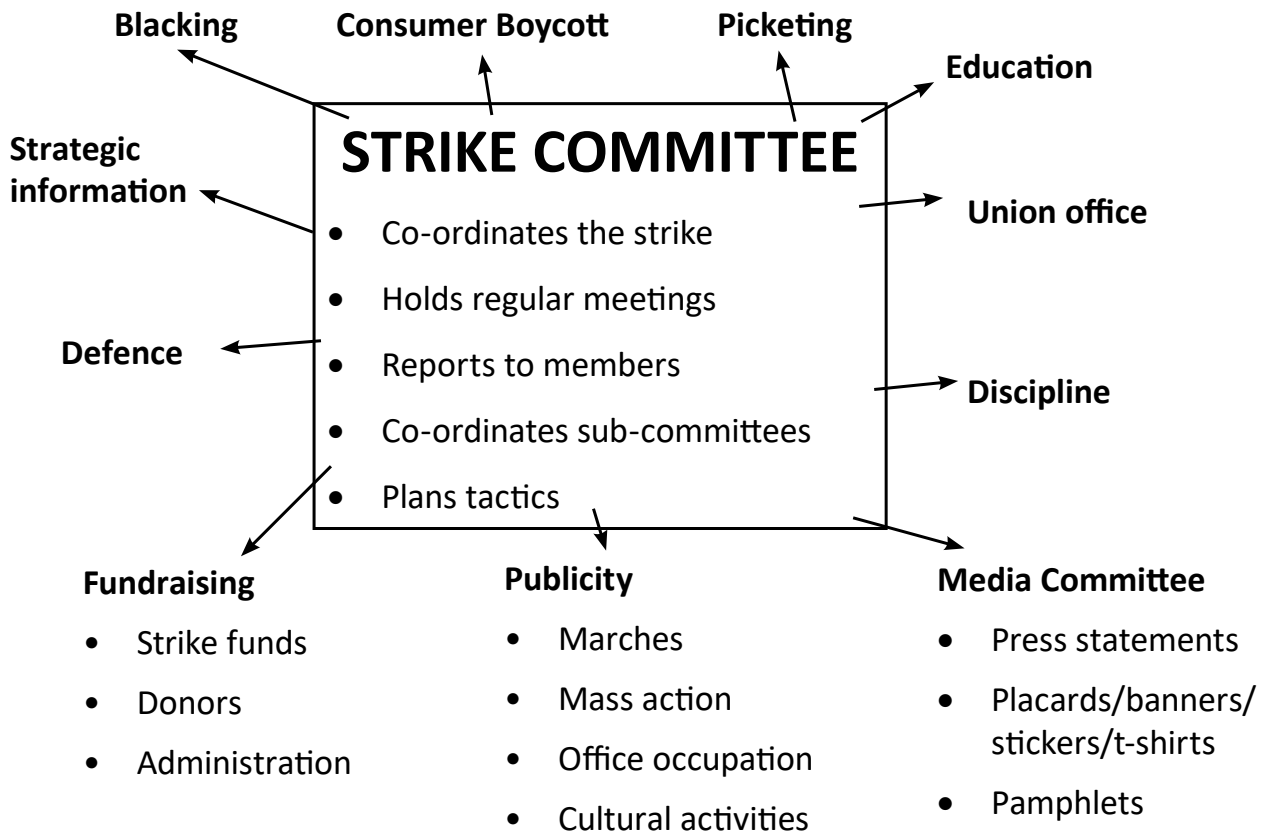


Roger Ronnie, a former general secretary of SAMWU, conducting a labour law training workshop (November 2019).

THE STRIKE COMMITTEE SHOULD:

- Co-ordinate the strike
- Hold regular strike committee meetings and report to and receive mandates from members on a regular basis
- Delegate tasks to strikers and ensure maximum involvement of strikers
- Ensure that sub-committees (e.g. fundraising, media, discipline, defence etc.) are formed around important tasks
- Hear reports from sub committees and take tactical decisions with the support of strikers
- Set aside time to read about other strikes and educate themselves

THE STRIKE COMMITTEE IS AT THE CENTRE OF THE STRIKE



Picket the company premises everyday

The main aim of picketing is to prevent scabs from taking striking workers’ jobs, and to persuade non-strikers to join the strike. It can also raise publicity and keep the strike in the public’s eyes.

Most companies are opposed to picketing and will do all in their power to prevent it. They will often try and interdict picketing workers.

The picket needs to be carefully planned. All strikers should participate in the picket on a roster basis. Teams of picketers armed with clear and simple slogans on picket-posters should block every gate and possible entrance to the workplace. Picketing is a useful way to involve other organisations and workers in the strike. It may be necessary to picket around the clock. In such cases, other organisations can provide people to assist.



SAFTU national strike against the labour law amendments, Johannesburg march (25 April 2018). Photo: Nic Dieltiens

Making sure that blacking is effective

An effective blacking system can be a powerful weapon on a strike. Blacking is where workers from a company refuse to deliver supplies or accept goods from companies where workers are on strike. This has to be organised with workers who supply or are the customers of the affected company. It means working with different unions and sometimes even with other forms of worker organisations.

Organise a consumer boycott

Appeals can be made to the community not to buy the goods produced by the company on strike. This action is difficult to organise and co-ordinate. The boycott does not necessarily have to be organised under the tight discipline of the strike committee and the members. It is normally carried out around very popular and visible products.

The advantage of the consumer boycott is that it draws in other sections of the working class and could help build mass action against capital and the state around a working-class issue.

The decision of whether to launch a consumer boycott must be carefully assessed. It depends on the type of products that is being made. The attitude of the community also needs to be continually assessed. A failed consumer boycott can be very demoralising for strikers.



Calling for a boycott: Stickers and posters produced by the union, GIWUSA, in support of a strike at Nature's Garden in Johannesburg, August 2020.

Raise funds for the strike

Money is central to sustaining the strike. Lack of funds can often lead to a strike collapsing. Funds are needed to assist individual strikers and to keep the strike running on a day to day basis. There are a number of ways strikers can organise funding which involve other members, their families and community.

Strike funds

If the union had a strike fund, regular pay outs to striker may be made in terms of the rules of such a strike fund. If workers were prepared for the strike, they could also collect money before striking and start their own plant-based strike fund.

Donors

Sympathetic donors overseas and in South Africa might offer some assistance for specific activities. There should be clear motivations for such donations. Instead of money, some donors could be requested to give food in a long strike.

Fundraising committee

A fund-raising committee should be elected to co-ordinate its fundraising activities.

- Collection lists for money and food
- Raffles
- Dances
- Stop orders from other members
- Selling t-shirts, posters and media.

Make sure that money is properly administered

The strike committee must make sure that funds are administered correctly and honestly. Funds can provide only a small amount of money to each striker. Normally a register is kept with each striker signing for the amount received. A treasurer should be elected by strikers and account through regular reports. The strike committee should contact the union office as it usually administers money.

Keep the strike in the public eye

It is important to try and keep the strike in the news. Strikers must use imaginative ways to keep the media interested. There are a number of ways to publicise the strike and involve the members:

Marches and mass action

Regular marches should be organised in the industrial area where the strike is taking place and in areas where blacking action is organised. These could happen during lunch breaks to involve other workers. Strikers should participate in other marches organised by political or civic organisations. They should go to these marches, to distribute pamphlets and raise their banners publicising the strike.

Office occupations

A useful way to get publicity is to occupy the Head offices of a particular company. Strikers should try and occupy the offices for as long as possible. Where a multinational is involved, the offices of an embassy or consulate could be occupied.

International Solidarity

The union should write to international trade union bodies with the help of the federation that it is affiliated to.

Culture

Culture can be used to publicise a strike. If someone can write poetry they should attend other meetings and recite poems about the strike. Others could workshop a short play, outlining the reasons for and progress around the strike.

Produce your own media

Ideally strikers should elect a special media committee. They should liaise with the strike committee and the union office to organise media for the strike.



Photo: Rob Rees

Social Media – To include regular updates, pictures and videos and distribute via Facebook, WhatsApp, You Tube and Twitter.

Write media statements – Send regular media statements to all newspapers, radio and TV channels updating them on developments in the strike.

Keep the press informed

When an action is planned the media must be informed and invited to attend. It is useful to plan activities which attract attention and publicity. In big strikes, call press conferences only at certain stages of the strike e.g. to announce a programme of action or a new phase of the struggle.



Photo: Nic Dieltiens

Photographs/Videos

Someone should take photographs of all activities and send them to the union, alternative, or commercial newspapers.

If a strike lasts for a long period, strikers can organise a video to be made outlining the problems they face, and record the history of the strike.

Placards/banners/stickers

Placards, banners and stickers are useful for picketing and for marches and demonstrations in the city and industrial areas.

Pamphlets

Pamphlets are the simplest way of spreading the message of the strike and explaining the reasons and agitating for support. To be effective, a proper plan for distribution must be developed before deciding how many pamphlets should be produced. The pamphlet should explain the reasons for the strike and why and how the public should support you.

3 KEY MEDIA TASKS:

Conduct a social media campaign:

- Produce placards and pamphlets regularly in order to inform people and win support.
- Liaise with the press and ensure that the strike is covered in the news media.
- Train striking workers in media production.

Gather strategic information:

During the strike you must have as much information about the employers as possible. Even if there is no one in the company who can provide you with information you can:

- Monitor the strength of the bosses to maintain good production or service levels.
- Know how the company plans to maintain production e.g. scabs, shifting production to other factories, night work etc.
- Know when and how the company intends resorting to brutal tactics e.g. calling in police and /or vigilantes.
- Know the company's connections and history, both locally and overseas.
- Know the customers and suppliers of the company to target groups of workers to support the strike through blacking action.

Educate yourselves

Workers learn best around their political role when involved in actual struggles. This is especially so during the strike. In the strike, workers have to relate practically to their enemies and allies. During the strike there is also time for learning formally in meetings and seminars. The strike experience and the "formal" learning should complement each other.

Union organisers can assist the strike committee with educational programmes by organising:

- Videos and posters
- Guest speakers from other organisations
- Reading material
- Poetry, plays and other cultural activities

Keep in contact with the union office

The union office is the centre of where union activities

are co-ordinated. The strike committee should use the office to communicate with the rest of the union and other sympathetic organisations. The office can be used for meetings. Letters, press releases, pamphlets can easily be sent from the union office. Union officials should assist the strike committee.

Ensure that the strike is disciplined

Discipline is important in any strike. A disciplinary committee should be elected at the very first strike meeting. The disciplinary committee must report to and receive mandates from the strikers' general meeting. The committee must identify disciplinary problems and try to resolve them. Disciplinary measures amongst strikers should try and correct undisciplined actions as opposed to simply punishing wrongdoers. Common disciplinary problems during a strike include:

- Late coming/missing meetings
- Not carrying out mandated duties and tasks
- Drunkenness and drug abuse
- Fighting amongst strikers
- Individualism
- Strike breaking

Make sure that you can defend yourselves

In many strikes the bosses use scabs, police and vigilantes to assault, arrest and even kill workers to try and break the strike. This is done by governments and capitalists around the world. The strike committee must make sure that adequate preparations are made to defend themselves and the strikers.

SILENT STRIKE BREAKERS

- Lack of solidarity support
- No strike funds
- Weak organisation
- Routinism of union leaders in responding to strikes
- Legalism – the tendency to completely rely on lawyers to resolve a dispute or strike.

But Remember:

No matter what kind of solidarity there is - key is the strength of the workers at the plant or workplace level!

CHAPTER FIVE DIFFERENT KINDS OF STRIKES

All strikes are similar as they involve a refusal to work. But, they are organised at many different levels. Some strikes take place at the plant level, while others are organised across a number of plants at a regional or national level.

When planning a strike, workers should combine different methods to surprise and pressurise the bosses. To build workers' confidence, it might be better to organise a go slow before striking.

This chapter looks at some of the different kinds of strikes used by workers.

- Work to rule
- Go slow
- Work stoppage/demonstration strike
- Plant/company based
- Wildcat strikes
- Grasshopper strikes
- Solidarity strikes
- Sit-in/sleep-in & factory occupations
- Industry-wide strike
- Political stayaway
- Mass strike
- General strike

Work to rule

This is not really a strike but a form of industrial action used to pressurise management and mobilise workers in the run up to a strike. Here workers refuse to do any work which is not directly covered by their grade or job description. They also work strictly according to their working hours.

Go slow

This is also a mobilising tool and a way to pressurise management. Workers slow down production by working at a far slower pace than normal.

Work stoppage/demonstration strike

Here workers stop work only for a short period to highlight their demands to management. This could be accompanied by a demonstration with placards at the workplace. A work stoppage can also be used in the run up to a larger or longer strike.

Plant based strike

This strike is confined to workers at a particular workplace. Unless solidarity action is organised it can be a weak form of strike. In small companies where there is only one plant it is unavoidable. To strengthen the strike, other forms of action should



The Johannesburg march in support of the national strike against labour law amendments nears the metropolitan council building (25 April 2018). Photo: Nic Dieltiens

be carefully planned. In larger companies with a number of plants, plant-based strikes can be used to surprise management and protest against unfair practices at the factory.

Company based strikes

In larger companies with plants across the country, workers may organise a national company strike. Such a strike could be around a common national demand, or a solidarity strike with workers in one plant who are facing difficulties or being victimised. This takes careful planning and co-ordination, but can be very effective in forcing the company to listen to workers' demands.

Wildcat strikes

These strikes are "unprocedural" and "unprotected". They are a quick response by workers to an issue which is upsetting them. The surprise element of the strike can shock management into listening to workers' demands.

Grasshopper strikes

This is when workers strike repeatedly over a period of time for short periods. In this way they are able to disrupt production for short periods to try and force management to listen to their demands.

Solidarity strikes

This is when workers, who are not directly affected by an issue, take strike action in support of other workers on strike.

Sit-in/sleep-in & factory occupation

The sit-in, sleep-in or factory occupation is a very powerful form of strike. By occupying the factory, workers are in a far stronger position than being out of the company premises. Sometimes it is useful to occupy a canteen. Remember that to stay inside the factory for long periods and sleep in, blankets and food have to be organised.

Industry-wide strike

An industry-wide strike takes place within an industry or sector of an industry e.g., during annual wage negotiations with the employer body in a negotiating forum or a Bargaining Council.

In the past unions such as NUMSA took strike action in the metal industry with SEIFSA or MIBCO. Other unions such as the CWIU – now CEPPWAWU - organised strikes in the different sectors of the chemical industry to win their demand for centralised bargaining. In an industrywide strike, the structures of the union, which are organised along industrial lines, play a key role.

Political stayaway

This strike action involves hundreds of thousands or even millions of workers across industries as well as other sections of the oppressed community. It may be called by political organisations and community groups in consultation with trade unions. The political stayaway is called for short periods to pressurise the government and bosses to agree to a set of demands. Although the political stayaway has been used often in South Africa, it has limitations. Often the government and the bosses just sit through the action without giving in to the demands. They can afford to lose one or two days' production.

Mass strike

This action is the most powerful form of strike action and can lead to an uprising against the capitalists and their government. The reasons for a mass strike may vary. But it involves far more spontaneity on the part of the working class and its allies. Unlike the political stayaway and the general strike, a mass strike is seldom "called". The mass strike breaks out within the working-class which is forced to unite, organise itself and struggle to bring about a new order.

General strike

This is a very powerful strike involving the majority of workers in all industries. Unlike the political stayaway, the general strike is an organized affair in which the majority of organized workers strike together across all industries and sectors and disrupts the functioning of the entire capitalist economy in support of demands. In South Africa, the LRA makes provision for this a Socio-economic strike for which trade union federations need to make a Section 77 application, follow the procedure in order for strikers and worker supporters to be protected from dismissal.

CHAPTER SIX MANAGEMENT STRATEGIES



Phakamani Hadebe, then CEO of Eskom, receiving the memorandum from striking workers united across all unions at the power utility company, at Megawatt Park (14 June 2018). Photo: Lynford Dor

Any strike is a test of strength between the employers and workers. As soon as, and usually before, workers go on strike, the bosses move into action. Their response is varied, but at all times they try to break the strike. The trade union movement has over the years experienced many of management's strategies. This chapter discusses some of the more common strategies:

- Mass dismissals
- Lockouts
- Selective firing and rehiring
- Scab labour
- Interdicts
- Police and army attack strikers
- Negotiations and divisive offers
- Transferring production
- Impimpis
- Setting up strike rules
- Intimidation of worker families
- Victimising shop stewards
- Retrenchments and factory closure
- Winning the battle for public opinion – persuading the public that workers are criminals
- Winning the government's support
- Stockpiling in advance
- Shifting profitability to other units (especially TNCs can do transfer pricing)

Mass dismissals

Despite our rights there are times when the bosses dismiss their entire workforce when they strike. They are hoping that the procedures protecting workers in the LRA will take such a long time to implement that workers and their families get demoralised and hungry. Sometimes they selectively re-employ those workers who accept their conditions. These mass dismissals are used to smash the organisation and morale of workers.

In strikes which are un-procedural/unprotected (wildcat strikes), the courts have sometimes decided against the workers and in favour of the bosses using excuses like violence etc. This has allowed the company to dismiss workers en-mass. During unprocedural strikes, the bosses often use ultimatums and the threat of dismissals to instil fear in workers. When management issue such ultimatums to workers, we must take them seriously.

Lockouts

Just as workers go on strike to try and win their demands, so the bosses lock workers out to try and get them to accept their offers. Management also has to follow the procedures set down in law before they can procedurally lockout workers. If they do not follow these procedures, their lockout can be ruled unlawful by the courts.

Recently the bosses have embarked on locking

out workers either just before they go on strike, or during their strike. Such lockouts are often followed by ultimatums for workers to return to work on the old conditions or on the basis of management's final offer.

Selective firing and rehiring

One of the bosses most dangerous weapons is selective firing and rehiring during a strike. They do this to create disunity among workers and to get rid of the militant leadership within the plant. It is a very difficult issue to deal with and needs to be discussed before going on strike.

Scab labour

During a strike, management will try by all means to keep production going. They do this by employing scab labour. The company often tries to increase racial tensions by employing scabs of different races or nationalities than the workforce. Scab labour in strikes has often resulted in violence.

MANAGEMENT DEFENDS SCABS BY:

- Using the services of a Labour Broker
- Using company vehicles to transport scabs from their homes to work
- Employing additional security guards
- Using armed guards on delivery vehicles
- Employing scabs on a racial or political basis, to increase divisions in the working class

Interdicts

An interdict is when the court restricts one party from doing something to another.

Management can call for an interdict against wildcat strikes. To do this they must give workers 48 hours' notice of their application for the interdict. This means that workers can go on a wildcat strike for 48 hours before the courts grant management an interdict to force workers to return to work.

THE BOSSES TRY TO INTERDICT STRIKERS BY:

- Making up stories that the strike is not legal.
- Saying that the strike is unprotected because of the way the ballot was conducted.

- Getting interdicts and removing strikers from company property on the grounds of intimidation. They sometimes call singing and toyi-toying "intimidation".
- Using a clause in the LRA which allows for an interdict to be granted in an emergency if proper notice (i.e. Instead of waiting 48 hours) of time and hearing is given to the union.



Police on the scene in Marikana after they opened fire and killed striking miners, 16 August 2012.

Police

Most employers are quick to call in the police or private security guards to intimidate striking workers. The bosses also call in the police to disperse workers who are picketing outside of the company gates. The police often side with company management and respond violently against strikers, sometimes killing them.

Negotiations and divisive offers

Management often uses the negotiations during the strike to make offers that will divide workers. Fully aware of the state of the strike, management makes offers that appeal to some of the strikers more than it does to others.

To avoid divisions, the negotiating team, must plan for negotiations. They must get a clear mandate from the strikers and refuse to settle unless their demands are met. If they do not settle, they must return to the strikers to get a fresh mandate.

Transferring production

Another strategy often used by the bosses is to transfer production to another factory of the company, or to give the production to another company. If we suspect that production will be transferred, we should meet with the workers where production is likely to be transferred to and persuade them to join the strike.

Impimpis (company spies)

In any strike it is always possible that some workers provide the bosses with important information. Management could know how strong workers are after a long period on strike, or the leaders and hardliners in the strike.

Setting up strike rules

Some companies try and get the union to agree to a set of strike rules before or during the strike. These rules try to curb the militancy of workers and confine them to certain actions and areas during the strike. Such strike rules should be avoided.

Intimidation of workers' families

During the strike some companies send text messages or letters to the husbands or wives of striking workers telling them that they should encourage their partners to return to work otherwise they will be left without a job and no money.

Victimising shop stewards

A common company strategy is to victimise leaders within the factory. They will try and make sure that

they are arrested during pickets. They will also issue notices of disciplinary inquiries against the shop stewards.

Retrenchments and factory closures

The bosses are often willing to use strikes as a way of retrenching workers. They will fire all the workers and only re-employ a section of the workforce. At other times the bosses will threaten workers with retrenchments or factory closure unless they return to work.

Workers should look at these threats closely because sometimes the bosses are serious. The bosses might decide that it is better to close a factory where the union is strong and open up in an area where workers are not unionised.

The Battle over Public Opinion

What will happen throughout the strike is that the bosses will use the fact that the mainstream media and most of the politicians are their friends and are mainly on their side. The general public will be regaled with stories about how ridiculous workers' demands are and how destructive a strike is to the economy.

This will inevitably be a signal for officials in the government to step in and try and "resolve" the strike over workers' heads.

This is an important reason why striking workers need their own media and their own public commentators who can speak the truth.



SACTWU members joined workers in a national strike to protest corruption, gender-based violence, and to protect jobs and collective bargaining agreements (7 October 2020). Photo: IndustriALL Global Union

CHAPTER SEVEN

AFTER THE STRIKE, LEARN THE LESSONS



March by NUM and NUMSA in Pretoria against the privatisation of Eskom (11 February 2020).

Photo: industriALL Global Union

In the previous chapters we discussed the importance of strikes in the struggle against capitalism. After a strike it is important to learn the lessons of that strike. Remember that there can be victory in defeat. The practical experience of a strike is worth more than the material gains/setbacks. Strikes as a “school of war” provide practical insight into the requirements of the struggle for socialism.

- The material and political gains and losses
- The impact on workers’ political consciousness
- Evaluate the various phases of the strike
- Management’s counter strategies and tactics
- The response of the rest of the working class
- The “aluta continua” preparation

The material and political gains and losses

It is important to be clear on the outcome of the strike: WAS IT A VICTORY OR DEFEAT, A GAIN OR A SETBACK? One should not “cover-up” a defeat. The causes of the victory or defeat must be carefully analysed and understood. We can only build on our experience if we are honest with ourselves.

Any gain or victory is only a temporary advance. After the strike, management will try to regain the initiative and roll back the material and political gains made by workers. Consolidation after the strike is the only way to effectively counter managements’ strategies.

The impact on workers’ political consciousness

Strikes do more than raise workers’ consciousness. They also throw up new layers of worker leaders and activists. If a strike is well organised, more workers are forced to take on new political responsibilities. This new leadership must be identified and drawn into the activities and structures of the union.

Evaluate the various phases of the strike

How well did we plan?

We must look at how we planned for the strike. What were the strengths and weaknesses of the preparatory work for the strike?

How strong was the support at the beginning of the strike?

The immediate outbreak of the strike provides a good indication of how well we prepared for the strike.

- What were the immediate practical problems we faced?
- What was the level of discipline?
- Was there a clear sense of purpose?
- What was management’s immediate reaction?

How effective was the strike?

After the strike we must assess whether the form of strike selected met the challenges that workers were facing. We need to see if there was flexibility in the strike activity to deal with changing circumstances.

Management's counter strategies and tactics

A strike is a clear struggle between workers and their bosses. To win a strike you must have an understanding of your opponents. Just as workers learn from a strike, so do management.

We have to ask:

- What were management's counter strategies and tactics?
- How were they implemented?
- Were they anticipated and how did the union deal with them?

WE HAVE TO ASSESS MANAGEMENT'S ROLE TO:

- See whether management was prepared for the strike
- Understand the weapons they used
- See whether strikers understood management's power
- Understand that management will be pre-warned and prepared next time round

The response of the rest of the working class

What levels and forms of solidarity were given by other workers? What new and creative forms of

solidarity action emerged out of the strike from which we can learn?

A strike should unite workers within the factory and as far afield as possible. Different strikes present different opportunities to unite workers. For example, in a large company you may be able to unite workers across the country. A multinational company lends itself to international solidarity. A single plant in a small town, could effectively mobilise workers in that town. After the strike we should look critically at the solidarity action to:

- Highlight levels of preparation
- Assess the levels of workers' consciousness generally
- Assess the organisational capacity of the trade union movement and its allies to organise solidarity action.

The "aluta continua" preparation

After any battle, there are always casualties. The "victor" tries to strengthen and tighten the grip around the "loser". When management "wins" they try to roll back further gains of workers. When workers are the "victors", management tries to reverse the balance of power through retrenchments, short time, the introduction of new machinery and stricter disciplinary measures. It is important to consolidate the union organisation in the factory.

New issues/grievances must be identified to keep up the momentum of workers. Campaigns of other workers and communities should be taken up. Consolidation is important to counter the management's strategies and to build on the organisational gains of the strike.



Planning under covid-19.

CHAPTER EIGHT WHERE TO WITH LABOUR AND THE STRIKE WEAPON?



NUMSA took to the streets of Johannesburg to protest proposed amendments to the labour laws, which place strict curbs on the right to strike (23 March 2018). Photo: IndustriALL Global Union

*“While the contemporary labour movement flounders for strategies to move forward, it ignores the clear answers from history, at its own peril. Today, management has constructed a system of labour control that has contorted the strike, once an instrument of human freedom and dignity, into a free market perversion. The contemporary labour movement needs a strike based on labour’s economics, not those of management, based on labour’s values, not management’s. Like the trade unionists of the 1930s, today’s labour movement must prioritize developing effective strike tactics which hold the promise of improving workers’ lives. To be clear, unionists cannot simply import traditional union tactics into today’s world, as much has changed since the 1930s: workers are no longer concentrated in dense urban centres, the labour left in this country is weak, and unionists face a transformed economy dominated by massive global corporations. However, trade unionists have always had to adapt to constantly changing conditions and shifting employer strategies. The main problem is not that trade unionists have been unable to overcome these obstacles and create an effective strike in the past. **The problem is that today, they are not even trying.**”*

From *Reviving the Strike* by Joe Burns

The South African Trade Union Movement – Then and Now

During the 1980’s, COSATU was at the forefront of the Mass Democratic Movement, along with the United Democratic Front (UDF), in the struggle for freedom from oppression and exploitation against the Apartheid government and the capitalist class. At the time, COSATU’s radicalism, militancy and strength of organization elevated it to being the most revered and respected trade union organization in the world. Millions of workers in South Africa and the world looked towards COSATU as a shining example of struggle against capitalism and advancing the struggle for socialism.

Today, COSATU is a shadow of its former self, largely inactive in mass struggles and together with FEDUSA and NACTU, its focus of activity has shifted away from struggles on the ground, workplaces and communities, to the boardrooms of NEDLAC and similar fora. Despite its recent calls for strike and protest action around COVID-19 issues and demands, these campaigns are designed and carried out extremely bureaucratically, without much involvement and direction given by ordinary members. The centre of this campaign and like so many others in recent years is located at the level of the national executive committee and its office-bearers. Little wonder the general strike called for 7 October 2020 was poorly supported.



Many of its current leaders, union officials and several shop-stewards at various levels and in most of its affiliated trade unions, have degenerated politically, with very little inclination to lead and immerse themselves into mass struggles around issues that affect their members or working class communities. The trade union movement in South Africa, with COSATU at its helm, has essentially become bureaucratized with very little democratic participation of its members and little or no inclination towards the orientation of the COSATU during the 1980's, namely radical, militant and organized and generally inspired by the struggle for socialism as an integral part of the struggle to overthrow the then Apartheid regime.

COSATU once had a strong, militant and united character that saw it make many economic and political gains with the most significant campaigns during the previous period being the living -wage campaign (1986 – 1988), that led to the state amending the Labour Relations Act against workers and trade unions and consequently the Anti-LRA campaign, the “defiance campaign” as part of the MDM during 1991 and the anti-VAT campaign. This was probably the most militant period in the struggles of the working class and the labour movement in South Africa.

Most significantly for the labour movement was the strike wave of 1987. During that year hundreds of thousands of workers in the railways, mining, retail,

chemical, postal and metal sectors came out on strike in their struggle for a living wage. The biggest strike was that by the mineworkers, that lasted 3 weeks and was eventually defeated. This crushing defeat of COSATU's largest affiliate had a direct bearing on the future political direction of the federation. As far as the NUM and COSATU leadership was concerned it put paid to any radical socialist agenda or notions of a “seizure of power”. For them then, the only realistic path towards transformation of Apartheid-Capitalism would be class collaborationist co-determination.

Yet they themselves laid the basis for this defeat. Despite the dominant left-wing and militant socialist rhetoric within COSATU at the time and the preparedness of the workers and various sections of the working class expressing its willingness to organise and struggle for socialism, the leadership of the labour movement constrained levels of organisation and the mood of workers. This was expressed in various ways.

Due to this political problem and the fact that COSATU was a federal organisation and allowed each of its affiliates relative autonomy, meant that, despite its radical constituency and revolutionary potential, COSATU failed to ensure the historical vanguard role of the proletariat in South Africa and the Southern African region during a period of unprecedented heightened mass struggle. The defeat of the mineworkers strike during 1987 was mainly due to:

- A refusal by the NUM leadership to accept co-ordinated solidarity by other COSATU affiliated unions offered at the 1987 National COSATU Congress and;
- The killer blow to the strike of directing workers to leave the mines and go back home to neighbouring countries and rural hinterlands due to violent repression instead of setting up defence committees.

The uncoordinated living and separate living wage struggles, the defeat of the 1987 mineworkers' strike, the severe repression of the period of detentions, bannings and political assassinations by the Apartheid regime in the context of a receding mass movement consequently led to a strategic political evaluation by the trade union leadership. This set the scene for COSATU's acceptance of the rightward trajectory of the ANC and subsequent political negotiations with the Apartheid regime and settlement towards a fuller bourgeois democratic order.



Former COSATU president and current Deputy Minister of Agriculture and Land Reform, Sdumo Dlamini, with Cyril Ramaphosa.

Since the early 1990's the trade union leadership has pursued a reformist agenda in the sphere of politics and the economy. It has firmly wedded itself to an alliance with the bourgeois ANC party and government. Almost the entire COSATU leadership is integrally part of the Stalinist SACP that acts as the political glue and yoke of the labour movement in relation to the ANC.

Strategically, the leadership believes that the best way to ensure the promotion of a "working class agenda" is by being a junior partner of the ANC in the Tripartite alliance, rather than developing its political independence and struggling against the ANC, guided by the aspirations of its members and the broader working class. Similarly in the economy, in line with "strategic unionism" and "radical reform" it enters into co-determinist relations with monopoly-capital. Today this continues in the form of NEDLAC, sectoral summits and the high-level holding hands with the bosses and government.

Since then, on 16 August 2012, we experienced the Marikana Massacre of mineworkers who were members of COSATU's NUM at the time. This led to political tensions within COSATU that eventually saw the COSATU CEC expel its biggest affiliate, NUMSA, which went on to lead the formation of a rival trade union federation, SAFTU.

The decline of COSATU, NACTU and several unions now in SAFTU has made them become bureaucratized with less and less democratic participation in

decision-making by ordinary union members. This has seen them drift towards *business unionism*. A major setback as a result of the trade union federations was their acceptance of labour law amendments that further curbed the right to strike in exchange for a measly regulated national minimum wage of R20 per hour and even less for farm and domestic workers.

BUSINESS UNIONISM

(Adapted from US experience captured in "Reviving the Strike" by Joe Burns)

During the 1990s, many on the left of the labour movement advanced an approach of what is called "business unionism." Instead of concentrating on social-themed issues such as working

conditions, distribution of profits, and fairness and justice, business unionism "focuses largely on bread and butter issues, economic policy questions with government and at workplace level, wage and fringe benefits." In business unionism, decision-making comes not from rank-and-file workers, but is "built around a centralized administration and powerful leadership," with unions operating like service providers or extensions of the employer's human resources department. Much of the trade union's work is centred around labour law defence with organizers spending much of their time at the CCMA.

The primary problem with business unionism is that it creates a system where union officials and staff are, in essence, separate from the members they represent. This separation allows an informal kind of corruption to flourish, where union staff and officers may have fancy cars and high salaries, but little connection to the rank-and-file, and therefore no real incentive to work hard on behalf of their membership. The gulf between the rank-and-file and full-time staff has become a major problem of the contemporary labour movement. In most unions, the staff member assigned to bargaining (known as the lead or chief negotiator) has an inordinately dominant role in the outcome of the collective bargaining process.

Possessing the "technical expertise" that rank-and-file members supposedly lack, the staff bargainer has significant control over union resources, and often

relates to management representatives independently from the membership. Because of this distance from the rank-and-file, what for a worker on a bargaining committee may be an urgent struggle over a stalled contract can become just one of many files sitting on the staff bargainer's desk. What to a shop steward is a direct and personal fight with a supervisor at the worksite is, for a union official/organizer, just one of countless grievances awaiting arbitration. Even during the bargaining process, instead of pushing management for the best deal for workers, in many cases, the staff bargainer plays a conservative role, favouring settlement and compromise over fighting to maximize the best possible gains for the rank-and-file.

There are a number of systemic conditions that encourage this type of behaviour. First, full-time union officials do not experience oppression in the same way or to the same extent as do the workers they represent. For anyone who has been a rank-and-file leader and then gone on to become a full-time officer, the difference should be clear. Most union staff jobs are far better than the jobs that rank-and-file members have, as salaries, vacation, sick and health

much more work for union staff. However, there is no bonus pay for fighting harder, and no extra rewards for going on strike. In addition, a strike or other action not protected by current labour law can put the financial viability of the union at risk. A crushed strike could mean a loss of revenue from striking members' dues, with union staff facing the loss of their jobs. Moreover, to actually win a strike, a union may need to violate court interdicts, subjecting them to potentially enormous fines that could lead to bankruptcy. All of this leads towards cautious behaviour on the part of union officials, whose livelihood depends on the rank-and-file staying on the job and not striking.

None of this is to say that all union staff or officers are bad people, or that rank-and-file members are pure and if only they were in charge, things would dramatically change for the better. In fact, the problems facing the labour movement are deep-seated and structural and go far beyond merely replacing one set of leaders with another. Unions must act together on a class struggle basis—which requires new strategies, new tactics, and a new ideology.



In 2013, the Western Cape agricultural sector was rocked by a farm workers' strike to demand R150 per day. Photo: WWMP

benefits for union staff usually far exceed what most workers receive. Beyond that, union staffers do not have to punch in a time clock or do repetitive work.

Furthermore, a union official often has greater material incentives to settle a negotiation rather than engage management in a protracted fight. Most immediately, failing to settle wage dispute and, instead, pursuing a tactic such as a strike means

THE NEED FOR MILITANCY AND A TRADE UNION DEMOCRACY MOVEMENT

Standing opposed to business unionism is a militant trend within the labour movement that opposes union bureaucratization and seeks to make unions more democratic and worker-centric.

Business unionism is not the result of immoral union officials, but rather the natural consequence of a particular method of trade unionism where newly elected union reformers face the same conditions as those they replaced. As Bill Fletcher and Fernando Gapasin write in *Solidarity Divided*,

The “misleaders” then are not akin to seaweed, floating forever on the ocean with no roots. They are more like crabgrass, which is deeply rooted and durable. These leaders’ roots are not just in one section of the base but in the overall culture and practice of the organization.

These problems are inherent in a system of trade unionism based on exclusive representation and job



Workers at the Glencore-owned Koorfontein mine in Mpumalanga protesting substandard severance payments (17 October 2014).

Photo: IndustriALL Global Union

control. That is why organizations such as Teamsters for a Democratic Union have linked the fight for union democracy with demands for militancy during national collective bargaining.

The connection between democratic functioning and the ability to fight back against management

Far from being a distraction, internal democracy is key to union power. First, a union will act in the interests of members only if those members control the union. If members do not control their union, then others tend to run it in their own interests—management, gangsters, or officials seeking to preserve their easy job and comfortable lifestyle if not line their own pockets... Second, **the power of the union lies in the participation of its members, and it requires democracy to make members want to be involved.**

The difficulties not only in reforming unions, but also in unions functioning effectively once reformers gain office so they do not merely replicate the conditions that gave rise to business unionism in the first place. Lacking a comprehensive strategy to beat back employer offensives, however, reformers these days can do little more than struggle to be administrators of unions trapped within the current, narrow labour system.

Certainly, reformers can be more honest or

competent than the incumbents they replaced in office. A progressive union official who cares about workers' issues, returns phone calls, and fights hard is better than a burnt out hack wanting to work as little as possible and treating members as pests. However, at the end of the day, both are stuck within a system of declining union power and a multitude of legal constraints that force unions into compromise and concession in order to survive.

Ultimately, any proposal for trade union renewal must have the struggle for union democratic rights and militant leadership as its central goals. To engage in militant struggle, labour must reconnect with the grassroots, become willing

to take risks, and reject the status quo. However, whether such “fighting organizations” can develop within the existing labour movement or will require new forms of worker organization remains an open question.

SOCIAL UNIONISM AND THE ABANDONMENT OF THE STRIKE WEAPON

In recent years, many progressives and former socialists have become dismissive and cynical about trade unions and whether they are still able to play a progressive role in our society in defending and advancing working class interests.

Social unionism has become the preferred path to trade union renewal for many progressives. Advocates of this philosophy argue that labour must form coalitions with other groups so that together, they can advance their common interests. Social unionists reject a narrow focus on collective bargaining at an individual plant, arguing that unions must speak for all workers, not just a privileged few. Because of this expansive worldview, they support activities such as living wage campaigns, raising the minimum wage, and the labour/environmentalist “blue-green” alliances. Proponents of social unionism point to grassroots activism such as workers centres and community labour coalitions as the best way forward for the labour movement. Indeed, some of the most vibrant activism in the labour movement today comes out of the social union model.

The problem with social unionism is that labour/community ties and coalitions, while important in their own right, **are not a replacement for direct struggle against employers**. In social unionism, the strike is abandoned, and in the process, the central role of workers at the point of production is lost. Although appearing progressive, social unionism in fact represents a shift in power from workers to union officials and non-profit staff, who are engaging in most of the outreach. Social unionists also sidestep the key economic concerns that must be at the centre of labour's revival, namely that any trade union strategy must be capable of redistributing wealth and power. While organization and broad social ties are important, in and of themselves, they do not put food on the table for workers. At the core of any union strategy must be the question of power.

Despite what social unionists believe, organization and community ties alone do not lead to power. Rather, they must be coupled with tactics that can improve people's lives by taking income from employers and distributing it back to workers. There are two ways to do this. One is through collective action in the form of a strike. The other is by influencing government to act on behalf of workers. Social unionists opt for relying on government intervention instead of direct action by workers. While some gains can be made in this way, there are clear limits to what government can and will do for workers.

In criticizing social unionism as a strategy for the labour movement, we are not criticizing the often creative activism used by its adherents. Those who advocate for vulnerable workers and community struggles are not necessarily claiming to provide a new path for the entire labour movement.

Instead, they are trying to organize particular groups of workers, and doing some very good work realizing meaningful gains, in particular for low-wage workers. As the labour movement creates new forms of organization to wage the struggles necessary to revive trade unionism, the social union paradigm will prove to be invaluable. However, the abandonment of the workplace—and by extension the strike—are fatal failures of social unionism.

Therefore, to realize the goals of social unionism, labour needs to recover the tools of workplace-based solidarity and industry-wide confrontation, which actually do breed a broadened form of consciousness where workers can connect with larger, outside societal forces.

In that regard, strikes are no different from other

social upsurges. Strikes pull groups of workers together and in the process establish a new identity for the entire group. By collectively confronting their employers, workers challenge a system of workplace oppression. As a strategy, the strike is unrivaled in its grassroots, worker-centred character, in its ability to transform those involved, and in the direct confrontation with corporate power. In contrast, the tactics of social unionism lack the immediacy of the strike, as its rallies and lobbying are far removed from the issues of the workplace.

WHERE TO WITH THE SA LABOUR MOVEMENT AND THE ROLE OF STRIKES

Our overall tasks therefore would be to place the labour movement on a radical footing through a thorough radical education programme and concrete action, in particular strikes.

There are three pillars for this historic task, i.e.

- **Addressing the crisis of leadership**, i.e. the absence of a radical “worker control” oriented leadership
- **Strengthening trade union organisation** - building the broadest possible organised unity amongst workers and other sections of the working class.
- **Raising consciousness** - entrenching a radical class consciousness amongst the rank and file of the labour movement through education and struggles.

Our guiding principles for work in the trade unions must be:

Unity of workers and the entire working class in all struggles and the overthrow of capitalism.

Independence politically and organisationally from capitalists and the state.

Democracy – We struggle for the fullest workers' democracy. Workers' control of the economy and society in the interests of the working class primarily and all of humanity. We also struggle for the fullest mass democracy of the trade unions, enabling the rank and file to direct their organisations in their own interests and hold their leadership fully accountable.

ALUTA CONTINUA!

GLOSSARY OF TERMS

Activist	a person who takes the initiative and tries to mobilise and organise people to take action and struggle	Mobilise	to mobilise is to educate and organise people to participate in the struggle.
Ballot	to ballot is to vote on any issue. A strike ballot is to vote whether to strike	Transnational Corporation (TNC)	this is a company which has branches in a number of different countries around the world.
Blacking	this is a type of boycott which is organised by workers. If workers in one company refuse to handle the goods from another where workers are on strike, they are involved in blacking action.	Sector	this refers to the different sectors of the economy or industry. For example in the chemical industry we have the petrochemical, consumer chemical, rubber, plastic, heavy/industrial chemicals and glass sectors.
Consolidate	this means to evaluate past struggles, learn and build on the advances you have made.	Spontaneity	refers to action which is not necessarily tightly organised and suddenly erupts due to workers' frustration. The KZN and Gauteng strikes in 1973 were spontaneous in that they were not centrally organised by any organisation.
Dispute	when two parties cannot agree on an issue (e.g. increase in wages), they are in dispute.	Strategy/strategies	to have a strategy is to have a well thought through plan and programme of how you intend achieving your aims.
Unprotected strike	this is a strike which doesn't follow procedures set down in law (unprocedural strike).	Ultimatum	this is when management tells workers to do or demands something or they will suffer consequences e.g. return to work or you will be fired".
Interdict	an interdict is when the court restricts one party from doing something to another. For example, a company may interdict workers to stop them from entering company premises.		
Labour costs	these are costs which bosses have to pay in production. It includes wages, medical aid and other costs related to workers.		
Protected strike	this is a strike which follows the procedures set down in the Labour Relations Act		
Means of production	these are the farms, factories and mines. They are those things that are needed to produce goods.		
Militant	militant means to be prepared and willing to take action and confront your enemies.		

APPENDIX ADDITIONAL READING

Strike Lessons From the Last Twenty-Five Years: What it Takes to Walk Out and Win by Steve Early (from *The Encyclopedia of Strikes in American History (2009)* – Editors: Aaron Brenner; Benjamin Day and Immanuel Ness

STRIKE LESSONS FROM THE LAST TWENTY-FIVE YEARS: WHAT IT TAKES TO WALK OUT AND WIN

Steve Early

In the fall of 2002, streets and office buildings in downtown Boston were the scene of inspiring immigrant worker activism during an unprecedented strike by local janitors. The walkout was backed by other union members, community activists, students and professors, public officials, religious leaders, and even a few socially minded businessmen. The janitors had long been invisible, mistreated by management and, until recently, ignored by their own Service Employees International Union local. Simply by making their strike such a popular social cause, they achieved what many regarded as a major victory.

On the same day that the janitors' dispute was settled, a much larger strike—at Overnite Transportation—ended quite differently. Faced with mounting legal setbacks and dwindling picket line support, the Teamsters were forced to call off their nationwide walkout against America's leading nonunion trucker. The 4,000 Overnite workers involved were not able to win a first contract. And, since their three-year strike was suspended, all have lost their bargaining rights in a series of "decertification" elections.

The intersecting trajectory of these two struggles—one hopeful and high-profile, the other tragic and now almost forgotten—raises important questions about the state of the strike at the start of a new century. But one answer seems clear: maintaining "strike capacity" is no less important to the future of unions than shifting more resources into organizing or political action, two popular union strategies. Unfortunately, developing new ways to walk out and win has not been a major component of the debate among unions and their supporters about how to regain bargaining clout. For example, it was completely absent from the year-long debate

that preceded the 2005 split in the AFL-CIO that led to the formation of the Change to Win union federation.

Labor's strike effectiveness and organizational strength have long been connected. Throughout history, work stoppages have been used for economic and political purposes to alter the balance of power between labor and capital within single workplaces, entire industries, or nationwide. Strikes have won shorter hours and safer conditions through legislation or contract negotiation. They have fostered new forms of worker organization—like industrial unions—that were badly needed because of corporate restructuring and the reorganization of production. Strikes have acted as incubators for class consciousness, rank-and-file leadership development, and political activism. In other countries, strikers have challenged—and changed—governments that were dictatorial and oppressive (often against union leadership no longer accountable to the membership).

In some nations—like Korea, South Africa, France, and Spain—where strike action helped democratize society, general strikes are still being used for mass mobilization and political protest. In the last decade, millions of Europeans have participated in nationwide work stoppages over public sector budget cuts, labor law revisions, or pension plan changes sought by conservative governments. In Brazil, voters have even chosen a one-time strike leader, Luis Inacio ("Lula") da Silva, to serve as president of their country.

Meanwhile in America, "major" work stoppages have become a statistical blip on the radar screen of industrial relations. Every year, more than 20,000 union contracts are negotiated. Yet, since 1992, each year there is an average of fewer

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than forty walkouts by 1,000 or more workers. In 2004, there were just seventeen, with only 316,000 union members participating (100,000 of them in a single four-day telephone strike). In contrast, at the peak of labor's post-World War II strike wave in 1952, there were 470 major strikes affecting nearly 3 million workers nationwide.

Today, hardly anyone strikes for union recognition (although New York University teaching assistants did conduct a lengthy work stoppage in 2005–6 to regain recognition after it was withdrawn in the wake of an NLRB ruling that stripped private sector graduate student employees of NLRA protection). Most workers win bargaining rights via representation elections or card checks. Then, they negotiate first contracts which, like almost all American labor agreements, contain binding arbitration and no-strike clauses. This means they are legally barred from walking out during the life of the contract to protest unresolved grievances. As recently as the 1970s, such strictures were routinely ignored by tens of thousands of coal miners and other union members—despite fines, injunctions, damage suits, and contempt citations. Now, “wildcat” strikes—of any size—are extremely rare. When 18,000 General Electric workers staged an authorized strike in 2003 against impending medical plan changes—while their national agreement was still in effect—this option was available only because the GE contract is one of the few left with an “open-ended” grievance procedure.

Thanks to court decisions sanctioning the use of “permanent replacements,” even contract strikes are a high-stakes venture in the private sector. If management chooses to play hard ball and hire a substitute workforce, it can in effect “fire” strikers, thereby also nullifying their “right to strike” at contract expiration. This countermeasure was deployed with devastating effect during the nationwide walkout by Northwest Airlines mechanics and cleaners in 2005. In the public sector, the legal and financial risks of striking lie in severe statutory restrictions on work stoppages themselves. Except in a handful of states, public employee unions that walk out are automatically subject to injunctions and/or fines. In New York, members of the Transport Workers Union—who stopped NYC subway operations for three days in December 2005—incurred the unusually heavy penalties of the Taylor

Act, which apply to both labor organizations and their individual members.

Labor's current timidity about using the strike weapon can be traced back to the Professional Air Traffic Controllers Organization (PATCO) disaster in 1981. Twelve thousand striking employees of the Federal Aviation Administration (FAA) were fired and replaced by President Ronald Reagan. The government's success in breaking the strike sent an unmistakable message to workers and employers everywhere. The 1980s soon became a dark decade of lost strikes and lockouts, in which many other anti-concession battles—at Phelps-Dodge, Greyhound, Hormel, Eastern Airlines, and International Paper—ended badly. The response to these strikes on the part of the national AFL-CIO and many of its central labor councils (CLCs) was feeble indeed; too many CLCs had become hollow shells, more preoccupied with protocol and political endorsements than mobilizing members around strikes or boycotts.

Fortunately, the resulting vacuum was filled by a variety of unofficial groups that organized mass picket lines and rallies, conducted plant-gate collections and solidarity tours, and “adopted” strikers' families. In the late 1980s, with backing from a few national unions, some of these rank-and-file groups coalesced into the Jobs with Justice (JWJ) network. JWJ soon developed a strained relationship with the Lane Kirkland and Tom Donahue administrations of the AFL-CIO. By 1995, due in part to discontent with the AFL-CIO's paltry strike support efforts, JWJ was part of the climate for change enabling a reform slate to win control over the labor federation. But even John Sweeney's “New Voice” victory did not occur in time to alter the balance of power on picket lines in places like Decatur, Illinois, where factories operated by Caterpillar, Bridgestone/Firestone, and A.E. Staley all became part of single strike-bound “war zone” in the mid-1990s.

Not the least of labor's strike failings in the pre- and post-1995 periods was its seeming inability to learn from either defeats or victories. Without summing up and sharing the lessons of these battles, how could anyone expect them to become the basis for future success rather than a reoccurring pattern of failure? Nevertheless, most unions still shy away from any systematic strike

postmortems. Particularly during the 1980s—when the landscape of labor was littered with the wreckage of lost walkouts—the dominant tendency was to bury the dead and move on, quickly, to the next fiasco. Even when these fights cost millions of dollars and the workers involved made enormous sacrifices over many months or years (including losing their jobs), few union representatives ever filed the labor equivalent of an “after-action report”—the kind of data routinely collected by the Pentagon to guide future military training and campaign planning.

Labor’s own lack of bureaucratic interest in what went right or wrong on the industrial battlefield reinforces the idea that strikes are now futile, even suicidal. Meanwhile, the steady decline in work stoppages has reduced the pool of union activists with any strike background. Few unions compensate for this experience gap by publishing and distributing up-to-date strike manuals, offering in-depth training on strike strategy and tactics, or using their own (or other unions’) organizational case studies. Anyone interested in the subject must turn to literature from academics, journalists, and activists, such as *Labor Notes* from the Detroit-based Labor Education & Research Project (LERP). LERP also holds biannual educational conferences featuring panels and workshops on strike activity. In 1991 and again in 2005, LERP published *A Troublemaker’s Handbook*, which contains much useful information about the planning and execution of successful contract campaigns and strikes. A more recent book by attorney Robert Schwartz, entitled *Strikes, Picketing and Inside Campaigns: A Legal Guide for Unions*, is equally essential reading for would-be strikers.

Despite the hostile bargaining climate of the last twenty-five years and labor’s haphazard approach to processing its own history, the vital lessons to be learned and applied in future strikes point in much the same direction. Among the necessary (if not always sufficient) conditions for strike effectiveness are the following: careful preparation and financing; membership mobilization and involvement; creative tactics and tactical flexibility; a message that resonates with the broader public; and a comprehensive campaign plan, which enlists all possible labor and community allies, at home and abroad.

Make Your Strike a Community/ Labor Cause Célèbre

Even during the 1980s, there were contract campaigns that bucked the tide of concession bargaining. In 1989, simultaneous strikes by miners in Appalachia and telephone workers in the northeastern United States both became successful examples of worker militancy and social movement unionism rather than disheartening displays of labor disarray.

The United Mine Workers of America (UMWA) succeeded in making their twelve-month walkout against Pittston into a national labor cause even though it involved only several thousand strikers in geographically isolated coal field communities. The union mobilized other UMWA members for sympathy strikes at non-Pittston mines, linked arms with recent presidential candidate Jesse Jackson, orchestrated waves of mass arrests, staged one of the few plant occupations since the 1930s, and created an encampment in southwest Virginia (Camp Solidarity) that became a magnet for strike supporters of all types from throughout the country. As labor historian James Green describes:

Throughout the summer of 1989, the UMWA employed a corporate campaign, roving pickets, mass demonstrations, direct action, and civil disobedience. Whenever the company got a court injunction against certain activity, the miners responded by developing new tactics or reviving tactics of the past. Sometimes the strike resembled the non-violent civil rights movement of 40 years earlier. Other times, it was a pitched battle in what [then] UMWA Vice President Cecil Roberts dubbed “class warfare in southwest Virginia.”

UMWA organizers “promoted and supported a local culture of solidarity and consciously transformed the strike into a people’s resistance movement against corporate greed.”

In August of 1989—after a New York City rally addressed by Pittston strike leader (and then UMWA President) Rich Trumka—60,000 members of CWA and IBEW joined the miners in fighting medical benefit givebacks. Like Pittston, their employer—NYNEX—was trying to shift the burden of medical cost inflation onto its unionized

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workforce, and for the first time require employee premium contributions for health coverage. The forty telephone worker locals involved had spent more than eighteen months getting ready for this showdown in New York and New England. They built up an active network of 4,000 stewards and "mobilization coordinators" to distribute literature, organize displays of workplace solidarity, and counter management propaganda about the need for wage and benefit concessions.

When negotiations deadlocked, months of membership education and on-the-job activity had already laid the groundwork for a high-impact strike. Strikers participated in mobile picketing that was militant and creative. They followed scab trucks more aggressively and systematically than ever before while also targeting top company executives and board members at their homes, businesses, universities, social clubs, and many corporate-sponsored events. There were mass arrests (about 400 in all), rallies of up to 15,000 people, 250 strike-related suspensions or firings (which took many months to contest in arbitration proceedings after the return to work), and numerous incidents of sabotage (which became the subject of full-page company newspaper ads offering \$100,000 rewards.)

The strikers distributed tens of thousands of stickers calling for "Health Care For All, Not Health Cuts At NYNEX." They formed alliances with the Rainbow Coalition, National Organization for Women, Citizen Action, the Physicians for a National Health Program, and other health care reform groups. In Boston, weekly mass meetings featured speakers from these groups and fellow strikers from Pittston and Eastern Airlines, plus innumerable public officials and labor and community supporters. Strike-related rallies and publicity all emphasized the common bond between union and nonunion, insured and uninsured, workers and their mutual need for national health insurance (particularly after the strikers' own medical benefits were cut off).

In New York, NYNEX made the bad mistake of applying to the state's Public Service Commission (PSC) for a \$360 million rate hike right in the middle of the four-month strike. CWA strikers gathered 100,000 signatures from consumers opposing the increase and got 130 state legislators—

over 60 percent of the total—to lend their name to full-page anti-rate-hike ads in the *New York Times* and other papers. The union also formed a coalition with religious, student, senior citizen, and community organizations to intervene in the regulatory process. Press conferences were held with Jesse Jackson and consumer advocate Ralph Nader, and strikers distributed tens of thousands of pamphlets urging residential customers to "hang up" on NYNEX's attempt to double their monthly bills.

In the fourth month of the strike, facing a major defeat at the PSC and the risk of longer-term disruption of its carefully cultivated relationships with politicians and regulators, NYNEX finally realized it was time to settle. The company threw in the towel on its efforts to introduce weekly payroll deductions for medical coverage; seventeen years later, telephone workers at Verizon (NYNEX's New York/New England successor firm) are still among the 5 percent of all workers with employer coverage who make no premium contributions. "You don't know how grateful the Mine Workers are," Trumka told a group of NYNEX strikers at the AFL-CIO convention in November 1989—just after their settlement and on the eve of one at Pittston. "Our struggle would have been that much more difficult if you had not won your outstanding victory."

Frame Strike Issues Broadly So They Resonate With the Public

In 1997, the contract strike made its biggest comeback in the post-PATCO era with the now-famous walkout by nearly 200,000 United Parcel Service (UPS) workers. How the International Brotherhood of Teamsters (IBT) framed their dispute with UPS was a critical factor in gaining broader public sympathy, along with a tremendous outpouring of rank-and-file union support for UPS drivers and package handlers. The IBT's main objective was to create more full-time jobs by thwarting management's strategy of converting the UPS workforce into a largely part-time one. As in the NYNEX strike, union activists tried to invest the contract fight with larger social meaning—in this case, by declaring in research reports, press releases, and innumerable interviews that "Part-Time America Doesn't Work!" The UPS strike not only beat back

the company's concession demands and won the creation of more full-time jobs—it also became a rallying point for everyone concerned about the societal impact of part-timing, with its accompanying erosion of job-based benefits.

Unlike his predecessors, then-Teamster President Ron Carey refused to treat the second-largest contract talks in the country—only General Motors' bargaining was bigger at the time—as a special interest game played out of sight from the membership, their families, and the public. Carey-era IBT staffers Matt Witt and Rand Wilson recall that just “a few hours after picket lines went up, Reuters quoted UPS driver Randy Walls from Atlanta saying, ‘We’re striking for every worker in America!’” Walls was just one of thousands of rank-and-filers who stayed “on message.” Many months of intensive education, discussion, and internal communication within the union's newly created “member-to-member networks” built a broad consensus about UPS bargaining goals and how best to articulate them. UPS is notorious for its authoritarian systems of workforce control and internal propagandizing; nevertheless, the company was caught off guard by the public pumeling it took. “If I had known that it was going to go from negotiating for UPS to negotiating for part-time America, we would have approached it differently,” UPS executive John Alden confessed later to *Business Week*.

According to Witt and Wilson, “Polls showed that the public supported the strikers by more than 2 to 1. . . . While some argue that unions must shun the ‘militant’ image of their past in order to maintain support from members and the public, the UPS experience shows the broad appeal of a labor movement that is a fighter for workers’ interests.”

Some unions have tried to borrow from the Teamsters' playbook at UPS in more recent contract struggles against health care cost shifting. Between 2001 and 2003, there were plenty of opportunities to do this: health care-related strikes or lockouts broke out among state employees in Minnesota, teachers in New Jersey, janitors in Massachusetts, candymakers in Pennsylvania, food processors in Wisconsin, uranium-plant workers in Kentucky, truck builders in Tennessee, and aerospace workers in Texas. In 2003, major contracts were also up

in the telecom, auto, and grocery industries. In each case, management sought to shift the burden of medical cost inflation to active and retired workers.

The question facing unions was how to broaden their defense of negotiated medical benefits when 40 million Americans have no coverage at all, most retirees lack employer-paid health benefits, and workers without unions pay much more for their medical insurance than union members do. If organized labor resists benefit cuts in a way that projects the broader demand for “Health Care for All,” it can help create pressure for a political solution that replaces job-based coverage with a system of national health insurance. By positioning themselves as the champion of all workers—not just those with a membership card—unions also stand to gain far greater public sympathy and support.

Labor's record in this regard has been mixed, even as the difficulty of fending off benefit concessions has increased due to the emerging simultaneous management attack on health insurance and pensions. One of the best local examples of coordinated contract-related agitation for health care reform was the June 5, 2003, “Health Care Action Day” sponsored by Massachusetts Jobs with Justice. This cross-union effort at rank-and-file education and workplace activity was endorsed by more than fifty community groups and labor organizations, including nurses, state employees, and utility workers. The sponsors distributed more than 65,000 stickers demanding “Health Care for All.” Then, they did the mobilization necessary to get many of their members to wear their stickers on the job on June 5. To increase public visibility and press coverage that day, JWJ also organized informational picketing and noontime rallies around the state, which called for a health care system that “covers everyone, is publicly financed, and saves money . . . by reducing bureaucratic waste.” Among the most active participants were General Electric workers (whose national contract was due to expire in several weeks and who had already struck for two days in January over medical coverage) and members of CWA and IBEW at Verizon, whose regional negotiations had just gotten under way.

The UFCW's 2003–4 grocery workers walkout

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in Southern California was far less successful in making the connection between management demands for benefit cuts and the need for universal medical coverage. The strike involved 60,000 workers at three major supermarket chains. Many of the strikers were twenty-hour-a-week part-timers whose plight could easily have dramatized the need for real health care reform. Instead, as David Bacon observes, UFCW "picket lines had an air of desperation after the first few weeks." The protracted walkout failed to develop anything near its full potential for community and political support or favorable media coverage; instead of striking a strong and popular political theme, it became a monument to union dysfunction and disorganization. (Since this debacle, the UFCW has become more active in funding state-level health care reform initiatives.)

If Circumstances Require, Stay on the Job—Or Strike Selectively

Union members with a long history of strike activity are sometimes reluctant to deviate from past practice when a contract expires. Yet responding flexibly and creatively to management strike preparations makes more sense than a knee-jerk response that may lead to disaster. Even in the UMW, where the tradition of "no contract, no work" was deeply ingrained, miners at Pittston worked without a contract for fifteen months before their nine-month strike began in 1989. As Dan LaBotz notes in *A Troublemaker's Handbook 2*, "Some strikes are lost when a union simply hits the bricks, without taking the measure of the opponent and what it will take to win." That is why smarter unions are now experimenting with limited-duration walkouts, combined with inside campaigns, to reduce the risk and cost of protracted shutdowns. Working to rule, working without a contract, and "striking while on the job" before walking off the job are good ways of "testing the waters" and "looking before you leap" while gradually ratcheting up the pressure against employers.

Between 1968 and 2003, blue-collar workers at Yale—later joined by white-collar university staffers organized in the mid-1980s—went on strike eight times. In March of 2003, Hotel Employees

and Restaurant Employees International Union (HERE) Locals 34 and 35 had been working without a contract for thirteen months. So, joined by graduate student teachers and Yale-New Haven hospital workers, they organized a high-impact five-day strike to press their joint demands. The walkout was accompanied by daily rallies and picketing, culminating in a march by 10,000 strikers and community supporters—the largest demonstration in New Haven in more than thirty years.

As in the past, the union's strike schedule was tactically flexible, tied into the academic calendar, and, at least initially, limited in duration. "As negotiations continued through the summer, the unions built for an open-ended strike," write Steve Hinds and Rob Baril in *A Troublemaker's Handbook 2*. "That strike began in August, when Yale students returned for the Fall semester. The Rev. Jesse Jackson played another active role in this strike, spending an entire week at strike-related events, including a 24-hour sit-in with Yale retirees demanding pension improvements." Faced with civil disobedience, community pressure, and mounting bad publicity, Yale sued for peace in the form of a long-term contract that doubled pension benefits by 2009.

During the same summer and fall, thousands of telephone workers—who had struck five times in the previous two decades—were engaged in regional bargaining with Verizon. In the words of New York Verizon tech Pam Galpern in *A Troublemaker's Handbook 2*, it is a firm with "deep pockets, a highly automated work process, and virulently anti-union top management." According to Galpern:

Verizon was itching for a strike. . . . Management thought it could outlast the unions, impose its concession demands, raise health co-pays, and eliminate strong job security language that was limiting its ability to move jobs to lower cost states or overseas.

A walkout in August 2003 would have temporarily nullified the effect of an arbitrator's ruling in late July that directed the company to rehire 3,400 workers laid off the previous year in violation of the contract. Confronted with widespread

These employers have been locally or regionally based, with fewer resources to hire scabs, and they have often faced financial penalties for construction delays, which have given them incentive to settle strikes quickly. For construction workers, the skill, danger, and cooperation involved on the job have provided common bonds, and they have built enduring unions that have reinforced workplace cultures of solidarity and the willingness to strike. Further buttressing construction workers' solidarity has been, until very recently, the disgraceful exclusion of African-American, Latino-American, and women workers from construction jobs and construction unions. While not its main source, strikes have played a role in this race and gender exclusion. Employers have often used workers of color as scabs, reinforcing the racist view that workers of color could not be organized into the construction unions. By increasing the strength of racial exclusion and by bringing workers together in common struggle, strikes have magnified the workplace solidarity of white male construction workers, which, in turn, has emboldened them to go on more strikes.

No other group of workers has been as consistently militant over as long a period as construction workers, but one group has come close: miners. And in some senses, miners have been even more militant. Based on data from Edwards, from 1881 to 1905, miners were only 4.5 percent of nonagricultural employees, but they accounted for 10 percent of the strikes and 31 percent of the workers on strike. Miners engaged in the biggest and longest strikes of the period, involving three times as many workers as the average and lasting 50 percent longer. Construction strikes, by contrast, were nearly 50 percent shorter than average. From 1927 to 1940, miners were less than 3 percent of the workforce, yet they accounted for a disproportionate number of strikes (4 percent), strikers (21 percent), and days lost to strikes (31 percent). Again, they had the biggest and longest strikes, averaging 2,160 workers and over twenty-seven days per strike, compared to 427 workers and eighteen days per strike for the rest of the economy. More than 20 percent of miners went on strike each year during the period, and in 1938–41 some 63 percent of miners participated in work stoppages. By comparison, the average level of strike participation for all industries was

less than 5 percent, as it was for construction. Mining strikes declined after the 1940s, but miners remained far more strike prone than all other workers. Representing 1.3 percent of all workers, miners accounted for 8 percent of strikes, 7 percent of workers on strike, and 7 percent of days lost to strikes in the period between 1950 and 1972. In the late 1960s and 1970s, miners were again extremely militant. In addition to dozens of official strikes, they engaged in a wave of wildcat strikes to protest not just conditions in the mines but the failure of their union leaders to protect their interests. One set of wildcats succeeded in directly prompting the West Virginia Legislature to pass a Black Lung bill to compensate miners for pneumoconiosis.

Even more than construction workers, miners developed enduring cultures of workplace solidarity. To build the trust in each other necessary to survive a very dangerous job, they developed and enforced detailed work practices that everyone had to follow if they were all to leave the mine safely at the end of each shift. Old miners taught the work rules to new miners, and the practices bound workers together on the job across the generations. One of these rules was that when one worker went on strike, usually signaled by pouring out the water each miner carried, everyone went on strike. Given the deplorable record of the mine owners, walkouts like this over safety were common.

Off the job, miners shared similar experiences that also reinforced solidarity. They often lived in company towns, where their employer was also their landlord, the local storeowner, the mayor, and the police. Class lines in such communities were stark. On one side were the miners and their families. On the other side were the mine owners and their hired hands who ran the town. In such circumstances, workplace conflict was community conflict, and vice versa, and collective action was a means of survival. Strikes became community affairs, with spouses and children helping to organize pickets, relief, and other necessities. Upon this base of solidarity, the United Mine Workers built a powerful organization that overcame divisions among the workers of skill, ethnicity, and often race. By harnessing miners' solidarity into a powerful force that could stand up to the brutality of the mine owners and win strikes, union organizers

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remarkably little scabbing), Ravenswood was finally forced to end its lockout and settle with the USWA.

It took the union twenty-two months and an estimated \$20 million to beat the company. . . . Rarely had a union plotted such a complex strategy aimed at a company's pressure points away from the picket line. And best of all, Ravenswood's shareholders revolted, leading to the downfall of the company's hard-line president.

A more recent lockout—which shut down all West Coast ports in September 2002—also ended in an important defensive victory because of similar union dexterity in handling a complex bargaining showdown. When their agreement with the Pacific Maritime Association (PMA) expired on July 1, 10,000 members of the International Longshore and Warehouse Union (ILWU) initially worked under day-to-day contract extensions for two months. Meanwhile, its corporate and political enemies raised the specter of dire threats to “homeland security” if the ILWU chose to strike.

There was little progress in negotiations, so the union refused to extend any further. Amid mounting tension, the negotiating committee called for strict membership adherence to all waterfront safety standards. According to journalist and photographer David Bacon, management in turn “accused the union of ‘working to rule’ and using safety complaints to slow work down.” The ensuing retaliatory lockout triggered “doomsday predictions about the economic damage of a ‘strike’” with the mainstream media “often forgetting or ignoring the fact that the PMA had locked out the workers.” As ILWU organizing director Peter Olney noted:

Under increasing pressure from the PMA and its biggest customers, President Bush acted on October 8 and went to Federal District Court in San Francisco to enjoin the lock-out and open up the ports. The 80-day cooling-off period prescribed by the Taft-Hartley legislation, never before used against an employer lock-out, provided that both parties had to work at a “normal and reasonable rate” during the 80 days and continue to negotiate and seek an agreement.

The PMA's original strategy was to get this “injunctive relief” and “then press for severe economic and criminal sanctions against the ILWU” based on evidence of a renewed “employee slowdown.” Fortunately, the employers association “overplayed its hand.” Just prior to Bush's filing for a Taft-Hartley order, federal mediator Peter Hurtgen—with backing from the White House—proposed a thirty-day extension of the old contract instead. The union agreed but the PMA did not.

According to Olney, “When it came time for the Justice Department to decide whether to go after the ILWU for criminal contempt citations, the Department demurred and signaled to the PMA that they would have to negotiate a contract with the ILWU without the increased leverage of court-imposed penalties.” The subsequent settlement, which was ratified overwhelmingly in January 2003, increased pensions substantially and averted health care cost shifting, while restoring some outsourced work in return for gradual elimination of about 400 clerk jobs due to the introduction of new technology.

Never Strike Alone

Successful strikes require multiple forms of solidarity—preferably from other workers at the same company, nonstriking members of the same union, and unionized workers generally. There is no sadder sight in labor than a small group of workers—not to mention a large one—ending up on picket lines powerless, impoverished, and alone. In Barbara Koppel's 2002 documentary on the Overnite strike, “American Standoff,” we meet many such victims of what *Newsday* labor reporter Ken Crowe called a “banzai strike.” As Crowe reported, “1,500 unprepared, unsupported workers” were called off the job in 1999 at forty Overnite trucking facilities around the country. The drivers and dock workers who participated in Teamster President James Hoffa's much-hyped “unfair labor practice” strike had little success, even at the outset of their three-year attempted shutdown. The company's nonunion workforce was four times larger than the minority of Overnite workers who had voted for union representation earlier in the 1990s, when Ron Carey was

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the AFL actually sending out directives discouraging central labor council assistance to AMFA).

The lesson of AMFA should not be lost on a new generation of would-be strikers expecting to rely on the generosity or strike support capacity of national labor federations. Before (rather than after) walking out, workers must line up solid commitments of grassroots labor and community support by approaching local solidarity coalitions, such as those affiliated with Jobs with Justice.

Take Strike Financing Seriously

Regardless of what form worker militancy takes, it is essential to provide adequate financial support for workers and their families. Even if members of a union are not all out on strike together and most are still working, they can help each other out by setting aside a fixed portion of their dues money for strike assistance. One bottom-line requirement in every union should be a national fund that pays out guaranteed weekly benefits of at least \$200 to \$300 for strikers, for workers fired for alleged "picket line misconduct," or for the disciplinary casualties of concerted in-plant activity.

In 1989, the 20,000 CWA members who struck NYNEX for four months did not have that kind of safety net. They depleted the entire \$28 million balance of CWA's then-underfunded Defense Fund, which doled out the money through local strike committees based on determinations of individual need. To make it through the final weeks of the walkout, CWA had to arrange a special \$15 million low-interest loan from the Japanese telephone workers federation, Zendentsu. In the wake of this experience, convention delegates voted to raise CWA's standard dues from 1.15 percent to 1.3 percent of base pay, with the additional revenue earmarked for a new Member Relief Fund (MRF) that would pay out fixed weekly benefits (which increase to \$300 in the fifth week of any strike). Local unions were also strongly encouraged to build up their own supplemental strike funds, which the larger ones have done.

Seventeen years later, CWA's MRF is now the second largest in the labor movement (after the UAW's \$900 million fund). It has a balance of more than \$375 million and is able to pay out large sums even in relatively short strikes. CWA's

75,000-member walkout at Verizon in 2000 lasted less than three weeks but involved a \$20 million MRF expenditure. In addition, the union maintains its original Defense Fund, which provides separate contract campaign funding for workers who are prohibited by law from striking and which also pays for strikers' medical expenses and/or COBRA premiums.

Skeptics of this "strike benefit" approach cite the experience of the United Auto Workers during the second of its two Caterpillar strikes in the early 1990s. As *Chicago Tribune* reporter Stephen Franklin reported in his 2001 book, *Three Strikes*, the UAW boosted its payouts to \$300 a week for Caterpillar strikers and also paid about \$600 per member each month for health benefits. By December 1995, however, between 1,000 and 5,000 UAW members had deserted the fight and the union was forced to sue for peace under terms overwhelmingly rejected by the remaining strikers.

The alternative strike-financing philosophy is best expressed by the always independent—and tough-minded—United Electrical Workers (UE). In its excellent and very detailed guide to "Preparing for and Conducting a Strike," the 25,000-member UE parts company with the few national unions "that pay strikers a set amount per week, regardless of need." UE believes that "the purpose of such financial assistance is not to pay people for being on strike but to make sure that no one is forced back to work because they cannot afford the basic necessities of life. . . . The goal is make sure that all strikers are able to survive for as long as it takes to win an acceptable settlement."

To drive this point home, the UE guide includes the text of a fiery 1968 speech by national officer Jim Matles explaining the basis for the union's "policy on strike assistance":

Somehow, the idea has gotten around among working people that there is a painless way of striking. A striker doesn't have to picket anymore—he just comes down to the Union to get a weekly check since he is not getting it from his boss. If the Union doesn't give him a check, it's like the company not paying on pay day. . . . We are not going to create any such illusions among our people. We have to try to handle strikes in the way the labor movement has handled them

IBT president and the union had a well-funded, patiently developed, and nationally coordinated Overnite campaign.

However, by 1999 the union's Overnite worker support apparatus was no longer in place. Teamster freight locals failed to sustain effective mobile picketing of Overnite trucks and some quickly became "no-shows" at other strike events. "From the very beginning," complained one dismayed AFL-CIO field mobilization staffer, "it was a quasi-strike—a virtual walk-out, with no strategy behind it other than taking the workers out. . . ."

"When we went out, we was [*sic*] guaranteed we would have 100,000 Teamsters to back us," says one embittered striker who appears in Koppel's film. "And what have we had? We've had a little money, yeah, but we haven't had shit from the damn Teamsters!"

High-profile strikes and/or lockouts in the 1980s at Hormel and International Paper were among the many that foundered for similar reasons. In much stronger, long-established bargaining units only one part—or a small part—of an employer's total workforce was engaged in the struggle. Workers in other plants had no union or were represented by different unions; union contracts had no common expiration date; and locals pursued their own bargaining agenda due to management pressure or through a lack of national union coordination. The result was contract concessions elsewhere that undercut strike resistance to the same give-back demands, regardless of how determined the strikers themselves proved to be.

In the airline industry, lack of coordinated bargaining, fragmentation in the pattern of union representation, and acrimony between unions have produced some of the worst-case examples of this "divide and conquer" scenario. Strike preparation in such an environment should include a careful assessment of management's ability to weather a walkout and a realistic estimate of the union's likely strike impact, including the reaction of necessary allies. Instead, amidst dreadful choices and angry members, magical thinking sometimes prevails when strike decisions are made.

As labor historian Peter Rachleff observed about the 2004–5 strike by the Aircraft Mechanics Fraternal Association at Northwest Airlines:

AMFA members, particularly the mechanics, were confident that NWA could not operate effectively without them. Not only were their skills, licenses, and certificates of value, but they felt that their informal knowledge of their airline's plans, rules, and practices made them irreplaceable.

While feisty, democratic, and militant, AMFA was still "a small union" with "no strike fund." It was "not affiliated with the AFL-CIO" and "had little connection with other unions since its emergence on NWA property six years ago." Nevertheless, Rachleff writes:

With the other NWA unions . . . facing demands for major concessions, AMFA hoped for significant support, perhaps even sympathy strikes (Taft-Hartley's prohibition of which doesn't apply in industries regulated by the Railway Labor Act). AMFA also hoped for help from non-NWA, non-airline unions, who they expected would recognize what stakes they had in this struggle.

When AMFA struck, however, pilots, flight attendants, and IAM-represented baggage handlers at NWA all continued to work while trying to negotiate their own separate concessionary deals under the gun of the company's Chapter 11 bankruptcy proceedings. The 4,400 striking mechanics and cleaners were quickly replaced and reduced to futile airport terminal picketing. As Rachleff, a leading Twin-Cities AMFA supporter, painfully concludes, Northwest management effectively implemented "a well-conceived, well-funded union-busting strategy [that] has caught the attention of corporate managers not only in the airlines industry but throughout the economy."

Rather than recognizing everyone's stake in a major fight against wage cuts and contracting out, many labor officials either denounced AMFA (because it had defeated the IAM, IBT, or Transport Workers in National Mediation Board elections) or simply ignored its pleas for help. Some national unions did discourage their members and staffers from flying on the airline. More significantly, the UAW donated \$800,000 to AMFA from its own substantial strike fund. But, most revealingly, neither the AFL-CIO nor its new rival, the Change to Win federation, played any helpful official role (with

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for generations. Our people have got to know, in the first place, that a strike means sacrifice.

Matles went on to provide a still-relevant warning about top-down control of fixed-benefit funds. He noted that, "time and again, the rank-and-file turned down the terms of a strike settlement negotiated by the International, but the membership was forced back to work when the International cut off payment of weekly strike benefits." One recent example of this practice occurred during the disastrous 141-day southern California supermarket strike in 2003–4; faced with dwindling funds and, in the view of some observers, the need to soften up strikers for a settlement, UFCW leaders cut their weekly strike pay to \$150 or less.

From Matles's perspective in the late 1960s, the fact that "the real meaning of working people striking has been prostituted and corrupted" was "one of the most fundamental problems facing the American trade union movement." Some forty years later, a far bigger problem is the lack of labor movement-wide mechanisms for sustaining strikers and their families. Less than a month before that UFCW's grocery walkout ended in February 2004, the AFL-CIO announced a belated "national campaign" to aid the 60,000 strikers. Yet, having no national relief fund of its own, the labor federation was unable to supplement dwindling UFCW benefits, except through ad hoc fund raising.

During the deliberations a year later about how the AFL-CIO should be changed, CWA lobbied for a system of "national strike insurance for all federation unions." Under CWA's plan, all strikers would be guaranteed to receive "at least \$200 per week" and these benefits would "be funded from AFL-CIO per capita dues with rebates for unions that can fund their own benefits at this level." Unfortunately, this proposal received little serious consideration. Thus, in twenty-first century America, labor as a whole continues to handle strikes "the way the labor movement has handled them for generations"—which is to say, not as well

as the UE. And the challenge of shifting resources to expand individual union strike capacity has gone largely unmet. Those who will pay the price for this in the future are, of course, rank-and-file members—who deserve better from unions.

See also: The Decline of Strikes, 72; Strikes in the United States Since World War II, 226; Three Strikes Against the New York City Transit System, 277; Strikes in the U.S. Airline Industry, 1919–2004, 577; Teamster Strikes and Organizing, 1934–1964, 601; Striking the Ivory Tower: Student Employee Strikes at Private Universities, 685.

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