

a work committee was now being set-up. The plant does not have a trade union organization but, according to the report, there has existed an informal committee of Black employees.

In addition to grievance procedures of a formal or informal nature a number of companies indicated that they sought to foster communication in general with their employees through an "open door" policy, encouraging direct personal accessibility to management. On a more formal level of communication arrangements twelve reports referred to the activities in their plants of work or liaison committees on which there are representatives of Black employees. While such arrangements offer a method of frequent and regular consultation between management and employee the development of trade union organization, considered in the next section, clearly assumes an increasingly important role in consultation and communication.

2. Collective Bargaining

Perhaps the most remarkable and significant sign of change in South Africa in recent years is the growth of Black trade unions which can now claim a membership approaching 750,000 and indications of this trend are to be found in company reports under this heading. Where the process of change, organization and reorganization is moving at such a tempo some caution is necessary in the use of labels. Many trade union organizations which have existed for longer periods of time are described as multi-racial or non-racial. While not now excluding Black members, they have substantial numbers of White, Asian and Coloured workers as members and leaders of their organizations. A Black trade union is also a non-racial organization with the difference, however, that its membership and leadership is predominantly composed of Black persons. In the latest phase of their expansion, organizationally as well as numerically, a number of these trade unions came together towards the end of 1985 to form a new Black trade union federal group, the Congress of South African Trade Unions (COSATU).

The surge of Black trade union growth has followed the implementation of changes to the South African Labour Relations Act and Labour Law which eliminated provisions from the legislation that

discriminated on the basis of race and thereby prevented Black trade unions from being registered as such. As a result of their exclusion from registration they were not entitled to be represented within the prevailing Industrial Council system and, consequently, were not able to have their bargaining agreements with employers legally enforced.

Admission to the Industrial Council system and the acquired legality that comes with it may offer the Black organizations new possibilities and more freedom to manoeuvre. They must, however, face the constraints still arising from the Industrial Conciliation Act as the statutory basis of the system's authority and jurisdiction. Thus in conformity with this Act an Industrial Council is formally described as a permanent, self-governing body with jurisdiction over a particular industry or area. It represents a forum on which trade unions and employers negotiate for and conclude an industrial agreement which then applies throughout the Council's sphere of jurisdiction. Trade unions and employers are represented on the Council "on equal terms". While Black trade unions are now legally in a position to negotiate "closed shop" arrangements it is not clear that the problems posed by some existing arrangements of this kind, tending to exclude Black workers from certain skilled occupations, have been successfully surmounted. It is worth noting that under the Act an existing union can oppose the registration of a "new" union on the grounds that the existing union is representative of the workers, i.e. "that it has already more than fifty percent membership of workers in the envisaged area of jurisdiction."

As indicated above the growth of Black trade unions is reflected in company reports from their subsidiaries. The subsidiaries of two mining companies are now engaged in negotiations with the National Union of Mineworkers for the setting up of union branches at their operations. The subsidiary of another mining company already has an established Black trade union at its operation. Three other companies report that their subsidiaries have Black employees who are enrolled in a Black trade union or in one which is affiliated to COSATU. Another seven company subsidiaries report that their Black and other employees are enrolled in multi- or non-racial trade unions which are represented in the appropriate Industrial Councils.

One company reports that three of its production facilities are unionized and two are not. The two non-unionized plants are located in KwaZulu which lies