

WOMEN STRUCTURE REPORT TO 06TH NATIONAL WOMEN'S CONFERENCE

THEME: “DEFEND AND ADVANCE, SECTOR COMPLIANCE FOR
WORKPLACE COMPLIANCE”.

MS FAITH LETLALA

SECRETARY NUM WOMEN STRUCTURE

Introduction

The report:

- Provides feedback on the women structure performance – achievement and challenges
- Analyses sustainability of women structure at national and regional levels
- Discusses structure's participation in national and international Women movements and forums
- Includes with regional reports

Overview

- Conference takes place in the month of 16 days of activism against women and child abuse which continue to happen
- Conference dedicated to women stalwarts of our struggle, to the wives of mineworkers, to the Police who died in Marikana tragedy and to all women workers who have died in line of duty
- Personal aspirations continue to undermine our vision that “We are Stronger together”

Women Emancipation

- The origins of women emancipation
- Triple Oppression
- The Farlem Commission
- Our Criminal Justice system
- Women's Charter

Women Emancipation (Contd...)

- Our Criminal Justice system
- Women's Charter
- Charter for women was titled We Demand

20 Best Moments for Women in our 20 Years of Freedom

- Women's National Coalition convened a Conference
- Women entered Parliament
- First Women speaker, Dr Frene Ginwala, elected – 1994
- The Commission for Gender Equality established – 1996
- SA celebrated first National Women's Day – 09th August 1995

20 Best Moments for Women in our 20 Years of Freedom (Contd...)

- South African women attended the UN 04th World Conference for women, in Beijing China – 1994
- Establishment of office on the status of Women in the Presidency (1997)
- The Convention on the Elimination of all Forms of Discrimination against women ratified without reservation – December 1995

20 Best Moments for Women in our 20 Years of Freedom (Contd...)

- SADC Protocol on Gender Development ratified 2012
- Employment Equity (no 55 of 1998)
- Choice on Termination of Pregnancy Act (no 92 of 1996)
- Domestic Violence Act (No. 116 of 1998) Promotion of Equality
- Prevention of Unfair Discrimination Act (No. 4 of 2000)
- Protection from Harassment Act (No. 17 of 2011)

Democracy a Ripe Fruit for the Youth?

- Do Young Black Elites understand National Democratic Revolution?
- Ruling Party President and Head of State: Cde Jacob Gedlehlelekisa Zuma
- Destabilizing of our Ruling Party
- Our Political Discourses being Run by Media
- Loyal Old Mineworkers Retiring

Key Priorities from 2012 5th Women's Conference to date

- Women Emergence into Traditionally Male Dominated Sectors
- Decent Ablution Facilities are a Right
- NUM a Hub for African National Congress Political Officials and Entrepreneurs
- Negatives Unhealthy for our Democratic Dispensation: Marriages of Convenience, Coalitions and Circus

Key Priorities from 2012 5th Women's Conference to date (Contd...)

- Our Federation Saga
- The Scourge Violence of Women and Child Abuse
- Where are Community Joint Forums?
- Road Map

National Women Office Bearers

- Structural Performance
 - Defend and Advance
 - Resources Optimisation
 - Collective Bargaining

Recommendations to July CC pertaining to women related problems

- Poor Maternity Benefits if none
- Post-Partum challenges
- Protective Clothing for Women Workers

SUMMARY OF THE PPE REPORT - BY PROFESSOR ZUNGU

Introduction

The report:

- Looks into research commissioned by the Mine, Health and Safety Council (MHSC)
- Analyses the challenges faced by women who are part of production operations in the mines
- Analyses the challenges in the usage of Personal Protective Equipment (PPE) provided

Challenges highlighted

- Body Protection
- Foot protection
- Hand Protection
- Hearing Protection
- Eye Protection
- Health problems

Challenges highlighted (Contd...)

- Gynaecological disorder among Women in Mining
- Musculoskeletal disorders among WiM
- Infections, chaffing and rashes among WiM
- Underwear
- Underground sanitary facilities

A draft guideline (by the MHSC) relating to these challenges is being formulated

Health And Safety Of Women In Mining

Overview:

- Employers used to disqualify women for employment due to not meeting the fitness test criteria
- A major challenge of functional work capacity exists
- NUM placed guidelines as set in the mining charter regarding generally acceptable practices

Recommendation on Health And Safety Of Women In Mining

- Cases should be taken be taken to CCMA
- No cases had been reported
- Matter could not be finalized with the Mine Health and Safety Council (MHSC)

Healthy Statistics for Women

Injuries from 2000 to September 2014

NATURE	PERCENTAGE
General	59%
Transportation	27%
Conveyance	5%
Fall of ground	3%
Machinery	3%

Fatal Accidents

When women were raped and killed by their co-workers:

- Examples:
 - Binki Mosiane raped and killed by a co- worker, leaving her only remaining child behind
 - Ntombizine in Harmony Operation, Free State, gunned down by zama zama while waiting for a cage in the station underground
 - Cynthia Ankie Setuke who was raped and killed underground in Aquarius Kwezi operation in Rustenburg

Challenges of Fatal Accidents

- Treated as criminal cases while they happened underground
- Aren't treated equal to compensable cases;
- Benefits are not the same when a workers death is registered as a mine fatal accident
- Employers don't care or show compassion

Recommendations on fatal mine accidents

- Employers are to register such cases as mine fatal accident
- Beneficiaries are to get all the relevant benefits

Collective Bargaining Resolutions

Maternity Protection : Pregnancy Policy

Objective to:

- Ensure that women exercise their choice and rights to economic participation
- Ensure the right to safe reproductive health care
- Improve existing agreements and the practice regarding legislative protection of pregnant women and breastfeeding
- Encourage shared parental responsibilities to alleviate the burden of women

Maternity Protection : Pregnancy Policy (Contd...)

Challenge:

- Tendency not to comply with the legislative protection regarding maternity leave
- Non-compliance of providing protective measures and adjustment to working arrangements for pregnant and/or breast-feeding employees
- Failure to adhere to these protections leading to unfair or constructive dismissal

Maternity Protection : Pregnancy Policy (Contd...)

Demand:

- A minimum of 4 months paid maternity leave as stipulated by law
- Employer to find suitable alternative placement during pregnancy and after maternity
- Increase paternity leave to 10 days so that men are encouraged to share domestic responsibilities

Health and safety

Objective:

- To influence the policy of transformation through the effective integration of women
- To monitor the adaptation of facilities to suit the needs of women workers
- To ensure compliance of health and safety measure to protect workers against hazardous conditions

Health and safety (Contd...)

Challenge:

- Employers not doing enough to comply to health and safety standards
- Employers not ensuring regular inspection and effective training for health and safety practitioners
- Difficulty to exercise the right to refuse to work under hazardous conditions
- Protective Equipment (PPE) not suitable to women in terms of its design

Health and safety (Contd...)

Demand: Employers to -

- Empower and train health and safety practitioners so that they ensure safe working environment
- Raising awareness on the rights of workers to refuse to work under hazardous conditions
- Develop and to adapt health and safety codes
- Construct separate facilities to meet women specific needs
- Provide gender appropriate PPE Protective Equipment (PPE)

Employment equity: Equal Opportunities & Disability (Contd...)

Gender Salary Disparities: (Objective)

- Fighting for equal pay for work of equal value
- Position of indifference by employers on the wages differentiations on the basis of gender
- Ensure workers' rights to equality and equal access to opportunities of employment and development

Employment equity: Equal Opportunities & Disability (Contd...)

Gender Salary Disparities: (Challenge)

- Persistent wage disparities despite constitutional provisions, pronouncements and prohibitions
- Women earning less than their male counterparts in the NUM sectors
- Lack of monitoring the employment equity commitments of the charters

Employment equity: Equal Opportunities & Disability (Contd...)

Gender Salary Disparities: (Demand)

- Trade unions in particular NUM to prioritize the harmonization of salaries between men and women
- Prioritizing the monitoring of employment equity commitments by employers
- Ensuring regular reporting on progress made regarding employment equity trends
- Salary disparities be done away with

Banning of labour brokers and their regulation

Objective:

- To have the labour brokers banned and done away with
- Dealing with the tendency of business to short-circuit the constitutional laws that protect and regulate casual work

Believing:

- That the capitalist business has created actualization as a response to circumvent and counter the legislative protection and workers' rights to job security
- That undermining these rights shifts the burden of social protection to government

Banning of labour brokers and their regulation (Contd...)

Challenge:

- Sending workers home or replacing them when they are supposed to become permanent staff
- The use of casual workers instead of permanent employees
- For government in particular the department of labour to regulate the labour brokers

We propose that NUM, and COSATU

- Identify workers affected by casualization & take the employer to the labour court
- Utilize their legal resources to fight for individual workers
- Insist on the policy amendment process that would criminalize labour brokering
- Provide resources for the formulation of tripartite forums in the Construction and Energy sectors

J.B Marks Education Trust Fund

- Statistics: 680 beneficiaries in 2014, **337 (49.9%)** are females and 24 beneficiaries are mothers
- Achievements to dates: **830 graduates** since 1997 including 15 Medical Doctors, of that **428 (51.5%)** are female graduates
- JB Alumni Leader of the year Award 2012: **Ms. Nancy Kalibe** – a Blind Lawyer who managed to graduate despite her disability
- JB Marks Merit Winners – Top students

Campaigns

- National Women's Day 2012 hosted by Matlosana
- Rustenburg women's month August 2013
- PWV 16 days of activism against women and child abuse

Organizational Building

Challenges:

- Regional analysis
- Carletonville Region
- Structural Performance

Achievements:

- Responsive Leadership
- Recruitment and Retention

Organizational Building (Contd...)

Achievements:

- Collective Bargaining
- Campaigns
- Capacity Building

Cosatu and NUM

- Branch Regional Conferences
- Resource optimization
- **Challenges:**
 - Collective Bargaining
 - Recruitment and retention
 - Campaigns

Eastern Cape Region

- **Achievements:**
 - Responsive Leadership
 - Collective Bargaining
 - Capacity Building
 - Cosatu and NUM
 - Conference
 - Resource Optimization

Eastern Cape Region

- **Challenges:**
 - Collective Bargaining
 - Capacity Building

Free State Region

- **Achievements:**
 - Responsive leadership
 - Social Responsibility
 - Campaigns
 - Capacity Building
 - Collective Bargaining
 - Recruitment & Retention
 - Mandela day

Free State Region (Contd...)

Challenges:

- Masimong
- Phakisa
- Tshepong
- Bambanani

Highveld Region

Achievements:

- Responsive Leadership
- Social Responsibility
- Collective Bargaining
- Recruitment and Retention
- Capacity Building
- Campaigns
- Cosatu and NUM
- Conference
- Resource optimization

Highveld Region (Contd...)

Challenges:

- Responsive Leadership
- Collective Bargaining
- Recruitment and Retention
- Campaigns
- Conference
- Resource optimization

Kimberly Region

Achievements:

- Full time release of former chairperson presently a National Deputy Secretary
- Full time release of former Secretary elected as Deputy Secretary and now acting Secretary
- Acting Secretary has resources to assist in executing her responsibilities

Campaigns

Challenges

- Poor attendance to National with one representation on several occasions
- More proactive measures from the women structures at branch level

Resource Optimization

Capacity Building

KZN Region

Achievements:

- Responsive leadership
- Capacity Building
- Recruitment and Retention
- NUM and Cosatu

Challenges:

- Recruitment and Retention
- Resource optimization
- Capacity Building

Matlosana Region

Achievements:

- Responsive Leadership
- Collective Bargaining
- Campaigns
- Recruitment and Retention
- Capacity Building
- NUM and Cosatu

Matlosana Region (Contd...)

Challenges:

- Collective Bargaining
- Resource optimization

North East Region

Achievements:

- Responsive Leadership
- Collective Bargaining
- Capacity Building
- Campaigns

Challenges:

- Responsive Leadership
- Recruitment and Retention
- Collective Bargaining

North East Region (Contd...)

Challenges:

- Resource optimization
- Capacity Building
- Cosatu and NUM
- Campaigns
- Branch conference

PWV Region

Achievements:

- Responsive Leadership
- Collective Bargaining
- Campaigns
- Social Responsibility
- Capacity Building

PWV Region (Contd...)

Challenges:

- Collective Bargaining
- Capacity Building
- Conference
- Cosatu and NUM
- Social Responsibility

Rustenburg Region

Achievements:

- Responsive Leadership
- Collective Bargaining
- Capacity Building
- Campaigns

Challenges:

- Collective Bargaining
- Capacity Building

Western Cape Region

Achievements:

- Responsive Leadership
- Collective Bargaining
- Capacity Building
- Campaigns
- Conference
- Cosatu and NUM
- Resource Optimization

Challenges:

- Collective Bargaining
- Capacity Building

Political Report

- May 2014 elections: Outcome and meaning for the future of our democracy
- Arrogance of power
- Nuclear energy
- E-tolling system
- Challenges and opportunities posed by EFF in parliament
- Women representation
- Role of women
- COSATU

International Solidarity

- BWI NUM Partnership Programme on Precarious Jobs in Construction
- Regions that participated and benefited from the 2012 – 2013 programme
- Shopstewards and Organisers Meeting 14 July 2014
- 2014 BWI Funded Programmes
- NUM - BWI FNV Programme
- NUM - BWI LOTCO Programme 2014
- IndustryAll
- COSATU ITUC ILO Programme

THANK YOU