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A daily compilation of local, national and international articles dealing with labour related issues

South African workers

Fawu quits Cosatu

Theto Mahlakoana, Independent Media, 24 August 2016

Bela Bela - The Food and Allied Workers Union (Fawu) has resolved to leave Cosatu after six of seven provinces present at its national congress explained their members wanted nothing to do with the federation.

Delivering mandates given by members to the gathering being held in Bela Bela, Limpopo, provincial leaders told congress that staying within Cosatu while their ideologies were no longer aligned would be a waste of time.

However, shop stewards from the Western Cape said their members did not want to leave Cosatu as yet, having faith in winning if they fought from within.

The union said it was yet to resolve on whether to establish a new federation or form part of the mooted new organisation being championed by the National Union of Metalworkers of SA, Numsa and axed Cosatu general secretary, Zwelinzima Vavi.

While not all provinces had mandates on the move, delegates made it clear that the latter was considered a natural selection.

Fawu has been at odds with Cosatu since the expulsion of Numsa, saying the federation was being biased in its decision.

It joined other unions which took the federation to court, forcing it to convene a special congress at the height of Cosatu's rupture.

“There is a vacuum as a result of the Numsa expulsion. We don't hear Cosatu debate around the political economy, with regards to dollar/rand exchange, import

and export tariffs. We don't hear any of that anymore. There is no one who moves with that aspect of politics in the CEC. Business is going to town. We are facing a challenge, the sugar tax, we hear in terms of analysis 60-70 000 workers in the beverage manufacturing sector will lose their jobs as a result. Yet nothing is being said. We are saying we must leave Cosatu, and participate in the formation of a new labour federation," said Fawu Mpumalanga leader, Enerse Mmako.

<http://www.iol.co.za/news/politics/fawu-quits-cosatu-2060583>

Fawu leaves Cosatu

Angela Bolwana, SABC, 25 August 2016

The Food and Allied Workers Union (Fawu) has left the Congress of South African Trade Unions (Cosatu).

The union voted to join a new federation spearheaded by the National Union of Metalworkers of South Africa (Numsa) at its 75th national congress at Bela Bela in Limpopo.

The union was among the nine Cosatu affiliates which were opposed to the expulsion of Zwelinzima Vavi and Numsa.

General-Secretary Katishi Masemola says they will formally communicate this to Cosatu.

"Some time on Friday, perhaps on Monday, we will formally write to Cosatu and formally inform them of the decision. Should they request an audience with us we will consider that because the purpose will be to explain the decision to them but the decision taken is irreversible, it will be undergoing implementation as of now."

<http://www.sabc.co.za/news/a/c538d7004dfd83049a54bf0ede96a075/Fawu-leaves-Cosatu--20160825>

Faction fights eating our profits, says food union

Theto Mahlakoana, The Star, 24 August 2016

Johannesburg - The Food and Allied Workers Union (Fawu) has blamed its deteriorating finances on ongoing factional battles within the union.

The union, which represents some of the most vulnerable workers in the country, has accumulated debt of more than R12 million, including nearly R5 million owed to labour federation Cosatu for affiliation fees.

Fawu leaders were also yet to settle costs incurred after they hired lawyers to represent the union when axed provincial leaders took them to court for fighting several union decisions, including Fawu's stance on Cosatu.

The union is holding its national congress in Bela Bela, where delegates will decide whether to leave Cosatu for a new labour federation to be formed by next year. Many members and leaders have butted heads with Cosatu over its decision to give Zwelinzima Vavi and Numsa the boot.

If members vote yes, the union will not have to pay its debt to Cosatu.

Yesterday, the union's internal squabbles took centre stage while its secretariat report was being discussed.

In what has been described as the Durban Project, Fawu leaders allege that a service provider that sought to deal with the union's provident fund bankrolled meetings held by disgruntled provincial leaders who wanted to sow division within the union.

The group, who have since been kicked out of the union even though they are still fighting the matter in the courts, challenged national executive committee decisions. They had also interdicted earlier attempts to hold the national congress, which was postponed seven times.

"The union has spent several million rand defending itself as a result of legal action. It is estimated that in the cost orders against the union, we may fork out close to R1m, with an estimated R200 000 already demanded.

"For our own lawyers we have already paid R700 000 and we owe another R560 000 so far, but this will rise," said Fawu general secretary Katishi Masemola.

Another contentious issue in the 127 000-member union were allegations, made by a faction opposing the current leadership, that money was being misappropriated through investment companies established to grow workers' wealth.

But this was dismissed by Fawu president Attwell Nazo in his report to the congress. He said the union had managed to restructure its portfolio, which would be presented to members at the congress.

The union would also need to figure out how to cut its massive wage bill, which currently stands at more than 55 percent of its total spend at R36.5 million for a total staff complement of 130.

The union would also need to find creative ways of attracting members in a country where trade union popularity was dwindling by the day.

The congress continues today, when new leaders are to be announced.

<http://www.iol.co.za/business/news/faction-fights-eating-our-profits-says-food-union-2060454>

Nehawu threatens strike against Limpopo govt

Zintle Mahlali, Independent Media, 23 August 2016

Johannesburg - The National Education, Health and Allied Workers Union (Nehawu) is threatening to strike against the Limpopo government over a number of long-standing issues.

"Workers in Limpopo will not sit down and watch this neo-liberal policy stance by our government which will turn public servants into slaves," Nehawu's secretariat said on Tuesday.

“Many promises have been made by government on several occasions, but they are never fulfilled. Nehawu has thus issued an ultimatum to government in particular the premier’s office to resolve all these challenges with immediate effect.”

The union’s demands include resolving challenges around the training nurses, the re-employment of outsourced security services, laundries and kitchens, the finalisation of the parking bay policy, and the scrapping of what is says are unfair housing rental fees.

“Furthermore, we are furious at the introduction of the Limpopo Personnel Management Framework which has literally put all departments in some form of administration by centralising all powers to appoint in the treasury's office.

“This is done in an endeavor to reduce the total cost of employee compensation at the risk of compromising service delivery and workers are compelled to do multiple tasks that are meant for more than one employee,” the union said.

It plans on starting with lunchtime picketing and marches, which will see employees working according to their job description. It may eventually result in the shut down of the public service.

<http://www.iol.co.za/news/politics/nehawu-threatens-strike-against-limpopo-govt-2060147>

Telkom, CWU wage talks collapse

TechCentral/Fin24, 23 Aug 2016

Negotiations between Telkom and the Communication Workers Union over a pay dispute have hit a roadblock.

The CWU, which is behind a strike against Telkom, says workers at the company need a cost-of-living, inflation-linked salary increase.

The strike, though, has been dogged by allegations that CWU members have resorted to violence and sabotage of Telkom’s network — claims that the union denies.

Nevertheless, talks between Telkom and the CWU went ahead late on Monday in Sandton in Johannesburg in a bid to negotiate a deal.

But the talks hit a deadlock over demands for an 11% salary increase, six months’ maternity leave, gain-sharing, bridging the “apartheid wage gap” and a three-year moratorium on retrenchments and outsourcing, according to the CWU.

“The CWU confirms that this was a futile exercise and urge[s] its members to intensify the strike,” said the union in a statement.

The CWU further asked its “provincial structures to escalate their programmes so that our actions could be felt in [the] ivory towers of Maseko and his masters”. Siphon Maseko is Telkom’s group CEO.

In its statement, the union said that Telkom asked it to consider suspending the strike amid allegations of sabotage and intimidation. But it refused and called on Telkom management to respond to its demands.

Telkom confirmed that the talks had broken down.

Earlier this week, the company said its network had been sabotaged, affecting services for over 13 000 customers.

In a statement on Sunday, Telkom slammed the CWU for allegedly blockading entry and exit points at the company's facilities, intimidating workers and damaging equipment.

Telkom further alleged that a CWU protester hurled a brick through a non-striking employee's car window in Randburg, while technicians in the Western Cape had reportedly received threatening text messages from the union.

<https://www.techcentral.co.za/telkom-cwu-wage-talks-collapse/67897/>

Cosatu condemns UFS 'racist' urine attack on security guard

Citizen reporter, The Citizen, 24 Aug 2016

Three white students allegedly threw urine in a black female security guard's face

Cosatu in the Free State has condemned the alleged racist act of three white students from the University of the Free State (UFS) who poured urine over a black female security guard last week.

The federation has described the incident as barbaric and intolerant after security guard Mmapaseka Mokhutli claimed the students were trying to exit the Bloemfontein campus without access cards when she confronted them, and they threw liquid from a blue bottle at her, which she believed was urine.

"We share the pain, humiliation and embarrassment which the poor worker may have felt when this incident took place. We condemn these white barbarians and bigots, who have attacked and humiliated this worker in such a sordid fashion," Cosatu said in a statement.

Mokhutli told SABC news: "The time I was focused on the driver, the passengers took the bottle, the blue one, they throw me with a liquid in my face. After that they are driving to move on, they are laughing me (sic)."

UFS has since then launched an investigation into the matter and the students are reportedly facing a disciplinary hearing.

The union also has a bone to pick with the university after Afrikaans-speaking students were handed a test question paper with answers provided on Tuesday, whereas an English version of the paper did not have answers.

"This is naked racism, which must be fought and defeated once and for all. This is how these white institutions promote white supremacy through cheating, and keep Africans outside the strategic sectors of the economy of the country. We are calling for a serious investigation of this incident," the union said.

UFS spokesperson Lacea Loader said the incident was a mistake on the part of the lecturer involved and the matter was investigated, and the test was set aside.

<http://www.citizen.co.za/1262194/cosatu-condemns-ufs-racist-urine-attack-on-black-security-guard/>

When workers are caught in a perpetual poverty trap, something is seriously wrong

Athandiwe Saba, Mail & Guardian, 25 Aug 2016

Last month, a Labour Court appeals judgment referred to the salary paid to a cashier by Woolworths as shocking.

“At the time of her dismissal, she was working at the appellant’s store at Maponya Mall in Soweto earning a shocking monthly salary of R2 090.21,” reads the judgment.

Granted, the case dates back to 2010 and the company this week said: “Woolworths pays all of our employees above minimum wages, as per the department of labour’s sectoral determination for retail and wholesale.”

The reality is that, for more than five million South Africans, a job is not a ticket out of poverty because they earn too little.

Despite discussions about a national minimum wage having been on the cards for the past two years, very little has happened.

The National Economic Development and Labour Council established a national minimum wage advisory panel two weeks ago and it hopes to give its first round of feedback in October. The seven-member panel will also have to make a call on how much the minimum wage should be.

Trade union federation Cosatu is asking for it to be about R4 500. Cosatu’s strategies co-ordinator, Neil Coleman, said this would be a safety net to prevent the wages of the most vulnerable from being depressed to such a level that people cannot afford to get to work.

“There are situations where people are being paid just to get to work and they can afford very little else. This kind of situation is very unhealthy for the workers and their families concerned, and it’s unhealthy for the economy because it means that there is very low productivity,” Coleman said.

In June there was an agreement in principle that by the end of this year the implementation phase should have started, according to Coleman.

“Legal drafting and all of these things will start happening soon. We take this seriously and we are very concerned about how long the discussions have taken, so we are hoping that the spirit of that will be taken forward,” he said.

Meanwhile, the Labour Court painted a picture of how the Woolworths cashier was fired for having excess cash in her till at the end of her shift. The court upheld Woolworths’ action but the one line from the judge was telling of many other industries and the call for a national minimum wage.

A 25-year-old woman, also employed in the retail sector, earns R2 800 a month, well below the proposed minimum wage. She asked not to be named because she was scared of losing her job.

“My mother was shocked when she saw my payslip because all this time she thought I was earning good money,” she said. She takes care of her parents and her two-year-old child, and payday can never come soon enough. She says the only reason she can make it through the month without her child starving is because of assistance from her boyfriend.

“There was a time I needed to take a taxi to work every day and that took the bulk of my salary. To cut down on transport fees, I decided to take the bus but that means I have to wake up hours earlier and waste time at the mall before my shift,” she said.

The National Minimum Wage Research Initiative launched by the School of Economic and Business Sciences at the University of Witwatersrand released its report in June. It reveals that there are 5.5-million people working who are technically poor.

“A high proportion of wage earners in the country live in households that falls below the poverty line. We use a recently calculated poverty line that takes the costs of basic needs of South Africans into account in order to link individual wages to household poverty, and derive a threshold definition for the ‘working poor’ of R4 125 in current 2015 prices,” it notes.

The report, which is mostly based on statistics and international literature, states that a sensible definition of “working poor” considers the fact that wage earners in poor households face higher dependency ratios than wage earners in non-poor households. The research found that each of the wage earners had between two and three dependents.

The picture is grim in lower-income sectors, including those employed through the expanded public works programme, a government initiative to alleviate poverty by providing temporary jobs in the state sector. The department of public works, through a ministerial determination, increased the workers’ salary last year November to R78.86 a day or for a “task performed”. This equates to no more than R2 000 a month.

The report also found that collective bargaining, which covers about 32% of lower-wage workers, has managed to maintain wage levels, although it was unable to deal with working poverty.

Many workers affected by sectoral determination pay continue to earn below the acceptable level, with 75% of agricultural workers earning less than R2 600, while 90% of domestic workers earn less than R3 120.00 a month.

According to the department of labour’s sectoral determination scales, the current minimum wage for domestic workers, calculated at between five- to eight-hour shifts, ranges from R1 412.49 in rural areas to R2 230.70 in urban areas.

The retail sector is supposed to be paying cashiers in the urban areas about R3 660 a month and in rural areas R3 120, according to the sectoral determinations.

Wits's report states emphatically that a national minimum wage is a modest labour-market intervention aimed at allowing workers simply to meet their most basic needs.

“A national minimum wage could significantly increase wages for South Africa's lowest earners, benefitting them and their families. In addition, they are predicted to reduce inequality.”

Why Labour Appeal Court found for Woolies

Retailer Woolworths successfully appealed against an earlier finding that firing a cashier for having R628 extra in her till was too harsh a sanction. The Labour Appeal Court last month found in favour of the company.

The case dates back to 2010 when the cashier was hauled up on a charge of misconduct because of the extra cash in her float.

The court had heard that each till operator is allocated a float for the day and, alone, operates the till allocated to him or her. At the end of the shift, the operator then places the day's takings in a sealed bag, which he or she then drops into a “drop safe”.

A security company collects the bags and transports them to the Standard Bank cash counter. At the bank, the bags are opened and the contents counted under surveillance cameras. The bank thereafter issues a worksheet that indicates whether the money corresponds with what was collected at a particular till. It was at this stage that it was discovered that the employee was in excess by R628.78.

In terms of Woolworths policy, shortages and excesses that are R500 or more have to be investigated, accompanied by a sanction of dismissal.

In this case, there was testimony that the employee in question could not account for the extra cash in the till and appeared to have followed all required procedures.

But she was dismissed and the case went to arbitration. The arbitrator found her dismissal to be substantively unfair on the basis that the sanction was too harsh under the circumstances. The arbitrator also found that the employee's till takings discrepancy was not the result of any negligence on her part because the employer could not find irregularities in her.

The arbitrator also found there was no evidence that she had been dishonest or that she intended benefiting from the surplus of the till.

He concluded that a warning would have sufficed to correct the employee's conduct and ordered that she be reinstated with back pay of more than R14 000. Woolworths lost its initial challenge of this finding at the Labour Court and then lodged an appeal.

Last month, the Labour Appeal Court found the dismissal of the till operator to have been substantively fair.

There was no evidence to suggest that the punishment for the offence was not consistently applied by Woolworths. It could not be disputed that the employee had five previous till discrepancies and was on a final written warning, and the arbitrator had failed to appreciate that the sanction for a transgression of more than R500 was dismissal. – Jessica Bezuidenhout

<http://mg.co.za/article/2016-08-25-00-when-workers-are-caught-in-a-perpetual-poverty-trap-something-is-seriously-wrong>

South Africa

A capitalist takes Braamfontein Hill

Janet Smith, The Star / 24 August 2016

Will Herman Mashaba have to shake off some ideological constraints as he takes on the role of mayor? asks Janet Smith.

Johannesburg - It's going to be quite a shift from Fredman Towers in Sandton, where new mayor Herman Mashaba had his offices as a businessman, to Braamfontein, where the City of Joburg holds court.

Sandton is the nucleus of the ANC's programme of cadre deployment to capital, although transformation has been slow at the highest levels, with the number of black chief executives decreasing among South Africa's top 40 companies.

Braamfontein, meanwhile, represents the rise of young black people in both revolutionary and social roles.

Mashaba, undoubtedly both an iconic and controversial figure, will have to straddle both worlds over the next five years, while drawing closer the millions of Joburg residents who are neither rich nor being educated. And to do that, he might have to compromise on aspects of his ideological position which, at 56, is well entrenched.

It's that which was rumoured to have threatened the DA's chances of governing Joburg when the EFF, kingmakers in Africa's most important city, at first raised a red flag against the billionaire who launched his legendary Black Like Me company in 1985. To those detached from the rooted class consciousness of South African politics, this might have felt like an unnecessary frustration. To the elders in Mashaba's village - who remember how his prescient grandfather, delighted by his birth in 1959, named him "Highman" - the opposition was, perhaps, ironic.

But for the EFF, and many thousands more voters in Joburg, Mashaba's overt capitalism was a potential drawback which, in council meetings and policy debates to come, could yet trouble the benches.

The making of Herman Mashaba

Mashaba was, for example, until recently the chairman of the Free Market Foundation (FMF), an organisation which champions neo-liberalism - a theory inimical to the left and the worker movement in South Africa and a standard-bearer for private sector interests.

Litigious on behalf of those interests, it lost a high-profile, costly action to compel the labour minister to alter some aspects of the collective bargaining system in May. The challenge against the FMF briefly united Cosatu and Numsa, which stood together with the government, 47 collective bargaining councils and the SA Clothing and Textile Workers Union in a matter launched by Mashaba while he was still chairman.

The high court in Pretoria ultimately dismissed the bid to deny the minister the right to extend agreements to non-parties, the FMF having argued that the law threatened business in terms of wages. But Cosatu was reported to have been angry enough at Mashaba's role in the case to call for a boycott of his hair products.

Yet Mashaba has long been an overt patron of capital, saying in an interview in 2012: "I have always seen myself as a capitalist. That's the one thing I encourage South Africans to have; this capitalist kind of mentality... I've always declared my economic tendencies as a capitalist."

Those words are the antithesis of what stands in the EFF's manifesto, although EFF MP Mbuyiseni Ndlozi made it clear to an online newspaper this week that the party is "interested in policy, not positions or personalities".

In its negotiations with the DA, it was therefore focusing more broadly on how to achieve its own policy pillars in the longer term when it agreed to support the party in the first council sitting on Monday, when Mashaba was voted into office.

Mashaba's just another DA election gimmick

It will now be an absorbing, if fraught, exercise to see how Mashaba and the DA's de facto saviours, the red berets, debate on policy. The other smaller parties, including Cope, which also assisted the DA into power in Joburg, are closer to the DA's liberal economic positions.

Mashaba openly praised the EFF for supporting the DA, but it is clear that the EFF has placed the marginalised black poor at the centre of its fight as an opposition in Joburg. Its main strength on behalf of that constituency is expected to come in debates on the Integrated Development Plan - a statutory requirement for urban strategic planning - and how the city's budget is allocated.

Mashaba has already made substantial shifts in his life. He told The Star in 2014, for instance, that he was "deeply suspicious of whites" when he was growing up, preferring to gamble and even sell dagga to make money rather than work as a gardener in the suburbs.

This was an important impetus for his business plan, which he started to develop as a sales rep in the early 1980s. And so, it was perhaps outside of his expectation at that time that it was a white Afrikaner colleague, a pharmacist at the SuperKurl hair product company, in whom he first found a partner.

Writer Helen Grange described for The Star how Mashaba's colleague Johan Kriel "came up with a perm lotion that substantially reduced the normal production time, allowing Black Like Me to compete with SuperKurl - proving it could produce quality products in a factory 20 times smaller than theirs". It quickly went huge.

His first attempt to strike a corporate partnership came in 1997 when Black Like Me went into business with Colgate-Palmolive in a deal that saw Mashaba retain 25 percent of his company.

But, disillusioned with that environment, he bought his company back, and later helped develop Lephatsi Investments, which has access to global investments and

operates in mining, construction and logistics. Mashaba has until now been its executive chairman.

But he has been skirting the fringes of the DA's hierarchy ever since he took party membership in the general election year of 2014. Even at that time, there were rumours that he would be a mayoral candidate this year, having been lobbied to join politics. At that time, however, he denied to a Sunday newspaper that he would consider standing.

He told City Press: "I don't think I'm ready at this point in time. I would be a stupid politician. But one thing is for sure. I am committed and will do everything possible to help the DA in campaigns as a card-carrying member, but not as an official."

Then-Joburg caucus leader Vasco da Gama was also being considered as a mayoral candidate by some within the city's party leadership. He won the role of Speaker of the council on Monday. Mmusi Maimane was being touted as an option too, back in 2014 when he was parliamentary leader, and had he not been elected party leader in May last year, Maimane might this year have campaigned for a second time to be mayor after he lost at the polls to the ANC in 2011.

But as late as October last year, the race was still on, with names including those of Gauteng MPL Khume Ramulifho and MP Makashule Gana being mentioned, and Mashaba still saying that although he'd been approached, he'd decided to remain an ordinary member and fundraiser.

However, once he finally made himself available in December, the gates seemed closed, and by January he had accepted, saying, "It's now time to turn the page on the past and write a new chapter."

Working with the left could well define that new chapter, with the EFF's Ndlozi explaining the relationship with the DA by saying in an interview: "We have voted for you, but we are not a part of you".

For Mashaba, this is a fresh challenge.

<http://www.iol.co.za/the-star/a-capitalist-takes-braamfontein-hill-2060655>

ANC May Lose Power Unless It Changes, Party Treasurer Say

Amogelang Mbatha & Sam Mkokeli, Bloomberg, 23 Aug 2016

South Africa's ruling African National Congress could lose power at a national vote in 2019 unless it changes after its worst election performance since the end of apartheid, party Treasurer General Zweli Mkhize said.

Despite the setback, the party remains confident that it will win back control of the cities it lost in local elections on Aug. 3, he said in an interview in Bloomberg's Johannesburg offices on Tuesday. The ANC lost its absolute majority in four major cities including the economic hub of Johannesburg and capital, Pretoria.

"Doing things as we are doing them now is not an option," Mkhize, 60, said. "It's just a natural thing, that if you experience a challenge under particular circumstances you need to be in a slightly different state to emerge out of that. There's a lot of things that the ANC has to do out of that introspection."

The loss of Johannesburg and Pretoria in Aug. 3 local elections marked an unprecedented electoral setback for the ANC, which had held a near monopoly over the political scene since Nelson Mandela led the party to power in 1994. The ANC's share of the national popular vote fell to 54.5 percent from 62.2 percent in national elections two years earlier, with a series of scandals implicating President Jacob Zuma, an economic slump and high unemployment eroding its urban support.

ANC Weaknesses

opposition parties focused on the unpopularity of Zuma whose decisions have been blamed for contributing to stagnating growth and a weakening currency. The rand has declined 41 percent against the dollar since he took power in May 2009.

"It basically requires the ANC to do quite a lot of introspection -- to acknowledge its own weaknesses and to correct those and probably embark on a very serious re-look and restructuring to be able to enable the ANC to stage a come back in the particular cities," Mkhize said. "We remain confident that the ANC will be able to take them back."

The ANC decided not to replace Zuma as president because he has many supporters and it may have harmed the nation's stability, Mkhize said.

"In this kind of thing, there's complexity of views and choices to make and it's not a question of saying, you don't hear that there is this concern," he said. "We are saying the implications might cause more problems than what solutions you might be coming up with. There's a question of trying to balance it. It's a very tricky matter."

Party President

The ANC will choose a new party president at its elective national conference next year because Zuma, 74, will have to stand down after serving the maximum two terms. "After the conference, it's not even probably," he said. "We will have a different president."

With two years remaining in Zuma's term as state president, South Africa will have face the prospect of having different people serving as the leaders of the nation and the ruling party.

"That overlap is going to continuously happen," he said. "What are the considerations that you to have to take into account as to whether the president finished the term or not like it has been in the past? The ANC has not come to that decision as we speak."

The informal coalition in cities including Pretoria and Johannesburg between the main opposition party, the Democratic Alliance, and the left-wing Economic Freedom Fighters, faces many obstacles, Mkhize said. The DA is a proponent of free-market economic policies that are diametrically opposed to the EFF's policies, including calls the nationalization of the mines and banks, and the expropriation of land without compensation.

'Interesting Spectrum'

"We expect that there will obviously be competition on where some of the resources have to go and somebody has to make a call and take a decision as to where those resources have to go," he said. "It's going to be an interesting spectacle to witness."

For the ANC, it's time in opposition in the cities presents the party with "interesting opportunities," Mkhize said.

"It's an interesting terrain for the African National Congress to get into that space," he said. "We are not going to sit back and say: 'We are not going to become opposition.' We have been told by the electorate that, so we are going to have to take it that way."

<http://www.bloomberg.com/news/articles/2016-08-23/s-africa-s-anc-could-lose-power-unless-it-changes-mkhize-says>

Cosatu describes UFS test paper incident as 'naked racism'

Julia Madibogom TimesLive, 24 August 2016

The Congress of SA Trade Unions (Cosatu) in the Free State has called for urgent intervention following an incident at the University of the Free State (UFS) where Afrikaans-speaking students were given a question paper with answers during a test on Tuesday.

"Cosatu Free State has learned with horror the news that some students were discovered having two sets of audit module question papers at the University of the Free State. What is outlandish and unacceptable is the fact that the Afrikaans paper had answers and the English version did not have answers," the union said.

The union has labelled this incident as racist.

"This is naked racism, which must be fought and defeated once and for all. This is how these white institutions promote white supremacy through cheating, and keep Africans outside the strategic sectors of the economy of the country. We are calling for a serious investigation of this incident."

UFS spokesperson Lacea Loader described the incident, which happened on the Bloemfontien campus, as a mistake on the part of the lecturer involved.

"A test was distributed in a class in which the answer to one of the questions was included in the Afrikaans version, while it was excluded in the English version.

"The matter was investigated and it was decided that the written test will be set aside and a new set covering the same scope will be set for all students; the new test will be subject to external moderation; external moderation of tests in the particular department will take place until the end of the year," Loader said.

She added: "In the process of revising the papers, the lecturer made a mistake and did not remove the guidelines for both the English and Afrikaans versions.

Nonetheless, the university management has decided on a disciplinary process involving the lecturer concerned given the seriousness of what happened."

<http://www.timeslive.co.za/local/2016/08/24/Cosatu-describes-UFS-test-paper-incident-as-%E2%80%98naked-racism%E2%80%99>

Fedusa: Hawks' battle against Gordhan is out of control

Masego Rahlaga, EWN, 24 Aug 2016

Pravin Gordhan and other Sars officials had been told they must report to the Hawks tomorrow.

JOHANNESBURG - The Federation of Unions of South Africa (Fedusa) has raised concern over a summons by the Hawks against Finance Minister Pravin Gordhan, saying the action is a battle that's raging out of control.

Yesterday, the Treasury confirmed Gordhan received the letter.

This saw the rand weaken against all major currencies.

It's still uncertain whether the finance minister, together with three other former South African Revenue Services (Sars) officials, will report to the Hawks tomorrow morning.

Fedusa's Dennis George says workers will suffer when the economy goes into a recession.

"This depreciation is also linked to the work that we as labour and business have been doing with government stabilise the economic environment but it seems to us that the Hawks is dead set on this whole process, undermining the work that the social partners are doing."

At the same time, The South African Communist Party (SACP) says its suspicious that Gordhan has been summoned by the Hawks just weeks after the municipal elections.

The party says it appears a political decision was taken to put the matter on hold for the duration of campaigning since allegations of Gordhan's involvement in an alleged covert Sars unit had already surfaced before the polls.

The SACP says political timing and considerations should play no part in decisions made by the Hawks.

The party's Alex Mashilo says while the Hawks have a responsibility to deal with any wrongdoing, the process must be fair.

"It is as if there was a political decision taken that this may not be executed until the elections were concluded. It's very suspicious but at the same time we must not suggest that there is an individual or an institution that is above the law."

HAWKS MUM

Despite the fact that Treasury has confirmed that Gordhan is talking to his lawyers, the Hawks still will not comment on reports that he's been summoned to answer questions about the controversial Sars unit.

The Sunday Times had claimed a unit created while Gordhan was running Sars had spied on people, before apologising and retracting the claim.

But already some investors have said they believe this is a bid to weaken Gordhan, after the Cabinet Lekgotla appeared to resolve that State-owned enterprises will now be overseen by a new committee chaired by President Jacob Zuma.

The Presidency has also denied reports that Zuma and Gordhan are in a dispute over South African Airways, which is chaired by Dudu Myeni, who is also the chairperson of the Jacob Zuma Foundation.

DEMOCRATIC ALLIANCE RESPONDS

Yesterday, the Democratic Alliance released a statement saying Gordhan's arrest would be a 'disaster' for South Africa.

In the statement, the party said, "Reports that the Minister of Finance Pravin Gordhan has been requested to report to the Hawks at 10am on Thursday 25 August 2016, is a major escalation in the 'Sars Wars'. The fact that the Minister has reportedly been requested to appear before the Hawks suggests he may be informed about possible charges and may face arrest in connection with allegations relating to the Sars 'rogue unit' (sic)."

They went onto say the Gordhan's arrest would shatter investor confidence, risk a sovereign ratings downgrade and be a disaster for the already fragile zero growth, zero jobs economy in South Africa.

"The only option to get to the bottom of the allegations relating to the Sars 'rogue unit' (sic) is the appointment of a Judicial Commission of Inquiry in terms of Section 84 of the Constitution."

<http://ewn.co.za/2016/08/24/Fedusa-Hawks-battle-against-Gordhan-raging-out-of-control>

Mission is to create narrative justifying Pravin Gordhan's removal

Carol Paton & Natasha Marrian, 25 August 2016

FINANCE Minister Pravin Gordhan might not be arrested but he is likely to be fired. In the flimsy letter from the Hawks, in which he is warned that he was now a suspect, two issues are named: his role in establishing the covert unit at the South African Revenue Service (SARS); and his decision to provide his former deputy SARS commissioner (and close comrade) Ivan Pillay a cushy early retirement deal.

On the matter of the covert unit, as Gordhan's lawyers tell the Hawks in their response, the chance of a successful prosecution is really pie in the sky. Gordhan had the permissions in hand. The collection of covert information is not against the law.

Where the law was broken — the notorious Project Sunday Evenings, in which a moonlighting member of the unit bugged the National Prosecuting Authority — there has never been a hint to link Gordhan to it.

On the questions of Pillay's retirement package, proving some sort of deviation from procedure may be an outside possibility but it will not be simple to come up with something substantial that can stick as it has frequently been done in the past.

But a successful prosecution has never been the point here.

The point is to get Gordhan out, and that it is what President Jacob Zuma has shown — through the questions from the Hawks on the eve of the budget, the rumours of his arrest in May — he wants to achieve. The idea is to create a narrative to justify his removal.

For the markets, at this point, there is no narrative that would resonate as credible. Business and investors are now highly attuned to what is afoot in SA, and analysts for banks and the like now speak openly about a bid by Zuma to get his hands on the Treasury.

The narrative really is aimed at the ANC. Despite Zuma's strength — since 2009 he has been unassailable in the national executive committee — he is in an environment where many have reason to be aggrieved, and faction fighting is the order of the day. A politician can never be too careful.

By not reporting to the Hawks, Gordhan is now open to the criticism that he believes himself to be above the law. This was the main line of attack against him in February when he refused, at first, to answer the 27 questions.

Along with this goes the notion that has been peddled for the past year in documents such as the so-called intelligence report "Project Spider Web" and the Oakbay presentation to the ANC over the closure of its banks accounts.

This goes along the lines that Gordhan, along with former Treasury leadership Trevor Manuel and Maria Ramos and key Treasury officials are part of a grand conspiracy — also involving Remgro chairman Johann Rupert — to retain economic power and shut out the black majority.

But while the removal of Gordhan is being plotted, events in the ANC are moving apace.

All three of the main factions have now agreed that an early national conference is desirable.

But while a conference would imply the removal of Zuma from the head of the organisation, there is no assurance that it would mean a changing of the guard. Looking at the strength of the factions, a consolidation of the Zuma group is a highly likely outcome.

The first faction is a marginal group made up of the old guard and supporters of former president Thabo Mbeki attempting to make a "comeback". They include individuals such as Frank Chikane and Mavuso Msimang, who are agitating for Zuma's removal.

The second group — the dominant faction — is constituted by the chairmen of the North West, Mpumalanga and the Free State and KwaZulu-Natal, and popularly known as the "premier league". It is supported by the ANC Youth League and the

ANC Women's League. This group want to settle the leadership question before the party goes to a conference — a leadership by consensus, of sorts, which naturally it will dictate by virtue of greater numbers.

Their prime aim is to get rid of secretary-general Gwede Mantashe and his allies and to find a new national executive council, not voted for, but agreed upon in advance of a conference.

The third group includes individuals such as Mantashe and deputy president Cyril Ramaphosa as well many in the Gauteng ANC, who feel that an early conference is necessary because the current leadership failed in the local government election.

This group may be able to build itself up as the fall-out from the local government election continues. Hundreds of councillors who failed to make the cut and are out of employment due to the party's poor performance and their anger is palpable.

Then there is the rest of the alliance. The South African Communist Party, which has fallen out with Zuma and is set to back Mantashe, who is a senior communist party leader.

The Congress of South African Trade Unions on the other hand is firmly in the Zuma camp, although far weaker than ever before.

So what does this mean for Zuma, who by implication would be removed by a conference?

At this point, he continues to pull the strings of the dominant faction and is close to the premier league by whom the idea of a third term for Zuma was first mooted. A key problem remains over who would succeed him. For ultimate success by this group, this is now a very urgent decision.

<http://www.bdlive.co.za/national/2016/08/25/news-analysis-mission-is-to-create-narrative-justifying-pravin-gordhans-removal>

International

State Zim radio plays 'Talking 'Bout a Revolution as Harare riots rage

News24 Correspondent, 25 Aug 2016

Harare - As riot police fired teargas and water cannon at protesters in central Harare, a DJ on Zimbabwe's state radio agreed to play a rather daring choice of song: Tracy Chapman's Talking 'Bout a Revolution.

Amid mounting reports of looting and police brutality mid-afternoon on Wednesday, PowerFM - which is part of the pro-Robert Mugabe Zimbabwe Broadcasting Corporation - belted out: "Poor people gonna rise up and get their share."

In scenes later described as akin to a "war zone" by one private daily, helmeted police in the central business district turned on passersby and those suspected of taking part in a march by the main opposition Movement for Democratic Change party of Morgan Tsvangirai.

Amateur video footage apparently taken looking down on one Harare street shows passengers jumping out of a bus that has tear gas billowing from its windows. Media watchdog MISA-Zimbabwe confirmed that freelance journalist Lucy Yasini had been assaulted by police.

Tightly controlled

An electronics store was one of those reported looted. A van belonging to the state broadcaster was also set on fire.

"Finally the tables are starting to turn," the song continued on Power FM. It had been requested by a listener.

Then it was time for the 4 o'clock news bulletin. There was no mention of the protests on the radio. But an impending rise in local fertiliser production was covered.

State radio in Zimbabwe is tightly controlled and never hints at any support or even sympathy for critics of longtime leader Mugabe, who has been in power since independence in 1980.

But listeners sometimes ask if DJs and journalists working for the broadcaster are totally committed to the party line, as was reported by News24 during a shutdown in July.

Social unrest is on the up in Zimbabwe as cash shortages and unemployment bite. Mugabe promised to create 2.2 million jobs ahead of elections in 2013. Many Zimbabweans have been asking where these jobs are.

Opposition parties are planning a combined demonstration in Harare on Friday.

<http://www.news24.com/Africa/News/state-zim-radio-plays-talking-bout-a-revolution-as-harare-riots-rage-20160825-2>

Comment and opinion

ANC weighs risk of calling early elective conference

Natasha Marrian, Business Day, 25 August 2016

THE need to call an early elective conference seems to be the consensus in the ANC across the three factions that are in play at the moment.

But listening to secretary-general Gwede Mantashe speak on Tuesday was a stark reminder that the last time the congress movement found itself at this particular juncture was not that long ago, and the outcome was not a particularly happy one.

The similarities are stark — labour federation Cosatu was in the midst of a bitter factional fight in which its leaders were pitted against each other. This had followed a change in trajectory by the federation when some of its leaders decided to throw the organisation's support behind Jacob Zuma ahead of the Polokwane conference, when it sacrificed principle for expedience by choosing a tsunami of change whose effect was unknown over the interests of workers, its core constituency.

I recall the kind of influence labour leaders had in Polokwane back then — it was immense. Now, they are voices in the wind.

The battle that started in Cosatu shortly after 2012 pitted its president against its general secretary.

The stark choice faced by the federation was whether to convene a special congress at which to hold fresh elections in the midst of the turmoil, or to sit it out and hope for the best.

The faction aligned to its then president was the dominant one, and it used its majority in the federation's highest decision-making body, the central executive committee, to its advantage.

In doing so, it took a far-reaching decision that has had a major effect on the labour organisation's identity — and its very existence.

That was a difficult time for the federation and its leaders, and Cosatu emerged from the fight battered and broken, so much so that its contribution to the ANC's 2016 election campaign was barely felt. Both factions lost in the end. A weaker Cosatu emerged and those on the margins of the federation remained there until they were purged from it.

The ANC now finds itself in a similar position. It faced a critical decision ahead of the local government polls — whether to rid itself of the "elephant in the room". In the Cosatu battle, this was used as a reference to the National Union of Metalworkers of SA (Numsa) and Zwelinzima Vavi; in the ANC it refers to Zuma.

The latter is also now pitted against ANC secretary-general Gwede Mantashe — and, to a lesser degree, its deputy president, Cyril Ramaphosa — as well as a small core loyalist group that recognises the real danger of the party losing power in 2019.

The popular call is for an early conference, but Mantashe's instinct is to avoid a fight if it is set to be an all-or-nothing one, with "blood on the floor". The same line was used to dissuade Cosatu from holding a special conference to elect new leaders. The same tired logic. The same refrain that change is to be feared and shunned.

In Cosatu, however, the fear came from uncertainty over whether Vavi held the sway he used to.

By the time the conference was held, he had been undermined so effectively that the federation he led for 13 years shunned him.

This time there is a distinct fear for the "organisation", or what is left of it. But still, an early conference seems to be the only option for the party after its election drubbing.

Ironically, it is the faction that is opposed to Mantashe that is the strongest proponent of this view, with him squarely in their sights. This was clear from the ANC Youth League's briefing last week, when it called for an early conference and the appointment of a new leadership by consensus, a chapter straight out of the post-2012 Cosatu handbook.

The call for "consensus" rather than an election is evidence of the weaknesses of this proposition. The youth league and Cosatu are bedfellows in the internal

democracy stakes, and if the ANC was to mimic Cosatu's strategies the result would be the same: a lame duck, weak organisation at risk of tearing itself apart.

• *Marrion is political editor*

<http://www.bdlive.co.za/opinion/columnists/2016/08/25/anc-weighs-risk-of-calling-early-elective-conference>
