

1. PRESENTATION AND ADOPTION OF THE RESOLUTIONS

17.1 INTRODUCTION

The resolutions that were presented and adopted by congress were on political and ideological work, socio-economic priorities and organisational matters. Draft resolutions on international work, financial self-sufficiency and sustainability, as well as proposed constitutional amendments were deferred to the next central executive committee for discussion and adoption.

17.2 POLITICAL AND IDEOLOGICAL RESOLUTIONS

17.2.1 National Democratic Revolution and Socialism

Noting:

- (a) That the ANC-led democratic movement has over many decades been galvanised by and united around a shared perspective of a working class-led NDR that seeks to overcome interconnected race, gender and class oppressions in our society.
- (b) That after the demise of the Apartheid regime, this shared perspective of the NDR has been challenged by a counter-revolutionary faction within the ANC commonly called the 1996 Class Project.
- (c) That capital and the small but dominant black and white elite have been the primary beneficiaries of the socioeconomic policies implemented by successive ANC governments since 1994 such as GEAR, ASGISA and BEE, whilst the broader sections of the working class and the rural-poor have been on the receiving end of such policies as manifested by mass retrenchments, casualisation, the commodification of basic municipal services, growing unemployment and deepening inequalities and poverty.
- (d) That since the watershed Polokwane conference in 2007, a new factional tendency comprising tenderpreneurs and remnants of the 1996 Class Project has emerged within the structures of the ANC as a political force that is hell-bent on challenging the resurgence of the working class within the ranks of the ANC and that works towards the marginalisation of other components of the Alliance.

Believing that:

- (a) This historically and shared perspective of the NDR remains correct and must be defended and promoted by us.
- (b) The current trajectory of the transition since the demise of the Apartheid regime has helped to restore and consolidate the inherited development path and may eventually lead to the defeat of the NDR.
- (c) The theme of our congress "Advancing union organisation – advancing working class power for socialism" places a challenge upon us to deepen and intensify our theoretical and practical work in terms of the on-going work-place struggles and the broader working class struggles as part of building a popular movement for socialism.
- (d) It is our task as the working class to ensure that the ANC's commitment to a perspective of a working class-led NDR finds expression in its socioeconomic policies.
- (e) In conjunction with the remnants of the 1996 Class-Project, the new tendency poses a major threat to the working-class and the orientation of the NDR - which calls upon

the working class to assert itself ideologically and through practical organizational and political programmes and struggles.

- (f) Without strong organization and ideological independence, the working class would find itself tailing behind the capitalist class and losing sight of its own interests.

Resolve:

- (a) To ensure that political commissions are established and are properly functioning at the national, provincial and regional levels, and that they intensifying our ideological and organisational work.
- (b) To ensure that COSATU and SACP, through the 2015 Plan and Medium-Term Vision synergise their programmes to give concrete expression to the deepening of the NDR as a revolution towards socialism.
- (c) In deepening the NDR towards socialism, to work towards positioning the Alliance to lead a popular movement for socialism involving a range of other progressive mass organisations.
- (d) To reaffirm our perspective of the NDR as a socialist-oriented process of struggle.

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17.2.2 **A Popular Movement towards Socialism** {GP, NW, Lim, NC, KZN}

Noting that:

- (a) The emergence of 1996 Class Project and new tendency has placed the NDR at the crossroads in terms of its class orientation as a programme for national emancipation.
- (b) While the ANC has itself long recognised that the realisation of the NDR requires the fundamental transform of the socioeconomic relations and has identified the white monopoly capital amongst the chief enemies of the NDR, it has not fully expressed itself on its attitude towards socialism.
- (c) The slogan of the SACP - "Socialism is the future, Build it Now!" – calls for the creation of organs of working class power and collective forms of ownership as part of our strategy for a socialist revolution.
- (d) There is a range of mass formations organizing students, women, religious groups, youth, etc. which were historically part of the MDM and which are committed or sympathetic to socialism.
- (e) COSATU 2015 programme aims, among other things, to build and strengthen working class power in society.

Believing that:

- (a) From our point of view as the working class, the NDR must deal with the underlying and intersecting national, class and gender contradictions in our society which necessarily connects with the struggle for a socialist revolution.
- (b) SACP's MTV and COSATU's 2015 programme provide a platform to build a socialist future through an elaborate strategy aimed at building working class power.
- (c) Permanent mobilization of the working class and the poor, through variety of their organizations is necessary to build capacity and momentum towards socialism.
- (d) The present crisis of capitalism and the crisis of hegemony Neoliberalism provide conducive climate for the Alliance and other mass organizations to engage in wider debates on the question of socialism.

- (e) The SACP is best placed to lead the process of mobilization of a range of forces committed and sympathetic to the socialism.

Resolve:

- (a) To continue educating and mobilising the working class around our revolutionary theory to build capacity for the deepening of the NDR and to isolate the new tendency.
- (b) To call on COSATU to develop a framework of strategy and tactics constituting our revolutionary socialist programme.
- (c) To work jointly with the SACP, and to engage the ANC, on building a popular movement towards socialism.
- (d) To incorporate the building of a popular movement towards socialism within the COSATU 2015 programme.
- (e) Through a joint programme with the SACP, engage a variety of organizations such as students, youth, religious and other mass organizations on the organizational form and content of such a movement.
- (f) To build on existing campaigns of the SACP and COSATU to facilitate the development of a movement for socialism.
- (g) To re-establish Socialist Forums in all locals of COSATU.
- (h) To contribute towards ensuring that this popular movement actually develops and carries out a practical programme to realise socialism.
- (i) As part of our commitment to build and strengthen the SACP, to ensure that it is best placed to lead the popular movement for socialism whilst taking to account the need to work with a range of other socialist forces.

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17.2.3 Progressive Women's Movement of South Africa

Noting:

- (a) The rich history and traditions of women participation and leadership in the NDR, as highlighted by the courageous 1956 national Women's March to the Union Buildings in Pretoria.
- (b) The sterling contribution made by all components of the ANC-led Alliance in mobilizing women towards the launch of the Progressive Women's Movement of South Africa (PWMSA).
- (c) The poor organisational state of the PWMSA since its launch and apathy amongst NEHAWU members in joining and participating in building the PWMSA.
- (d) The establishment of the new Ministry and Department of Women, Children and Persons with Disability (DWCPD) in line with the mandate of the Polokwane conference of the ANC.
- (e) The PWMSA is excessively dominated by members of the ANC Women's League, especially at the leadership level.
- (f) Since the establishment of the NEHAWU Women Leadership and Skills Development programme (WLSA), there is a growing pool of women cadres in the union.

Believing that:

- (a) There is a danger that the PWMSA could be high-jacked by elite sections of the ANC Women’s League and thus further alienating the affiliated grassroots women and their organisations.
- (b) The establishment of the DWCPD is an important but one of the many steps that must be undertaken in government to mainstream interventions geared at gender equality and in support of the struggle against patriarchy.
- (c) The interconnectedness of the gender, race and class oppression in our society means that the struggles led by women formations such as the PWMSA would contribute in building capacity and momentum towards socialism.
- (d) It is our task as NEHAWU and the broader progressive trade union movement under COSATU to build working class hegemony organisationally and ideologically in the PWMSA as part of advancing the struggle for socialism.
- (e) Women’s oppression is rooted in social relations reinforced by capitalism, therefore the complete emancipation of women can only be realized as an integral component of the struggle for socialism.
- (f) The struggle for women’s emancipation and gender equality is one that must be waged by both women and men – including within the structures of our union and movement in general.

Resolve:

- (a) That NEHAWU must encourage its women cadres to join and actively participate in the structures of the PWMSA with a view to contribute in building working class hegemony and to fight against attempts to reduce the PWMSA to a careerist platform for advancing the narrow interests of the elite.
- (b) To ensure that the PWMSA engages the DWCPD around the need for a participatory process in the formulation of a comprehensive framework and programmes geared at mainstreaming gender equality across all government departments, spheres of government and public institutions with a bias towards the empowerment of working class women across the country.
- (c) As part of a radical trade union movement and the broader working-class formations, NEHAWU must ensure that working-class and poor rural women become the bedrock of the PWMSA.
- (d) To ensure that a forum of women activists between COSATU and SACP is established with a view to develop intervention strategies to promote working class leadership and to take up issues affecting women amongst the working class and rural poor, as a dominant part of the PWMSA’s work.
- (e) That the pool of cadres that have undergone the NEHAWU WLSD project is strategically deployed in provincial structures of the PWMSA, with a view to play a significant role in the establishment of regional and local structures on the ground.
- (f) To ensure that the struggle for women’s emancipation is properly understood as part of the broader struggle for socialism.
- (g) To ensure that our WLSD project contributes in developing cadres to take a lead in the union and the PWMSA at all levels.
- (h) That gender structures of the union must develop programmes and drive the PWMSA.

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17.2.4 **Progressive Developmental State** {WC, FS, NW, Mp, Lim, NC, GP, KZN}

Noting that:

- (a) The Polokwane resolution on economic transformation calls for an interventionist state that can play “a strategic role in shaping key sectors of the economy, including the minerals and energy complex, the national transport and logistics system.”
- (b) The socioeconomic policies that have been implemented since 1994 have established and entrenched a Neoliberal regime of accumulation - that in turn has further shifted the balance of power in favour of capital.
- (c) Whilst since the 2004 general elections the ANC and government began to articulate a perspective of the developmental state, this perspective has so far been narrowly reduced to huge infrastructure spending programmes - implemented through public-private-partnerships.
- (d) The East Asian model of the developmental state was largely capitalist-oriented and accompanied by measures designed to weaken the working class and other popular forces.
- (e) The growing influence of capital on the leadership layer of the ANC and the state, especially the Treasury.
- (f) The active presence of a transformative trade union movement in key sites or organs of government and the state as a whole.

Believing that:

- (a) Whilst in itself the developmental state would remain within the bounds of a capitalist economic system, the working class must campaign for a “progressive developmental state” based on the demands and claims of the Freedom Charter as a means of deepening of the NDR and advancing the struggle for socialism.
- (b) Whilst there is a need for a more thorough conceptualization and definition of such a progressive developmental state, key amongst its features and tasks must include:
 - (i) A shift from the Neoliberal policy paradigm and overcoming the entrenched Apartheid legacy, in particular the glaring racialised, gendered inequalities and the mal-distribution of resources and development opportunities within urban centres on the one hand and between urban and rural areas on the other hand.
 - (ii) Active state-led interventions in the economy – including the nationalization of key industries in strategic sectors, the introduction of other collective forms of ownership such as cooperatives, large-scale expropriation and broad-based redistribution of agricultural land, a comprehensive social security and social wage, supply-side and demand-side interventions and measures to discipline capital around pricing, investments, environment, labour-market issues, etc.
 - (iii) A strong participatory democracy – including the active participation of working class communities and organised mass formations in the formulation and implementation of policies at different scales of governance and decision-making.
 - (iv) An anti-imperialist stance – asserting the country’s sovereignty and national self-determination on all policy matters including the socioeconomic and foreign policies based on solidarity, mutual benefit, peace and friendship among the peoples of the world.

- (c) As a key component of transformative public sector unions, we are strategically positioned to take a lead in advancing the course of building a progressive developmental state.

Resolve to:

- (a) To participate in the socioeconomic policy and ideological debates and campaigns geared at the realisation of the progressive developmental state.
- (b) To develop a programmatic framework to engage other public sector unions and the Alliance towards a common perspective on the progressive developmental state, especially around the practical implementation of policies in government.
- (c) To ensure that the ANC-led Alliance drives the process of developing a transformative managerial cadre that is committed to the NDR - across the public sector and in other strategic public institutions.
- (d) To ensure that the Alliance and government lead society in addressing existing wage-gaps in all public sector institutions, including a call for a moratorium on huge salary increases and bonuses whilst a new public sector remuneration framework is developed.
- (e) To call for the coordination of the fiscal and monetary policies aligned to a new developmental path that also seeks to protect the economy from the external sabotage.
- (f) To call for an increase in public investment in the economy - in a manner that instils the efficient use of limited natural resources and that enhances ecological sustainability.
- (g) To support COSATU's economic strategy on the new growth path, and in doing so, to use our structures and resources to educate, popularize and mobilize support for the strategy amongst members and society in general.

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17.2.5 **The Alliance**

Noting that:

- (a) Despite the outcomes of the Ekurhuleni II and the May 2008 Alliance summits, since the election of a new government in 2009 the ANC adopted a new stance in which it insists that rather than the Alliance, the ANC is the political centre.
- (b) In line with this position, the independence of other components of the Alliance is continuously put into question by the ANC, hence the continuation of unnecessary episodes of public spats amongst leaders of the Alliance formations in a similar pattern to that of the pre-Polokwane period.
- (c) Apart from the historic days of commemorations and anniversaries, and during the election campaigns, the resolutions of the Alliance summits calling for a joint programme of action have not been implemented.
- (d) Despite the on-going public spats, the relationships amongst components of the Alliance have considerably improved compared to the pre-Polokwane period.

Believing that:

- (a) The Alliance remains the vehicle for advancing and deepening the NDR.

- (b) The emergence of the new tendency, as an influential force in the leadership structures of the ANC and government is a major factor that continues to plunge the Alliance into a state of paralysis and crisis.
- (c) The deepening of the NDR to overcome the intersecting race, class and gender oppressions can only be possible if and when the working class occupies a leading role in the ANC and the overall struggle of the progressive forces.
- (d) As a leading component of the Alliance, the ANC has the primary duty to contribute in strengthening other Alliance components, rebuilding the Mass Democratic Movement (MDM) and cultivating an open and democratic space for rigorous debates rather than resorting to bureaucratic suppression and marginalization of others.
- (e) Despite the leading role of the ANC in the NDR, the components of the Alliance are equal partners.

Resolve to:

- (a) To reaffirm the 8th COSATU National Congress resolution on the ANC-led Alliance as a strategic political centre, alongside other centres of power including each component of the Alliance – and this is in line with the thrust of the resolution of the May 2008 Alliance summit on the matter.
- (b) To call on the ANC as the leader of the Alliance to work with other components of the Alliance in ensuring that the National Political Council and the Alliance Secretariat are properly functioning and the decisions of the May 2008 Alliance summit are implemented in provinces and regions.
- (c) To call on COSATU to engage other components of the Alliance with a view of developing a common understanding on the meaning of Polokwane.
- (d) In line with the Ekurhuleni II Alliance Summit, to call on all Alliance components, in particular the SACP and COSATU to assert their independence whilst defending and advancing the shared perspectives, policies and programme of action.
- (e) To commit ourselves to the renewal and strengthening of all Alliance components and the MDM as part of a strategy of defeating the new tendency.
- (f) To abide by the following principles as a guiding framework for the proper functioning of the Alliance:
 - (i) To fight for the respect of the independence and equal status of each component of the Alliance, recognising the particular and unique role each component plays in the NDR.
 - (ii) To strengthen each and every component of the Alliance, including making resources available for mutual benefit of Alliance formations.
 - (iii) To develop proper mechanism and channels of dealing with the tensions that from time to time arise amongst the Alliance components without resorting to public spats.
 - (iv) To promote debates in the Alliance and to resolve such debates through engagement rather than the vilification of each other.
- (g) To welcome the decision of our federation to table for review through the CEC discussion document "The Alliance at crossroads – the battle against a predatory elite and political paralysis" the proposals for an Alliance platform and electoral pact, at the 5th Central Committee to be held on the 28 – 30 March in 2011.

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17.2.6 African National Congress

Noting that:

- (a) The fact that the NEHAWU 9th Congress coincides with the ANC's National General Council (NGC) held in Durban.
- (b) The on-going attacks on the working class leadership in the ANC and the Alliance by the new tendency.
- (c) The poor state of organisational and personal discipline in the ranks of the ANC and the lack of decisive action by the elected officials.
- (d) The fact that in 2012 the ANC will be celebrating its centenary culminating in the 53rd national conference in Mangaung.
- (e) The on-going challenges of unity and cohesion especially amongst leadership at all levels of the organisation and between the organisational leadership and those deployed in government.
- (f) The lack of political will and decisive strategic leadership in implementing the more challenging socioeconomic resolutions from the Polokwane conference.
- (g) The fact that over the years the ANC's leadership has increasingly become more petty-bourgeois and even capitalist as it is largely drawn from comrades who are deployed in government, parastatals and those involved in the BBE, whilst its constituency largely remains the African working class and rural poor.
- (h) Despite advances made in Polokwane, the working class leadership in the structures of the ANC and the class conscious cadreship on the ground remains very weak.
- (i) There are attempts to re-build the ANC through ward structures and local political schools.

Believing that:

- (a) In its mid-term evaluation and responding to the pressing organisational challenges, especially on socioeconomic policies such as the NHI and the internal organisational discipline matters, the NGC was an overwhelming success which needs to be given concrete expression in practice.
- (b) The ANC remains a national liberation movement committed to the NDR and biased to the working class in its orientation.
- (c) Polokwane represents an advance in the internal configuration of the balance of forces marked by the defeat of the 1996 Class Project and the subsequent exit of some of its remnants to form COPE.
- (d) The key tasks for us in the current conjuncture is to systematically intensify the swelling-of-the-ranks, to defend the elected collective leadership, to isolate the new tendency, to fight for unity, cohesion and discipline and to rebuild the ANC on the ground.

Resolve to:

- (a) Welcome the outcomes of the NGC as potentially signalling a turning point with regard to internal discipline, decisiveness of the leadership on organisational and socioeconomic policy matters, the fight against corruption, relations with other components of the Alliance and in taking forward the mandate of Polokwane.

- (b) Continue working for unity and cohesion in the ANC and the implementation of Polokwane resolutions and progressive policies - as members of the ANC and as part of the Alliance.
- (c) Make a call that the ANC leadership at all levels must reassert itself to restore discipline within the ranks of the organisation without undermining constructive democratic participation by members.
- (d) Call on the ANC leadership to unite and to speak with one voice on their collective decisions.
- (e) Ensure that we play our role as members of the ANC and as part of the Alliance so as to ensure that the 53rd ANC National Conference defends and advances the progressive thrust of the Polokwane and 2010 NGC outcomes.
- (f) Reclaim the ANC and continue to swell its ranks in terms of the following guidelines:
 - (i) To ensure that activities of the ANC structures (including meeting agendas) are dominated by the concerns of the working class – rather than the current focus on BEE, tenders, factionalism, etc.
 - (ii) The working class cadres must contest for leadership positions in the ANC and ensure that all its structures are reflective of the primary motive force of the NDR and are not dominated by capitalists.
 - (iii) The working class cadres must expose the new tendency within the ANC. This must not be done in a non-factionalist manner, but in a way that encourages debate and discussion within the ANC structures.
 - (iv) The working class cadres must promote the unity of the Alliance and involvement of the Alliance in all activities of the ANC and vice-versa.
 - (v) NEHAWU must continue to monitor and evaluate the rate of participation of its membership in the ANC structures.
- (g) Re-affirm our 7th National Congress resolutions on the ANC.
- (h) Commit ourselves to reclaim the ANC and redefine its character as a mass movement, a campaigning organization and a progressive force of the left.
- (i) Working with the ANC, to launch a recruitment campaign in the structures of the union as part of our contribution in the swelling-of-the-ranks and the ANC's Imvuselelo Campaign leading up to the centenary conference.
- (j) Take an initiative as a union, as part of COSATU and as members of the ANC in our own right to take an active part in the ANC's political schools and its broader political education programme.
- (k) To call upon COSATU to develop a national political programme that must also be implemented subnationally - coordinated and monitored by COSATU at all the different levels and geared at enabling us to effectively swell-the-ranks of the ANC, to build and strengthen its structures, to work for unity, cohesion and discipline, to isolate and fight against the new tendency and to defend the collective leadership elected and the progressive resolutions adopted in Polokwane.
- (l) To call upon on all members and officials of the union to participate in building strong branches of the ANC where they live.

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17.2.7 Congress of South African Trade Unions

Noting:

- (a) The fact that COSATU is no longer organising Winter Schools and there is no systematic political education taking place through the federation.
- (b) The poor state of COSATU Locals and the lack of a coordinated support mechanism for locals in the federation.

Believing that:

- (a) The COSATU 2015 Plan remains the guiding strategic framework.

Resolve to:

- (a) Commit ourselves to pledge solidarity with the struggles of other unions, in particular COSATU affiliated unions, including instigating consumer boycotts amongst our members in support of pickets and strikes, as well as taking a lead amongst COSATU unions in embarking on solidarity strikes whenever declared by our federation.
- (b) Call on COSATU to accelerate and exercise decisive leadership in conjunction with its public sector affiliates to form one union and to work towards a single public sector union in the long-term.
- (c) Extend the CHB programme to cover more shop-stewards as part of our drive to deepen political and ideological consciousness.
- (d) Reaffirm that the 2015 Plan remains the strategic framework of our federation.
- (e) Ensure that a comprehensive capacity building programme on strike organisation is developed for all organisers and negotiators.
- (f) Call on the federation to introduce a systematic programme on ideological and organisational education and training.
- (g) Call on the federation to introduce a discussion amongst its affiliates on the need for its affiliation to the WFTU ahead of the 11th congress in 2012.
- (h) To call upon COSATU to develop a mass mobilisation programme geared at responding to the unfolding socioeconomic crisis involving progressive mass-based organisations in particular and progressive civil society structures in general.

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17.2.8 **South African Communist Party**

Noting:

- (a) The resolutions of the NEHAWU 8th and the COSATU's 9th national Congress resolutions on building and strengthening the SACP.
- (b) The programme of the SACP to launch VDBs throughout the country.
- (c) The fact that COSATU is still yet to establish the political fund to support the SACP.
- (d) The on-going joint political-education programmes between the SACP and NEHAWU highlighted by the recently launched Chris Hani Brigade programme.
- (e) The on-going discussions between the SACP and COSATU on building a popular movement for socialism, on the need to converge and synergise the 2015 Plan with the Medium Term Vision and discussions on the strategic options for the SACP's approach to state power.

Believing that:

- (a) The SACP is the vanguard of the South African working class engaged in building working class hegemony in the terrain of the NDR and leading the struggle for socialism.
- (b) Only a strong and independent SACP can champion its vanguard revolutionary role.
- (c) The SACP and COSATU share a common platform for the realization of socialism in South Africa.

Resolve:

- (a) To reaffirm all our previous resolutions on building the SACP.
- (b) To work with the SACP in a joint programme on the launch of VDBs.
- (c) To continue to support the SACP's anti-corruption campaign.
- (d) To reaffirm the SACP as the vanguard party of the South African working class in the struggle for socialism.
- (e) That the electoral option for the SACP should be part of its long-term strategy informed by material conditions and located with the MTV and 2015 programmes.
- (f) To ensure that NEHAWU develops a measurable programme geared at building SACP work-place units in all branches of the union.
- (g) To call for a strong and independent SACP to lead popular struggles in working class communities, particularly in the light of the on-going spates of service delivery protests.
- (h) To ensure that NEHAWU continues to provide financial and other material resources in support of the SACP, including making a contribution to strengthen the SACP in line with the decision of the August 2010 - COSATU CEC.

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17.2.9 Chris Hani Brigade

Noting:

- (a) The launch of the NEHAWU Chris Hani Brigade programme in April 2010.
- (b) That this is a joint political programme of NEHAWU and the SACP and is named in memory and honour of the late General Secretary of the SACP, Cde Chris Hani.
- (c) The CHB programme is intended to help the union in implementing a systematic political education programme to build a broad-based cadreship for the union and SACP.
- (d) The participants in this programme are drawn from the ranks of the NEHAWU, SACP and the YCLSA.
- (e) The launch and consolidation of the provincial chapters of the CHB programme is work in progress and will be carried out throughout the current Programme of Action of the union leading to next national congress.

Believing that:

- (a) The CHB programme will produce a new layer of political commissars that will play an important role in deepening political education at the lowest structures of the union, the SACP and YCL.
- (b) The launch of provincial chapters of the CHB programme will expand the number of the trained political commissars and ensure that our ideology and political programme are understood at branch and ward levels.

- (c) The CHB programme will also contribute in mobilising more NEHAWU members to swell-the-ranks of the ANC and to do so with better ideological and political clarity.

Resolve to:

- (a) Ensure that the provincial chapters of the CHB programme are supported by office bearers and constitutional structures of the union.
- (b) Assist the SACP and COSATU in their joint political programmes as part of raising the ideological consciousness of shop-stewards, our members and members of the SACP.
- (c) Work with the SACP to develop a comprehensive political education programme that must be systematically carried out in terms of the CHB programme and has an on-going monitoring and evaluation process to ensure maximum outcomes and impact.
- (d) Expand the ideological work in our union and contribute towards the establishment of a Marxist-Leninist workers' college for ideological and organisational training in conjunction with the SACP and COSATU.

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17.2.10 **Rebuilding democratic movement and hegemony of working class in Western Cape**

Noting that:

- (a) That the ANC has lost political power in the Western Cape province and the city of Cape Town and other municipalities in the province.
- (b) The Western Cape province and the city of Cape Town are strategic economic and political centres in the broader context of the country.
- (c) Since the merger of the New National Party (NNP) and Democratic Party (DP) as part of their strategy during the 2000 local government elections, the DA has grown in strength.
- (d) The breakup of the DA coalition and absorption of elements of the defunct NNP into the ANC in 2002 helped the ANC to win the province and a number of municipalities in the Western Cape.
- (e) The 2006 local government elections reversed the gains made by the ANC since 1999 and saw the DA taking control of the City of Cape Town and a number of municipalities through a range of anti-ANC coalitions with smaller parties in the province.
- (f) There has been an escalation of evictions and disconnections to municipal services in working class communities in the city of Cape Town and several other municipalities in working class areas since the DA took over.
- (g) The 2009 general elections represented the most devastating electoral defeat of the ANC since the first democratic elections in 1994.
- (h) Voting patterns in the last general elections show that only about 30% of the eligible voters in the province have voted for the DA.
- (i) The DA political power is centralised around the personality of its national leader, Helen Zille.
- (j) In conjunction with the right-wing media, the DA has successfully capitalised on the ANC's shortcomings in positioning itself as an alternative in the province.

- (k) During its tenure in the provincial government the ANC was highly factionalised through networks of patronage in the deployment of cadres and in government's BEE procurement practices and public-private-partnerships.
- (l) Public perceptions of ANC in the province has been highly influenced by the divisive leadership battles that have been fought in the media and in highly factionalised elective branch, regional and provincial conferences.
- (m) The ANC remains a dormant organisation and aloof from mass struggles even after the DA took control of the city of Cape Town and other municipalities.
- (n) The Alliance in the province is dysfunctional.
- (o) The DA administration has embarked on an aggressive restructuring exercise called "modernisation" intended to reverse transformation and to centralise certain key functions in the office of the Premier.
- (p) The DA government has ditched the government's RDP housing policy in favour of the old NP "site and service" policy.
- (q) The DA has cut subsidies to NGOs involved in social welfare programmes in working class communities.

Believing that:

- (a) The DA is a political expression of the white monopoly capital with an agenda to undermine the NDR and transformation particularly in the Western Cape.
- (b) The DA has become even more right-wing in its outlook as it rides a wave of confidence from election results, and this includes the reinforcement of racism within its ranks.
- (c) At the centre of the DA's political strategy is to deepen racial divisions amongst working class communities.
- (d) The DA government lacks the capacity to bargain and engage civil society as illustrated by its continuous resort to unilateral implementation of policy and the dissolution of the Provincial Development Council (PDC).
- (e) Many communities in the coloured working class areas, including former activists of the UDF, are disillusioned with the ANC.
- (f) The key political task in the province is to rebuild the ANC and to develop a programme of action responsive to working class issues across the racial divides.

Resolve to:

- (a) To play a key role in building the hegemony of the working class and the broad democratic movement in the Western Cape.
- (b) Engage with the DA-led administration on the basis of the demands of workers for decent work and quality service delivery to working class communities.
- (c) Oppose attempts to develop free trade zones, two tier employment system and to defend our hard won benefits, conditions of service and rights of workers.
- (d) Work together with other public sector unions, NGOs, social movements and other progressive formations to launch a campaign against the DA government's attempts to erode working class gains and to defend the implementation of progressive legislation such as employment equity in the public and private sector in the province.
- (e) Use these campaigns to further strengthen collaboration with these formations to ensure that demands and interests of working class are firmly placed on the agenda.

- (f) To contribute to the crafting of the ANC's election manifesto and campaign message to ensure that it resonates with large sections of the working class in the province and highlights the weaknesses of the DA.
- (g) Work with COSATU and the Alliance to build a well-oiled campaign machinery to mobilise workers and communities in the Western Cape to register and vote overwhelmingly for the ANC in the upcoming local government elections in 2011.
- (h) Allocate resources and encourage shop-stewards and members to participate in an effort to rebuild non-racial, campaigning and credible ANC structures.
- (i) Work with COSATU and other components of the Alliance to eliminate the current factionalism and other destructive political tendencies.
- (j) As a union and as part of COSATU, to work with the Provincial Task Team regarding the fulfilment of its mandate of establishing vibrant branches and preparing all the structures towards the provincial elective conference in line with the ANC NEC decision.
- (k) Ensure that NEHAWU takes a lead within the ambit of COSATU to rebuild the ANC and the Alliance in general.
- (l) Call upon NEHAWU Western Cape to implement the relevant tasks arising from this resolution.

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17.2.11 Transformation of the Print and electronic Media

Noting that:

- (a) The 52nd ANC conference resolution on the "Communications and the battle of ideas" which calls for an investigation into the proposal for the Media Appeals Tribunal
- (b) The resolution on "Communications" adopted by the 51th ANC conference held in Stellenbosch calling for media diversity and transformation
- (c) The self-regulated and biased coverage of the current debate in the commercial media on the ANC's discussion paper "Media transformation, ownership and diversity and Media Appeals Tribunal"
- (d) 95% of the commercial print media is owned by just three giant corporate monopolies, namely Independent Newspapers, Avusa and Naspers
- (e) The unparalleled track-record and on-going commitment of the ANC and all components of the Alliance to freedom of expression, human rights and the South African constitution
- (f) The prevalent phenomena of "brown envelope" journalism, the excessive use and reliance on faceless and unnamed "sources" and the overall poor quality of journalism in South Africa
- (g) The COSATU 9th congress declaration which "agreed that COSATU would explore the possibility of establishing a workers' newspaper"
- (h) There are Radio slots that are awarded to Trade Unions for the benefits of workers and to highlight and educate all workers
- (i) However, the Trade Union movement does not effectively use this time slots

Believing that:

- (a) The domination of the print and online media by corporate monopolies, including their malicious or negligent distortions or misrepresentation of information has already undermined the public's right to access to information
- (b) The present print media landscape which is dominated by corporate monopolies has turned our constitutional right to freedom of expression into a preserve of the privileged elite, which calls on the working class to defend and fight for the right to freedom of expression, including freedom of the press for all
- (c) That these giant media monopolies are part of the broader South African monopoly capital generally representing their vested interests, hence the overall editorial content continues to reflect the discredited Neoliberal ideas, race, gender and class prejudices
- (d) Since its adoption in 2002, the ANC-led government has failed to implement key aspects of the progressive Stellenbosch resolution on "Communications", even though the resolution has some limitation in terms of creating genuine diversity and transforming the media
- (e) Whilst it is important to ensure that the commercial print media is held accountable, the underlying interests informing its editorial content and its frontline location in the ideological offensive against the working class and other progressive forces means that we cannot expect it to be fair and balanced
- (f) The current self-regulatory mechanism practiced by the print media is discredited, not least by the fact that redress is limited to verbal reprimands, corrections and apologies that are often hidden away at the bottom and in the middle pages of the newspaper
- (g) The Bill of Rights enshrined in the South African constitution is indivisible and all the stipulated rights and obligations are equal and must be respected by all, including the print media
- (h) Whilst the ANC's proposal on the media appeals tribunal is informed by a genuine commitment to fair and balanced media practice, it is also true that some individuals within our movement in particular those who are part of the tenderpreneurs tendency would like the media to be stifled so that their counter-revolutionary corrupt practices are not exposed
- (i) That the Unions should optimally use this slots for the benefits of all the members and the community at large

Resolve to:

- (a) Not only support the call for an investigation on the proposal of the media appeals tribunal, but also an investigation on the feasibility of government using the anti-trust legislation to dismantle the current giant media monopolies in order to create diversity and the opening up of a democratic space in the print media
- (b) Strengthen our existing worker publications and to step up our fight against the commercial print media's unfair reporting on the organised workers' activities, its prejudiced portrayal of working class communities and against its overall ideological bias in favour of capital and the elite
- (c) Call on the ANC government to implement all the relevant measures proposed by the Stellenbosch and Polokwane conferences on media diversity and transformation, especially measures to support community media outlets
- (d) Call on our federation COSATU to take the necessary steps in coordinating the implementation of the 9th congress's call for the exploration of the possibility of establishing a workers' newspaper

- (e) Optimally utilize the existing slots of alternative media organisations

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17.2.12 **Lesbian, Gay, Bisexual and Transgendered (LGBT) Workers**

Noting that:

- (a) The unions founding principles are based on non racialism, non sexism, worker control and worker solidarity of “An injury to one is an injury to all”
- (b) The union demographics includes all sections of the population including LGBT members and these makes up a certain percentage of the membership
- (c) NEHAWU has a policy on equality in the workplace, the union and among members from all walks of life
- (d) The union has not been taking seriously the issues of LGBT members
- (e) Discrimination against members who are LGBT is a violation of human rights

Believing that:

- (a) Our LGBT members have equal rights with all other members of the organisation
- (b) LGBT members have a right to representation, election, and exercising their democratic rights in the organisation
- (c) Discrimination against members who are LGBT is a violation of human rights

Resolves to

- (a) Research issues affecting our LGBT members
- (b) Use the PSI guidelines on LGBT to assist the implementation of policy on LGBT
- (c) Ensure that at all levels of the union, LGBT rights are taken care of
- (d) Gender policy must be amended to incorporate LGBT issues
- (e) Gender structure at all levels must take up LGBT issues
- (f) The union will partner with LGBT organisations for campaigns and rights of LGBT members.

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17.2.13 **Decriminalisation of Sex Work**

Noting that:

- (a) A resolution on the “Legalisation of sex workers industry” was tabled at the COSATU National Congress
- (b) A fundamental motivation for the resolution was aimed at minimising the abuse and violence practiced against adult sex workers
- (c) Another fundamental motivation for the resolution was aimed at dealing with the Absence of labour protection of sex workers employed in brothels
- (d) No agreement was reached and many different perspectives were presented
- (e) There was an agreement to continue the discussion process in the CEC and other COSATU structures

Believing that:

- (a) The Bill of Rights “enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom”
- (b) It also states that “everyone has inherent dignity and the right to have their dignity respected and protected”
- (c) The continued criminalisation of adult sex work undermines the Bill of Rights, infringes on basic human rights and dignity, and significantly removes their rights of access to public services
- (d) Adult sex workers do not cause harm nor do they infringe on basic human rights of anyone in society
- (e) Violence and abuse against women occur in other human relations, including marriage, family life and in many workplaces, not only in adult sex work activities
- (f) Therefore, adult sex work should be immediately decriminalised, while recognising that there are many other issues that needs a discussion process
- (g) Decriminalisation will curb the problem of Human Trafficking

Resolve to:

- (a) Support the campaign for the decriminalisation of adult sex work
- (b) Support the campaign for the immediate release of arrested sex workers
- (c) Support the campaign for the right of access to public services not be denied to sex workers
- (d) Propose that COSATU and Affiliates convene discussions around the issues of disagreement and to finalise a unified perspective
- (e) Include in the discussion, issues of adult sex work and labour rights

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17.3 SOCIO-ECONOMIC ISSUES AND PUBLIC SERVICE

17.3.1 Economic Transformation

Noting that:

- (a) South Africa remains a capitalist society and as a result the legacy and remnants of Apartheid capitalism in relation to “Colonialism of a Special Type (CST)” are still with us
- (b) The 1ST Decade of Freedom benefitted the capitalist class
- (c) The new ANC government has inherited an economic policy that is still entrenched within GEAR’s neo-liberal framework despite some shifts in aspects of the framework in the recent past
- (d) There were discussion processes prior to and in the ANC National General Council (NGC) on Nationalisation

Believing that:

- (a) Unless the inherited structural features of the Colonial Apartheid economy are fundamentally transformed, our society will continue to be characterised by massive unemployment, deep inequalities and chronic poverty
- (b) Nationalisation should be seen as a move towards the rolling back of market forces and a move towards socialism

- (c) The burden of the systematic economic crisis has resulted in millions of job losses internationally, and significant increase of unemployment and the widening of the gap between rich and poor, in South Africa
- (d) The implementation of the Basic Income Grant (BIG), which has been campaigned for, will go a long way in social development

Resolve to:

- (a) Vigorously campaign for the implementation of an Industrial Strategy that puts our country on a different growth path
- (b) Campaign for the provision of funding through the PIC and the IDC for the implementation of the Industrial Strategy.
- (c) Campaign for the nationalisation of the strategic sectors of our economy, which would include ISCOR and SASOL, under workers' control. This nationalisation must be broad and must not be used to resuscitate the 1996 Class Project
- (d) Mandate the NEHAWU CEC of December 2010 to look at details for these campaigns to be implemented and monitored
- (e) This discussion process should be proposed to be also held in COSATU structures for the development of a unified perspective

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17.3.2 **Industrial and Trade Policy**

Noting that:

- (a) There is growing de-industrialization in our economy
- (b) Our future economic sustainability requires the growth of SA industrial capacity
- (c) The newly-released COSATU Economic Growth Path document outlines Industrial and Trade policy issues and proposals

Resolve to:

- (a) Actively campaign for the full implementation of the IPAP 2
- (b) Call on our government to apply for a correct status as a developing country in the WTO
- (c) Participate in discussions and, through PDU, develop positions on Industrial and Trade Policy

17.3.3 **Workers Bank**

Noting that:

- (a) In 2008 Parliamentary session, the Co-operative Banks Act was promulgated
- (b) The COSATU Congress resolved to mandate the CEC to begin the processes to establish a Workers Bank
- (c) While it resolved to use the TEBA Bank as a first preference, it also resolved to mandate the CEC to investigate other banks
- (d) There are different forms of co-operative banks - in the form of primary, secondary and tertiary banks
- (e) While, it is categorised as a "secondary" co-operative bank, TEBA Bank was co-established and is co-managed by the Chamber of Mines (whom are trustees)

- (f) Other trade unions, including NEHAWU, have established Savings and Credit Cooperatives (SACCOs), which are categorised as “primary” co-operative banks
- (g) COSATU Growth Path Towards Full Employment document promotes the support of co-operatives
- (h) This document also proposes that “union investment companies need to create a vibrant co-operative sector”

Believing that:

- (a) While we support the resolution for the establishment of a Workers Bank, there is a need to implement a discussion process to develop a unified perspective among COSATU and Affiliates
- (b) The establishment of a workers bank must be linked to the co-operative bank approach and the advancement of the workers movement for the advancement towards socialism
- (c) It would be important for the development of a Tertiary Cooperative Bank to eliminate the use of Private Capitalist Banking System by the Workers Bank
- (d) Such a Tertiary Bank is best established as a Nationalised State or Government Bank

Resolve to:

- (a) Propose to COSATU to establish a committee to do research and investigations in order to draft a proposed implementation plan to establish the Worker’s Bank
- (b) Propose that this committee also reviews the Co-operative Banks Act to assist in the process, and to assess if any changes may be necessary
- (c) Propose and campaign for Government to establish a Public Sector Bank as a tertiary co-operative bank
- (d) Look at the Post Bank and its role as a Tertiary Bank
- (e) Propose that the COSATU co-ordinates the campaign for the Public Sector Bank
- (f) We should consider to commission NALEDI to do research

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17.3.4 **Public Service Summit–Gearing Public Service Towards the Developmental State**

Noting that:

- (a) The Public Service Summit was convened in April 2010
- (b) Our perspective of the Summit was based on the Developmental State
- (c) While there were some agreements reached in the Summit, there were many crucial disagreements
- (d) There are other processes involving specific sectors like health, education and social services
- (e) The neo-liberal restructuring of the state (over time) has established a regulatory state with the following having been (and still is being) implemented:
 - (i) The outsourcing of state functions
 - (ii) Increased privatisation of public service delivery through Public Private Partnerships (PPPs)

- (iii) The creation of Government agencies
 - (iv) The use of Labour Brokers by the Public Service
- (f) That corruption has increased and has become a serious concern
 - (g) Cosatu has set aside R10-million to establish an independent crime-fighting body to investigate corruption in the government and the private sector
 - (h) COSATU adopted a resolution for the banning of Labour Brokers
 - (i) Poor or lack of implementation of labour legislation e.g. Health and Safety Act, Labour Relation Act etc
 - (j) That in "Resolution 1 – of the 2007 Summit" it was resolved to fill the existing vacancies in the Public Service

Believing that:

- (a) A significant perspective of the Developmental State is the move away from neo-liberal globalisation and the regulatory state
- (b) Delivery of quality public services is the responsibility of the state, not the private sector
- (c) One of the key outcomes of the Developmental State is to overcome the legacy of our Apartheid history
- (d) Another key outcome is state provision of, and universal access to, quality public services
- (e) The above implies the necessity to end the processes of the public service using:
 - (i) Outsourcing
 - (ii) PPPs
 - (iii) Government Agencies
 - (iv) Labour Brokers
- (f) It also implies the banning of labour brokers and the minimisation of permanent non-decent work in the Expanded Public Works Programmes (EPWPs) (public service)
- (g) Corruption is an enemy of service delivery and the developmental process
- (h) Up until now, the resolution to fill existing vacancies has not been implemented
- (i) This implies that we, as NEHAWU, have failed to monitor and ensure implementation

Resolve to campaign for:

- (a) A move away from the regulatory state and a departure from the Neoliberal approach to restructuring of the public service, towards more state intervention in the economy and public service provision and universal access to quality public services
- (b) The filling of existing vacancies, and a review of the existing list and the establishment of a developmental state perspective on public service employment to address universal access to quality public services
- (c) An end to the establishment of government agencies and the review of existing agencies which are providing public services
- (d) An end to the creation of PPPs and a review of existing PPPs
- (e) An end to the outsourcing of public services and the reversal of outsourced activities

- (f) An end to the usage of labour brokers by the public service and the future process of banning labour brokers.
- (g) The implementation of the agreed outcomes of the Public Service Summit, including, and we need to establish processes of monitoring implementation
- (h) The convening of the Public Sector Summit, which would include other sectors like State owned Enterprises (SoEs) and local government

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17.3.5 Transformation of Post-Schooling Education

Noting that:

Basic Education

- (a) The education system generally reproduces inequalities based on class and race
- (b) Different management dynamics exist from one province to another
- (c) The quality of standards in the culture of learning and teaching is decreasing

Post Schooling Education Landscape

- (a) Development is no longer seen primarily as a process of capital accumulation, but rather as a process of organisational change
- (b) Value in today's globalised knowledge economy is derived more from ideas than from the production of tangible assets and that it is the quality of the institutional fabric that determines its capacity to generate useful ideas
- (c) Education is one of the key priorities of our country in the next five years of the new government
- (d) The opening of the doors of learning is by and large still dictated by the social and economic circumstances of a typical South African household. As a result the quality of schooling & education amongst our communities is not equal compared to the standards in the more affluent communities and suburbs
- (e) Our children would always be at a disadvantage and limited in their abilities to achieve
- (f) The government has embarked on initiatives to jettison the disastrous Outcomes Based Education (OBE) and to transform the higher education sector
- (g) A new Department of Higher Education and Training (DHET) has been created to assume responsibility for post-school education and training institutions, including the universities, the vocational and continuing education and training colleges, adult education and the institutions responsible for ensuring skills training for workers and the unemployed such as the Sectoral Education and Training Authorities (SETAs) and the National Skills Fund (NSF)
- (h) Despite the increasing number of black students, tertiary education institutions (i.e. universities, universities of technology and Further Education and Training (FET) colleges remain untransformed with regards to the orientation of their institutional mission in relation to South Africa and Africa, the course content of most of their academic disciplines and the institutional governance systems
- (i) In historically white institutions racism remains rife and none of these institutions have embarked on thorough-going programmes to deal with it

- (j) Trade union membership density remains relatively low in the sector, both with regards to the academic and non-academic workers
- (k) The absence of functioning collective bargaining units in both the higher education and FET college sector
- (l) Higher education institutions are certainly the worst employers in the public sector – epitomised since 1994 by outsourcing and privatisation of various operations in these institutions that has led to retrenchments, casualisation and the deterioration of the conditions of service of the workers
- (n) The change in roles and status of Vice-Chancellors / principals / rectors whose mandate has been turned into that of Chief Executive Officers, has seen a dramatic rise in the pay of senior management and the widening of wage-gap in the system where workers can receive inflation-linked wage increases / or are subjected to casualisation; and student fees are hiked by a staggering 13.5%
- (o) Corruption appears to be growing in our higher education and training institutions, including universities leading to many conflicts involving university Councils, managers and even unions and student representatives which are the result of attempts to gain corrupt access to public higher education resources

Further Education and Training

- (a) South Africa is experiencing a massive skills shortage, including intermediary technical and vocational skills
- (b) The mergers of FET Colleges reduced the numbers of colleges did not make advancements within the sector
- (c) Government has unilaterally enacted the Further Education and Training Colleges Act of 2006, which has taken workers in the sector out of the public service into the employ of the individual FET institutions
- (d) Since the introduction of the new curriculum (Senior Certificate-Vocational), higher education institutions do not anymore admit many graduates from the FET colleges
- (e) Government has made a commitment to ensure the development of skills through the expansion of FET enrolment to achieve a target of 1 million graduates by 2014
- (f) Far reaching decisions were taken at the September 2010 Summit on Further Education Training Colleges

Higher Education

- (a) The merger of institutions after 1994 was intended to improve access and equity for both staff and students; to allow for the efficient and effective use of physical infrastructure, facilities and human resources; to overcome the problems related to sustainability of student intake, income and management; and most importantly to create institutions with new identities and cultures transcending their apartheid histories
- (b) The main thrust of this transformation was the demand for both the enrolments and staffing of post-secondary education to begin to reflect the social composition of the broader society; for resources to be made available to historically disadvantaged social groups; and for increased funding and qualitative development to support the historically black institutions

- (c) The equity objective in the post-1994 period was not met, but rather resulted in a more elite public higher education system while the student population became dramatically more black, this was against an overall decrease in participation rates, meaning that while the complexion of the elite had changed, the gap between 'those with' and 'those without' higher education had not decreased
- (d) The move towards a differentiated sector with new "comprehensive" universities, universities of technology in addition to the "traditional" universities has taken place in the context of the corporatisation of the institutions
- (e) Although the April 2010 Higher Education Summit provided useful resolutions with regard to the establishment of a permanent Stakeholder Forum, an annual review process to assess progress in relation to the recommendations of the Soudien report, a focused recapitalisation of Historically Disadvantaged Institutions (HDIs), strengthening post-graduate studies and research, engendering of a new generation of academics, revitalisation of the academic profession, commitment to good corporate governance, curriculum enhancement, amongst others, it was limited due to the exclusion of discussions with regard to the position and employment conditions of support and service workers
- (f) The shift in the overarching paradigm from the people-centred and developmental framework of the RDP to the market-centred and narrowly growth-oriented Neoliberal framework of GEAR, with its severe budgetary cuts, saw the corresponding shift away from a focus on democratisation, equity and redress towards an emphasis on "doing more with less", in which efficiency and responsiveness became the main preoccupation in higher education
- (g) The higher education sector contains within it many dedicated academics and institutional leaders and includes world leaders in a number of academic fields
- (h) South African universities attract many students from countries particularly from Africa
- (i) The average age of South African academics is over fifty and there has been a drop in the number of staff under the age of 30 in the period 2003 to 2007 and an increase in the number of academics over the age of 50
- (j) South African universities have taken some important steps to change their demographic profiles and many black, female and poor students have been admitted to opportunities that were formerly unavailable to them
- (k) Out of the recent review of the National Student Financial Aid Scheme, it has finally been recognised that there are significant gaps between the NSFAS grant and the full cost of study for many students and that this underfunding significantly contributes to such a high number of drop-outs in South Africa, approximately 61% of African students
- (l) Access to a university education for many eligible youth is still a serious problem and this is partly because of problems of affordability
- (m) Our higher education system is highly differentiated, but the differentiation that exists still owes as much to the legacy of apartheid than to our post-apartheid reforms
- (n) Underfunding even with NSFAS available to poor students contributes to a significant number of drop-outs (approximately 61% of African students) and the fact that only 30% of students enrolled in bachelor degrees obtain their qualification in five years and that graduation rates of white students are almost double those of black students which constitutes a loss for our national development potential and a waste of talent and scarce resources
- (o) There are persisting challenges of:

- (i) Sustaining responsive and engaged knowledge institutions which are fit for the purpose of transformation and development in South Africa and in particular to respond to regional social and economic needs and Human Resource Development (HRD)
 - (ii) Producing socially responsible graduates conscious of their role in contributing to the national development effort and social transformation
 - (iii) Developing a well-organised, vibrant research and development system which integrates the research and training capacity of higher education with the needs of industry and of social reconstruction
 - (iv) Deepening robust and inclusive democratic processes in the higher education system and at institutional level
 - (v) Increasing access to and articulation within post-school education and training, particularly to the poor
 - (vi) Developing a framework for a continuum of institutions differentiated in relation to their strengths and purposes and linked to regional/local economic networks; and facilitating portability of students, academics and knowledge across the sector
 - (vii) Pressures of commodification and commercialisation in higher education since 1994 have privileged business efficiencies
 - (viii) The many factors impacting on the quality of the academic project
- (p) Many students learn and live under poor conditions
 - (q) Institutional autonomy has always been used as a bulwark against attempts to push forward the transformation process in higher education institutions, and this has often been conflated with academic freedom
 - (r) Whilst many institutions may claim progress in democratisation, from our point view the governing institutions especially the councils are hardly democratised as most councils are dominated by people who represent the interests of business or elites
 - (s) Higher education institutions (HEIs) are resisting the NEHAWU demand for a centralised collective bargaining arrangement in the sector hiding behind autonomy
 - (t) HEIs are certainly the worst employers in the public sector – epitomised by a pervasive disregard of the rights of workers and the extent of casualisation or the gross lack of decent employment in the sector
 - (u) Job security for many academics has been severely eroded, especially that of the young academics that have recently joined the profession, as they are increasingly hired on the basis of short-term contracts. On the other hand, their workloads have increased and so have student numbers – yet the posts have been frozen in a lot of instances
 - (v) The so-called “the Reitz Four case” at the University of the Free State represents a crude manifestation of what is actually a prevalent experience of many black students, academics and workers in historically white tertiary institutions
 - (w) Graduate unemployment in South Africa remains very high, especially amongst Africans (at 41%) which is highlighted by the fact that amongst those that graduated in historically white institutions, graduate unemployment amongst Africans is 42% whilst amongst whites it is only 10%
 - (x) There is passivity on the part on the Governing Councils on one hand and the dependence on management and the deference to alumni on the other

- (y) Corporatisation of institutions of higher learning, with all the highly pressurised competition for resources, prestige and influence, rather than engendering differentiation and diversity in the system, results in “institutional isomorphism”

Skills Development

- (a) The 9th national congress of the federation resolved to take the skills revolution to higher levels
- (b) The union and the federation have not been at the centre of this critical area of struggle
- (c) If this area is not attended to the suffering of the working class will be perpetuated
- (d) Most employers are developing Workplace Skills Plans (WSPs) and submitting them without meaningfully consulting with the union, resulting in such plans not looking at the interest of the lower ranking employees
- (e) Our structures do not have capacity to interpret, monitor and evaluate the WSPs
- (f) There is lack of skills audits and competency modelling framework
- (g) Non existence of union based RPL guiding document resulting in some members of the union being excluded from skills development programs
- (h) Progress in skills development since the relocation of skills development training from the department of labour to the department of higher education is to be welcomed
- (i) There is currently space in which to engage in the skills revolution for our country across sectors
- (j) The use of the skills levy by government departments remains a challenge in respect of ensuring appropriate skills are developed in the public service thus compromising service delivery
- (k) National Skills Development Strategy III (NSDS III) draft document has been released
- (l) The current proposal to change the SETA landscape to merge SETAs in the same supply chain is supported so long as contributes to closing the current wage gap although it does not link training to Employment Equity, Health and Safety, and Grading and Pay Issues
- (m) SETAs have been elevated to being the sole custodian of skills development to the exclusion of other role players
- (n) This important area of our revolution is over reliant on the capitalist class through the use of private service providers commissioned by the SETAs
- (o) Recognition of Prior Learning (RPL) has been lost in the skills development struggle making institutions of higher learning inaccessible to the ordinary workers
- (p) The recent Skills Development Summit arranged by the DHET

Believing that:

Basic education

- (a) Education is central to true liberation of our society

Post Schooling Education Landscape

- (a) Expanding human capabilities is the most critical challenge that needs to be met in order to achieve the developmental goals of South Africa

- (b) This is directly dependent on the creation of democratic spaces for public dialogues about how best to achieve the goal of expanding human capabilities and what roles different collectives can play in the process of implementing them
- (c) The South African economy and the sustainability of modern service delivery are largely dependent on the investments in education by the apartheid government
- (d) Greater success can be achieved if we build a solid foundation which in a child's life should be an early childhood education system of good quality
- (e) Education should be free, compulsory, universal and equal for all children
- (f) Institutional autonomy and academic freedom remain the primary mechanisms used to block thorough-going transformation, the creation of collective bargaining and to resist coordinated and targeted programme to meet the country's skills development challenges
- (g) Part of the reasons for the severe shortage of technical and vocational skills is the internationally abnormal situation of a high enrolment in higher education, a low Technikon university enrolment and even lower enrolment in FET colleges in South Africa

Further Education and Training

- (a) Institutional autonomy and academic freedom remain the primary mechanisms used to block thorough-going transformation in the FET sector, the creation of collective bargaining and to resist coordinated and targeted programme to meet the country's skills development challenges.
- (b) The FET sector is an important pillar in the development of the necessary skills base for economic development
- (c) A more dynamic relationships between SETAs and FET Colleges should be developed
- (d) The implementation of the new curriculum of the National Certificate (Vocational) and the Further Education and Training Colleges Act of 2006 has compounded problems affecting the FET sector
- (e) The manner in which the new curriculum has been implemented in the FET sector has compounded problems of high failure rate, high drop-out rate and increasing exit of lecturers from the sector
- (f) That the decisions at the September 2010 FETC Summit will have far-reaching impact on the sector
- (g) The training of FET lecturers must take place at the universities
- (h) The government must establish an institute that is dedicated to the support of FET colleges
- (i) Research on vocational training must be greatly expanded
- (j) Adult education post schooling should be streamlined linked to the FET colleges

Higher Education

- (a) Whilst the Freedom Charter and the constitution enjoin the progressive realisation of socioeconomic rights which emphasises the universality and decommodification of education, the current trajectory of change in higher education departs from this framework of universality and decommodification
- (b) Tertiary education, in particular higher education is playing a crucial role in the reproduction of the dominant ideological outlook in society that seeks to maintain the status quo

- (c) Building the developmental state will significantly depend on the extent to which the higher education system responds not only to the current shortage of skills in the broader economy but also the imperative to forge a competent public service cadreship and must mean a clinical rupture with all the key policies formulated within the neoliberal paradigm, including their manifestation in higher education
- (d) Higher education should be guided by the broadly progressive and participatory policy formulation process of the 1990s was translated into a framework of key principles of equity, democracy, effectiveness and development
- (e) The mergers of higher education institutions since 1994 have not lived up to expectations mainly because they were undertaken in the context of the corporatisation of these institutions that has entrenched hierarchical inequalities between them, which resulted in limited access and success rate of the working class students and engendered the deterioration of the conditions of service of the staff and the work-force in general
- (f) Post-2001 there has been inadequate financial support from government for the creation of effective developmental trajectories for all higher education institutions, given their different institutional histories and conditions and the challenges these have presented and the new economic and social development needs and goals of the White Paper and the priorities of the National Plan
- (g) The lack of transformation in higher education has resulted from policy choices that have been made in the restructuring and the mode of governance of the institutions- principally the corporatisation of the institutions
- (h) Corporatisation of institutions of higher learning, with all the highly pressurised competition for resources, prestige and influence, rather than engendering differentiation and diversity in the system, undermines the key objective of a diversified system that would improve access for students with different educational backgrounds and achievements
- (i) Changes have resulted in a more elite public higher education system - while the student population became dramatically more black, this was against an overall decrease in participation rates meaning effectively that while the complexion of the elite has changed, the gap between 'those with' and 'those without' higher education has not decreased
- (j) Academic freedom and institutional autonomy are necessary freedoms that enable our universities to effectively address the imperatives and developmental challenges of our society while the exercise of this autonomy on the part of the institutions must be accompanied by accountability especially in relation to the use of public resources vis-à-vis national priorities that include the transformation of our universities so that they become more equitable, inclusive and just
- (k) The private sector through its resources is able to influence and even impinge on the institutional autonomy
- (l) The largely racial and gendered inequities that continue to exist in education and research institutions are unsustainable
- (m) Most of the intellectual property that is generated in South African is contributed by white scientists, innovators and researchers who were beneficiaries of apartheid privileged education
- (n) The South African economy and the sustainability of modern service delivery are largely dependent on the investments in education by the apartheid government

- (o) Representivity is often reduced to the question of race, hence many of the councils are dominated by black people who represent the interests of business elites and the gender issue is addressed with the over-representation of elite women
- (p) Government has to play a key role through policies to maintain existing, formally regulated levels of diversity by containing academic conservatism and the tendency for other institutions to develop along the lines of the more dominant ones
- (q) In the context of the 2008 global economic crisis the social, economic and management sciences of HEIs have to undergo curriculum reform in order to liberate themselves from the enslavement by a single idea that the market is the answer to all of our societal and developmental problems
- (r) The task of NEHAWU in alliance with Progressive Youth Alliance (PYA) and other progressive formations in the sector is to deepen the transformation of these institution in favour of the working class, especially with regard to access, governance and the orientation of the curriculum design

Skills Development

- (a) The area of skills development is key to the emancipation of the working class from economic bondages and must not be subsumed to Higher Education and Further Education and Training in the DHET
- (b) Skills development must challenge existing power relations in the workplace and more widely and take centre stage in our transformation agenda, focusing on economic and societal needs
- (c) Unless ordinary workers see skills development as an important way of transforming their lives we will never succeed in achieving the goals of the system
- (d) The only way this can be realised will be a through vigorous program of action
- (e) It is essential to ensure that the COSATU Labour representatives on SETA Boards are capacitated to represent COSATU perspectives

Resolves to:

Basic Education

- (a) Call on the ANC-led government to declare education a societal issue.
- (b) Call for resource allocation to be needs based
- (c) Call for the content of the schooling syllabus to be transformed to prepare learners for the world of work and to instil patriotism in learner during their schooling career
- (d) Lobby the Department of Basic Education (DBE) to continue working hard to improve the levels of literacy and numeracy in our schools and to improve the quality of the educational achievement among all grades
- (e) Lobby that the Department of Women, Children and Disability should have a programme that would address the challenge of street children who do not access basic education resulting in their involvement in criminal activities
- (f) Call on Government to assess the quality of education in all communities both poor and rich and to eradicate differences in the system, by introducing a sustainable early childhood education system this would ensure that the level of quality of the education system benefits all our children

Post schooling education landscape

- (a) Engage the new Ministries of Higher Education and Training and Basic Education on an ongoing basis on issues of common concern
- (b) Call on Government to make a commitment to the realisation of a universal and free higher education system as a long-term goal, whilst in the short to medium-term the necessary intermediate steps are taken
- (c) Call on Government to complete the development of the Human Resource Development Strategy, ensuring that it identifies the short to medium-term skills outputs required with clear targets negotiated with the institutions in the post schooling system
- (d) As part of ensuring accountability in tertiary education, call for a guiding policy framework must be developed for the remuneration of institutional managers.
- (e) Call on Government to establish a collective bargaining unit across the sector under the PSCBC
- (f) Call for cancellation on outsourcing and privatisation in the entire tertiary education sector in line with the resolutions of the Alliance summit held in May 2008
- (g) Call for the introduction of community service for all students in areas identified by the state and where there is a greatest need
- (h) Within a year engage with other Unions within COSATU, Independent Labour to highlight the crisis in education and craft ongoing and radical programmes and campaigns to expand human capabilities
- (i) Mobilise retired educators and other professionals to voluntarily render their services to the youth that has is in desperate need of education, training and monitoring
- (j) Within a year convene a summit with all the key decision makers in the departments of education and the education institutions including Alliance structures to raise the urgency of embarking on a Cuban style massive literacy campaign and re-education of the OBE generation as well as establishing a secretariat with resources to coordinate the activities of the campaign
- (k) Mobilise community organisations, political parties, NGOs, faith-based communities, businesses, student organisations etc. to support the campaign for education and training
- (l) Develop a charter for learning and teaching

Further Education and Training

- (a) Engage the new Ministry of Higher Education and Training on:
 - (i) Fast tracking the scrapping of clauses in the Further Education and Training Colleges Act that provided for the creation of autonomous FET institutions in order to ensure that all workers in the sector are brought back to the employ of the public service
 - (ii) Developing a policy which will allow for a more dynamic role relationships between SETAs and FET Colleges should be developed to ensure that unspent funds located at the SETAs should be re-directed for use at FET colleges
 - (iii) Ensuring that the decisions at the September 2010 FETC summit are implemented
 - (iv) Calling for a national summit on the curriculum review with the view to move towards a relevant and progressive orientation of the higher education system in line with the country's development imperatives and to enhance the reticulation between FET and the other tertiary education sectors

- (b) Call for the expansion of the (FET) sector including ensuring that adult education is fused into the FET system
- (c) Call for the integration of the colleges sector as a whole and including the nursing and agricultural colleges, with the DHET setting a framework of standard and norms
- (d) Call for the collective bargaining unit in the FET sector, and to include a mechanism for the regulation of the remuneration packages of the principals and deputy principals
- (e) Develop a clear and targeted programme of recruiting and organising workers in different tertiary education institutions
- (f) Call for an audit of all colleges that have been closed, merged or those operating independently, to ascertain where and how those that have been closed could be re-opened
- (g) Call for the significant expansion of the number of places available in FET colleges and other vocational institutions which must become colleges of choice rather than merely a place for students who cannot make it to university
- (h) Work with the South African Students' Congress and other progressive formations in campaigning:
 - (i) Against unfair academic and financial exclusions and racism in higher education institutions
 - (ii) For thoroughgoing transformation and democratization of the governance structures beyond tokenistic race and gender appointments and students and worker participation
 - (iii) For engagements and implementation of recommendations in the report of the Ministerial Committee on "Transformation and Social Cohesion and the Elimination of Discrimination in Public Higher Education Institutions" in all institutions including FET Colleges

Higher Education

- (a) Call on the government to embark on a review process of the mergers in relation to operations, institutional culture, transformation, access, curricula, throughput rates, participation rates, diversity and differentiation and in particular of the funding formula and tailor it to a rational and fair differentiation that leads to the strengthening of the entire system to the benefit of its students and the country as a whole
- (b) In particular
 - (i) Reverse the merger of Medunsa and the University of Limpopo
 - (ii) Call for establishment of medical faculty attached to the University of Limpopo
- (c) Call for a reversion to the vision of the massification of the higher education system accompanied by clear medium to long-term targets relative to the demographic groups emphasising access to technical and natural science disciplines including demanding a racial quota system for the production of scarce skills professionals
- (d) Call for the expansion university enrolments over the next few years, including through the establishment of new universities in Mpumalanga and the Northern Cape
- (e) Ensure that the decent work requirements of academics and support staff are addressed by developing a guiding policy framework for the remuneration of institutional managers as well as establishing a collective bargaining unit across the

- sector under the PSCBC including a mechanism for the regulation of the remuneration packages of the vice chancellors'
- (f) Call for HEIs as statutory institutions for which government annually makes appropriations in Parliament and on which Parliament has passed policy and legislation in pursuant of national developmental goals to be required to report to Parliament on an annual basis, like all public sector institutions to ensure that the allocations given to are being used to realise the developmental purpose for which they have been appropriated thereby ensuring commitment to good corporate governance in institutions of higher learning
 - (g) Ensure that the review of the NSFAS results in a criteria that allow for the qualification of more students and that there is a clearly spelt out framework for the conversion of student loans into bursaries - linked to performance as intermediate steps towards the realisation of a universal and free higher education system as a long-term goal
 - (h) Call on government to ban institutions from withholding students' certificates of qualifications upon completion of their studies simply because they still owe the institution as this is a counter-productive practice in that it prevents graduates from gaining employment
 - (i) Call on Government to ensure that the National Research Foundation (NRF) includes a sponsorship of a Labour Chair in its portfolio, to undertake research and publication on labour studies, Marxist political economy and politics, rural studies, trade union education etc.
 - (j) Ensure that the NRF reviews the overall criteria used in sponsoring research in the NRF; in our view there is an entrenched practice that shuns bottom-up research outputs, especially where these involve working class communities
 - (k) Lobby government to fund research and innovation in order to contribute to our economic and social development and assist our country to compete internationally and to collaborate with a variety of international partners.
 - (l) Call on government to develop a policy on the RPL with clear framework for integration in student enrolment and this should be part of the on-going evaluation of the performance of the institution
 - (m) Call for the implementation of the Soudien report's recommendations which amongst other things called for:
 - (i) The development of a transformation compact between higher education institutions and the department with clear targets and strategies to deal with particular problem areas identified in the institutions
 - (ii) That when institutions develop these compacts, they do so with the involvement, as well as an awareness of the needs of all their critically important stakeholder groupings
 - (iii) The transformation compact should be included as an integral component of the institutional plans that are submitted by institutions to the department
 - (iv) The Minister considers establishing a permanent oversight committee to monitor the transformation of higher education and that this committee should submit an annual report to the Minister, who should make the report available for public discussion and ensure final implementation of recommendation.
 - (n) Call for the development of strategies to strengthen post-graduate studies and research and address the engendering of a new generation of academics and develop

programmes aimed at improving opportunities for young African academics particularly women in an attempt to revitalise the academic profession.

- (o) Call for the transformation of the curriculum towards social relevance and an orientation which supports students to become socially engaged citizens and leaders and contribute to the development of African languages as academic languages, understanding the role that language plays in development and education
- (p) Embark on a campaign to persuade larger numbers of young graduates to go on to post-graduate studies and to take up an academic career, ensuring salaries that they find acceptable and conditions of work that can provide job satisfaction and organise academics so that they are able to speak more forcefully for themselves
- (q) Call for better foundation courses and increased student support in addition to the work that some universities are already doing
- (r) Support the Ministry of Higher Education and Training's goal of establishing a permanent Higher Education Stakeholder Council which will meet possibly once or twice a year to interrogate various issues and processes in the higher education sector and keep the Ministry informed of the thinking of major stakeholders in the sector
- (s) Work with PYA and other progressive forces in the sector in developing a programme of action that will ensure the implementation of Soudien's as well as Higher Education Stakeholder Summit's recommendations, in order to fast track thoroughgoing transformation and address the current problems faced by workers and the working-class students.
- (t) Call on the Minister to establish a permanent oversight committee to monitor the transformation of higher education. This committee should submit an annual report to the Minister, who should make the report available for public discussion.
- (u) Call on government to play a key role, through policies intended to maintain existing, formally regulated levels of diversity by containing academic conservatism and the tendency for other institutions to develop along the lines of the more dominant ones. This will ensure an intended diversity and differentiation.
- (v) Call for a working group to be convened to take forward the framework for differentiation as envisaged by the summit to include workers and students organisations.

Skills Development

- (a) Prioritise the skills development revolution in the coming period and progress reports given by provinces to the CEC
- (b) Support in particular the following areas of NSDS III
 - (i) Anti-corruption framework
 - (ii) Location of rural development strategies and poverty alleviation strategies as integral elements of skills development
 - (iii) The demand of a direct roll-back of predators from the arena of skills development and the revitalisation of the public Further Education and Training Colleges
 - (iv) PIVOTAL programmes being incorporated into the mandatory grant sections and not be left to the discretionary grants
 - (v) The elevation of Equity, Class, Race, Gender, Age, Disability and HIV/AIDS to being strategic areas

- (c) Develop a comprehensive campaign in this area to make sure that skills development of our members becomes a priority in the public sector
- (d) Engage Department of Public Service and Administration (DPSA) to commission a review on skills development over the past five years in all the government departments to assist government departments to develop informed skills plans
- (e) Engage in other legal avenues to develop skills and leadership of our members as the SETAs are not the sole custodians of skills development
- (f) Develop the capacity of our representatives on SETA boards to understand the SETA environment and to represent NEHAWU
- (g) Develop a comprehensive approach to skills development in the area of Adult Basic Education and Training (ABET) and Early Childhood Development (ECD) through improving work with progressive organisations
- (h) Place ABET and ECD on the bargaining agenda in all the sectors where NEHAWU organises with mandatory training during working hours placed on the agenda
- (i) Launch a campaign for dedicated institutions with a focus on RPL with targets set in line with the National HRD Strategy
- (j) Implement all resolutions of COSATU Educators Forum and Conferences
- (k) Develop a tool kit on skills development that will assist members to engage with the skills development processes
- (l) Ensure that a tangible programme which should include establishing functional structures and enhancing their capacity to carry out the programme developed by the skills development officer
- (m) Develop a yearly alumni program to create a society of working class beyond membership
- (n) Utilise the comrades who underwent skills development training for purposes of ploughing back to the organisation.
- (o) Ensure that training committees are in place in all workplaces and progress reported to the second CEC of the 9th congress
- (p) Increase involvement and collaboration with the COSATU skills development forum

17.3.6 Transformation of Health

Noting that:

- (a) The adoption of the 10 Point Plan for Health by government emphasises the transformation of the health system
- (b) The very poor health status of South Africans, with high infant and child mortality rates and low life expectancy is a result of the lack of access to health care of the majority of our population
- (c) South Africa is falling further behind in relation to the attainment of the Millennium Development Goals on health
- (d) The strain and burden of disease is imposed by, among others, increase in population growth and HIV and AIDS pandemic on the health care system

National Health Insurance (NHI) / Universal coverage system

- (a) South Africa spends a big proportion of its national income on health by international comparison, but the bulk of these resources are consumed by the for-profit private sector and benefit a minority of the population making this one of the most skewed

and unequal healthcare systems in the world with a heavy concentration of benefits in the privileged 40% of the population who receive about 60% of health benefits

- (b) A national priority in the 2009 ANC elections manifesto is the implementation of a NHI within the 5 years before the 2014 general elections
- (c) The ANC National General Council reaffirmed the commitment to the NHI but indicated that the implementation would be from 2012 to 2025
- (d) The implementation of the NHI is Point 2 of the Government 10-point plan for Health
- (e) The growing high costs of medical schemes and the free market approach to health care, making membership of medical aid schemes unaffordable to many workers
- (f) The loss of medical aid benefits faced by many households due to the current massive job losses
- (g) The NHI system is a proposed healthcare universal funding model in line with the national health transformation process that covers the entire population irrespective of whether you have contributed to the scheme or not
- (h) There is a delay in the release of the National Health Insurance framework document from the Cabinet
- (i) Medical aids, medical aid administrators and the private health sector persistently attack the NHI particularly in the media
- (j) The introduction of the Government Employees Medical Scheme (GEMS) is based on public-private partnership between government, medical aid administrators and private service providers

Human Resources

- (a) Poor servicing, under staffing and a lack of proper resources in clinics, community health centres and hospitals is common
- (b) There are disparities in the distribution of human resources in health between the public and private sectors despite the fact that the majority of health workers are trained by the state
- (c) The public health sector faces challenges of human resources development
- (d) The South African Health care system is nurse-centred but there is lack of focused, proper coordinated and managed nursing services and resources in the country
- (e) Community Care Workers (CCWs) jobs cannot be considered to be decent because of their conditions of service

Primary Health Care

- (a) Despite the adoption of good policies by the government, the Primary Health Care and the District Health System is in a poor state at the moment due to inefficiencies in the use of available resources for health promotion, prevention of diseases, treatment and rehabilitation
- (b) Government has committed itself to the re-engineering of Primary Health Care based on the Primary Health Care Approach

HIV and AIDS

- (a) HIV and AIDS is a pandemic of epic proportions
- (b) Workers and communities are most affected by this pandemic

- (c) The aim of South Africa's National Strategic Plan on HIV and AIDS and STI is to halve new HIV infections by 2011
- (d) People in deep Rural Areas still lack information in terms of HIV and AIDS
- (e) South Africa continues to be home to the world's largest population of people living with HIV - 5.7 million in 2008
- (f) HIV prevalence among ante-natal women 1990-2008 rose from 0.7% in 1990 to a peak of 30.2% dropped to 29.1% in 2006 but has risen to 29.4% in 2007 and dropped slightly 29.3% 2008
- (g) The proportion of adults reporting condom use during their first sexual encounter rose from 31.3% in 2002 to 64.8% in 2008
- (h) The safe sex campaigns including condom use and the anti-retroviral treatment has had some impact but has slowed down from 30.2% to 29.3% in 3 years
- (i) In April 2010 this year a massive HIV Counselling and Testing (HCT) campaign was initiated with the ambitious target of testing 15 million people by June 2011 and through this to reduce the number of new HIV infections by half by the end of 2011
- (j) The HCT campaign is not just about HIV counselling and testing but also improving all aspects of care, the following services have also been integrated into the campaign:
 - (i) Blood pressure to check for Hypertension
 - (ii) Blood sugar measurement to check for diabetes mellitus
 - (iii) Haemoglobin measurement to check for anaemia
 - (iv) Symptomatic TB screening

Pharmaceutical Sector

- (a) A resolution on the establishment of a state pharmaceutical manufacturing company was adopted at Polokwane conference
- (b) The Ministry of Health has on a number of occasions indicated concern that the prices which are paid for ARV drugs in South Africa is 30% higher than it should be and has argued that ARVs must be purchased at the lowest possible cost from whatever source that can guarantee us the lowest prices, whether it's inside the country or outside the country
- (c) IPAP identifies the expansion of domestic pharmaceutical production as one of its apex priorities.
- (d) The production of generics is highly dependent on securing access to APIs and in turn the production of APIs is subject to economies of scale.

Believing that

- (a) The legacy of the past remains as the geographical allocation of funds and resources is still skewed towards the white orientated section of our society creating a two tier health care system in which the private health care system has and continues to develop at the expense of the public health care system and access to resources continues to be out of the grasp of working class and the poor
- (b) Access to healthcare is a fundamental socio-economic right enshrined in the Constitution and it must be universal equally accessible to all citizens

National Health Insurance (NHI) / Universal Coverage System

- (a) The two-tier system of health care in South Africa continues to perpetuate class and race divisions and entrenches disproportionate funding of, and access to health care
- (b) The introduction of the NHI Plan based on the Primary Health Care Approach is an important step in the transformation of the SA health system and is in line with our long term view of the delivery of health care under socialism
- (c) There is a sound economic rationale for introducing the NHI to ensure universal access to quality health care in which the principle of social solidarity allows the state to provide mechanisms to ensure cross subsidisation and pooling of the funding within the private and public sectors so that access to health care, free at the point of use must not be based on the individual's ability to pay but on the individual's health care needs
- (d) The current medical aid system is not sustainable as evident by the current erosion of member benefits
- (e) The implementation of the NHI must be defended in all sites of struggle
- (f) GEMS can be a building block towards utilising its transformatory potential in the move towards the NHI

Primary Health Care

- (a) The successful implementation of the NHI requires the transformation of our health system as a whole including a stronger orientation towards the Primary Health Care Approach in the context of a properly functioning District Health System and is a step towards the broader transformation of our health system towards the full socialisation of health care and medicine
- (b) The under-funded and overworked public sector must be strengthened to care for the majority of our citizens especially those who cannot afford to pay for quality health services

Human Resources

- (a) The training of nurses was severely compromised by the closing of the nursing colleges
- (b) As the average age of nurses employed by the state is 55 serious investigation of task shifting should be undertaken
- (c) CCWs are a cornerstone of the delivery of services within the context of the Primary Health Care Approach
- (d) The integration of the CCWs into the public service, with a living wage dispensation will not only contribute to a reduction in unemployment and poverty but also contribute towards the attainment of the Millennium Development Goals (MDGs)

HIV and AIDS

- (a) All South Africans who are sexually active should get tested on a regular basis and disclose voluntarily
- (b) Primary health care is a key to access health care services

Pharmaceutical Sector

- (a) IPAP should be used to develop a comprehensive pharmaceutical strategy and to structure the support that is provided to the private pharmaceutical industry in a way that it should enhance rather than hamper the long-term objective of a state-owned pharmaceutical company
- (b) State-owned manufacture can derive economies of scale by responding to other medicinal needs beyond ARVs

Resolves to support the implementation of the government 10 Point Plan

National Health Insurance (NHI) / Universal coverage system

- (a) Take a lead in mounting a campaign to ensure the realisation of the election promise of implementation of the NHI through mobilising all workers in COSATU Unions and in non-COSATU trade union structures
- (b) Expose the waste and misuse of health care funds in the medical scheme industry for purpose of profit making.
- (c) Mobilise all NEHAWU members through education campaigns so that they are able to occupy the space in the public and in the media in defence and support of the NHI
- (d) Ensure that the implementation of the NHI is mass driven so that our members can monitor the implementation of the NHI thus holding the Ministerial Advisory Committee (MAC) accountable to the outlined priorities
- (e) Challenge the time frame for the implementation of the NHI adopted at the ANC NGC
- (f) Call for the fund to operate as a single public payer accountable directly to the Minister so as to ensure administrative efficiency, savings in administration and payment as well as the ability to ensure that the poor would have equal access to funding
- (g) Affirm its belief that any state funding required for the additional cost of extending health coverage to all in South Africa should be drawn from national revenue and that if VAT is to be increased this should only be done on luxury items and should not impact on the income of poor and working class households
- (h) Participate in all the "red" campaigns mounted by the South African Communist Party to mobilise all community members
- (i) Use GEMS' progressive elements as a step towards NHI by demanding a link between GEMS and adequate funding of health
- (j) Ensure that the introduction of the NHI does not take place at the expense of workers who are currently employed in the private medical aid scheme industry through engagement with government

Human Resources

- (a) Call on Government to radically review the Human Health Resource Plan to ensure appropriate targets are set for the employment and production of doctors, nurses and other health workers in the public sector
- (b) Call for the filling of all currently vacant posts within the public health sector and to open new posts where necessary before the 10th NEHAWU Congress
- (c) Call for joint appointments to be inclusive of union participation especially at academic hospitals and universities
- (d) Support the call by Government to re-open the nursing colleges before the 10th NEHAWU national congress

- (e) Vigorously organise Community Care Workers working in the NGOs, whilst campaigning for their employment in the public service. To this end NEHAWU must convene a national meeting to discuss a policy framework for community based workers (Community Development Workers (CDWs), Community Health Workers (CHWs), CCWs and Home-Based Carers (including those paid through the Expanded Public Works Programme))
- (f) Develop further detailed policies on:
 - (i) Mid-level Workers
 - (ii) CCWs in relation to regulation, training, career pathways, incorporation into the public sector including financing as part of the development of our human resource framework
 - (iii) The transformation of the South African College of Medicine
 - (iv) The establishment of a regulatory body for the examination of post graduate qualifications in medicine

Primary Health Care

- (a) Call for the full implementation of the Primary Health Care Approach by the national and provincial departments of health as an essential element in the transformation of the health system
- (b) Call for state aided institutions to be absorbed into the public sector

Revitalise Physical Infrastructure

- (a) Call for the revitalisation of all public health facilities prioritising poor provinces whilst acknowledging that the supply of human resources must accompany the infrastructure revitalisation
- (b) Call for the extension of construction of public health facilities into rural areas and that these should either be concluded before 2011 local government elections, failing which plans for the construction should be concluded
- (c) Calls for the revitalisation of tertiary institutions which are utilised as training grounds for health professionals
- (d) Affirm NEHAWU positions that funding for infrastructure be obtained through state finance development institutions and that privatisation and outsourcing beyond this—particularly for management or service delivery—should be opposed including private wings within public hospitals

HIV and AIDS

- (a) Call for the establishment of a fully-functional HIV and AIDS desk that will run a comprehensive campaign around this pandemic
- (b) Call on all NEHAWU members should be tested on a regular basis and disclose voluntarily
- (c) Ensure that awareness campaigns should be ongoing and 1 December should not be the only day on which to highlight the plights of HIV and AIDS but the awareness campaign should be ongoing

- (d) Consider the release of full-time shop stewards as there is a need for full-time provincial HIV and AIDS coordinators
- (e) Establish Provincial HIV and AIDS desks by the 10th congress
- (f) Call for the Government Disability Grant to be comprehensive and ensure that recipients who are living with AIDS do not lose their access to grants irrespective of their immune system health improves
- (g) Call on the Government to ensure that the provisions of the Social Security Act are clearly outlined to the people
- (h) Call for the recognition of traditional medicine in the main stream pharmaceutical sector
- (i) Campaign for sustainable structures consisting of CCWs to education patients, follow up on existing projects to assist people living with HIV and AIDS in taking care of themselves.

Pharmaceutical Sector

- (a) Engage government with a view of ensuring that the creation of the NHI strengthens the move towards the creation of a state pharmaceutical company and local procurement of medicine
- (b) Lobby Department of Trade and Industry to ensure that IPAP should be used to develop a comprehensive pharmaceutical strategy and to structure the support that is provided to the private pharmaceutical industry so that it enhances rather than hampers the attainment of this objective as part of affirming the long-term objective of a state-owned pharmaceutical company as called for in the Polokwane resolution.

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17.3.7 **Climate Change**

Noting that:

- (a) COSATU convened a workshop on Climate Change and it was realised that there are many issues we need education on
- (b) NEDLAC Labour Constituency is having discussions on Climate Change issues
- (c) The mounting evidence of global warming and climate change and it's harmful effects
- (d) The global economic meltdown also results in recession and job losses
- (e) Some countries are already beginning to invest heavily in renewal energy technologies

Believing that:

- (a) Climate Change is a significant issue that needs research and discussions in the labour movement
- (b) NEHAWU should be involved in the process of education, research and discussions

Resolve to:

- (a) Call on government to invest in new green technologies in order to create new kinds of skills and jobs whilst reducing the carbon footprint
- (b) Participate in the COSATU and NEDLAC processes of discussion and research on Climate Change issues through its PDU

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17.4 ORGANIZATIONAL RESOLUTIONS

17.4.1 Ten Year Plan

Noting that:

- (a) The 10 Year Plan has not been fully internalized by our structures.
- (b) Lack of monitoring, review and evaluation the implementation.

Believing that:

- (a) Long-term planning remains relevant and appropriate.
- (b) Continuous review of the plan is a necessity.

Resolving that:

- (a) All our structures should undertake a comprehensive review of the 10-year plan.
- (b) The 2nd CEC of the 9th National Congress should receive report on the review of the 10-year plan.
- (c) Based on the review, the CEC should develop a new coherent long-term planning.
- (d) Through the CEC, the union should develop mechanisms to popularize the 10-year plan.
- (e) The CEC must ensure that the annual review of the 10-year plan should be inculcated and mainstreamed moving forward

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17.4.2 State of Head Office

Noting that:

- (a) Substantial progress has been made since the 8th National Congress, on turning the state of the head office around.
- (b) There are still challenges in some of the head office service centres/departments in terms of strategic orientation and staff turnover.
- (c) The relationship between the head office and provinces remains a challenge.
- (d) Establishment and the work of the Union Machinery Review Task Team.

Believing that:

- (a) The head office has a strategic coordination role to play.
- (b) The decision to establish the union machinery task team is a correct one.

Resolving that:

- (a) To urgently undertake an Organisational Development process once the current review has been completed.
- (b) The progress on the state of the review be monitored and adjusted by the National Executive Committees on a regular basis.
- (c) The work of the union machinery review task team must be integrated into the union's longer-term Organisational Development process.

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17.4.3 **Recruitment and membership**

Noting that:

- (a) Lack of progress in terms of implementation of the 8th National Congress Resolutions on the review and allocation of funds to provinces.
- (b) The 10% membership growth nationally.
- (c) That we are still without a proper and tangible organising, recruitment strategy and kit.
- (d) That our membership data capturing has not been fully decentralized to provinces and Regions.

Resolving that:

- (a) The union should develop a "sectoral document" to guide the union in workplaces where the union is organized in some categories.
- (b) We re-affirm the decentralisation of membership to provinces and regions and further resolve that it be cascaded down to Regions.
- (c) The union should develop a favourable responsive system (NEHAWU) on cancellation of rival unions.
- (d) The union should on an expedited basis develop a comprehensive organising and recruitment strategy to be presented in the first CEC of the 9th National Congress.

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17.4.4 **Violence at the Workplace**

Noting that:

- (a) Our union is made up of membership that directly services the community.
- (b) Most of our members are women and work shifts and they become victims of criminal as well as service user violence.
- (c) Violence in the workplace happens in most of our public institutions and mostly laws do not protect our members.
- (d) The World Health Organization and PSI have come up with a handbook and guidelines on violence in the workplace.

Believing that:

- (a) Occupational Safety and Health Act is to assure safe and healthful working conditions for every working person and to preserve our human resources.
- (b) Our members, like other members in the public services need to be protected against violence in the workplace and between workplace and their residential places.

Resolving that:

- (a) There has to be regulation, in terms of relevant legislation, covering our members in all sectors against violence.

- (b) Our members should be provided with transport especially when they have to work early or late shifts like it is happening in the safety and security.
- (c) The issue of violence in the workplace to be put on the bargaining agenda as a matter of urgency.
- (d) Adequate security must be provided at the workplace.

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17.4.5 **Education and Training**

Noting that:

- (a) Challenges in terms of Branch Based Education and Training leading to lack of inroads in terms of political and ideological developments.
- (b) The rapid leadership turnover in the ranks of trained cadres within the union structures.
- (c) The continued complaint about the inadequacy and quality of our education work and its inability to meet the challenges that confront the union leadership at branch level.
- (d) The conduct of some of the shop stewards during the strike, which tended to surface their inability to provide leadership during difficult times.
- (e) Lack of empirical data on the trained cadres within the union.
- (f) Capacity building within the federation is currently delinked from that of affiliates.
- (g) The established labour service organizations not been optimally used to enhance the trade union education and training.
- (h) Ring-fencing 10% of the provincial allocation is insufficient.
- (i) The absence of mechanisms to develop second layer leadership.

Believing that:

- (a) Education and Trade is central in the development of organizations.
- (b) Development of the database is central in targeted training and impact assessment.
- (c) Funding education and training is critical.
- (d) Continuous development of leadership is central.

Resolving that:

- (a) Intensify the training of shop stewards through the branch-based education.
- (b) Develop and establish a comprehensive database for all the trained.
- (c) The training materials should be reviewed in accordance to sectoral needs.
- (d) All our organizers must be involved in the delivery of trade union education, especially the induction of shop stewards.
- (e) Develop a comprehensive leadership development programme, targeting regions and branches.

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17.4.6 **Collective Bargaining**

Noting that:

- (a) No scientific systems of monitoring our work within the union on this aspect
- (b) Lack of coordination, synergy and cohesion between national bargaining structures and those of other levels within the union such as (Chapter 9 institutions, Human Rights Commission, Public Protector, Parastatals) National and Provincial Departments.

Believing that:

- (a) Collective Bargaining is a tangible means to measure and evaluate the overall performance of the union.
- (b) Collective Bargaining is an important tool in the effective servicing of members at all levels.
- (c) The involvement of members through the workplace structures remains an important step in the collective bargaining process.

Resolving that:

- (a) Improve coordination, cohesion and synergy on centralised collective bargaining at all levels.
- (b) That the collective bargaining structures and forums should be established at all union levels.
- (c) All our work on collective bargaining should be linked to the collective bargaining conference resolutions.
- (d) Measures must be put in place to increase the union membership thereby achieving 50+1 majority across the collective bargaining councils.
- (e) The organizing service centre needs to develop responsive monitoring mechanism that will ensure that work done at branch level is compliant to the resolutions.
- (f) The capacity of negotiators needs to be fine tuned on regular basis to be able to respond to forever changing needs of core business of the union.

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17.4.7 **PSCBC Dispute Resolution Procedures**

Noting that:

- (a) The PSCBC is the national bargaining forum for public sector unions with the state as the employer.
- (b) The PHSDSBC and GPSSBC sectoral dispute resolution bodies falls under the auspices of the PSCBC.
- (c) The LRA of 1995 as amended advances the speedy resolution of labour disputes.
- (d) The PSCBC has been set up in terms of the LRA of 1995 as amended.
- (e) The CCMA as set up by the LRA of 1995 as amended is able to deal with disputes in a quicker time that the PSCBC and its sectoral dispute resolution councils.
- (f) It is predominantly trade unions and public service employees who refer cases and disputes to these councils.
- (g) Affected members are complaining about the long time periods it takes to resolve disputes that are referred to these dispute resolution councils as its can take up to a year for a final outcome. Some members decline to refer disputes because of the time period.

Believing that:

- (a) The effective and speedy resolution of public sector disputes i.e. both individual and collective disputes are in the interest of our members.
- (b) The PSCBC and its sectoral disputes resolution councils are not part of the public service; hence service delivery should be much quicker to employees and trade unions that utilize its services.
- (c) It is the trade unions and its members who suffer from poor and delayed service by the PSCBC.
- (d) The PSCBC has become a self-servicing bureaucracy and needs to be transformed.

Resolving that:

- (a) The PSCBC Dispute Resolution Mechanism must be reviewed to ensure speedy resolutions of disputes within the Public Service.
- (b) NEHAWU must through the PSCBC national structures ensure that the PSCBC and its sectoral disputes resolution councils reduce the time limits in dealing with disputes.
- (c) We must struggle to force the PSCBC and its sectoral dispute councils to drastically reduce the time that it takes for them to deal with and resolve disputes. This struggle may include the campaigning for the change of legislation to ensure stricter time-frames and the adherence thereto.
- (d) We must campaign for the drafting of stricter guidelines for readily and easily granting postponements and latitude for employers as this also adds to delays in resolving disputes.
- (e) We must campaign for an analysis and evaluation of the challenges within the PSCBC and its Councils which leads to the delays in resolving disputes. This analysis must be used to change and improve the delivery of service which should lead to speedy resolving of disputes within agreed time-frames.

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17.4.8 **The 2010 Public Service Strike**

Noting:

- (a) The negotiations in the public service are with the democratic state.
- (b) The high level of mobilization of public service workers in the biggest, longest and historic public service strike, with major public service institutions involving hundreds of thousands of workers.
- (c) The leading role that NEHAWU and SADTU played in sustaining worker mobilization throughout the strike where they held and defended picket lines.
- (d) The level of unity, solidarity and determination of the public service workers displayed through united actions of all COSATU unions and "independent unions", throughout the strike.
- (e) That this historical strike delivered massive impact and strengthened the power of the workers at the negotiating table, leading the employer to move from ideologically driven 5.3% to 7.5% to address the real concerns of the workers i.e. narrowing the wage gap and addressing the huge staff shortages.
- (f) The attempts by the government to harass, intimidate and divide our members, through dismissals and police brutality and media propaganda, all aimed at breaking the workers resolve to strike.

Believing that:

- (a) The public strike had delivered a strong message to government that the public service workers say, enough is enough, we deserve better for the contribution our labour make to provide services to millions of our people.
- (b) We have shown our capacity to mobilize and strike where it hurts.

Resolve to:

- (a) Call off the public service strike, sign the employer's settlement agreement in order to secure the gains achieved through the strike and secure the jobs of our dismissed members.
- (b) Call on all other unions to sign the employer's settlement agreement to secure the achieved gains.
- (c) Keep our members mobilized for future struggles that lie ahead in the public service.
- (d) Step up the extent of consultation with the members at each and every step of negotiations.
- (e) Overhaul the structures of the PSCBC and sectoral councils in order to ensure efficiency and expediency.
- (f) Set up bargaining forums, as a matter of extreme urgency, throughout the union structures.

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17.4.9 **Strike Support Fund**

Noting that:

- (a) The union is struggling to adequately support and resource workers during strike action period;
- (b) The general membership of the union always require funding for transport and T-shirts during the strike period;
- (c) Majority of our members are unable to attend the pre-strike marches, that are intended to strengthen the up-coming strike;
- (d) The employer concede nothing without a demand
- (e) Workers demands and improved conditions can only be achieved through struggles; if there is no struggle there is no progress.
- (f) The recent public sector strike and the 2007 strike have shown that without a dedicated fund, we are unable to provide transport, T-shirts and all material required by members.
- (g) The sustainability of our strikes is also compromised by lack of sufficient funding
- (h) The union does not always have enough funding to finance the strike preparations because strike is an unforeseen event.
- (i) The union uses lots of funds during strike which were not budgeted for

Resolving that:

- (a) The union should establish a strike support fund to support workers' activities during the strike periods;
- (b) The first CEC should determine the modalities in relation to the amount and what other strike related activities should the fund cover.

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17.4.10 **Proportional Financial Allocation**

Noting that:

(a) The current formula of allocating funds to provinces is not proportional to membership.

Believing that:

(a) The funding is critical to servicing of membership.

(b) Demographics of provinces are not equal, in terms of geographical, economic and social status.

(c) Provincial financial allocations should be based on scientific needs-analysis.

(d) Equal budget for all provinces tampers with the service delivery.

Resolving that:

(a) The 9th National Congress agrees to effect financial allocation proportional to provincial membership.

(b) The allocation must be based on the principle of cross-subsidisation and geographical spread.

(c) More resources should be placed and committed at the disposal of the regions.

(d) The 1st CEC of the 9th National Congress shall set the parameters and modalities.

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17.4.11 **Building Public Service Cartel**

Noting that:

(a) The 8th National Congress resolved on the Building Public Service Cartel.

(b) Not much progress has been made since the adoption of the resolution.

Believing that:

(a) The 8th National Congress resolution on building public service cartel remains relevant.

Resolving that:

(a) Reaffirm the 8th National Congress resolution on building public service cartel.

(b) The COSATU National Office Bearers through the Joint Mandating Committee should facilitate the Building of Public Service Cartel project.

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17.5 INTERNATIONAL WORKING CLASS SOLIDARITY

17.5.1 **Racism, Xenophobia and Afrophobia** {GP, NW, FS, Mp, Limp, NC & RC}

Noting that:

- (a) The history of humanity has always been a history of migration
- (b) Migration has been related to patterns of uneven and combined development
- (c) The ruling capitalist class - a minority - maintains power by creating divisions in the working class – a majority. United we stand , divided we fall
- (d) Capitalism in crisis, creates conditions of war, poverty, unemployment and political instability forcing people to migrate and the capitalist class whose system is in crisis uses workers as a scapegoat
- (e) Lack of processes by government to understand the factors leading to attacks, on people of African Decent
- (f) Support given to foreign nationals during the FIFA World Cup and the support received from foreigners by the South Africans
- (g) Crime tactics hidden behind xenophobic attacks
- (h) Emergence of the right wing tendencies in Tshwane and North West, and the Reitz Four
- (i) Eviction of farm workers and refusal of burial of farm workers in the farms
- (j) Continuous tendencies to fuel violence in the pretext of media freedom
- (k) Racism and xenophobia in our society still persists and many of our members are also affected by these backward beliefs.
- (l) Racism and xenophobia have not been eradicated in workplaces, especially in the private sector.
- (m) Many incidents and cases of racist and xenophobic crimes are not reported and perpetrators are released without conviction.
- (n) Lack of a programmatic approach in dealing with racism and violence in the workplace particularly in private social welfare and parastatals.
- (o) Lack of education and awareness on the history of the struggle of South Africans and the crisis that is happening in the world
- (p) Foreigners contribute skills to society and the economy

**Our understanding as a Marxist Leninist organisation is that the use of the word "Foreigner" refers to non-South African citizens usually political refugees and working class migrants.*

Believing that:

- (a) Our democratic constitution has created a foundation for the construction of a society relatively free of the rampant racism and xenophobia that is plaguing our society at the moment.
- (b) Some xenophobic tendencies arise within the context of rampant unemployment and the subsequent perception that nationals from foreign countries take employment opportunities which would have been meant for South Africans.
- (c) All foreigners in South Africa must be able to exercise their human rights under the protection of the Constitution

Resolve to:

- (a) Call on Government to develop a programme to promote Anti- xenophobia in communities and all levels of society

- (b) Develop a programme to combat all forms of discrimination and prejudice on the grounds of race, gender, nationality, ethnicity, etc. within the union, in our workplaces and society at large.
- (c) Ensure that this programme is integrated into our political education work for our membership.
- (d) Collaborate with other organizations campaigning against human rights abuses, as part of our fight against all forms of prejudices and discrimination.
- (e) The state must initiate a process for a progressive and responsive migration policy
- (f) Union should develop a guiding document on how to deal with racism within workplaces.
- (g) The union should develop an extensive campaign to eradicate racism in all workplaces.

17.5.2 **US counter-revolution and Cuban Five Patriots in the USA prison** {RC, FS, Limp, NC}

Noting that:

- (a) US Government has intensified its brutality against 5 Cuban patriots.
- (b) Since the 1959 socialist revolution in Cuba, imperialist United States with the support of other countries has unsuccessfully sustained a counter-revolutionary campaign directly through economic blockade and sabotage, as well as indirectly through criminal and terrorist Cuban gangs and international media propaganda.
- (c) The recent concerted counter-revolutionary measures by US and EU on spurious charges of human rights violations to roll-back the Cuban revolutionary gains and to install its own puppet regime.
- (d) Media propaganda is often biased towards US Imperialists and such media present that Cuba is being governed by the Castro family as a dictatorship.
- (e) The UN is used to legitimise counter- revolutionary purposes

Believing that:

- (a) The action of US government is against the international human rights
- (b) Many decades of the US imperial blockade and counter-revolutionary economic sabotage against the Cuban revolution has caused massive human and financial damage on the Cuban people yet the Cuban people have remained steadfast and in defiance against the USA counter-revolution and in defence of their socialist revolution and sovereignty.
- (c) As a sovereign state, Cuba has a right under international law to use all the necessary means at its disposal to defend its sovereignty and to combat the terrorist activities of the Miami Cuban Mafia and USA imperialism.
- (d) International solidarity and defence of the Cuban revolution is an integral component of a fight against US imperialism, capitalism and for socialism.
- (e) The selfless Cuban solidarity in support of the national liberation struggles and socialist revolutions in Africa and Southern Africa in particular, was vital life-blood of our own liberation and an exemplary principled internationalism.
- (f) The Cuban revolution and its achievements, particularly in terms of the defence of national sovereignty, internationalism, education, health, social services and participatory democracy, serves as a model and an inspiration to oppressed peoples all over the world.

- (g) It is the duty and responsibility of all progressive forces to support the struggle of the Cuban people to defend their sovereignty and the remarkable achievements of their revolution and socialism.
- (h) Despite its undemocratic structures, United Nations remains the single most important world authority on international multi-lateral relations amongst states and peoples.
- (i) UN decisions of General Assembly and other charters are supreme laws binding to all national states regardless of military power or wealth.
- (j) The relationship between Fidel Castro and his brother, Raul, does not represent a dictatorship.

Resolve to:

- (a) To intensify our campaign to put pressure on US Government to immediately and unconditionally release Cuban Five
- (b) Demand the immediate and unconditional release by the United States government of the five Cuban patriots.
- (c) Condemn the decision adopted by the biased US judicial system that prosecuted and jailed the Cuban 5 who remain imprisoned in the United States for fighting against terrorism.
- (d) The union must encourage members and the alliance to actively participate in and commit to support the campaign launched by FOCUS for the release of the five Cuban heroes, by:
 - (i) collecting signatures on the FOCUS petition;
 - (ii) encouraging members to write to the US ambassador in South Africa and demand the release of the five Cuban heroes;
 - (iii) encouraging members to write letters of support to the imprisoned comrades; and
 - (iv) encouraging our members to join and participate in FOCUS activities.
- (e) Contribute in the intensification of the mobilization of the South African people against attempts by the US administration warfare state to declare an open and full scale war against Cuba.
- (f) Demand of the US government the immediate and unconditional lifting of the economic blockade imposed on Cuba.
- (g) Challenge the government on its role in relation to the defence of the Cuban revolution, and the need to make clear condemnation pronouncements against the US policies and operations against Cuba to intensify the FOCUS campaign in September and commit resources to these activities which should be incorporated into our organisational programmes.
- (h) Challenge the media that promotes the US imperialism and work towards the establishment of a progressive media alternative.
- (i) Engage students and other likeminded organizations to support the campaign for the re-arrest and imprisonment of the Mafia person (Luis Posada Carilles) that was released under mysterious conditions.
- (j) Campaign for the closure of the torture centre, Guantanamo Bay.
- (k) Normalise the relations between Cuba and the US, open trade and free movement of people

- (l) To demand the US government to stop the injustice that has been directed to 2 of the wives of the 5 by denying them access to their husbands

17.5.3 **Middle East and Palestine** {FS, Limp, NC}

Noting that:

- (a) There are no tangible improvements on resolving the conflicts in Middle East
- (b) This year marks the 43rd Anniversary of the occupation of the West Bank, Gaza, East Jerusalem and the Gola Heights by Israel.
- (c) The Zionist Israeli entity in cahoots with Anglo-American imperialism has launched a criminal war against the poor and innocent people of Palestine and Lebanon under the guise of fighting Hizbolah and Hamas, causing a humanitarian crisis that amounts to a crime against humanity.
- (d) For decades the Israeli state and its allies have tried to crush the Palestinian people's liberation struggle against the occupation of their land and for the return of more than two-thirds of its people to their historic land of Palestine.
- (e) In its attempts to crush the liberation struggle of the Palestinians, the Israeli state has violated numerous international and humanitarian laws and defied several United Nations Resolutions. This includes the deliberate bombings of ordinary people, assassinations and murder of leaders, depriving entire populations of access to basic resources, denying them the freedom of movement, detention without trial and torture of thousands of Palestinians
- (f) Israel is an apartheid state that discriminates on the basis race. In defiance of the International Court of Justice, Israel built Apartheid walls to entrench the creation of Bantustans to confine and entrap Palestinians to small pockets of land and further oppression. Israel must be held responsible for the war crimes it has committed
- (g) The double standards and failure by the International Criminal Court to prosecute Israel for human rights abuses
- (h) Progressive forces from all over the world, including several trade unions, are campaigning for Israel and its allies to stop the bombing and killing of the Palestinian and Middle East. This includes the call by the Boycott National Committee of Palestine and all organisations including COSATU that support this decision for calls for sanctions and boycotts to be imposed against Israel by:
- (i) Other countries in the continent and abroad suffer the same problems as Palestine in the hands of the same imperialist proponents.

Believing that:

- (a) Our national liberation struggle against Apartheid and the struggles of the Palestinians and other anti-imperial struggles for liberation and freedom is part of the same international struggle.
- (b) The international mobilization of the Anti-Apartheid movement was one of the critical pillars of our liberation struggle, which was geared at a globally enforced sports and cultural boycott, economic sanctions and political isolation of the Apartheid regime.
- (c) The genocidal Zionist entity has committed human rights abuses and crimes against humanity in collaboration with the imperial USA and Britain, for which they must stand accused and held to account.

We therefore condemn:

- (a) In the strongest terms, the war crimes that are currently being perpetrated against the people of Palestine and Middle East as well as the wanton destruction of life-sustaining infra-structure in Palestine and Middle East.
- (b) The deliberate impotence of international agencies and either, the silent complicity and/or the active support of most governments in these acts of terror.
- (c) The current and ongoing shipment of armaments from the US to Israel, the detention of almost 10 000 Palestinian and Middle East prisoners, including women and children.

We therefore resolve to:

- (a) Intensify our campaign to support the resolution on Middle East
- (b) Re-affirm the 8th congress resolution and CEC must develop a programme for implementation of the resolution
- (c) NEHAWU supports the BDS campaign and calls on Government to withdraw diplomatic relations with Israel and establish diplomatic and economic relations with Palestine
- (d) Pledge our solidarity and support to the struggle of the Palestinian people for freedom and condemn in the strongest terms:
 - (i) The war crimes that are currently being perpetrated against the people of Palestine and Lebanon.
 - (ii) The wanton destruction of life-sustaining infra-structure in Palestine and Lebanon.
 - (iii) The shameful paralysis, complicity and active support of some governments in the face of these crimes.
 - (iv) The current and on-going shipment of armaments and financial support of the Zionist entity by the USA.
 - (v) The detention of ten thousands of Lebanese and Palestinian people including women and children.
- (e) Call on Hamas and Fattah to cease all hostilities and unite and face the enemy together, and resist attempt by Israel and the US to create divisions between Palestinians in Gaza and West Bank.
- (f) Research all the South African trade links with Israel to enable us to carry out targeted workers' solidarity action.
- (g) Identify organizations that do solidarity work with Palestine and Middle East and work with them. Build a strong coalition with students, and all other organisations

We demand:

- (a) Criminal prosecution of Ehud Olmert in terms of the findings Goldstone report on the 2006 attacks by Israel against Palestine. The Goldstone report must be made available immediately for the public to draw conclusions
- (b) Recognition and cooperation with the democratically elected and legitimate government of national unity in Palestine on the part of the USA and European Union.
- (c) International criminal prosecution of Israel in terms of the international humanitarian law and human rights law.
- (d) Immediate implementation of numerous resolutions against Israel passed by the international community in the United Nations, including the imposition of sanctions and the boycott of Israeli goods.

- (e) That the international community holds Israel responsible for the compensation and reparation for the loss of life in Palestine and Middle East.
- (f) Cessation of sanctions imposed by Europe against the Palestinian Authority as a penalty for exercising their democratic right and electing a government of their choice.
- (g) That the United Nations must implement the advisory opinion of the International Court of Justice on Israel's Apartheid Wall.

We further demand that our government:

- (a) Breaks all diplomatic ties with Israel and immediately recall all diplomatic staff. and develop economical ties with Palestine
- (b) Actively promotes an academic boycott of Israel by ensuring that all academic links with Israel by our tertiary institutions and research organizations are severed immediately.
- (c) Prosecutes any South African citizen who serves in the Israeli armed forces.
- (d) Prevents any South African from participating in any cultural or sporting event with Israel or its citizens (e.g. the Maccabi Games).

17.5.4 **Globalisation and Internationalism** {RC, FS, Limp, NC, NW}

Noting that:

- (a) The 7th Congress Resolution on the International Working Class Solidarity and other previous resolutions of COSATU.
- (b) Our on-going solidarity with the working class of Zimbabwe and Swaziland.
- (c) Africa continues to suffer from outbreaks of civil wars without any international intervention.
- (d) Public service and the public service workers are negatively affected by globalization.
- (e) There are weaker trade unions in other parts of the world especially on the African continent and governments continue to repress trade unions.
- (f) Structures like SADC, NEPAD and PAP discuss issues affecting workers and our own Government's approach to NEPAD is not without business links and the role of local capital in decision making.
- (g) South African companies are investing in Africa and making huge profits without commitments to recognise the rights of workers and trade unionism.
- (h) Not doing enough in ensuring that workers are strongly organised in neighbouring countries.
- (i) Our work has being of attending conferences of worker unions.
- (j) Union members abroad are not been serviced.

Believing that:

- (a) NEHAWU is central in ensuring that those workers are strongly organised who are Public Servants and other sectors in neighbouring countries by sharing experiences and victories
- (b) Behind these conflicts and civil wars are international and domestic networks which continue with the scramble for Africa's economic resources that began with slavery and colonialism.
- (c) Despite the resurgence of the left and the progressive forces in general, the balance of forces is still in favour of the imperialism backed by multinational monopoly capital.

- (d) World Social Forum is a common and useful platform for the issues affecting workers.
- (e) South African labour should take the Africa Social Forum seriously and raise working class issues there.
- (f) To be able to advance working class power, we must be strong and united

Resolve to:

- (a) As NEHAWU we have to intensify our 8th NC resolution by putting clear time-frame and constant feedback on progress
- (b) Strict measures on international trade
- (c) Put solidarity and exchange programmes with unions on the African continent at the top of our internationalist agenda.
- (d) Look into import and transfer of skills to our sister unions through programmes with SETA's, relevant government departments
- (e) Develop a thorough analysis in order to theoretically understand the particular and generalized nature of the African socio-economic and political reality within the prevailing globalization context.
- (f) Conduct a joint continental research project on the challenges facing public service unions in the continent.
- (g) Organize a Continental Public Service Trade Union Summit to discuss issues and come up with a continental action plan within 6 months from congress
- (h) Research should be done on the continent on conditions of employment, standards, trade union repression, use the African Review Mechanism to ensure labour matters are addressed
- (i) Ensure that unions participate in continental structures are be part of decision making.
- (j) Engage with department of labour and International relations on the establishment of expected labour standards for South African companies investing in Africa and intensify the International campaign on Multinational companies
- (k) Intensify our solidarity campaigns with sister unions on the continent.
- (l) Reiterate our resolution on border sharing provinces with clear programmes.
- (m) Strengthen and deepen our current twinning and exchange programs with public service unions in different parts of the world.
- (n) Explore new channels of solidarity and cooperation with other trade unions in order to expand our internationalism.
- (o) Need to keep constant touch with members abroad. Build worker to worker relations and twinning programmes and ensure we build a strong trade union movement in the continent.
- (p) Establish relations with all public sector unions in the continent and ensure they are all represented in the next congress
- (q) The union's education programme to include international relations, globalization issues

17.5.5 **Intra-Union capacity on International Relations** {RC, FS, Limp, NC}

We are observing that:

- (a) International relations are not known by rank and file members of NEHAWU at all levels of the union.
- (b) The flow of information and co-ordination does not cascade down to branches and regions.
- (c) There are no functioning substructures at provincial and regional levels.
- (d) There is a capacity problem relating to the unions international perspectives and campaigns.
- (e) There is still not enough that has been done in ensuring that the boarder sharing Provinces workers are strongly organised.

Believing that:

- (a) International work must be observed and carried out nationally at all levels of the union.

Resolve that:

- (a) International structures have to be established at all levels of our union.
- (b) The International department should be capacitated in order to advance international relations.
- (c) Revive International Relations Committees at all levels of the union
- (d) International relations should be integrated into educational and organisational programmes.
- (e) A comprehensive report should be tabled to the forthcoming CEC with a plan to address the challenges of international solidarity issues.
- (f) Assist in strengthening working class organization in neighboring countries.
- (g) UNISON programmes on HIV/AIDS to be implemented
- (h) Develop Exchange Programmes based on current situations and review current exchange programmes
- (i) Ensure New World Order that is worker bias.
- (j) Avoid exploitation of Africans in the form of cheap labour.
- (k) International Labour Convention (87) of 1948 held at San Francisco Resolutions – Freedom of Association and Protection of the Right to Organise to be monitored and adhered to.
- (l) Deepen Workers International Perspective on issues related to the Migration of Labour, Immigration and Safety & security.

17.5.6 **Solidarity with the People of Western Sahara** {RC, FS, Limp, NC}

Noting that:

- (a) The illegal occupation and continued oppression by the government of Morocco against the people of Western Sahara.
- (b) The continued illegal occupation of the Western Sahara goes against the United Nations Resolution.

Believing:

- (a) In the right of self determination of the Western Sahara and demand that the government of Morocco cease its illegal occupation.

Resolve to:

- (a) We re-affirm the 8th NC Congress resolution and further state that the next CEC must develop a clear programme
- (b) Pledge our support for the SAHARAWI people's struggles against their occupation and oppression and to do all in our power to be involved.
- (c) Support initiatives in South Africa and work with other organisations to raise awareness of the struggles in Western Sahara.

17.5.7 **Swaziland** {FS}

Noting:

- (a) The conduct of Kingdom of Swaziland during the Global day of action for democracy in Swaziland, the manner in which police brutally harass the activists.
- (b) The silence of the South African Government on the Swaziland Issue
- (c) There is an increase in targeting and victimisation of activists
- (d) There is a growing interest in business in Swaziland by South Africans
- (e) The ANC NGC took a resolution that the alliance needs to undertake a full discussions on the situation in Swaziland

Believing:

- (a) The conduct of the state and its organs were against international human rights laws by depriving people the rights to freely demonstrate and express their views freely.

Resolve:

- (a) That all Political prisoners should be released and all charges against them be dropped immediately and unconditionally.
- (b) That the South African government be engaged to pursue the release of the South African citizen (Amos Mbhedzi) who is facing a life sentence in Swaziland for his involvement in the democratic struggle of Swaziland.
- (c) That NEHAWU and COSATU strengthen their twinning programs in Swaziland with particular emphasis on human rights education and assisting allied unions to be strong ideologically and organisationally.
- (d) Support the call of the Swazi people for the unbanning of political parties, return of exiles and end state brutality against the people
- (e) To pressurise the South African Government to accede to an all inclusive constitution making process that will create conditions for an interim government that shall be in line with SADC guidelines and the international accepted norms
- (f) To pressurise the South African Government to scrap the STA and the Public Service Bill which deny public servants their right to freedom of association and expression
- (g) NEHAWU becomes an integral part of the Global Movement to support democracy in Swaziland.

- (h) Call for removal of all repressive laws that deny the people of Swaziland their rights
- (i) An end to the abuse of Swazi culture by the royal family to oppress and loot the country's wealth
- (j) Removal of law that deny the right to organise and speak out freely
- (k) The regime in Swaziland must be compelled to SADC protocol, to unban the political activists and parties. A democratic dispensation must be installed in an electoral process that conforms to SADC & AU protocols.

17.5.8 **Zimbabwe** {FS}

Noting:

- (a) The political & economic situation in Zimbabwe has deteriorated since our last NC
- (b) Note the failure by Zimbabwe government to implement the key elements of the GPA and disregard shown to the spirit of social, economic and political transition
- (c) We note the continuous targeted use of violence against democratic forces and incessant workers demobilisation
- (d) The unacceptable manner in which youth militias have been deployed to disrupt the constitutional process and creating fear into the lives of the people of Zimbabwe
- (e) The failure by the South African Government as mediator to report back on the developments in Zimbabwe
- (f) Continuous targeted use of violence against democratic forces and increasing demobilisation of workers
- (g) The regime has embarked on political repression against legitimate opposition forces, undermining the human rights of citizens

Believing:

- (a) President Mugabe has embarked on intensified repression against the citizens of Zimbabwe
- (b) President Mugabe has undermined the human rights of the citizens and has shown a complete neglect and concerns over the plight of the poor and working class in the light of deepening of communicable diseases.
- (c) That the region and the world at large remain committed to giving support to the people of Zimbabwe in their struggle for democracy
- (d) Despite the enormous challenges the people of Zimbabwe are exercise a great desire for socio-economic and political change

Resolve:

- (a) AU & SADC should remain vocal on Political and Socio-Economic conditions in Zimbabwe
- (b) AU & SADC resolutions should be implemented fully and ensure improvement in the socio economic and political conditions of Zimbabwe
- (c) AU & SADC should encourage government of National Unity to increase the pace of transition for a democratic dispensation in Zimbabwe.
- (d) AU and SADC to apply greater pressure to apply conditions of free and fair elections
- (e) The youth and security forces of Zimbabwe must desist from all forms of violence
- (f) AU and SADC must

- (g) The role of NEHAWU through COSATU to continue to campaign for the plight of Zimbabweans working with other organisations and the unions in Zimbabwe.
- (h) As the labour movement we are
- (i) NEHAWU to engage in a bilateral with Home Affairs and International Relations for the smooth running of the documentation processes so that human rights are not violated.
- (j) AU-SADC to apply greater pressure to create conditions necessary for free and fair elections, through advocating and promoting effective media reform, direct technical support to the electoral commission and asserting the need to stop arbitrary arrest and ensure adherence to the rule of law
- (k) Youth and security forces to cease from all forms of violence
- (l) AU-SADC to hold accountable those responsible for violence

17.5.9 Dictatorship in Africa {FS}

Noting:

- (a) There are African leaders who have been in power through undemocratic means.
- (b) They've ruled the continent through undemocratic and brutal means enforced by arms supplied by their masters based in the advanced countries and through loans from there.
- (c) There is a tendency by African dictatorial leaders to canvass each other and see democracy as an alien abstract
- (d) Community do not benefit from natural resources only dictators benefit acting as rent seekers
- (e) Big Multinational companies are also benefitting from weak African states by repatriating most of the capital out of the countries through taxes and profits
- (f) the results of dictatorship are displacement of people, poverty
- (g) The continued repression of trade unions by these dictators who see unions as a threat to their survival

Believing:

- (a) Africa is the continent full of natural resources that can cater for all Africans
- (b) Democratically elected government reflect the views of the majority of the citizen of that country
- (c) Resources of the continent should be towards the citizens
- (d) SADC should lead by example by establishing and implementing industrial trade framework agreements that would undermine dictatorship

Resolve:

- (a) AU protocols should be observed and democratic rules should be installed.
- (b) To advocate that the AU membership criteria should exclude countries that violate human rights including political activity
- (c) To advocate for decisions of the institutions like Africa Court, SADC Tribunal Pan African Parliament, to be binding to all signatories
- (d) Call for our government to cut trade ties with companies that are involved in business with these dictatorial countries

17.5.10 **International Migration of Workers** {RC, Limp, NC}

Noting that:

- (a) International migration by skilled workers is an unwelcome brake on national development when migration is from developing and transitional countries like South Africa to developed countries.
- (b) The recruitment agencies target specialised workers thus accelerate brain drain with an end result of collapsing workforces of developing and underdeveloped countries.
- (c) In some cases, recruits leave the country after resigning, fail pre-employment evaluation abroad and become stranded whereas in some countries they resort to junior positions than what they are qualified for.
- (d) For those who secure employment, their terms and conditions of employment are inferior to those of other citizens in the same country.
- (e) Inevitably, foreign work may lead to family disorganisation, adultery, prostitution, juvenile delinquency and other forms of social pathologies.

Believing that:

- (a) International migration of workers should be regulated to protect public services of the developing and underdeveloped countries and protect workers of the world from exploitation.
- (b) International migration should be informed by strategic objectives such as exchange and relief programmes rather than individual interests.
- (c) A levy on recruiting countries needs to be explored despite arguments to the contrary.

Resolve that:

- (a) International migration of workers should be regulated to provide for protection of workers who participate in international work outside their countries in particular, protect their human rights and general rights of the workers in terms of ILO conventions.
- (b) Regulations should compel associate bona fide agencies to provide transparent and precise information on the terms and conditions recruits will be employed under.
- (c) Regulation of international migration should ensure that various countries retain adequate workers to enhance and maintain reasonable standards of public services.
- (d) Recruitment of workers by foreign countries should be regulated and sanctioned by various governments in the world on government-to-government agreements.
- (e) Governments should prohibit foreign illegal missions including but not limited to human trafficking and mercenary work.
- (f) As part of ensuring that workers rights are protected, our union and other progressive trade unions should be encouraged to strengthen bilateral and exchange programmes.
- (g) Governments should be pressurized to adopt ethical guidelines on recruitment of workers for foreign employment (draft attached as annexure below).
- (h) NEHAWU to ensure that the rights of the workers are protected in the receiving countries by engaging sister unions.
- (i) Recruitment by a foreign country or an agent on behalf of a foreign country shall be authorised only if there is commitment by recruiting persons that:

- (i) new employers recruit such workers because they have intentions to retain them on long term basis;
- (ii) all recruits shall be employed on the same terms and conditions as other workers in their country;
- (iii) recruited workers shall be graded commensurate with their duties and responsibilities;
- (iv) all recruited workers shall be afforded opportunities to undergo induction process that includes clear guidance about what is expected of them;
- (v) recruits shall have opportunities to develop knowledge and skills of equal opportunity policies;
- (vi) trusts shall offer maximum assistance in providing their recruits with suitable affordable accommodation;
- (vii) new employers shall process applications for appropriate work permits prior to recruits resigning and leaving their countries;
- (viii) recruits shall be fully informed of the status and conditions of their respective permits and visas;
- (ix) recruits will be informed of their rights to trade union representation; and
- (x) the recruiting country offers education and training at pre-registration level with the opportunity for employment at the point of qualifying.

17.6 BUILDING FINANCIAL SELF SUFFICIENCY AND SUSTAINABILITY

17.6.1 Building internal capacity in financial management and administration

Noting:

- (a) FINSEC is operating in conditions where there is high staff turnover and vacancies in strategic positions which disturbs the smooth running of the service centre.
- (b) Operational challenges as a result of non-implementation of finance policies and procedures.
- (c) Lack of internal audit presents challenges with external audits.
- (d) Non-implementation of some of previous congress resolutions and/or continuous re-affirmation thereof.
- (e) The union is not deriving financial benefit out of sale of regalia or any products branded with the union logo.

Believing that:

- (a) FINSEC should have qualified and experienced staff at all levels to maintain stability in the service centre.
- (b) Proper management of finances remains the core of the organisation.
- (c) Properly constituted responsive management is essential any self sufficient and sustainable organisation.
- (d) Effective implementation of finance policies will address the recurring challenges.
- (e) Establishment of finance recovery team that looks at all cases of unaccountability.
- (f) Internal auditing will assist the union with compliance to policies and procedures adherence.
- (g) The union should cost its decisions and policies.

- (h) Expenses/expenditure should always be kept below income and revenues generated.
- (i) Failure to implement resolutions has a negative impact on the operations and activities of the union.
- (j) Budgeting and financial reporting are key to members and must therefore be reliable and easily understood.
- (k) The union is losing revenues as a result of not having intellectual property rights to its logo.

Resolve that:

- (a) The union shall employ qualified and experienced persons who have knowledge of the organisation and pay market related salaries to attract and retain the requisite skills.
- (b) The union must:
 - (i) Effectively implement the updated finance manual that was amended by the 9-10 June 2010 SNEC with immediate effect.
 - (ii) Strictly adhere to finance policies so that will achieve our objective of unqualified audit.
 - (iii) Build internal capacity in financial management and administration should be priority.
 - (iv) Re-affirm the established Audit Committee to remain in place.
 - (v) Comply its policies with GAAP and align with PFMA in terms of financial misconducts.
 - (vi) The accounting system must be uniform throughout the provinces.
- (c) An internal audit division to enforce compliance and complement external audit should be established.
- (d) Budgets must be aligned to policies, decisions and/or resolutions.
- (e) All resolutions that have not been implemented are re-affirmed and the congress should task the first FINCOM and CEC to revisit these resolutions for prioritization and implementation.
- (f) Budgeting and financial reporting must be simplified without compromising the integrity of information for easy understanding by members.
- (g) As a matter of urgency the congress must task the CEC to register the union's logo/trademark with CIPRO to ensure that the union logo/brand is owned by the union so that revenues are generated for the union's benefit out of sales of its regalia and branded products.

17.6.2 **NEHAWU Investment Companies**

Noting that:

- (a) There is no adequate information about the NEHAWU Investment Holdings' activities to its members, union leaders at all levels and members are not well-informed about the state of the union investment company
- (b) There is no adequate information on performance and dealings of the company and its current board of directors.
- (c) Members do not directly benefit from the investment company.
- (d) The union has no direct influence on the operation of its investment company since it is registered as a Section 21 Company.

- (e) There's inherent conflict between workers and capitalist.

Believing:

- (a) There should be adequate information about NEHAWU Investment Company to members.
- (b) There should be transparency and openness on the dealings and performance of the company and its board of directors.
- (c) Members should directly benefit from the NEHAWU investment.
- (d) The union can only exert indirect influence through Tshedza Trust.
- (e) The investment company might find it difficult to make investment decisions that are in line with the broader objectives of the union, which is advancing socialism.

Resolved that:

- (a) Adequate and simplified information on NEHAWU Investment Holdings should be regularly communicated to the union members through union structures and road shows.
- (b) The company should report on its dealings and performance on quarterly basis to the National Executive Committee
- (c) Members should benefit directly through diverting some of the profits derived from its investment company through Tshedza Trust to NESACCO, strike fund/litigation cost, bursary fund etc.
- (d) NIH should only make investments where there won't be any conflict with members' interest or other affiliates of COSATU and other progressive formations.

17.6.3 **Treasurer's Report to Congress**

- (a) In addition to workshops or training already provided to administrators by FINSEC, there is still a need to continue building capacity of administrators by developing tools of assessment and re-skilling in order to improve financial capacity where there is no improvement, redeployment should be considered.
- (b) The proposal to introduce the minimum threshold on subscriptions was rejected by the commission.
- (c) The high risk investment using subscriptions and union's revenue was also rejected by the commission.

17.7 **CONSTITUTIONAL AMENDMENTS**

17.7.1 Processing of Amendments {all provinces}

- (a) The incoming national office bearers should appoint a constitutional review committee to refine the proposed amendments for adoption by the central executive committee.
- (b) The amended constitution should have been finalised, registered with the Department of Labour at least within six months after this congress.

17.7.2 Definitions {FS}

The union's constitution should have a section dealing with definitions.

17.7.3 Section 3: Scope {FS,Limp,NW,EC,MP}

Section 3 should read: (1) the union may operate anywhere in the Republic of South Africa, and is open to any worker in the public service, parastatals, public entities, private health and private social development.

17.7.4 Section 6: Structures within the Union {MP}

Add 6(1)(l) that states: national office bearers (referred to as "NOBS") which operate at a national level.

17.7.5 Section 7: Spheres of Authority within the Union

Clause 7(1)(b): replace shop stewards with shop steward committee and in clause 7(1)(c) replace shop steward committee with Branch Executive Committee. {MP}

17.7.6 Section 8: Qualifications for Membership

There should be a constitutional specification for a member that is joining the union for the first time. {CRC}

17.7.7 Section 9: Application and Acceptance

- (a) Replace PEC with REC in clauses 9(3)(a) and 9(3)(b), clause 9(4), clause 9(5) and clause 9(6) should be replaced by REC. The written notice of appeal within 30 days in clause 9(3)(a) is a subject of discussion because RECs do not sit monthly. {CRC/Limp}
- (b) Clause 9(3)(a) and (b), clause 9(4), (5) and clause 9(6)(b) replace PEC with REC. {MP}

17.7.8 Section 11: Good Standing

- (a) Clause 11(5)(d) be deleted and clause 11(5)(e) becomes clause 11(5)(d). {MP}
- (b) Clause 11(5)(e) should read: *Enjoying the rights and benefits conferred on members in terms of the Labour Relations Act, however, a member who has not served a probation period of 3 months from the date of joining the union, shall only be represented by the union official(s) in the disciplinary process on condition that a submission has been made by the branch leadership to the Regional Office detailing the reasons why the member should be exempted from the probation period.* {KZN/Limp}

17.7.9 Section 12: Suspension of/or Expulsion from Membership and Resignation

- (a) Clauses 12(1), 12(2) and 12(3) makes disciplinary action cumbersome and difficult, therefore should be amended to allow immediate action as follows {all provinces}:
 - *Clause 12(1) should accord the REC the power to take a final decision to suspend or expel a member for conduct that is against the interests of the union and its members.* {CRC}

- *Clause 12(2) should position the PEC to process and take final decision on the appeals against the decision of the REC on members' disciplinary matters. The PEC should also be empowered to discipline members who hold positions in REC should a need arise.*
 - *Clause 12(3) should position the NEC to discipline members who hold PEC positions should a need arise and the current context of clause 12(3) should be replaced by this new context.*
 - *All the above inter alia imply that clause 12(5) should be amended to locate the appeal procedure within the above context.*
- (b) Clause 12 (1)(2)(3): inclusion of "which can be in writing where" and or CEC (whichever precedes) and "The suspended member or shop steward must be allowed 7 days to comply with the above"; {WC/Limp}
- (c) Clause 12: *Any member, pending an investigation in response to the allegations or formal complaints against him or her, may be subjected to a pre-cautionary suspension, whose period may not exceed 60 working days, after which a formal enquiry must be convened or set down, failing which the suspension must be lifted.* {KZN/Limp}
- (d) Clause 12(1): A *BEC*, after holding an enquiry at which the member concerned is afforded an opportunity to be heard, *shall* recommend to the *REC* that a member be suspended for conduct that is against the interests of the union and its members. {KZN/Limp}
- (e) Clause 12(2): The *REC*, after holding an enquiry at which the member concerned is afforded an opportunity to be heard, shall recommend to the *PEC* that a member be suspended for conduct that is against the interests of the union and its members. {KZN/Limp}
- (f) Clause 12(3): The *PEC*, after holding an enquiry at which the member concerned is afforded an opportunity to be heard, shall recommend to the *NEC* that a member be suspended for conduct that is against the interests of the union and its members. {KZN}
- (g) Clause 12(3)(b): *Delete, already covered in 11 (1)(a).* {KZN/Limp}
- (h) Clause 12(4) should read: *Any expulsion recommended by any of the above structures is not effective until the NEC has made a decision to this effect. Once the decision is made, the member concerned must be notified in writing of the reasons for the suspension or expulsion, and give that member an opportunity to present a case to the Appeals Committee established and appointed by the CEC.* {KZN/Limp}
- (i) Clause 12(1) replace REC with BEC, clause 12(2) replace PEC with REC and in clause 12(3) NEC with PEC. Clause 12(4) should be deleted and substituted by clause 12(5) Amend clause 12(5) to read as follows: A member concerned may appeal a suspension or expulsion by lodging an appeal with the REC, PEC or and NEC whatever the case may be within seven (7) days of having been notified of the suspension or expulsion. A suspension or expulsion in terms of subsection (1)(2) and (3) is not effective if the member has lodged an appeal until the appeal outcome is communicated to the member. {MP}

(j) Amend section 12 as follows {EC}:

- Insert rule 25.5 of the ANC constitution " if the NEC, PEC or REC as the case may be exercises its right to invoke disciplinary proceeding under this constitution, is satisfied that an institution of a disciplinary procedure is warranted against the member in respect of any conduct as stipulated by Nehawu code of conduct or any other misconduct prohibited in terms of the constitution; it may decide to institute disciplinary proceedings against such member in respect of such misconduct and then refer to a NEC Disciplinary; PEC disciplinary committee and REC Disciplinary committee as the case may be or any other body authorised in terms of the constitution to conduct disciplinary proceedings to proceed with such disciplinary hearing".
- The REC Further include that "after DC has made its findings and recommendations the REC may suspend or expel a member pending rectification resent of sanction by PEC".
- Further include an Appeals provisioning that read as follows "the NEC shall appoint an appeals committee from amongst its members and within the structures of the union that shall consist of at least three but not more than five members, provided that its members may not serve in the NDC. The decision of the Appeal shall be final."
- Develop and include code of conduct in the constitution.

17.7.10 Section 14: Members Meetings at Workplaces

Clause 14(1): amend to state that the union members must hold meetings at least once every 30 days (instead of 60 days). {MP/NW/KZN/Limp/EC}

17.7.11 Section 15: Shop Stewards

- (a) Develop criteria of who qualifies to be a shop steward, branch office bearer and to occupy any other subsequent leadership position. Eligibility to stand for union positions should be as follows: CRC}
- shop steward = 1 year as a member in good standing;
 - regional office bearer = 2 years as a member in good standing;
 - provincial office bearer = 3 years as a member in good standing; and
 - national office bearer = 5 years as a member in good standing.

NB. Create a section that deals with exceptional circumstances e.g. newly organised institution, experience in COSATU affiliated trade unions.

- (b) Any member in good standing who has completed a period of twelve months as a member qualifies to be elected as a shop steward, and any shop steward who has completed a period of three years as a shop steward qualifies to occupy any other subsequent leadership position. {MP}
- (c) Clause 15 (1) inclusion of "shop steward/s" and clause 15 (1) (c): inclusion of "who is not a shop steward of another union or staff association" and clause 15 (2): inclusion of "Provincial office bearers, Regional office bearers and union officials" (delete BEC and or

- REC); {WC/Limp}
(d) Section 15 (2) BEC or REC should be replaced by ROB or POB. {FS}

17.7.12 Section 17: Establishment of Branches

On formation of types of branches and regions, refer to the NEC Lekgotla document of 2000 and this is a CEC issue. {NC}

17.7.13 Section 18: Branch Office Bearers

Add *deputy branch secretary* in new clause 18(1)(e). The region and the province should have the deputy secretaries as well. {NW/MP}

17.7.14 Section 22: Composition {of the BEC}

Correction: Clause 22(1)(a) and clause 22(1)(b) should be combined and be clause 22(1)(a) and should include the branch deputy secretary and additional members. {NW,MP,Limp}

17.7.15 Section 25: Powers of the Branch Congress

- (a) Correction: clause 25(1)(b) and (c) should be combined, then add the branch deputy secretary. {NW,Limp,FS,MP}
- (b) Add REC reports in clause 25(1)(e).{EC}

17.7.16 Section 26: Composition of the Branch Congress

Clause 26(2): Reduce 100 to 50 members. {EC}

17.7.17 Section 32: Powers of the Regional Executive Committee

Clause 32(1)(d): *replace further with other, then insert coma between RC and PC.* {WC/Limp}

17.7.18 Section 36: Powers of the Regional Congress

- (a) Clause 36(1)(b) : inclusion of: "*elect regional office bearers (1) (b) who are shop stewards, is in good standing with a minimum of 3 years unbroken membership with the union; and a shop steward for a minimum of 3 years*". {WC/Limp}
- (b) Clause 36(1)(b) add the Regional Secretary and Regional Deputy Secretary and delete subsection (c) {MP}
- (c) Amend clause 36 elect a regional chairperson, regional deputy chairperson, regional treasurer and regional secretary amongst its members every 3 years. {NW/Limp}
- (d) Remove clause 36(1)(c) elect regional secretary every 3 years{NW}
- (e) Delete 36(c) and amend subsection 36(b) to read as follows: elect the Regional Chairperson, Regional Deputy Chairperson, Regional Treasure, Regional Secretary and Regional Deputy Secretary every three years. {MP}
- (f) Include that the RC should include the "establishment of shop steward councils demarcated by CEC. {EC}

17.7.19 Section 37: Composition of the Regional Congress

- (a) Add Regional Deputy Secretary in clause 37(1)(a) {MP}
- (b) Clause 37(1)(c) should read: All branch office bearers of each branch in the region. {KZN}

17.7.20 Section 41: Establishment and Powers ("PEC")

Include power and authority to "establish or disestablish a branch or a region". {EC}

17.7.21 Section 42: Composition of the Provincial Executive Committee

- (a) Include "*create a position of a provincial Deputy Secretary*" and on the Provincial Secretary to also read as follows" PS who shall be full time to the union. {EC}
- (b) Clause 42 1 (b) The Chairperson and Secretary of each Region instead of each REC. {EC}

17.7.22 Section 43: Meetings of the Provincial Executive Committee

Support the extended PEC and REC's and submit that the 4th PEC or REC should be PCC (provincial central committee) and RCC (regional central committee).

17.7.23 Section 48: National Office Bearers

Amend clause 48(30(a) to state "any member in good standing or official" and qualify it with years stipulated under legibility to stand for election into office bearer positions.

17.7.24 Section 52: Meetings of the National Executive Committee

Clause 52(1) should be amended to read as follows: the NEC must at least four times a year at the place and on the date and time fixed by the General Secretary in consultation with the NOBs. {MP}

17.7.25 Section 54: Composition of the Central Executive Committee

- (a) Consider expanding attendance to CEC to include all POBs and relook at the other union structures to establish synergy especially where they do not talk to each other and one another. {CRC}
- (b) Clause 54(1)(b) should be replaced by: *All Provincial Treasurers*. {KZN}
- (c) Amend clause 54(1)(b) Every other person who is a member of the NEC, *provincial treasurer and provincial deputy chairperson* {NW}

17.7.26 Section 59: Meetings of the National Congress

Clause 59(4): Replace "a least" with "at least". {FS/EC}

17.7.27 Section 60: Removal of Members who hold Office

- (a) Clause 60(1): inclusion of (g) if they fail to comply with the union's disciplinary process decided by a BEC, REC, PEC, NEC or CEC or Congress.(whichever is the higher structure)"; {WC}

- (b) Clause 61(1) and (2): inclusion of "*or the PEC*"; {WC}
- (c) Clause 61 should read: *Discipline of Members and Officials* {KZN}
- (d) Replace "*who is found guilty of misconduct*" with "*who is alleged to have committed a misconduct*". {KZN}
- (e) *Clause 12 must come to this chapter as clause 63 and clause 63 should be clause 64* {KZN}

17.7.28 Section 64: Removal by Ballot

Clause 64(1) (a): inclusion of "*e.g. REC, PEC, NEC or CEC*"; {WC}

17.7.29 Section 65: Appeal Procedure

- (a) Clause 65(1): inclusion of "*or the CEC*"; {WC}
- (b) Clause 65(2): inclusion of "*or the CEC*"; {WC}
- (c) Clause 65(4) : inclusion of "*higher*"; {WC}

17.7.30 Section 74: Financial Year

Include the establishment of the internal auditor and audit committee. {EC}

17.7.31 Section 75: Financial Committee

- (a) The quorum for FINCOM should be 50%+1. {FS/NW}
- (b) Include and PEC to clause 75(1) {MP}
- (c) Composition of the FINCOM should include Heads of Service Centres. {FS}
- (d) Add 75(2)(d) Fincom must meet three times a year before NEC's and before CEC. {NW}

17.7.32 Section 76: Banking Authority

- (a) Clause 76(2): inclusion of "*and the National Treasurer*"; {WC}
- (b) Amend verbal to written confirmation. {EC}

17.7.33 Section 77: Provincial Finance

Clause 77(2) should read: "*... signed by any two of the Office Bearers*" and the same applies to the regions {KZN}

17.7.34 Section 83: Enhancing Participation of Women in the Affairs of the Union

- (a) Re-formulate clause 83 to give practical effect (specifics like 50:50% or quota) to our policy on gender (to enhance participation of women in the affairs of the union) where applicable. {EC}
- (b) Remove any person in clause 48(3)(b) and replace it with any member in good standing, the amendment will read as any member in good standing or official may be nominated and seconded for election as General Secretary or Deputy General Secretary. {MP}
- (c) Clause 83(1) and (2) should be maintained. {MP}

17.7.35 Members Grievance Procedure

Develop a procedure that a member should follow when she/he has a grievance or dispute with the union. {CRC/Limp}

17.7.36 Compliance with Legislation

Check conformity of our constitution with the Labour Relations Act of 1995 and other relevant legislation. {all provinces}