

# **Labour Pains and University Mergers: The Case of UKZN**

**Elias Cebekhulu and  
Evan Mantzaris**

## **1 Introduction**

The history of Unions is a long series of defeats of the working-men, interrupted by few isolated victories. All these efforts naturally cannot alter the economic law according to which wages are determined by the relation between supply and demand in the labour market. Hence the Unions remain powerless against all great forces which influence this relation. In a commercial crisis the Union itself must reduce wages or dissolve wholly; and in a time of considerable increase in the demand for labour, it cannot fix the rate of wages higher than would be reached spontaneously by the competition of the capitalists among themselves. But in dealing with minor, single influences they are powerful (Engels 1892).

This article deals with the sharp intellectual and ideological contestation over the impact of commercialization of education at UKZN (the so called 'merger') on the labour formations at the new university. M. Castells sharply observed only a few years ago that a new society emerges when and if structural transformation can be observed in the relationship of production, in the relationships of power, and in the relationships of experience. These transformations lead to an equally substantial modification of social forms of space and time, and to the emergence of new culture (Castells 1998:360). The merger of Natal and Westville University after ten years of democracy

in South Africa is in part a world-historical experiment of significant proportions. It is not unique in itself as many universities throughout the world and in South Africa have merged through mostly a painful process. With the modifications of social forms of space and time, along emerges sweetheart unionism, and this paper hopes to interrogate some of the theoretical issues in the ever complex debate on higher education commercialization and the role of labour formations in these processes.

It is well-known and an accepted reality that role players and stakeholders in education have accepted the necessity and inevitability of transformation. It is also widely accepted that higher education especially has been in a perpetual state of transformation since the previous Minister of Education (Professor Kader Asmal) assumed his portfolio. The ideals of this transformation are quite appealing but the manner in which transformation is taking place has been one of the strangest undertakings of this cherished democratic government (Karumbidza & Sithole 2005).

At the new University of KwaZulu-Natal there is a great number of role-players who show no interest in management and union politics – they ‘mind their own business’, ‘they say nothing’, ‘they endorse the present situation’, ‘they carry on their assigned duties’. In the grand process of transformation of higher education at UKZN two of the most important role players (unions and management) face themselves in a number of different ways, on five different campuses and under a new merger regime. This is indeed a mind boggling process of small and big battles associated with individual and collective grievances, bitter-sweet ironies, personal and professional feuds that leads to a class-based adversarial relationship that has direct and indirect effects on the success of the merger, a corporatist NEDLAC like situation or covert or overt conflict between management and unions. Inevitably these relationships are political in their root.

Venter (2003) argues that conflict is primarily the result of the tensions that arise between the parties in the employment relationship as a consequence of the different roles they play.

Scholarly debate on higher education transformation has been silent on the fate of University and Technikon workers and employees who are at the wrong end of the process. The retrenchments of large numbers of staff at the Universities of Cape Town, Witwatersrand and the Durban Institute of Technology (DIT) have been all but forgotten. This article hopes to become

an appeal to existing and future courageous voices with independent critical minds to begin contributing to a national debate on this phenomenon. Such an appeal would be of tremendous importance since it would disperse the hypocrites, expose and unmask the merger frauds, and give a great impetus to the increasing unionization of workers at UKZN across all five campuses especially those who have remained loyal to their struggle for survival and excellence. From the events that unfolded in the past one year and four months, it is evident that the new style of management which pretends to be consultative, democratic and transparent, is instead one of bullying, intimidation with an expectation that unions must tow their line. It is painful, in these days of liberty, to read the passages of UKZN Indaba which have been distorted, cramped, compressed in an iron vice on account of the Public Affairs Executive Director that the merger has benefits in place for the workers.

## **2 The State of Unionism at UKZN**

In this era of the commercialization of education, one cannot be silent on the fact that at present no real labour movement, in the real meaning of the word exists at UKZN. Since there is no universal accepted definition of the term 'trade union', the problem of defining a trade union at UKN is associated with questions such as 'How independent is the union?'; 'Is the union subject to the determining influence of management pressure?'; 'Is the union autonomous and, if so, how autonomous?'.<sup>1</sup> Such questions are informed by the fact that institutions of higher learning and unions are becoming steeped into a business oriented mould, thus creating doubts among the employees whether unions are now subordinate to management. In this day and age, a union's power does not hover in mid-air; to argue that unions at UKZN are completely free organizations is as sociologically unenlightening and as historically inaccurate as the argument that the unions are consciously manipulated instruments of the ruling management.

One of the biggest challenges facing the post 1994 democratic South Africa is that many in the new trade union leadership with highly dubious credentials aspire to higher positions and privileges, thus ending up

---

<sup>1</sup> See the Combined Staff Association newsletter on the UKZN website.

compromising the workers in the process. Bond and Mayekiso (1996) argued that the movement leadership drawn from the petty bourgeoisie is notoriously and eternally unreliable. This argument was advanced many decades ago by Michels (1911) amongst others. His thesis was based on the reality that when the union leaders are not persons of means and have no other source of income, they hold firmly to their positions for economic reasons, coming to regard the functions they exercise as theirs by inalienable right.

Especially this is true of trade union leaders at the 5 campuses of the University of KwaZulu-Natal who, since becoming leaders, have not excelled in their jobs because of time spent attending Joint Bargaining Forum (JBF) meetings. For them, the loss of shop stewardship would be detrimental to their jobs, and in most cases it would be altogether impossible to perform on their jobs with merit<sup>2</sup>.

Leadership is an extremely important variable in the efficient and effective unionization. Senge (cited in Amuwo 2004) argues that leaders are those people who walk ahead, and people who are genuinely committed to deep change in themselves and their organizations. Leadership is not the work by which a man ought to expect to earn his living and look after his future (Nyerere in Legum & Marri 1995) and this should be the case at UKZN. Lack of synergy between the mandate given to the trade union leadership by the membership on the other hand, and demands put forward by union leadership at the bargaining chambers is a serious problem at UKZN. Whether such behaviour is through ignorance or not is another issue that needs to be debated. Amuwo (2004) argues that the situation is further exacerbated by the oft-cited issue of poor administration and bad governance in the country's institutions of higher learning.

At the University of KwaZulu-Natal, there are four registered unions with the Department of Labour, (COMSA, UNSU, NTESU and NEHAWU<sup>3</sup>)

---

<sup>2</sup> When shop stewards are graded in their posts, their results are always positive.

<sup>3</sup> COMSA = Combined Staff Association

UNSU = University of Natal Staff Union

NTESU = National Tertiary Education Staff Union

NEHAWU = National Education, Health and Allied Workers Union

which were accorded recognition rights by management to represent different sectors of staff across all five campuses. This arrangement is typical to the one outlined by Bendix (1996) whereby unions are typically classified according to the interests of the members they represent, their objectives, and structure. Her argument can be traced to Gramsci's thesis on unionism where he argues that unionism unites workers according to the tools of their trade or the nature of their product, that is according to contours imposed on them by the capitalist system (Gramsci 1955). The organizational arrangements are as follows: NTESU represents mostly academics; UNSU represents middle class workers mainly administrative; NEHAWU lower grade workers; and COMSA all grades including academics. These trade unions are nothing but a reflection of the stratification patterns of a particular capitalist society and a higher institution of learning. In the post merger period their recognition rights coupled together with their disjointed history were extended to the new institution. Three of these unions (UNSU, NTESU, NEHAWU) are from the ex UN and COMSA has its base in the former UDW. Three of them are 'in-house', 'un-affiliated' Unions, while NEHAWU is affiliated to the Congress of South African Trade Unions (COSATU), the largest worker federation in the country. When the new merger dispensation unfolded, workers expected these unions to bargain as a united front on issues of mutual interest in the Joint Bargaining Forum.

However, the opposite happened as division among these unions swept from the very beginning when the unified terms and conditions of service and salary negotiations took place at the JBF in January 2004. This division was fuelled by a serious optimism among the four unions who hoped to recruit more members for themselves. This gave management an edge over the labour formations. Engels (1892:218f) advanced the thesis that the supremacy of the bourgeoisie is based wholly upon the competition of the workers among themselves; i.e. upon their want of cohesion.

In the concrete merger of 'two equals scenario', the JBF is supposed to be 'the most' important bargaining forum but yet it operates without a constitution. Sporadically unions have demanded such developments, to no avail. As a result the grassroots employees have nicknamed it, 'the Jokers Bargaining Forum'. Meetings of the forum are convened by the Human Resources Department and chaired by Management. The Industrial Relations

role in this forum is to advise both parties to negotiations. However this seems not to be forthcoming, as the Industrial Relations Department has obviously taken the management's side. Since the Industrial Relations Division role in the JBF has been reduced to a one party advisor, their relevance is obsolete, to put it mildly.

### **3 Challenges Facing Labour Formations**

Having dealt briefly with problems associated with union leadership at UKZN, it is necessary to consider the ideologies and structures of interests characterising the leadership strata of the trade unions and shop steward leadership-led rank and file work groups and how their relationship to the university management have changed in the period under consideration. According to Amuwo (2004), the National Working Group assured stakeholders that the merger proposal is not the same as rationalization or downsizing, although it is difficult not to envisage the inevitability of the latter. Such investigation can thoroughly be engaged through unpacking the day-to-day challenges encountered by labour formations as a result of the deep commercialization and managerialism of higher education at UKZN.

The voices at the shop floor in the new university are loud and clear – that the introduction and perpetration of flexible forms of employment, cannot compensate them with the fact that the merger had freed them from apartheid-based universities. As argued by Engels (1844) and Marx (1865) respectively, Unions' achievements are limited by long-run economic laws tending towards the increasing immiseration of the worker. This is evident today with the world shifting to a process of flexible labour that has become a norm; what is fading away, not only in advanced economies but throughout the world, is the traditional form of stable employment in a standardized labour market, heavily institutionalized with a predictable career pattern (Castells 1998). A simple strategy being used by management at the University of KwaZulu-Natal is the extinction of permanent workers and their replacement with contract workers and student assistants. There are approximately 400 affected employees who work on 3 months contracts given to them by the top management at their discretion. There is nothing new in this move, as it has its roots as early as 1997 at the former UDW with the so called restructuring process. A number of departments were closed

down, severance packages were offered and a number of employees were retrenched. By not filling the vacant positions, it clearly showed that management of the university intended to keep its privileges (Amuwo 2004). The consequences of indecision by management and deafening silence on the union's side have severely strained departments with depleted human resources.

One of the problems facing unions is that their leadership are afraid to oppose the rank and file directly. Their opposition has taken the form of attempting to channel the broad range of rank and file grievances into bargaining demands which centre, in the main, on wages and benefits, while the backlog of grievances on issues having to do with working conditions remains unsolved (Aronowitz 1973). The ex-COSATU President and at present Member of Parliament John Gomomo in his address to the World Economic Forum stressed the fact that as we continue searching for solutions, we cannot ignore the background and roots of our problems (23 May 1996). The first task faced by unions was the finalization of the uniform terms and conditions of service for the new institution. Most contentious issues pertaining to benefits were resolved to the workers satisfaction with the exception of new employees who were used as a bargaining chip.

New employees employed after the signing of the collective agreement regard the signing of the document as a serious compromise on the part of the unions. Clause 1.3. stipulates that there will be no post retirement funding of medical aid for employees employed after the signing of the collective agreement and leave accumulation for new employees will be 132 working days as opposed to 264 days enjoyed by other employees

Although this document was not cast in stone, its signing by the three unions (NTESU, NEHAWU and UNSU) indicated a defeatist position from their side. The analysis of the negotiations of terms and conditions of service clearly indicated that unions did not succeed in operationalising the Pareto optimality theorem in negotiating these terms and conditions namely, making the majority better off without necessarily making the minority worse off (see Amuwo 2004). The COMSA's principled position not to accept the clause 1.3 designed specifically for new staff members created a serious turmoil within university management and the other unions. COMSA's leadership consulted its members widely on the issue, pinpointing the unprincipled position adopted in these clauses, which were not in the

original 'Conditions of Service', but were adopted by the Council, the highest decision-making body of the University. The clause was considered a 'masterstroke' revenue saving mechanism, as there was a belief that the conditions of service were in fact very 'employee-friendly' and could ultimately lead to wide expenditure patterns that the university could not afford. COMSA's clear position that it would not sign the existing conditions of service forced the management to open 'one-on-one' negotiations with the union, much to the open hostility of all three other unions who had already signed the conditions, including the disputed clause. The bickering of the three unions on the matter were stopped abruptly following a long reply from the leadership of COMSA on the merits and demerits of the conditions of service and the disputed clauses (COMSA 2004).

The negotiations with management were long, acrimonious and protracted, and created a divisive feeling amongst the other unions, who together with management and the Council breathed a sigh of relief when COMSA signed the Conditions of Service that included a seriously revised Clause 1.3 that did not compromise the rights of new staff members at the institution. This instance and the principled resistance of one of the unions need to be seen in its proper context. COMSA is perhaps the only union with regular mass meetings and feed-back to members on all key issues affecting them. The support of all COMSA members to the leadership regarding the disputed clauses was instrumental in the subsequent victory – this, despite the fact that many of them were coerced to accept the 'Conditions of Service' in writing when asking for routine services such as a staff loan and the like.

Normalisation and equalization of salaries between the employees of the two institutions has not been achieved yet, and the same is true of grading. There were several clauses, however, in the 'Conditions of Service' that purported to address wage inequalities at the new University. Thus all employees who have not reached the top of their maximum salary were awarded a notch not exceeding 3.5%. With the extension of the process to the former UDW staff members in 2004, all staff were granted 'amnesty', even those who had reached the top of their maximum salary. This is contrary to the Rector's approach of placing more emphasis on rewarding committed and productive academics rather than administrators and support



staff (*Weekend Witness* February 19, 2005). This was only a partial victory not worth a celebration if one really understands the employment dynamics of the past two institutions. In fact the bomb was defused and reset to explode in 2005 when 176 former UDW employees went home empty handed simply because they have not been graded for the past seven years, and thus they are on top of their maximum range. This is directly linked to the fact that the former UDW was using the market-related salary which is attached to a grade and the latter was not a determining pay indicator. The former UDW Human Resources grievance statistics clearly highlight the nature of the problem which in this case is the inconsistent application of the market-related salary among employees. Older workers and employees with more experience were mostly affected by the notch due to annual salary increases accrued over the years (March 2004 Payroll).

### **3.1 Employment Equity: A Derailed Train**

The biggest challenge facing the South African workplace in its reformist mould is one of reconciling the global with the local, greater competitiveness with employment equity, greater efficiency with the demand for more and better jobs (Webster 1999:37). In education the thinking has been that only a revamped higher education system is capable of fulfilling the triple purpose of promoting equity, ensuring sustainability, enhancing productivity (Amuwo 2004). At the same time the general transformation of the country that calls for equity along social and gender lines has not happened at the University without complications as the conditions of employment of specific candidates become 'strange' depending on who is involved in the process. Even though redress seems to be taking place, the insecurity of survivalist contracts that are justified through cost-cutting transformation affect 'some' more than 'others' (Karumbidza & Sithole 2005). Balintulo (2004) argues that, if the newly merged Universities are to be transformed, the imperatives of equity, redress and development require a *significant expansion* of higher education over the next decade and beyond. Jansen (2002) poses several penetrating questions about equity: 'Was there more black staff after the merger?' 'More women?' 'More black or women staff in senior positions?' He went on to argue that while equity might not have been a goal of the merger, it was nevertheless important in the broader context of

the national plan on higher education as stipulated in the national legislation and its planned implementation.

According to the National Commission on Higher Education findings of 1990, the higher education sector in South Africa is highly stratified in terms of race and gender. The trend is that the greater the prestige, status and influence, the greater the extent to which they are dominated by whites and men. Positions which on the other hand have lower status and prestige, and which wield little influence, tend to be filled primarily by blacks and women. Most African staff are concentrated at the bottom of the employment ladder. Most are employed as service staff, whereas most whites are employed as academic staff or in senior administrative posts. These disparities in the overall employment structure of universities and technikons increase with rank (NCHE 1996:38). This is evident at UKZN too as most support staff and junior positions are held by Africans.

Throughout South Africa's turbulent past, the state protected the interests of the minority group, while simultaneously promoting employment inequity. The attempt to mislead the public by the Director of Equity at the University of KwaZulu-Natal, Miss R. Budree, who claimed that equity was accelerated at the University as a guest speaker at a public platform ('Varsity moves fast on equity and gender' the *Mercury*, February 1), did not go unchallenged. In the *Mercury* of February 15 2005, a disappointed Umlazi reader argues that her attempt to paint a rosy picture of equity is false, because, of the deputy vice-chancellors, four of them are white males, one is African and one Deputy Vice-Chancellor of planning is over 60 years of age. From the academic staff compliment of 2 192, 47% are White, 28% Indian, 23% African and 2% Coloured. 57% of academic staff members are male. Among 3 467 support staff, 36% are African, 34% Indian, 26% White and 4% Coloured. 55% of support staff members are female (*UKZN Indaba* 2004). The above statistics bear testimony of a racially fragmented University, where Africans continue to languish at the bottom of the occupational ladder.

The lack of gender representation in the proposed Finance Division Management Structure has sparked serious controversy as individuals and unions are calling for the structure to be theoretically and empirically examined. Such a problem is also highlighted by Otunga and Ojwang (2004)

in a study conducted on women and leadership positions in higher education in Kenya. Their findings reveal that women's limited presence in senior positions at universities is due to their lack of appropriate educational, as well as various socio-cultural, economic and political factors. How grounded is their argument, when one considers that at UKZN there is a limited presence of qualified females who can excel in senior positions if given a chance. Lack of equity in the proposed Management Structure of Finance at UKZN was also seriously questioned in a COMSA newsletter dated March 3 2005 which was censured by the leadership of the Public Affairs office for being too critical of management. They refused to circulate it in the University's internal website. The questions raised were: 'Where are the Black women and African well qualified staff in top management positions, especially at Deputy Director's level?' 'Where is the succession plan? Soon?'

The staff demographic profiles of the former UN and UDW are a testimony of the harsh and inequitable realities of the past. At the former UN, the whites were given higher positions of power and at the former UDW, Indians were mostly privileged. This could be justified given the social and historical particularities of the past. In the new dispensation, however, the well educated majority of African staff who have been relegated to lower positions question the UKZN redress policy, although not very overtly or as openly as they should. The existing divisions along racial lines are at present a serious challenge facing the new university. Such skewed power distribution is further exacerbated by the superannuation policy of extending the appointments of mainly White Senior staff, by the former University of Natal. This was done for up to five years beyond retirement age and this policy is in open contradiction to the goals of equity. With such realities at play, workers are pointing fingers at the Organizational Culture office for being dysfunctional.

### **3.2 One University, Same College, Different Salaries**

The move to have the 25<sup>th</sup> of each month as a uniform pay day across all five campuses while still having salary discrepancies among staff members has been met with strong reservations from the former UDW staff members

who were paid on the 15<sup>th</sup> of each month since the inception of the institution. It is well-known that wage inequality among both women and men has increased significantly in the past two decades (Campbell 1999) and this is also the case at UKZN. Furthermore, at the University of KwaZulu-Natal, wage inequality is also racially oriented due to the legacy of the apartheid setting. Suspiciously unstandardised remuneration formulas at the University of KwaZulu-Natal perpetuate wage inequality which resembles the situation best described by George Orwell in his famous book the *Animal Farm* ('All animals are equal, but some are more equals than others'). With regard to remuneration inequality at UKZN, Sithole and Karumbidza (2005) argue that fairness must be sought through aggressive looking at human resources rewards.

What UKZN inherited is a scenario whereby workers with same job titles, same job description, same grade and same educational qualification are earning different salaries. Such discrepancy is ripe among Senior Managers and was highlighted in the Minutes of the Council Meeting of the then University of Durban-Westville of 5<sup>th</sup> December 2003 item 117: Merger, paragraph 3 which reads as follows:

Council expressed concern about the lack of disclosure by Natal University on the salaries and terms of appointment of senior Management for the current year. The Chair was urged by Council to urgently pursue this matter with her counterpart in order to enable parity of salaries between both Universities' Senior Management, which would then be retrospectively adjusted for all current incumbents from the level of Dean to Vice Chancellor ....

From this analysis, the workers of the institution that has championed the struggle against apartheid, inequity, injustice and which was at the forefront of the transformatory agenda, pre- and post-freedom and as a result suffered serious disadvantages, has become further disadvantaged.

Statistics South Africa added another variable (race) in the wage inequality hypothesis by arguing that black African workers comprise the largest group of those earning low salaries (Labour Force Survey March 2003). The phenomenon of relatively junior academics getting higher salaries than professors is not uncommon – not to mention the largely

unsustainable huge salaries of senior management. At the former University of the North, salaries of top management should have been ideally reduced, declared and dealt with by the University Finance Officer rather than an outside agency, but it never happened (Amuwo 2004). At UKZN academics are disgruntled on how little they get remunerated when work of excellence standard is expected from them. It will be naïve if one is to discuss issues of remuneration in isolation from the level of skills possessed by workers.

As higher education systems and institutions worldwide reconfigure their new roles, so too should the workers at all levels of the occupational ladder. Venter (2003) argues that possibly the other biggest challenge facing South Africa in the post-apartheid years is the upliftment and improvement of its skills-base through education and training. At UKZN, such an approach should be informed by attitude change from the management in realising that the worker is a resource and not a cost. The mission statement of the university strongly emphasises the creation of a University which is globally competitive. This means that skills development should be the number one priority, especially amongst the disadvantaged. The Green Paper on Skills Development Strategy (1997), ties up the country's re-entry to the world arena, which means that demands increase in both the quality of goods and services and innovative capacities. All these cannot be achieved without an increasingly competent workforce. While the UKZN Training Unit reached 550 staff last year in 2004 through 30 different courses, it hopes to reach up to 1 000 staff members in 2005 (*UKZN Indaba* February 2004). Various questions as to the relevance of training offered in relation to the job situation have been posed to the Training Office.

### **3.3 The 21<sup>st</sup> Century and the Harmonisation of Benefits**

Parallel to all the processes unfolding, an attempt to harmonize benefits in the new institutions by the Department of Education is hoped to be achieved through the 21<sup>st</sup> Century Consultancy Company. The 21<sup>st</sup> century consultancy terms of reference are: joint evaluation systems, reward strategy, remuneration policy and procedures, unified pay and benefit structure. In spite of having representatives from the 4 unions as part of task teams which are now operational, workers still have strong reservations on the objectivity

of the forthcoming findings. Their fear confirms both Buhlungu's (1997) and Barchiesi's (1997) analyses that workers are generally suspicious of management-initiated participation schemes. The general feeling among the workers at UKZN is that the recommendations of the 21<sup>st</sup> Century might not be objective since universities' managers are fencing in resources and fencing out people.

As per the 21<sup>st</sup> Century recommendation, the UKZN remuneration strategy should be aimed at attracting and retaining sufficient employees of the right calibre, and that it will motivate them to perform in alignment with the 'business goals' set by the institution. At the same time, outstanding achievement in the process should be rewarded, thereby recognizing those who perform 'premier work', and to ensure that there are consequences for non delivery (UKZN Remuneration Strategy 2005). Recently the Vice Chancellor of UKZN lashed out at the so called 'lazy academics'. He argued, 'if academics were publishing work, we would be number one university in the country and our subsidy would increase' (*Weekend Witness*, Saturday, February 19, 2005). In essence, this translates to academics raising funds to pay for their own salaries. However a number of questions can be raised in relation to such generalities, i.e. 'What criteria will be used to measure the performance of an administrative worker in grade 11?', 'Will the same criteria be utilised for an administrative worker in Grade 8?' 'Who is a more productive academic? He/she who supervises two PhD graduates contributing R500 000 to the university subsidy coffers or he/she who produces 3 SAPSE recognised journal articles bringing R22 000 in subsidy?' 21<sup>st</sup> Century Consultants have a hard task ahead, indeed.

This noble reward strategy adopted at UKZN is based on performance, market related pay and a total package approach to remuneration. Barker (2003) pinpoints that performance-related pay relates to the extent to which wages are linked to the productive effort of the individual worker or a group of workers, and to the productivity and profitability record of the sector or the enterprise. Academics are generally measured by SAPSE accredited journal publications and student pass rate successes, but support staff will be unfairly disadvantaged since there are serious obstacles in measuring excellence among them. While unions who represent mostly support staff are trying to address performance related pay,

two new merger problems have been added to their long list of issues. These problems are a direct result of the process of structures finalization and interim deployment policy.

With the finalization of the appointments in all Executive positions, Deanships and Headships, the final phase in the 'final re-structuring' is the finalization of university-wide hierarchical structures. Such decisions are made mainly behind boardroom closed doors, and it is at this juncture that the fear for the unknown is manifesting among the vast majority of staff members on all five campuses. The proposed management structure of Finance Division which incorporates the Stores Section confirms the workers' fear (see Appendix 1). At the Finance Department of the former two institutions, there were 6 Assistant Directors (UDW), and 11 Assistant Directors (Natal). These figures exclude the Stores Division. The new Finance Division structure caters for only 5 Assistant Directors. This number includes an additional person demoted from a Director's position at Stores to Assistant Director. Simple statistics indicate that from 17 Assistant Directors, only 4 were appointed. The other 12 were demoted to Managers. Can a world-class university be built by reducing the number of designated and well-defined jobs with pre-determined inputs, outputs and outcomes? As a result objections to the new structures are coming in thick and fast from all corners of the five campuses.

Such realities were further fuelled by the new interim deployment policy agreed to by unions and management. Actually this policy is aimed at giving management free rein of deploying staff the way they deem fit. The argument in favour of the policy raised by Management is that during the period that the University is putting staffing structures in place, it needs to be fully operational until the final completion and operationalisation of these tasks. Therefore, it may be necessary during this period, for the University to deploy staff on an interim basis, to ensure that it meets its operational requirements and maintains proper functionality. Workers perceive this as a redeployment policy for the purposes contemplated in section 189 and 189A of the Labour Relations Act 1995, where permanent redeployment is used as an alternative to dismissal for operational reasons. According to management, deployment of a member of staff shall be internal and of interim nature after proper consultation with the staff member who is spare capacity (UKZN deployment policy 19/11/04). The senior Industrial

Relations manager is quoted, however, as saying, *'the deployment policy was placed before unions for consultation, not negotiation'*. Since there is no room created for union representatives to negotiate the terms of movement, line managers are now abusing the policy to demote the workers. The following case serves as an example.

*A staff member was told that her position is redundant in the Department from the 1<sup>st</sup> of January 2005 after her functions were transferred to a much junior staff member. She was instructed to relocate to another Department. When she realized that the position she was being transferred to was a junior position, she reported the issue to her union representative. The line manager concerned refused to talk to the union on the matter unless a formal indemnity was granted to him that the University will not be held liable to any claim arising from the issue in contention. Subsequently the line manager ordered the concerned employee to vacate the office and hand over all files in her possession. When the manager was questioned by the union representing the aggrieved party, the manager confirmed that this was a demotion but the staff member demoted should be happy that she still has a job. The matter was handed over to the Industrial Relations Department for investigation. The letter written by the IR Department to the line manager revealed that the line manager acted un-procedurally in handling the matter. As a result the decision to move the staff member was reversed (COMSA Files, 2005).*

The above case study bears testimony to the harsh realities of the merger as far as workers are concerned.

### **3.4 Annual Salary Negotiations**

The appointment of a new finance chief officer had serious implications on the approval of the budget for the 2005 financial year. Even after the budget has been approved, the management was still adamant that they did not have any mandate to negotiate with unions as the remuneration committee of the Council has not debated the issue. They stipulated that negotiations could only start in April. Such delays have now become a norm at UKZN; this was evident last year when workers were granted an annual increase in April backdated to January. Simple accounting analysis clearly indicates that by the time the workers received their back-pay it had lost its buying power



whereas for management it would have accrued interest. Annual salary negotiation is one of the major priorities of every union and by dragging the process deliberately on the part of management leads to more pressure that is exerted from the union membership on its leadership. This is because the latter is expected to negotiate and force management to deliver what is considered a fair annual salary increase. It needs to be stated that the University's provisional budget was approved in November 2004 and such budget caters for staff compensation. Furthermore such delays cannot be justified when one considers that salaries of academics themselves are generated from publications in SAPSE accredited journals, postgraduate supervision rewards and the like. This payment arrangement alone shows injustice and lack of fairness on the part of the University. The unions' request for 2005 was a 9.5% increase across the board, excluding the notch granted to employees at the beginning of the year.

#### **4 Unions' Response to the Challenges**

As pressure from the membership surmounted on the four unions to deliver on their unfulfilled promises, embarking on a Unions Imbizo was the last resort. The meeting was convened at a neutral place with a well-known labour lawyer as a facilitator. The following concerns were identified and submitted as a memorandum to the university management:

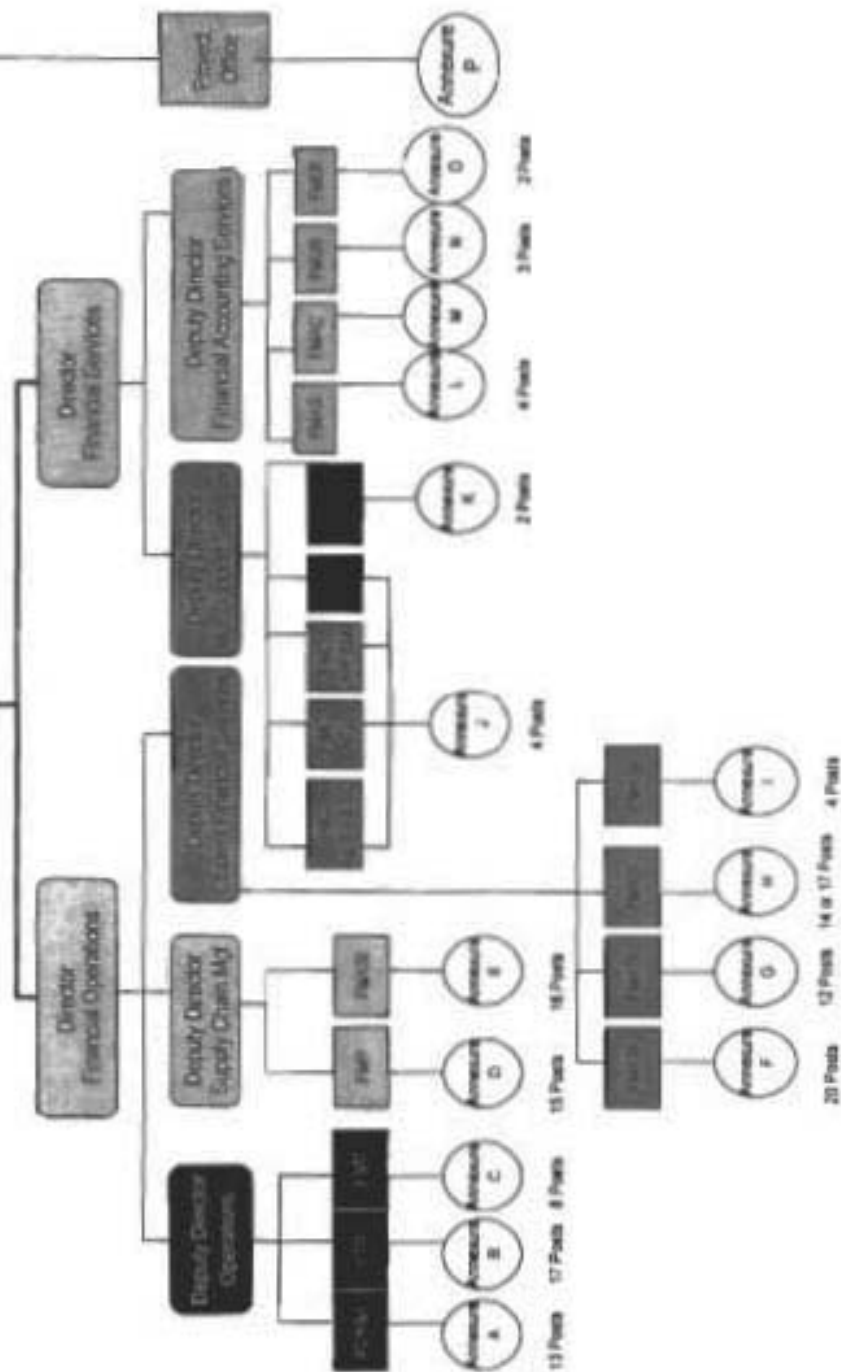
- \* There is a lack of transparency and proper information given to Unions.
- \* Management and Council appear to be taking decisions based on short-term financial need as opposed to long term development.
- \* There is lack of Unions' representation in formal decision-making.
- \* There is a lack of meaningful negotiations with trade unions on issues affecting staff.
- \* Decisions taken at the JBF are undermined by Management and Council.
- \* The current restructuring has created fears and a real threat of probable retrenchments.

- \* There is increasing exploitation levels of contract staff by the University.
- \* There is a divide-and-rule tactic by Management when dealing with staff from the two former Universities.

Noting the unacceptable delays from the management side to begin the salary negotiations for 2005, the unions resolved that the university be placed on notice that they are in dispute in this matter. With the threats of the strike looming, an urgent extraordinary meeting was convened with the entire Executive Management to discuss salary negotiations and most of the issues raised in this article. The above analysis of problems identified by the labour formations are an indication that the rosy picture painted daily in newspapers is part of the propaganda machine spearheaded by the Public Affairs Division is not the whole truth.

## **5 Conclusion**

The site of struggle at UKZN is in need of a paradigm shift. Union power-blocs attempt to consolidate their hegemonies over each other instead of channelling their efforts towards securing benefits for their members in the long and short term. It is evident that the winner in the process is university management, top professors and opportunistic union officials who portray themselves as Messiahs of the working class while speaking the language of the bosses. In spite of all difficulties, setbacks, mistakes, delusions and interruptions, with the reconfiguration of higher education beyond debate, this work is a friendly reminder to concerned workers and organic intellectuals that writings on the mergers in higher education tend to under-describe and under-theorise the severity of restructuring emanating from such initiatives. The unity of theory and practice need to be based on a solid and clear understanding of historical realities, the necessity of access, the opening of the doors of learning, teaching, research and outreach. Otherwise the future is very far away.



## References

- Amuwo, K 2004. Higher Education Transformation, A Paradigm Shift in South Africa. *Africa Insight* 34,2/3. June/September. Africa Institute of South Africa. Randburg.
- Aranowitz, S 1973. *The Shaping of American Working Class Consciousness*. London: McGraw Hill Book Company.
- Balintulo, M 2004. *The Role of the State in Transformation of South African Higher Education (1994-2002); Equity Redress Revisited*. African Universities in the 21st Century.
- Barchiesi, F 1997. Flexibility and Changes in Forms of Workplace Subjectivity: A Case Study of the South African Automobile Industry. MA thesis, University of the Witwatersrand.
- Barker, F 2003. *The South African Labour Market*. Pretoria: Van Schaik Publishers.
- Bendix, S 1996. *Industrial Relations in the New South Africa*. Cape Town: Juta.
- Bond, P & M Mayekiso 1996. *Developing Resistance, Resisting 'Development' Reflections from the South African Struggle*. London: Merlin Press.
- Buhlungu, S 1997. *Trade Unions' Responses to Participative Management: A Case Study*, MA thesis, University of the Witwatersrand.
- Castells, M 1998. *The Information Age: Economy, Society and Culture. Volume 3: End of Millennium*. Oxford: Blackwell Publishers.
- COMSA Newsletter 2004 COMSA replies ....
- COMSA Newsletter March 3 2005.
- Engels, F 1892. *The Condition of the Working Class in England in 1844*, English edition 1892.
- Gomomo, J 1996. Address of COSATU to the World Economic Congress. 23 May, Cape Town.
- Gramsci, A 1955. *Sindicalismo e Consigli (1919)*, in *L'Ordine Nuovo 1919-1920*.
- Jansen, J 2002. *Mergers in Higher Education: Lessons Learned in Transitional Contexts*. Pretoria: Unisa.
- Labour Force Survey, March 2003.
- Legum, C & G Mmari 1995. *Mwalimu: The Influence of Nyerere*. London: Villiers Publications.

- Maclean, J 1971. *Industrial Democracy*. London: Pluto Press Limited.
- Marx, K [1865] 1958. 'Wages, Price and Profit'. In Marx, Karl & Frederick Engels. *Selected Works, Volume 2*. Moscow: Foreign Languages Publishing House.
- Mercury February 1 2005. Varsity Moves Fast on Equity and Gender.
- Mercury February 15 2004. Equity is Still Solely Lacking at University.
- Michels, RWE 1911. *Political Parties*. English ed 1915.
- National Commission on Higher Education 1996. *A Framework for Transformation*. Pretoria: NCHE
- Otung, RN & MA Ojwang 2004. Women in Leadership Positions in Higher Education: A Study of Kenyan Universities. African Universities in the 21<sup>st</sup> Century. Volume II. Knowledge and Society. CODESRIA. Senegal.
- UKZN Indaba March 2004
- UKZN Remuneration Strategy 2005.
- UKZN March Payroll 2005.
- Van der Walt, L 2000. Penalising the Workers. *Sowetan* 13 June.
- Venter, R 2003. *Labour Relations in South Africa*. Cape Town: Oxford University Press.
- Webster, E 1999. Race, Labour Process and Transition: The Sociology of Work in South Africa. *Society in Transition: Journal of South African Sociological Association* 30,1.
- Weekend Witness Saturday, February 19, 2005. Lazy Lecturers Lashed.
- Sithole NP & B Karumbidza 2005. The Squalls of Academe. *Weekend Witness* Saturday, February 19.
- Wolff, J 1996. *An Introduction to Political Philosophy*. Oxford: Oxford University Press.

School of Sociology and Social Studies  
University of KwaZulu-Natal  
cebhulue@ukzn.ac.za  
mantzarise@ukzn.ac.za