On November 2, twelve members of the New York City Council introduced an important bill to close the loopholes in laws barring the City from doing business with companies operating in South Africa. The bill, Intro #1137, will prevent companies from using licensing and franchise agreements in South Africa, or third-party vendors here, to circumvent City sanctions.

This bill is also a welcome opportunity to address another omission in current anti-apartheid legislation:

the right of South African workers and their unions to receive advance notice as companies disinvest from South Africa to comply with sanctions, and the right of employee organizations to negotiate over the terms of withdrawal.

The New York City labor movement, and several City Council sponsors of Intro 1137, are working to include recognition of these labor rights in the final draft of the bill.

WHY ARE THESE SPECIFIC LABOR RIGHTS NEEDED?

The two major labor federations representing black workers in South Africa, COSATU and NACTU, strongly support comprehensive sanctions as a way the international community can isolate and pressure the apartheid regime.

Their support for sanctions is especially courageous because it is against South African law to even speak on the subject. South African unions also know that as multi-national companies pull out, the jobs of their members will be affected and in some cases lost. They are willing to make that sacrifice for freedom.

In monitoring the progress of sanctions, however, South African unionists have reported numerous cases of sham disinvestment, prompting current attempts to close loopholes in the law. Today they are reporting another development, companies that are using disinvestment as an excuse to unilaterally terminate union contracts, renege on pension and benefit funds, and withhold recognition of representative employee organizations. South African unions want to end these practices, within the framework of sanctions, through the right to notice and negotiation.

Sanctions legislation can and should uphold the right to notice and negotiation for South African workers to prevent the abuse of labor rights as companies withdraw.
WILL THESE LABOR RIGHTS PROTECTIONS WEAKEN SANCTIONS?

Some people have wondered if recognizing labor rights to notice and negotiations will weaken or contradict sanctions legislation. Would such rights allow companies to negotiate agreements to stay in South Africa or be exempt from sanctions here?

The answer is emphatically NO! COSATU has made it clear that rights to notice and negotiation apply only to the terms of corporate withdrawal from South Africa. These rights should be seen as part of prescribed methods for complying with sanctions. They are intended to protect the only democratic organizations able to function openly in South Africa today, the labor unions.

Notice and negotiation are terms for carrying out sanctions in a responsible and accountable manner.

WHO SUPPORTS ADDING LABOR RIGHTS TO SANCTIONS?

Specific language upholding labor rights to notice and negotiations was first put forward in the U.S. Comprehensive Sanctions Act of 1988, the Dellums-Cranston bill. The bill passed the House by a 244-to-132 margin, but died in the Senate this fall. The Dellums-Cranston bill and its labor provisions had the adamant support of the AFL-CIO, as well as leading church and social justice groups in the American anti-apartheid movement.

Support for amending Intro. 1137 with labor provisions similar to the Dellums bill has already gathered the endorsement of more than 30 local presidents and district leaders here in New York, spearheaded by Stan Hill, LCAA co-chair and D.C. 37 director. The offices of City Council Vice-Chair Peter Vallone, Council Member Ruth Messinger, and Manhattan Borough President David Dinkins have also been supportive.

PUBLIC HEARINGS ON INTRO. 1137 ARE LIKELY TO BE HELD IN JANUARY. FOR MORE INFORMATION ON HOW YOU CAN SUPPORT ITS PASSAGE AND THE INCLUSION OF LABOR RIGHTS, PLEASE CONTACT:

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LCAA Sponsors

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