



PGDIP IN MANAGEMENT

Individual Assignment

**How the perception of justice and the elements of
conflict and power influenced the events around
the Marikana tragedy**

BLLR 511

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1 Introduction

The dynamic relationships involved in employment relations are greatly influenced by the perceptions of the involved parties. These perceptions are focussed around justice or fairness of various elements within employment relations. It is when a perception of unfairness or injustice exists that conflict arises.

In the content to follow, the role of power and conflict as well as the dimensions of justice (distributive, procedural and interpersonal) will be explained and illustrated by referencing situations, relationships and perceptions that existed in the dynamics around the Marikana tragedy.

2 The role of conflict and power in employment relations

Conflict is an inherent, dynamic and unavoidable element of employment relations in any industry throughout the world. It originates from the fact that there will always be two primary opposing forces both of whom wants to achieve their goals. These two forces are, employers whose aim it is to maximise profits of the organisation by ensuring maximised productivity by keeping input costs as low as possible and with labour cost being an input cost, the result is employers constantly striving to reduce or keep labour cost as low as possible. As the opposing force, the employees of the same organisation strive to maximise their economic benefit from earning as much as possible for their inputs and will thus continuously demand higher wages for their labour. In general conflict is perceived as negative and undesirable, but According to Swanepoel *et al.* (2016:28) conflict can be healthy depending on the scenario and context setting. Conflict is the stimulus for progressive growth and change and without it employment relations would not progress forward. The challenge is to approach conflict situations under the premise of attaining a constructive and positive outcome.

Looking at the events that took place in the build-up to the Marikana Massacre it is evident that numerous clusters of conflict existed between various parties that were involved in the tragic events that took place. According to Cavvadas (2012) "The strikes occurred against a backdrop of protests from the local community in relation to the preferential treatment of migrant workers; an earlier strike at Implats led by rock drill operators aggrieved with the outcome of wage negotiations; and growing inter union rivalry between the established ANC allied trade union NUM (the National Union of Mineworkers) and

NUM's rival, AMCU (the Association of Mineworkers and Construction Union)." These clusters of conflict that were present during the Marikana Strikes are indicative of the complexity and dynamic nature of conflict within employment relations.

Swanepoel *et al.* (2016:28) also states that distinction should be made between frictional and strategic or orchestrated conflict. To illustrate the difference between the two types of conflict, examples can be found in the numerous conflict situations that existed during the Marikana incident. Frictional conflict was evident between NUM and their members even in the period leading up to the strikes. According to (Alexander *et al.* 2013:27) several workers that were interviewed indicated that there was long-standing dissatisfaction due to a lack of support from their union (NUM) in relation with remuneration, safety and work conditions. This conflict is deemed as frictional due to it originating from the unhappiness of the union members towards the other party (NUM). Orchestrated or strategic conflict was evident when the RDO's (Rock Drill Operators) at Lonmin formed a united collective even without the support of their union to put forward their demands and force Lonmin management to take note of their demands. According to Alexander *et al.* (2013:27) as a result of the RDOs protesting at different shafts for the same demand, Lonmin management then requested that their demands be presented collectively at a single point of contact with Lonmin. This then resulted in the RDO's establishing an informal labour committee.

To illustrate the relevance of the component of power on employment relations and how it influenced the dynamics of the Marikana incident the following two scenarios will be analysed. Firstly the power that the employer attempted to exert on the employees and NUM, secondly the power the RDO's exerted on the employer.

When looking at the components of power that the employer attempted to exert on the employees and on NUM a couple of different bases of power can be illustrated. According to (Alexander *et al.* 2013:28) leading up to the main strike that started on 9 August 2012, the manager at Karee mine unsuccessfully attempted to use the base of reward power to address the unhappiness of the RDOs by offering them a R750 bonus per month for RDOs working without assistants, R500 per month for RDOs working with assistants and R250 per month for the assistants, this however resulted in more unhappiness and can be deemed as an unsuccessful exertion of power from the employer over the employee. The employer did however successfully exert some form of power over the most

prominent union at the time NUM. This is evident in the views of the mineworkers that were interviewed in the work of Alexander *et al.* (2013) Mineworker 8 made the following statements: “NUM, truly speaking, it always sides with the employer. When a person gets hurt here underground, the employer and NUM change the story. They say: “that person got hurt in his shack”.” Another worker, Mineworker 4, stated: “We have been struggling while the union leaders were comfortable, drinking tea. When they have a problem, the management helps them quickly. Even their cell phones are always loaded with airtime, R700, R800”. To determine exactly what base of power was at play between the employer and NUM is difficult, but the likelihood is high that the employer exerted coercive power over NUM most likely threatening to remove some of the perceived privileges that the NUM leaders had should they not align with the employer under specific circumstances.

The power that the RDOs exerted on the employer after they have formed a united front and engaged in a strike was also a form of coercive power. The employer was dependant on the specific skills and services of the RDOs to ensure that the mines operated efficiently. With the formation of a united group, the RDOs even through the means of an unprotected strike coerced the employer to take notice of their demands and made them realise that this matter needs to be handled centrally.

3 Distributive Justice

Distributive justice in employment relations can be explained as the perception of an employee on whether the output (wages, work conditions, benefits etc.) he or she receives for their inputs (labour) are fair in relation to the gains the organisation gets from those inputs. It is also concerned with whether the above mentioned outputs employees receive are fairly distributed between all the employees, in essence does everyone receive a portion equal to their own perceived worth. In an organisation distribution decisions are mainly made using the following three criteria, Equality (everyone gets the same), Equity (portioned according to how much a person contributed or invests) and Need (based on who needs it most). Swanepoel *et al.* (2016:24) argues that in profit making organisations driven by the market demand, productivity and profit making will always take precedence in decisions related to distribution of wealth. The same author also sights the fact that Trade Unions in South Africa have often argued that equality should be the primary grounds for decisions made with regards to distribution. This clearly indicates that what is perceived as fair when it comes to distributive justice is largely

dependent from which perspective it is viewed and also one of the contributors to conflict in employment relations.

Looking at the events of the Marikana Incident it is clearly evident that one of the major contributors to the initial conflict that arose was related to distributive justice. Alexander *et al.* (2013:28) states that in the months leading up to 16 August 2012 there was mass dissatisfaction expressed by employees, especially the RDO's at Karee Mine, over remuneration and conditions of mining activities. The unhappiness stemmed from the fact that RDO's at the Eastern and Western Shafts having assistants working with them. The RDO's at Karee thus felt that they were doing the work of two people and wanted to be remunerated accordingly.

Another dynamic of distributive justice, but from the perception of the employer (Lonmin) was present at the time. The Employer at the time preceding the incident was clearly using equity as a criteria to make decisions regarding distribution. It can be stated that at the onset of the strikes the employer perceived the distribution it gave to the employees as fair, meaning the employer thus did not perceive the inputs of the aggrieved employees valuable enough to be willing to find a resolution to the conflict. According to Boëttger and Rathbone (2016:6) "Lonmin management consciously or inadvertently operated from a view of labour promoted by capitalism that reduces labour to factors of production. This is clearly disrespectful of the humanity of workers because labourers are mainly seen as means to increase profit by reducing wage costs".

It is thus evident that distributive justice and what is perceived to be fair by each party in relation to distributive justice forms an integral role of the employment relations within an organisation. Where there is a clear miss-alignment of these perceptions between the parties, the only outcome can be conflict as was the case in the Marikana incidents.

4 Procedural Justice

Procedural justice within the context of employment relation can be explained as the employee's perception of whether the processes and procedures that were followed to reach a certain outcome was fair. The perception of procedural justice is not influenced by the specific outcome reached, even if the outcome is undesirable, for example the dismissal of an individual. The perception of procedural justice in the aforementioned situation can still be positive if the processes and procedures followed to reach said

outcome is believed to be fair and just. Swanepoel *et al.* (2016:26) makes reference to the following six criteria that are paramount to fair proceedings, which includes “consistency, bias suppression, accuracy, correctability, representativeness and ethicality.” The relevance of procedural justice in employment relations are also evident in the labour law of South Africa with the Labour Relations Act 66 of 1995 stipulating that to dismiss a worker fairly there must be due cause and also due process. It is therefore vitally important for organisations to have clear and well documented policies and processes governing the employment relations within the organization. It is vitally important that these policies and procedures are well understood by all parties involved (employer, employees & union) to ensure that the execution of these policies follow the criteria mentioned earlier. One of the main functions of trade unions is to ensure that these policies are indeed fair and are followed and implemented consistently by the employer. Failing to do this would result in conflict, as employees would perceive the procedural justice to be unfair. This can be demonstrated by the views of the interviewed miners in the work of Alexander *et al.* (2013:28) according to one of the mineworkers, “members ‘loved’ the chairperson, Steve, because he refused to take bribes from management and ‘he always came with straight things, things that NUM never wanted us to know’. The suspension followed a dispute about a pay-out from a trust fund established, to enable workers to benefit from profits made over the preceding five years. The workers responded to Steve’s suspension by engaging in an unprotected strike.” In this recollection of events by the mineworker it is evident that the union members perceived the procedural justice followed to suspend the chairperson to be unfair and unjust. As a result conflict arose between the union and its members and lead to an unprotected strike. This conflict then had a knock-on effect with the employer following its disciplinary procedures and as a result dismissing all the employees that participated in the unprotected strike. Although nearly all of the employees were re-hired, this was not healthy for the employment relationship within Lonmin and is a good illustration of the critical importance of having fair policies and implementing them consistently so that procedural justice perception of all parties involved are fair.

5 Interpersonal Justice

A third dimension of justice perception is the manner in which outcomes of decisions are communicated to the employees and is known as Interpersonal Justice. Interpersonal

Justice has a significant impact on the perception of procedural justice. For example, if an employee is facing disciplinary action (procedural) and the outcomes reached, is given to this employee in a derogatory, disrespectful and abbreviated manner (interpersonal), this employee would very likely feel that he was treated unfairly and that the relevant procedures and processes were not given due consideration. This would result in a perception of unfair procedural justice which would then most likely lead to further conflict between employer and employee.

Interpersonal justice however does not only deal with communication but also with the manner in which individuals are treated. As stated in Swanepoel *et al.* (2016:27) in the process of decision making, employees should be afforded the opportunity to be treated with respect and dignity. This will create an environment of receptiveness and mutual understanding from the employee perspective. In other words the employees will have a perception of fair procedural justice.

The relevance of interpersonal justice can once again be illustrated by the views of the miners interviewed by Alexander *et al* (2013:26) where a mineworker was quoted as saying “We work under a lot of pressure from our bosses because they want production, and then there is also intimidation. They want you to do things that are sub-standard, and if you don’t want to do that and follow the rules, they say they will fire you or beat you, things like that.” This clearly indicates that the employees felt intimidated and miss-treated by the employer, a clear illustration of unfair interpersonal justice perception. It is thus safe to say that the perception of interpersonal justice has a direct impact on the perception of procedural justice.

6 Conclusion

From the explanations provided and all the related references to the dynamic relationships and events surrounding the Marikana incident, it is evident that employment relations is made up of a very complex and interlinked web of relationships. At the centre of all of these relationships lies the perception of fairness and justice. It is this perception of fairness and justice that keeps the relationships positive and conflict situations constructive. When these perceptions shift towards unfairness and injustice these relationships can very quickly become dysfunctional, which in turn will lead to power

struggles and non-constructive conflict situations, of which the Marikana tragedy is a prime example.

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