Bargaining Indicators 2014

Twenty Years – A Labour Perspective

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Twenty Years of Transformation of the Construction Sector in South Africa since the end of Apartheid

By Eddie Cottle

(This paper is based on extracts from Cottle's Master's Thesis, "The Transformation of the Construction Sector in South Africa since apartheid: Social inequality and labour" completed at the Institute for Economics at the State University of Campinas, Brazil.)

Over the last 20 years South Africa's construction sector has undergone significant transformation and marked expansion since the period of Apartheid when it was constrained by sanctions and racial policies, curbing its growth. The economic crisis of the 1970s and the increased intensity of the class struggle, combined with the growing strength of the labour movement, posed a serious threat to the levels of profitability of the construction sector companies.

The post-apartheid state led by the African National Congress actively intervened on behalf of capital through a series of policy measures to promote stability, foster economic growth and create enabling conditions for the international competitiveness of South African construction firms. The key component of this policy process was the establishment of a Construction Industry Development Board, the establishment of a Register of Contractors, the scheduling of public sector spending through the Medium Term Expenditure Framework process and support programmes to develop the emerging black sector which effectively incorporated black capital into the capital accumulation process denied under apartheid. The post-apartheid state also became the construction sector's biggest single client in the delivery of social and economic infrastructure.

The almost immediate shift from the Reconstruction and Development Programme (RDP) in 1994 to a series of neo-liberal macro-economic policies from 1996 onwards ensured increasing levels of labour flexibility and improved productivity of the labour force. State intervention was therefore crucial in ensuring that the construction sector enjoyed 18 years of sustained economic growth with an average GDP contribution of 2.3% over a 20 year period.

Between 1994 and 1998, public spending was channelled to the immediate priorities identified under the RDP. The post-apartheid period was marked by increased investment in social and housing infrastructure. With the passing of a series of neo-liberal economic policies the government shifted focus towards economic infrastructure from the mid-2000s.

The new government effectively used the arena of social service delivery as a capital accumulation strategy for the emerging black small and medium sized contractors. Despite the increased levels in delivery of social infrastructure, the backlogs had increased from 1.5 million housing units in 1996 to 2.1 million by 2013. Not only were these housing schemes of poor quality, the delivery of social infrastructure has been based on the World Bank policy of cost-recovery, resulting in the widespread practice of disconnecting water and electricity supply due to non-payment. It is estimated that 10 million South Africans had experienced water cut-offs due to non-payment of water accounts. The impact of the cost recovery policies were especially severe as it proved to be the source of South Africa's biggest cholera outbreak in history with the disease infecting 113 966 people and claiming 259 lives between 2000 and 2002. Furthermore, the production of the ground breaking pre-paid water and electricity meters were developed by Conlog, a wholly black-owned company at the time which had the backing of the then President, Thabo Mbeki .

Thus the paradox of extending the ownership of productive assets through the policy of black empowerment in social services technology in a period of neo-liberalism had a far less than progressive implication as we will see a similar impact within the construction sector. Thus, due to the crisis of affordability and the lack of access to adequate social services for the working class, there have been consistent and increased levels of social unrest in black communities across South Africa. After an increasing trend of social unrest, the government has admitted that "'service-delivery shortcomings and social marginalisation are widespread and have led to heightened tensions" in the country (National Treasury 2013 Budget Review).

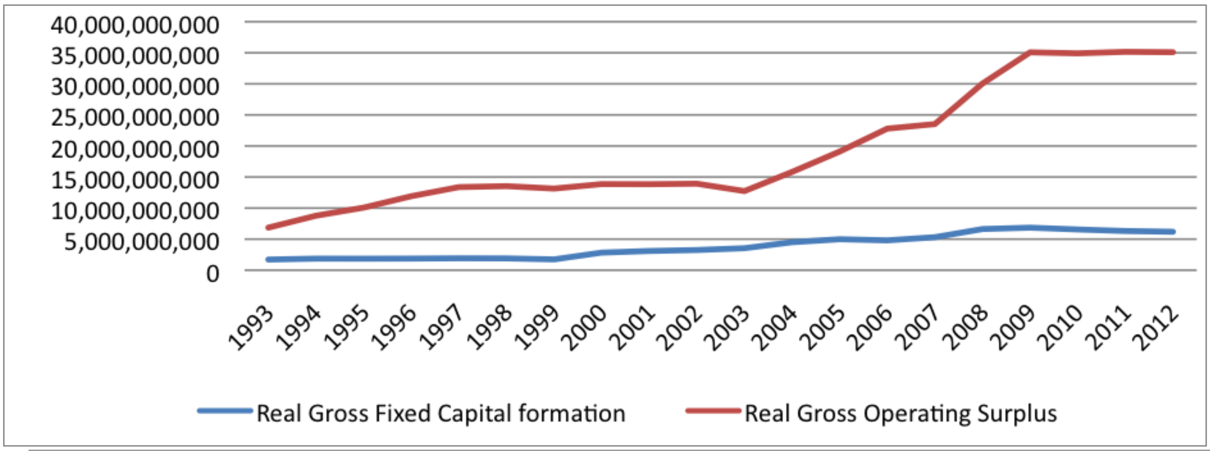
Approximately 50 000 black contractors were forced into an informal sector relation during apartheid, of the current 72 089 registered contractors, 64 111 (88.93%) are black-owned. Attempts by the ANC government to transform the class and race composition of the large construction companies through black economic empowerment by setting a target of 25% black-owned by 2013 have dismally failed. The latest figures show that only around 10% of large construction companies are black owned. In addition, in 2013, approximately 80% of public sector tenders were awarded to large contractors in grades 7 to 9 which implies that white capital within the construction sector are still the main beneficiaries, including of the new government's tender system. Over a period of twenty years of active and sustained government intervention to transform the racial ownership patterns in the construction sector, the majority of South Africans remain excluded from ownership, control and management of the productive assets within the construction sector.

The lack of transformation in the ownership patterns in the construction sector is mainly due to the rapid increase in the concentration and centralisation tendencies of capital that occurred as a result of the pro-market policies of the new government but also the internationalisation of South Africa's large construction companies.[1] Under apartheid about 5% of construction companies accounted for 63% of turnover in the industry. By 2011, about 1.2% of construction companies accounted for 64% of turnover in the industry. In 1994 there were 23 industrial-building and construction companies listed on the JSE and by 2013 there were only 12 "heavy construction" companies listed on the JSE as a result of bankruptcies or mergers. The trend therefore since apartheid can be viewed as one of an increasing concentration and centralisation of capital amongst the established apartheid era construction companies and the continued marginalisation of black-owned construction companies.

The tendency of concentration of capital within the construction industry monopolies in South Africa which was in decline in the late 1970s was effectively being reversed with the ruling ANC taking power in 1994. The gross operating profit (Figure 1) for the construction sector in 1993 was R6.9 billion and R35.1 billion in 2012 which amounts to a 412% increase in real terms over a 19 year period. In 2003 the real gross operating surplus was R12.5 billion, almost twice the amount in 1993. And in 2012, almost 3 times higher than in 2003.

1 By concentration of capital is meant an increased portion of social wealth concentrated within the company. By centralisation is meant mergers and acquisitions between firms.

Figure 1: Construction sector real gross capital formation and real gross operating surplus 1993-2012



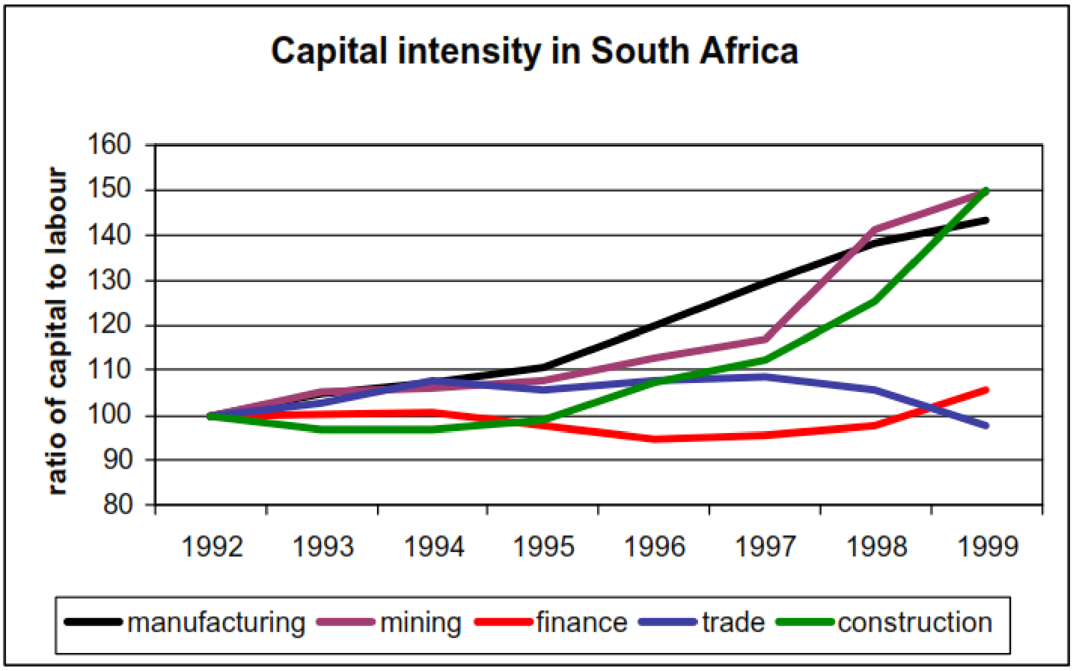
Source: South African Reserve Bank, Stats SA (GDP), Own calculations

The five large JSE-listed heavy construction companies, the "Big Five", each of which tendered as a principal contractor for one or more of the 2010 FIFA World Cup infrastructure projects are Murray & Roberts, Aveng (owner of Grinaker-LTA), Wilson Bayly Holmes-Ovcon (WBHO), Group Five and Basil Read. The aggregate real pre-tax profits of the "Big 5" in 1997 was R382 million which had more than doubled despite huge losses to R 961 million in 2012, a massive increase of 151% in real terms when comparing the two years over a 15 year period. In the last ten years merger activity in this sector has largely been driven by vertical integration by the five largest firms in the construction industry.[2] What we can observe is the fact that post-apartheid has dramatically increased the concentration and centralisation tendencies within the construction sector with the concentration tendency being dominant. The recovery from the crisis of profitability is due to rapid capital accumulation and capitalist competition over the past 20 years. This is despite what has been called the worst global recession since the Great Depression of the 1930s. The average investment ratio of 4.7% over a 20 year period (1993-2012) indicates a reluctance to invest takes place against the backdrop of the neo-classical argument that high wages reduce financing available for necessary investments to stimulate growth within the economy. What the data highlights is that the construction industry has made super-profits and that 95% of profit is being absorbed directly for private enrichment, conspicuous consumption by the construction and related elites and is likely to finance speculation.

The recovery from the crisis of profitability is not only due to the neo-liberal policies of the post-apartheid government but mainly due to the weakening power of the working class that was already underway when the ANC was elected in 1994. This was manifested not only in the state repression under apartheid, but also capital's response to the economic crisis and the transformation of the productive forces, which involved changes in the development of machinery, the labour process and the education of the workforce. The issue at stake was a labour intensive employment programme to address an unemployment crisis of over 40% of the economically active population (in 1992) but which did not compromise productivity. The compromise deal between capital and labour (mainly led by COSATU) was one in which labour intensive production would be linked to productivity. Despite the "Framework Agreement" between labour and capital (which later became endorsed by government) for a programme of labour intensive construction, the country witnessed a rising capital intensity in the construction sector which increased unabated from 100 in 1994 to 150 by 1999 which further increased to 26% between 2009 to 2012 (Figure 2).

2 The centralisation of capital takes the form of horizontal and vertical mergers. Horizontal merger is a business consolidation that occurs between firms who operate in the same space, often as competitors offering the same goods or service. A vertical merger occurs when two or more firms, operating at different levels within an industry's supply chain, merge operations.

Figure 2: Capital intensity in South Africa



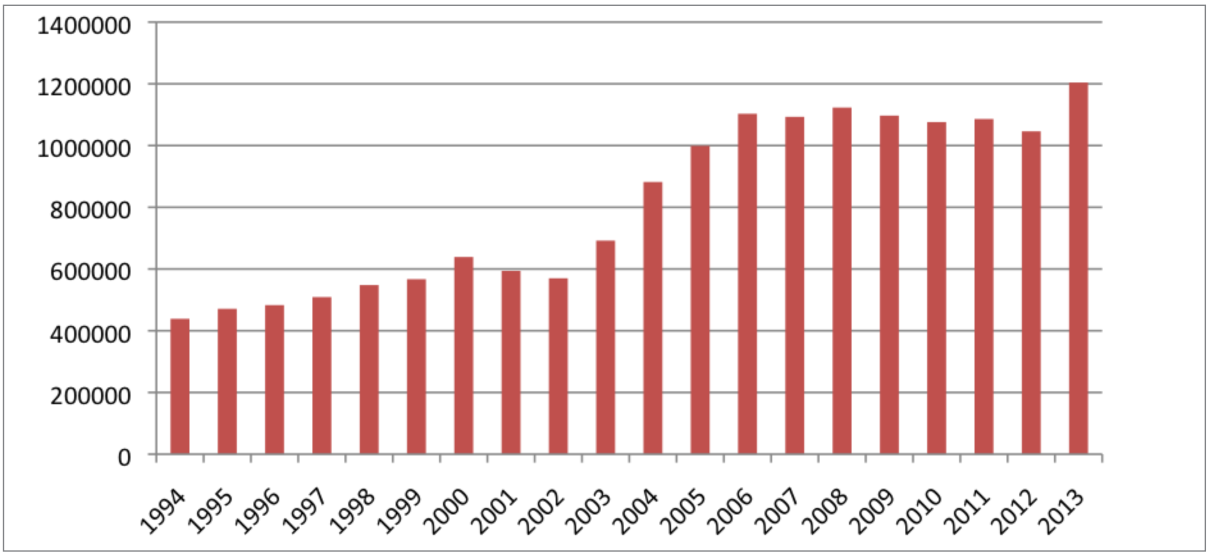
Source: Economic Policy and Research Institute (2001)

Coupled with rising capital intensity within the construction sector, the crisis of the 1970s also dramatically altered the labour process through changes in how production was carried out in order to reduce operating costs and thereby enhance competitiveness. The construction sector rapidly changed the labour process from increased casualisation to one of externalisation of workers through subcontractors and labour-brokers. The general trend has been for construction companies to downsize their workforces to fewer core site employees. Subcontracting arrangements became increasingly prevalent with up to 70% of building and 30% of civil engineering projects subcontracted out. The majority of employers in the industry also relied on sourcing skilled people which did not restrict the growth of the companies. The estimated composition of an onsite construction workforce is normally 50% unskilled, 26% semi-skilled, 19% skilled and 5% supervisory. In other words, there is no real interest in the skilling of the vast majority of unskilled and semi-skilled workers who make up 76% of the general construction production process.

Due to the recession, it is estimated that more than 35% of all construction employees were lost to the industry by the mid-1970s and that at least a further 30% of employees were again lost in the late 1980s and early 1990s. As capital regained levels of profitability, increased concentration exists as the mass of the reserve army of labour are mobilised to work in the expanded means of production. Marx's breakdown of the reserve army of labour into its various components was complex within which the worker "belongs to it during a time when he is only partially employed or wholly unemployed" (Marx, 1982: 794). This included all sorts of part-time, casual and what would today be called informal labour. The notion that Marx put forward of a partially employed worker as constituting an essential component of the reserve army is clearly expressed in the changes to the labour process of the construction sector. The norm of the three month Limited Duration Contract (LDC) employment contract and extensive use of sub-contractors and labour brokers in the sector is a clear indicator that most workers find themselves in "partial" employ.

Construction employment was at its lowest at 438 665 in 1994 but climbed to an all-time high of 1 204 000 in 2013. This is a 174% increase in formal and so-called informal construction employment since 1994. Thus, despite the growth in capital intensity within the construction sector, the dramatic expansion of production required an increasing pool of the reserve army of labour in productive employ. This is so because as "capital's power of sudden expansion also grows" (Marx, 1982: 785) so too has there been an impressive increase in the employment of the reserve army within the construction sector (Figure 3). [3]

Figure 3: Movements of the Reserve Army of Labour in construction: 1994-2013



Source: Statistics South Africa (OHS, LFS, QLFS), Own calculations

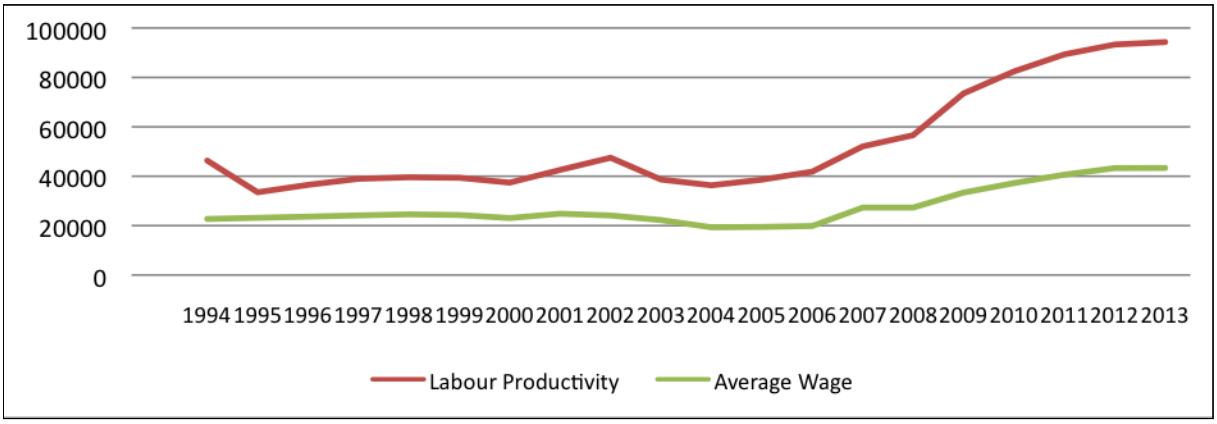
However, the reserve army of labour is also a disposable workforce required only when capital expands and disposed of immediately afterward. The clear example is by the time the 2010 FIFA World Cup kicked off in South Africa a 110 000 construction jobs were lost. Thus the movement of capital shapes the movement of the reserve army of labour in the "movement of alternate expansion and contraction" (Marx, 1982: 786). The increase in the unskilled and semi-skilled reserve army of labour depicts capital's continued thirst and reliance on the cheap black labour system inherited from apartheid.

Furthermore, the changes brought about in transforming the productive forces[4] were the key factors in increasing labour productivity, in order to restore and increase the level of profitability in the construction sector in post-apartheid South Africa. Over the twenty year period from 1994-2013, the total productivity of construction workers increased by 123% with an average productivity increase of 6.1% per annum (Figure 4).

3 Due to a lack of coherent data it is not possible this stage to give a clear statistical breakdown of the reserve army of labour. Statistics South Africa and company reports do not always provide a clear breakdown of nature of employment in terms of part-time, casual and what would today be called informal labour in order to establish what portion of the labour force finds itself in "partial" employment. Thus while the Labour Force Quarterly Survey (QLFS) claims that there are 820 000 formally and 384 000 informal employed workers, the Quarterly Employment Survey (QES) only states 419 000 workers formally employed in the construction sector in 2013. If we accept that QES data to be more accurate on formal employment then we can deduce that the vast majority of construction workers (the 1 204 000) find themselves in so-called informal employment.

4 By productive forces I am referring to the means of production (owned by the capitalists) and the labour power of workers. The transformation of the productive forces here would thus involve the level of development of machinery, the labour process and the education of the workforce (Bottomore, 1991:204).

Figure 4: Labour productivity in the construction sector 1994-2013



Source: Statistics South Africa, GDP, Construction Census 2007, Historical revisions QLFS, Own Calculations

The increases in wages after 2006 were due to the increased worker militancy and increases in skilled worker, supervisory and management incomes. Thus the change in trend occurred after 2006: the annual labour productivity increased from R40,000 to over R90,000 in 2013, while the average annual wage in the sector increased from R20,000 to over R40,000.[5] Thus labour productivity gains outstripped wages by more than 100% by 2013.

The levels of increased productivity were achieved through increasing the exploitation of workers through a combination of increases in both absolute surplus value and relative surplus value.[6] In the South African construction sector collective agreements vary in hours of work from 40 hours to a maximum of 45 hours per week. Construction workers in general appear to work longer hours with most workers working at least 4 hours overtime per week (49-45 = 4 hours) or 16 additional hours per month (Figure 5) if we use the 2005 figure.

Figure 5: Mean hours worked per economic sector (2000 & 2004)

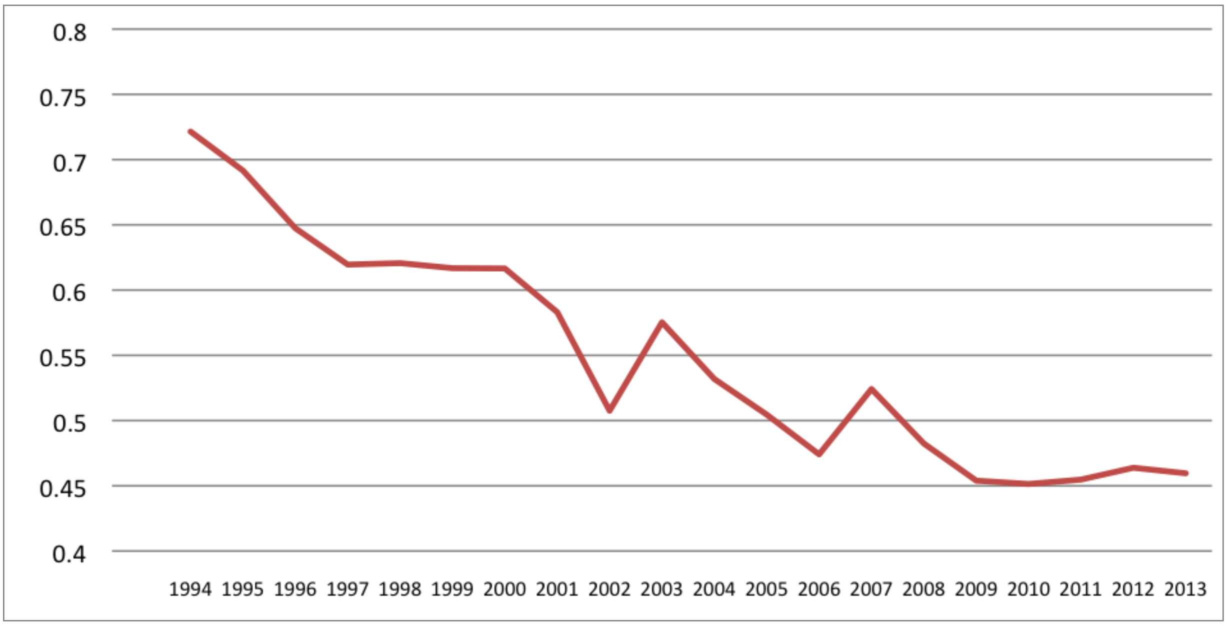
	2000	*2005*	*Change*	
			Hours	*Percent*
Agriculture	51.3	50.9	-0.4	-0.7
Mining	50.0	50.1	0.1	0.2
Manufacturing	47.4	48.5	1.1	2.2
Electricity, Water & Gas	47.8	50.2	2.4	5.1
Construction	47.8	48.7	0.9	1.9
Wholesale & Retail Trade	48.4	50.0	1.6 *	3.4
Transport	50.2	53.5	3.2	6.4
Financial Services	48.7	51.0	2.3	4.7
Community Services	45.0	45.3	0.3	0.6

Source: Morné Oosthuizen and Sumayya Goga (2007)

Besides overtime, production bonuses have also been extensively used to increase the intensity of labour in the production process, especially since construction projects are time-bound.

5 The increases in wages here are attributed to that of more skilled workers and lower and executive management of companies.
6 When the worker works longer hours without a change in wages this is called "increasing absolute surplus value". The other is through the introduction of machinery which reduces the time it takes to cover the cost of wages and increases the surplus, called "relative surplus value" (Mandel, 1977:135).

Figure 6: The decline in the construction wage share 1994-2013

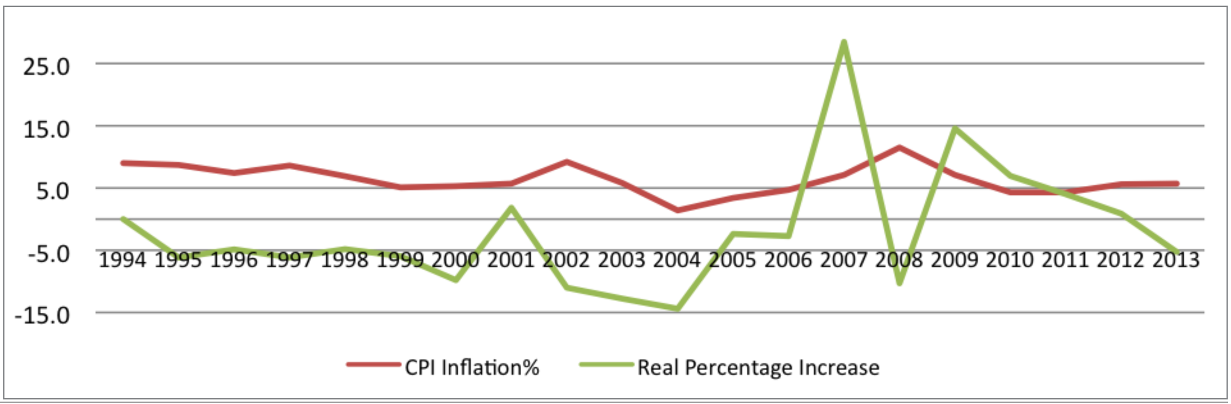


Source: Statistics South Africa (GDP), Own calculations

The drop of wage share from a high of 72% in 1993 to 46% in 2013 corresponds to the progressive increase in levels of profit (Figure 1) from 1994 to 2013, the years of massive social and economic infrastructure investment by the government including the 2010 FIFA World Cup. The wage share in the calculations also includes the remuneration of managers, senior management and CEOs of the construction sector companies. This means that the decline of the wage share of construction workers fell below the 46% indicated in Figure 6.

The increases in productivity in the construction sector since 1994 has also seen the general decline in real average wages (Figure 7) of construction workers. Besides overtime, production bonuses have also been extensively used to increase the intensity of labour in the production process especially since construction projects are time-bound. An example of the use of production bonuses was during the 2010 FIFA World Cup construction processes where most stadia were completed ahead of schedule. The increase in productivity of 6% per annum within the construction sector has outstripped the increase in wages of -2% per annum and has ensured a decline in the wage share from a high of 72% in 1993 to 46% in 2013.

Figure 7: Real Average Wage Increase in the Construction Sector 1994-2013



Source: Statistics South Africa (GDP), World Bank (GDP Deflator), Own calculations

Racial inequalities formed the bedrock of social and economic apartheid resting on the exploitation of 'cheap' black labour. According to Labour Market Survey data (2012), real earnings for the median worker have remained almost unchanged since 1995. Median earnings in constant 2000 prices have consistently remained below R2,000 a month since 1995, in contrast to those above the median wage, which have seen real wage gains since 1995. Labour Research Service wage data indicates that the real average minimum wage of a construction worker in 2012 was R2,535 per month, not far off the median monthly wage of R2,000. This implies that the income of the construction workforce has not changed substantially since apartheid. On the other hand, the wage gap (Table 1) within the "Big 5" construction companies has grown substantially.

Table 1: The Construction Wage Gap 2004 & 2013 (current prices ZAR)

Year	2004	2013
Average Annual CEO Remuneration (a)	3,453,000	9,519,000
African Bank Investments	20,628	33,204
Wage gap (a)/(b)	167	287

Source: Labour Research Service wages and MNC database, Company Annual Reports, Own calculations

In 2004 it took the lowest paid worker within the construction sector 167 years to earn the average annual income of a CEO. At 2013 levels this has increased to 287 years, an increase of 71% when we compare the wage gap of 2004 to that of 2013. There is thus a widening of incomes and increasing inequality within the construction sector. The drop in the wage share within the construction sector, coupled with low level of real wage increases (if we use LRS wage data) with profitability far outstripping wages and the huge increases in the wage gap all contributed to overall inequality in South Africa as expressed in the Gini coefficient of 63.1.

The marginal decrease in the Gini coefficient can be explained in the fact that the power of the working class has receded since the 1980s and with this its capacity to distribute national income in its favour. Part of the problem was discussed with the tabling of the September Commission Report at COSATU's Congress in 1997. The report acknowledged that the Framework Agreement on labour intensive construction agreed to by construction trade unions and COSATU contributed to the marginalisation of the trade unions. The report was referring to the fact that in terms of the RDP, parastatals and the public sector encouraged contracts to small and new black businesses where most of the workers were in vulnerable employ. Furthermore, one major infrastructure development and unemployment alleviation vehicle of government is the Expanded Public Works Programme (EPWP) which pays less than half of what workers in civil engineering pay workers doing similar work. Thus the paradox of the victory of the RDP and the Framework Agreement on labour intensive production was that it was essentially encouraging increased levels of sub-contracting and outsourcing and increasing the rate of exploitation of construction workers through productivity agreements, thus effectively circumventing the role of black unionism as a threat to the cheap-labour system.

Other factors that contributed to the weakening of trade unions was the exodus of large layers of experienced trade unionists into government and business; an attitudinal change of trade unions to the spontaneous struggle of the workers who had built and sustained the militant trade unions since the 1970s and the increasing bureaucratisation of the trade union movement. The close alliance between labour, the ANC and SACP at the same time also ensured the management of the discontent of organised labour and a decrease in strike activity since 1994 until the 2008 financial crisis where a resurgence of unprotected strikes was emerging indicating a new trend in workers' militancy. The construction sector strike wave has followed a similar pattern as the national with a downward trend from 1999 and where no strike took place at all in 2004. While agreements in the building bargaining councils are annual agreements, those of the civil engineering industry are three-year agreements where both

NUM and BCAWU are signatories. The result of the three-year agreements meant that the trade unions tended to lose contact with the vast layers of the reserve army of construction sector workers who were mainly employed on three month limited duration contracts.

It was the hosting of the 2010 FIFA World Cup in South Africa that provided an opportunity to revitalise the trade union movement as vast layers of the reserve army were thrown into employment. It was the construction trade unions affiliated to the Building and Wood Workers' International (BWI) that saw the strategic importance of the World Cup for labour and were the first to develop a model for strategically campaigning around mega sports events with the international launch of the "Campaign for Decent Work Towards and Beyond 2010". The unions recruited 27 731 workers in total and membership grew from 70 736 (2006) to 98 195 (2009), increasing union density by 39.4 %. This increase in trade union density had as its source the spontaneous struggle of the construction workers themselves with 20 of the 26 strikes being wildcat in nature. While the construction trade unions were able to carry out a systematic campaign during the World Cup and in the process secure many gains for non-standard workers, they failed to make the organisational and attitudinal changes necessary to fully develop strategies required to sustain the trade unions, workplace power and trade union membership. After having increased its membership by 33% to 58 984 in 2009, NUM's membership declined to 43 894 in 2014 not far off from the level of its predecessor CAWU's 40 000 members in 1996. Similarly, BCAWU's membership of 35 100 in 2014 is nowhere close to the membership levels of 40 700 it reached in the mid-1980s. The trade unions furthermore only looked at the private sector but at no time did they look at developing a perspective towards a public alternative.

In fact both NUM and BCAWU had been completely silent on the housing crisis and in responding to the debate on a state-owned construction company prompted by Tokyo Sexwale, the then Minister of Human Settlements in 2012 who was lamenting some of the failures of South Africa's housing programme. The construction trade unions could have looked at learning from the China State Construction Engineering Corporation Ltd (China Construction) which is China's largest construction contractor and top home builder in the world. The lack of any response from the construction trade unions to the discussion on a state-owned construction company to resolve the backlog of 2.1 million low cost houses shows that the growth in the social distance between the trade unions is not only with its members but with that of the working class as a whole.

South Africa's construction trade unions, would have to review their approach to worker militancy and the class struggle or they will face a gradual demise and, in their place the possibility of new unions emerging to compete in an otherwise open and growing reserve army of labour. Unless a decisive shift and commitment is made to social movement unionism and changes to the organisational form of the unions to adequately represent a fragmented and localised construction workforce, the growing redistribution of income in favour of construction capital will continue unabatedly until the reserve army of labour takes matters into its own hands in episodic spontaneous revolts.

There will be no changes made to the current production processes where the huge mass of workers are externalised and casual unless new ways of organising are discovered with an adequate method of servicing non-standard workers where specific kinds of gains in wages and benefits can be made. Overall, a new strategic path needs to be developed where the construction trade unions amass enough confidence to place public sector alternatives on the agenda where the reproduction of the workforce is more stable, where workplace power can be built and the gains used methodically to strengthen workers in the private sector.

As in the past, the strategic strength of the construction trade unions lies in linking up with the militancy and spontaneous struggle of workers and harnessing the discontent of working class communities. In so doing, new alliances will be formed and new forms of solidarity will become possible to struggle against the scourge of rampant and growing inequality in South Africa.

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Labour Research Service
PO Box 376, Woodstock, 7915, South Africa
Telephone: +27 (0)21 447 1677
Facsimile: +27 (0)21 447 9244
Email: lrs@lrs.org.za
Web: www.lrs.org.za