

**THE NUM MEMORANDUM TO THE CHAMBER OF MINES:
THE NATIONAL HEALTH AND SAFETY STRIKE AT MINES – 04
DECEMBER 2007.**

1. BACKGROUND:

Mining played a pivotal role in the development of the South African economy since the discovery of minerals in the 18th century. It provided the original impetus for the extensive infrastructure that currently sustains South Africa's more economically important secondary and tertiary economic sectors.

Mining and quarrying GDP contribution has been 6.7% in 2003; 6.3% in 2004 and 6.2% in 2005. Taking into account the multiplier effects, the overall contribution of mining to GDP came closer to 16%, while both directly and indirectly, mining contributed an estimated 25% to total employment in the country.

This growth is also quantified by South Africa's aggregated primary mineral sales revenue that increased by 14% from R125.3bn in 2004 to R142.8bn in 2005. Minerals contributed R101.9bn (29.3%) to the total value of South African exports in 2005.

For 2006 the industry accounted for:

- 18% of GDP
- 50% + of merchandise exports
- 1 million jobs
- 15% of Eskom's domestic sales
- 93% of electricity via coal power plants
- R1.6- trillion of the market value of the JSE
- 37% of liquid fuels via Sasol
- R30-billion in taxes
- 54% of Transnet's volume of transport
- Total mineral sales of R195.6billion, an increase of 34%
- Primary mineral exports increased by 33% to R140 billion
- PGM sales increased by 70% to R65.6 billion
- Total gold sales R37 billion
- 72% of total sales from PGMs gold and coal
- 2.6% decline in diamond production, but value stayed at more than R10 billion
- Iron ore total sales were R9.9 billion (R8.5 billion exports)
- Nickel sales grew by 98% to R7.8 billion
- Copper sales increased by 92% to R5 billion

The above illustrated growth and profit maximization in the mining industry has been characterized by the high levels of accidents and fatalities. From the early stages of mining activities in our country, workers in this industry have been exposed to occupational hazards ranging from occupationally induced diseases, accidents and deaths. Fatalities in mines have been so prevalent such that they became a norm to the extent that **this industry has been and still is characterized as the killing fields within our economy.**

To illustrate this fact, below here we are highlighting the few recorded major disasters dating back to 1926:

- **125 workers were killed in 1926 in the Durban Navigation Collieries.**
- **68 workers were killed in the 1938 Hlobane disaster.**
- **437 workers were killed in the 1960 Coal Brook disaster.**
- **177 workers were killed in the 1986 Kinross disaster.**
- **104 workers were killed in the 1995 Vaal Reefs disasters.**
- **20 workers were killed in the 1996 Rovic disaster.**
- **20 workers were killed in the 2000/01 Beatrix disasters.**

Also, near miss in Elandsrand October this year where 3 200 workers were trapped with no alternative route come up from underground.

The numbers of people who have lost their lives in this industry within these centuries is substantially more than the above mentioned figures, given the individual workers who died weekly if not daily during this period.

The nature and causes of these accidents and fatalities have long been identified by the Leon Commission of 1994 and through the subsequent investigations conducted by DME. In all these instances rock falls, rock bursts and fall of ground have been highlighted as major causes. These conditions are as results of seismic events. This condition is preventable and that relevant technology is available or it can alternatively be developed within our country particularly if industry and government took the initiative of drawing experiences from other mining countries such as Australia.

Therefore, heavy investment by the industry is required in the fields of health and safety.

The National Union of Mineworkers is deeply concerned at the rate at which mine workers are killed by the South African Mining Industry. The situation cannot be accepted because we come to work not to die in the mines. Our family members want to see us alive and healthy at the end of each year. We want to continue contributing to the economy of our country as alive and healthy citizens.

2. THE CURRENT CONTEXT:

2.1 Almost on a daily basis there are reports throughout the media and mining journals regarding near misses, accidents and fatalities from the mines in our country. This is indicative of a **crisis situation** engulfing the mining industry. The irony is that the mine bosses do **not seem perturbed, perhaps the reason is that more than the majority of workers who die are Black and that Black life is cheap in this country.** Given the high rate of unemployment that affect mainly Black people in this country, it is more than easy for the employers in this industry to replace those workers who died as a result of these accidents. This situation cannot be allowed to persist particularly in the face of rising profits in this industry.

The table below illustrates the number of fatalities and accidents per commodity per year from year 2000 to 2007:

	Gold	Coal	Platinum	Other		No. Fatals
2000	0.41	0.25	0.23	0.26	34	285
2001	0.45	0.17	0.25	0.28	38	288
2002	0.44	0.2	0.26	0.3	45	290
2003	0.37	0.21	0.24	0.25	41	270
2004	0.28	0.19	0.21	0.31	53	246
2005	0.30	0.13	0.15	0.17	33	202
2006	0.34	0.16	0.11	0.13	26	200
*2007						252

* Projected (As at September 2007)

	Gold	Coal	Platinum	Other		No. Injuries
2000	8.46	1.68	3.24	2.59	336	4733
2001	8.35	1.56	4.07	2.87	385	4728
2002	8.32	1.59	3.19	2.37	354	4461
2003	7.70	1.75	3.00	1.83	298	4301
2004	7.37	1.81	2.91	1.88	318	4268
2005	6.85	1.48	3.54	1.62	311	3985
2006	7.02	2.05	3.75	1.30	256	4159
*2007	6.97	1.55	3.95	1.34	262	4179

* Projected (As at September 2007)

This translates to 9630 family members who lost bread winners and 174 070 who permanently or partially lost normal income as a result of injured bread winners.

2.2 The NUM is concerned with the apparent lack of legal action that must be instituted against the accounting officers who have been found to have negated their duties and or responsibilities in their employment at mining companies. The union and DME inspectorate have participated in all accident inquiries as per section 65 of the Mine Health and Safety Act of 1996. We have supported the findings and recommendations of these inquiries particularly those that call for prosecution of accounting officers who have been found to be negligent. However, as far back as year 2000 no employer has ever been prosecuted or even charged by the Directorate of Public Prosecution (DPP) any where in the country. Hence, the rising levels of accidents and fatalities. We believe that this inaction is not only limited to the mining industry, there is a huge backlog of occupational related cases that is accumulating at Nation Prosecuting Authority (NPA).

3. NUM OBSERVATIONS:

Notwithstanding the positive contributions we have made since the formation of the NUM, the above picture without any exaggeration simply presents a shameful lack of interest by mine bosses in ensuring that the mining sector is a safe working environment and strives to protect workers rights, workers dignity and the right to life.

4. OUR DEMANDS:

We, the NUM members gathered here today proclaim the following as our demands as per the NUM's Congress:

- 4.1 Health and Safety must form part of the Chief Executive Officers key performance areas.**
- 4.2 The Chief Executive Officers must be subject to a recall on account of fatalities.**
- 4.3 The provisions of the Mines Health and Safety Act to be implemented, particularly the right to refuse to do dangerous work.**
- 4.4 The role of the Union shop-/shaft-stewards and their involvement in decision making process to be recognized.**
- 4.5 The Chamber of Mines, Mine Houses and individual mining companies to review the current training to health and safety representatives and employees.**
- 4.6 The content and mechanisms of these training to include guidelines on risk assessment to enable workers to detect, report and leave hazardous conditions.**

4.7 Mining Companies must mobilize resources for Research and Development on Health and Safety and these must be accessible to labour.

4.8 Recommendations to be implemented as recommended by the SIMRAC (Safety in Mines Research Advisory Committee).

4.9 The mines to take note of the Leon's Commission and implement the contained recommendations, which include:

4.9.1 The right to representation.

4.9.2 The right to refuse to do dangerous work.

4.9.3 The right to education and training.

4.9.4 The right to information.

4.10 The mines should deal with issues of Environmental impact effectively:

4.10.1 Rehabilitation of slime dams

4.10.2 Rehabilitation of non-active and active Mines.

4.10.3 Silica Dust.

4.10.4 Radiation.