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New Bulletin - New Update

Ever striving to serve our affiliates in the best possible way UNI Commerce has decided to introduce a new way of utilising the sector bulletin. The sector bulletin has become a cornerstone in the communication across our global sector and provides a shortcut to relevant information about key developments in UNI Global Union and the Bulletin will continue to fulfil that role. What has changed is the frequency of it which will be twice a year so that the Bulletin will be issued mid-year and around New Year.

More frequently you will receive an MNC Update which will keep you updated on developments in our work with the Multinational Companies and the regional companies such as has been decided by our Dublin Conference.

In this issue you will find articles about the UNI Europa Commerce Conference, the disaster in Japan, Walmart and a report from the Global Steering Committee meeting.

European commerce under severe strain

Part of UNI Europa Commerce President Jorgen Hoppe's opening address for the UNI Europa Commerce Conference in Madrid June 2011.

Nearly 30 million people go to work every day in the commerce sector. Our members – commerce workers of Europe – whether they work in IKEA in Stockholm, Zara in Barcelona, TESCOs in Manchester, Lidl in Dortmund, Carrefour in Paris, or H&M in Warsaw - take pride in their jobs and offer quality services to European customers. They contribute significantly to the European economy.

But as the synthesis report shows, European commerce workers are asked to work hard, with increasingly unsocial hours and job inse-

curity to lower than average wages and with unsatisfactory access to training.

While the terms and conditions of our workers vary considerably from country to country, the general trends are common. Our members work in a highly price competitive market that has created a downward pressure on wages and an increase in part-time work. The commerce sector is also increasingly dominated by large companies that operate across more borders than ever before.

In other words, the commerce sector is now more than ever European. This demands a European trade union presence and gives us added incentives to improve the European dimension of our trade union work.



UNI Europa Commerce President Jorgen Hoppe, HK Handel, Denmark

The report highlights a fundamental problem in the European commerce sector – as a result of lower trade union membership and collective bargaining coverage; there are fewer workplace representatives and lower rates of employee representation on works council or other consultation bodies. Our strategy must, therefore, begin and end here: to make our trade union presence more extensive and effective throughout Europe.

The report speaks for itself. It highlights the problems we face in the commerce sector and points us in the direction we need to focus our efforts. It adds weight to the resolutions put before the UNI Europa Commerce Conference that we have drafted under “European Works Councils at the hear of European trade union strategy”, “Organising in Commerce”, “Working hours and work/life balance”, “Employment and quality services” and “Inclusive labour market”

We need to change the mindset among employers in the commerce sector. A viable, sustainable, economically successful commerce sector relies on its greatest asset – its hard-working and skilled workers.

UNI Europa Commerce Conference

More than 200 trade unionists from all around Europe met on 9–10 June 2011 under the UNI Europa Commerce umbrella.



The conference took place at a key moment when the Spanish government was looking to deregulate shop opening hours. The Conference focused its debate on unsocial working hours which cover late/night/holidays and Sunday work. The delegates unanimously condemned the attitude of giant retailers who put pressure on workers and small businesses. Several employer representatives and MEP A. Cercas addressed the conference.

The conference also adopted an Action Plan which will guide the activities of UNI Europa Commerce over the next 4 years. The action plan focuses on the necessity to a) improve organising of members in the commerce sector, b) ensure the inclusion of younger and elder workers in the labour market, c) ensure that jobs in the commerce sector is composed of

quality jobs and d) improve the functioning and networking of European Works Councils.

Read more on the UNI Europa Commerce website:

http://www.uniglobalunion.org/Apps/portal.nsf/pages/20090205_yeptEn

Global Steering Committee emphasises focus on organising

Halfway through 2011 was also halfway to the next UNI Commerce Global Union Conference, and thus a good time to evaluate the progress of the work in our global commerce union. Indeed, this was the underlying task for the Global Steering Committee when they met on 12-13 May in Nyon.

The Committee had already last year adopted an strategy plan which aims to assist the implementation of the sector's Action Plan adopted in Dublin in 2009. The Committee was encouraged by the progress made since last year. The strategic approach to go about managing and handling the many different tasks in the sector was fully endorsed by the Committee. Swedish apparel retailer H&M was added target list, so you will find in this edition of the MNC Update a more detailed section on H&M. Walmart has gained renewed importance after it was allowed to buy the South African retailer Massmart. Finally, the Global Steering Committee accepted an invitation from the Argentinean commerce union FACEYS to host the 2013 UNI Commerce Global Conference Buenos Aires.

Walmart's entry into Africa

When news broke on 27 September 2010 that Walmart was seeking to gain entry to South Africa, UNI immediately engaged with SACCAWU of South Africa and set up a task force with the North American UFCW.

It was clear that South Africa was the primary target market for the company, serving also as a springboard to the rest of the continent. At the time a vigorous debate was raging in South Africa about the type of economy that is required in order to facilitate development.

The country is acutely aware of the need to have an economy that delivers for all, with sustainable employment being one of the major goals. With the support of UNI and UFCW, SACCAWU put together a comprehensive plan to protect retail and supply chain workers faced with the entry

of Walmart to the country. SACCAWU engaged in the spheres of labour relations, politics, academia and media relations to ensure that every effort was made to protect and enhance the position of workers in South Africa.

The country has a process routed in Competition Law, which examines any proposed merger or acquisition before a specialist tribunal.

SACCAWU met with Massmart and Walmart management where the Union presented the Companies with fifteen demands that it is seeking both companies to commit themselves to before the transaction is concluded. SACCAWU furthermore initiated the creation of an Anti-Walmart Coalition comprising a large number of South African trade unions and civil society representatives.

On 17 January 2011 a global labour coalition consisting of UNI, UFCW and COSATU made its voice heard at the Massmart shareholder meeting in Johannesburg.



On 11 February, the global union coalition suffered a potential setback when the Competition Commission recommended that retail group Walmart's proposed acquisition of 51 percent of equity in Massmart be approved without conditions. Essentially, this would give Walmart unfettered access to the South African market, while taking no account of the very real and specific dangers that the Walmart model would pose to South Africa. SACCAWU expressed its outrage and disappointment at the Commission's failure to identify issues of competition, implications of the merger on the supply chain, small businesses, the environment and worker-issues despite submissions by the union and the wide public interest over Walmart's entrance into South Africa's retail market. UNI accused the Competition Commission of being a toothless tiger in facing the might of Walmart and re-iterated its warning to South Africa over the Walmart business model.

The global coalition then vowed to continue with its struggle to ensure

that their voice was heard in the Wal-Mart/Massmart takeover process - which would now go before the Competition Tribunal - as well as intensify the mobilisation of the Anti-Wal-Mart Coalition. The Tribunal would make the final decision as to whether to support the Competition Commission's finding that Walmart be allowed to enter South Africa free and clear; whether the proposed takeover be blocked; or whether the takeover would be approved with conditions. These conditions could include measures to protect workers, suppliers and small businesses from the more devastating effects of the Walmart model.



With the help of the UFCW as well as UNI affiliates in Argentina and Chile, SACCAWU was able to present 10 expert witnesses – ranging from famed Professors to heads of Non-Governmental Organisations – to the Competition Tribunal who offered to give evidence on Walmart's conduct in its retail business and supply chain throughout the world, thus demanding the authorities to impose strict conditions on an entry into South Africa by Walmart.

The proposed entry of Walmart to South Africa via the takeover of Massmart was then due to be heard by the Competition Tribunal during the week 22 - 25 March 2011. At the beginning of the hearing, the South African Government applied for a postponement in order to present evidence to challenge the economic evidence of the companies. The Tribunal then issued a ruling that the hearing proceed and that the Government actively intervene at a later stage. This would have essentially made a fair process impossible as the government would have been allowed to present its evidence in the future, but the unions would not be allowed to see or use this evidence before going forward at that time. SACCAWU protested this unfair decision and asked for the hearing to be suspended while the decision was under appeal. In a dramatic reversal, the Tribunal stayed the entire case until May 9 – a result that was widely reported in the press as a victory for workers and for the global alliance.

South African Competition Commission calls for conditions on Walmart entry



The South African Competition Tribunal hearings on 9-16 May 2011 offered enough proof to the Competition Commission that it reversed its earlier recommendation to accept Walmart's buy of Massmart without conditions. Explaining the big turnaround, the Commission said there were many documents that it hadn't seen when it made its original recommendation to the Tribunal that Walmart enter the market without conditions. After listening to the evidence and seeing various documents through the discovery process, it formed a new conclusion. The Commission now says that if the merger is approved, a condition should be applied compelling Walmart to reinstate the 503 retrenched workers that Massmart cut in anticipation of the merger. It also recommends a condition stating that existing labour agreements with Massmart must be honoured for three years.

Competition Tribunal's decision to approve Walmart's buy of local retailer Massmart is not a free pass

In its decision, the Tribunal said the retailer must give preference as positions become available to re-hiring 503 workers who lost their jobs in Massmart last year; cannot cut staff for two years; it must honour existing labour agreements with SACCAWU for the next three years; and after the merger, it will set up a fund of 100 million rand (\$US 14 million, or about 0.003% of annual global sales) for a three-year program to develop local suppliers, with trade unions sitting on the committee.

UNI and its coalition partners claim that the Tribunal should and could have gone much further in laying down merger conditions and has vowed to support SACCAWU and COSATU as they prepare a legal appeal to the merger approval.

"When the largest single employer in the world comes to town this also changes the rules of the game," Jennings said. "There wasn't sufficient attention given to the implications of this. There was a feeling that decisions had been made in haste. There was a feeling that the discovery process had not been exhausted and therefore that the competition commission did not have all of the data in its hand to make a judgment."

The South African government has in the meantime also challenged the tribunal decision and the Parliamentary Portfolio Committee on Economic Development held public hearings on the deal during the month of July.

The Appeal will be heard before the appeal's court in October 2011.

The UNI Commerce action plan for South Africa includes an organising campaign aiming to achieve majority representation in all parts of Massmart and the create a Pan-African network on Walmart which will assist UNI commerce affiliates in sharing information on the company and support their organising and bargaining efforts.

US Walmart employees want change

Nearly 100 Walmart Associates travelled to Bentonville, Arkansas (USA) on 16 June 2011 to speak out directly to company executives, asking for partnership in making change in stores across the USA.



"United for Respect at Walmart" (OUR Walmart) provides Walmart Associates with an opportunity to join together to improve working conditions, their company, their own lives and most importantly, to gain more respect on the job.

Settlement Reached with AOKI

Group Workers' Union in Japan
UNI Global Union welcomed the news that AOKI Holdings Inc. and AOKI Inc. reached a settlement with AOKI Group Workers' Union which is affiliated to UI Zensen over workers' union rights.

The settlement protects employees' right to join a union and the union's right to organise workers at AOKI.

"This is a breakthrough for the union and the company that will improve relations between management and the workers," said UNI General Secretary Philip Jennings. "We wish them a productive relationship."

AOKI Group Workers' Union reached a full settlement with its employers, AOKI Holdings Inc. and AOKI Inc., on 1 August 2011 at the Kanagawa Prefecture Local Labour Relations Commission.



Head of Department Alke Boessiger and GS Philip Jennings participating in a solidarity action with AOKI workers in November 2011 in Japan.

All appeals by the Union were accepted in the settlement as follows;

1. AOKI managements shall admit that their actions, which could be regarded forcing workers to disaffiliate from the Union, were inappropriate and express their regret for their actions.
2. AOKI managements shall recognize their relationship with the Union as the axis of industrial relations and pursue stable industrial relations jointly with the Union.
3. AOKI managements shall not give unfair treatment to the workers who newly join or re-join the Union in the future.
4. AOKI managements shall not interfere or intervene in legitimate actions of the Union to recruit workers.
5. AOKI managements and the Union shall hold regular meetings participated by the board members (including President Aoki as much as possible) in principle in order to further strengthen trust between labour and management.
6. AOKI managements shall extend maximum assistance to the procedures for re-affiliation such as check-

off when the workers who were forced to disaffiliate from the Union by the managements wish to re-join the Union.

UNI unions around the world stood in global solidarity with UI Zensen members in their fight for union rights. A solidarity statement in support of the workers was endorsed by the UNI World Congress in Nagasaki in November.

40for40

UNI Global Union's Equal Opportunity Department is launching the campaign "40for40".

The objective of the campaign is to achieve our resolution for Women's representation that was adopted at the Nagasaki Congress in order to highlight good practices.

We need your help to convince the leaders of your union to join the campaign by signing a declaration supporting this good cause!

The campaign "40for40" is aiming to get signatures from a minimum of 40 union leaders in the 4 regions of UNI Global Union in support of the UNI plan to ensure that at least 40% of seats are held by each gender in all UNI decision-making structures and in their own organizations.

The campaign will have a website where you can locate on a world map those Union leaders -with their photos- who sign the declaration. The campaign will also be promoted on Facebook and Twitter.

Join our work for equality worldwide by getting your union leader's signature on the declaration.

http://www.uniglobalunion.org/Apps/portal.nsf/pages/thm_20090123_khn4En

UI Zensen joins UNI's 40for40 Campaign

UI Zensen President Ochiai vowed to support UNI's latest campaign for better women representation, and in June President Soichi Hachino, JSD signed up to the campaign.

Organising Success in Zambia

After prolonged negotiations UNI Commerce affiliate NUCIW in May

signed a Memorandum of Understanding with Shoprite Checkers which ended casualisation in Zambia. South Africa's largest retailer operates 20 shops in the country and as in other countries the workforce was up of about 30% casual workers.

The new union leadership with regional organising secretaries and national Organising Director Astridah Phiri, 2nd from left.

With the end of casualisation 500



workers were made accessible for recruiting and by August NUCIW's Organising Director Astridah Phiri announced 100% success. The organising and recruiting effort was achieved with the support of UNI Commerce which is running a project in 4 countries neighbouring South Africa: Zambia, Mozambique, Malawi and Namibia. The project is sponsored by Swedish LOTCO with the aim of strengthening the bargaining power of the trade unions organising in Shoprite Checkers.

Pick'N'Pay

On 4-5th July the Pick'N'Pay Union Alliance met in Johannesburg with the participation of representatives from South Africa, Namibia, Lesotho, Mozambique, Zambia, Zimbabwe. UNI Africa President Bones Skulu outlined the obstacles that SACCAWU was facing when trying to organise the company, which had changed its attitude dramatically since Wal-Mart started the process of merging with Masmart. South Africa's 2nd largest retailer used to have a good relationship with SACCAWU and talks on signing a Global Agreement had been initiated but with the announcement of the retrenchment of more than 3.000 loyal workers, the company's intentions have been made clear. Colleagues from other countries reported on the harassment from store managers and increased use of casual- and contract-workers. Patrick Madumo the current Chairperson of Pick n Pay South Africa were elected Chairperson of the Alliance.



UNI pays tribute to victims of Japan Earthquake and Tsunami

During a visit to Sendai in the Tohoku region with UNI affiliate JSD, UNI Head of Department for Commerce, Alke Boessiger paid tribute to the victims of the March 11 disaster that cost the lives of ten of thousands of people and destroyed the livelihood of many more.

Lead by local union leaders Hidetsugu Sato and Alke Boessiger were able to visit destroyed areas along the Pacific coasts near the cities of Sendai and Ishinomaki.

"I don't have words to describe what I saw", says Alke. "Entire villages, housing areas and factories have been completely washed away. There is nothing left but a few personal items carried away by the giant waves. It looks like a war zone."

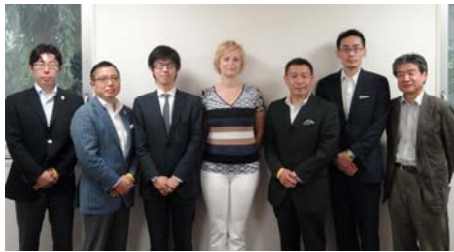
In a meeting with local union leaders Hidetsugu Sato and Takahiro Shii after the site visits, they described how JSD members, who had been undergoing earthquake evacuation training for years, lead their customers out of the department stores and to a safe assembly place when the earthquake hit.



But from here people had to make their own way home and many of those who made it home were either killed by the tsunami that followed the 9.0 strong quake or returned to find their houses and families had vanished.

Unions and store managements joined forces to locate the workers and to set up emergency help.

Within hours of the disaster, the Tokyo headquarters of the companies as well as the union headquarters sent lorries loaded with food supplies, generators and gas bottles on their way to the affected areas.



"We are incredibly grateful to our union and to UNI for the hundreds of solidarity messages and funds that we received. We can feel first hand what union solidarity is all about and to know that our brothers and sisters around the world are thinking of us has been a great source of strength for us in our efforts to rebuild our lives" said Hidetsugu Sato. "A lot of the money collected to support the local unions will be used to assist workers to re-build their houses and to support a local NGO taking care of surviving children who lost their families to the tsunami."

JSD affiliated unions in the area will now come together to discuss how to cooperate more closely in the future in order to even better prepared in case such an event would be repeated.

"People are incredibly strong. They don't feel anger about the tsunami and what it did as they accept nature's forces" said Alke. "But they are mad about the nuclear disaster in Fukushima and how the Japanese government seems incapable to come up with ideas to prevent such accidents in the future and to develop alternative energy sources."



Forthcoming Events

21-22.09.2011: ILO Global Dialogue Forum on the needs of workers in retail commerce, Geneva, Switzerland

17-18.10.2011: Vienna Dialogue, Wien, Austria

19-20.10.2011: CICE CARREFOUR Plenary

31.10-02.11.2011: GSCP General Meeting, San Francisco, USA

2-4.11.2011: SHOPRITE Project Meeting, Johannesburg, South Africa

7-8.11.2011: CARREFOUR Global Union Alliance, Guarapani, Brazil

7-9.11.2011: UNI Global Union Executive Committee, Nyon, Switzerland

10-11.11.2011: METRO EWC Training, Düsseldorf, Germany

16-17.11.2011: Meeting with INDITEX, La Coruña, Spain

17-18.11.2011: KAUF LAND Meeting, Brussels, Belgium

24-25.11.2011: METRO Global Alliance Meeting, Düsseldorf, Germany

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Meetings in 2012

6-8 March: Launch of the IKEA Global Union Alliance, Istanbul, Turkey

May 2012: UNI Commerce Global Steering Committee, Nyon, Switzerland

Meetings in 2013

UNI Commerce Global Conference, Buenos Aires, Argentina

UNI Americas Commerce Conference, Buenos Aires, Argentina

UNI Apro Commerce Conference

UNI Africa Commerce Conference

UNI global union

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