CONTRACTORS AND CONTRACT WORKERS IN THE SOUTH AFRICAN FRUIT SECTOR: A NEW FORM OF PATERNALISM?

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Introduction

An important feature of labour arrangements on South African fruit and wine farms has always been the paternalistic nature of the employment relationship between farmers/owners and farm workers living on farms.[1] With the decrease in the employment of on-farm permanent workers and an increase in the utilisation of off-farm temporary labour – particularly contract labour - since the mid-1990s, a new form of paternalism appears to be developing, that is, between contractors and contract workers. It is this relationship that the paper wishes to explore. Paternalism has a long history and has its origin in slavery and colonialism in the 17th century. Since the early 1980s, however, traditional paternalism has evolved into neo-paternalistic arrangements. The latter has meant a shift towards new employment strategies and management practices and the increasing formalisation of the employment relationship between farmers and on-farm labour. This shift has in the main been a response on the part of farmers to political pressures by labour unions and the international community. Since the beginning of the 1990s South African agriculture and the deciduous fruit export sector in particular has experienced further dramatic changes the most important of which are political democratisation, the fruit sector's re-entry into global markets, deregulation of markets as well as extensive labour and tenure legislation.

Fruit growers' responses to these changes vary. However, on the whole, they have responded by embarking on a 'new geography of agricultural employment' (a term used by McKenna et al 1998). In order to cut labour costs and remain internationally competitive, farmers/growers have been shedding permanent on-farm workers and/or moving away from providing regular and permanent employment to on-farm workers towards the employment of different sources of off-farm temporary labour. One of the most significant patterns in the utilisation of temporary labour has been the development of a labour contracting sector (Kritzinger and Rossouw 2001; Kritzinger and Vorster 2001).

Recent research has highlighted the existence of different labour contracting arrangements and types of outsourcing within the fruit sector (du Toit and Ally 2001). However, all of these system have one thing in common, that is, contrary to past arrangements, farm workers are now being employed by independent third-party contractors and not by farmers/growers. The externalisation of farm labour has created a new layer of entrepreneurs (contractors) some of who are drawn from the ranks of those who were formally employed as farm workers. Compared to on-farm permanently (and even seasonally) employed workers, contract workers have no access to the benefits and protection provided by labour legislation. Furthermore, all

forms of labour legislation have 'evolved in response to the organisation of workers' (Theron 2001:65). The degree to which workers are able to organise themselves and articulate their interests is crucial to protecting peripheral workers. However, rights to organise make no concessions to the difficulty of organising marginalised workers. Although unions have had a measure of success in organising agricultural workers in the past, they have made virtually no inroads into the contracting sector.

In the absence of legislative protection and union organisation, contract workers are particularly vulnerable to insecurity. It is within the context of externalisation and insecurity of employment that the relationship between contractors and contract workers is taking on a special significance. The relationship has become personalised and the contractor appears to be taking on the role of 'protector' who has to provide security and minimise risk to the contract worker. The aim of this paper is to explore the nature of this relationship more fully. The key question it wishes to examine is the extent to which the relationship between contractors and contract workers exhibits some of the features of the paternalistic employment relations that have existed between farmers and on-farm workers on fruit farms. It examines the extent to which this relationship can be described as 'paternalistic'.

The paper is divided into three main sections. First, we analyse the historical origins and evolution of paternalism on South African fruit farms in order to identify some of the central elements or features of this type of employment relationship. Secondly, we contextualise the rising importance of the contracting sector by providing and overview of the most important changes that have taken place within the fruit sector since the early 90s, the changing employment strategies employed by farmers in response to these changes and by examining the employment insecurity and risk that contract workers face within a context of increasing externalisation. Using case study material, the third and main section of the paper examines the relationship between contractors and contract workers more closely. It examines the extent to which this relationship resembles the traditional employment relationship between farmers and farm workers. This is done against that background of our analysis of the origin and evolution of paternalism on farms and the risk and insecurity faced by workers within the contracting sector. In the concluding section we suggest that the relationship between contractors and contract workers is one of dependency and one that exhibits many of the features associated with traditional paternalistic relations on farms. We thus suggest that a new form of paternalism is evolving within the contracting sector.

Paternalism on Western Cape farms: its origin and evolution

Paternalism has always characterised employment relations between farmers and farm workers on Western Cape farms. Although it has a long history that dates back to the 17th century, scholars only started to seriously examine paternalistic relations from the mid 1980s onwards (for example, Mayson 1990; van Onselen 1992; du Toit 1992, 1993; Waldman 1996, Orton et al 2001). Waldman's study (1996) and the more recent contribution by Orton, Barrientos and McClenaghan (2001) have taken the analysis of paternalism forward by examining the gendered nature of paternalistic employment relationships on farms.

Paternalism on Western Cape farms can be traced to the master-slave relationships on farms in the 17th century – more specifically the management of slaves – and the

Masters and Servants Act of 1856 following the abolition of slavery in 1834. According to Shell (1994:213) an important factor in determining the style of slave management and control was the size of the farm holding. Given that most of these holdings were small, '..family management was a much more subtle and more appropriate means of control that physical punishment would have been'. For both the Dutch and the British the concept 'family' (familie) included slaves and servants in the immediate household. For the slaves who had been uprooted, this household provided their only 'home' while the slave owner insisted that the slave was part of the 'family'. The later incorporation of the free Khoikhoi into family management was a natural extension of the slave family model (Shell 1994:215-216 and 221). The ideological construct of the family meant that slave owners had effective control over their subordinates who occupied the position of children within the family.

With the abolition of slavery in 1834 and limited opportunities available to secure work many slaves were forced to work on Western Cape farms in exchange for food, drink and clothing. The 1856 Masters and Servants Act defined all farm labourers as 'servants' and farmers as 'masters' and made provision for punishments if labourers did not comply with their contracts. This act was to play a crucial role in shaping relationships between farmers and farm workers (Waldman 1996:68). Traditional paternalism on farms thus defines workers as children dependent on the farmer. According to van Onselen (1992:134), the concept of paternalism is predicated on the notion of a 'male of legal standing who enjoys the right – without having to seek recourse to the law – of exercising traditionally sanctioned authority over minors within the "family": that is, over the "women and children" on his property'.

Since the beginning of the 1980s, traditional paternalism on farms has been increasingly transformed into neo-paternalism. This shift has meant a greater emphasis on 'management' – especially that of human resources management. According to du Toit (1992:i), this transformation did not only reduce the unilateral power and authority of the farmer, but had motivated workers to see themselves as 'partners in the farm as a business enterprise rather than "children" dependent on the master's goodwill'. Neo-paternalism emphasises productivity measurement, procedures and work rates, training, motivation and participation of farm workers in decision-making processes (Mayson 1990). Farmers' efforts to formalise the employment relationship as part of a modernising effort can be described as efforts to escape the negative image that South African agriculture as a whole acquired in respect of labour relations – especially in the wake of sanctions instituted by South African export markets during the 1980s. It has also been in part in anticipation of the extension of labour legislation to agriculture. As part of this process of modernisation most farmers introduced social development programmes and social structures (work and liaison committees) through which farm workers could have a 'greater say in their lives'. Global and legislative pressures have provided greater momentum to this process and an ideology of reciprocal obligations characteristic of more paternalistic arrangements between farmers and workers has increasingly been substituted by one of reciprocal rights. The shift to neo-paternalistic arrangements, however, has often been erratic and contradictory and especially dependent on the financial viability of farming enterprises and the attitudes and management styles of farmers/growers. Thus even under conditions of neo-paternalism, the farm often retains many of the features of, what Coser (in Newby 1977:427) calls, a 'greedy institution' – institutions which make total claims on their members, 'seeking exclusive and undivided loyalty'. This,

according to du Toit (1993), is partly due to the inherently diverse nature of 'new managerialism' itself, for the paradigms that inform management in the deciduous fruit sector are often contradictory.[2] It is, however, significant that the pressures of global competition, extensive labour legislation and the need to cut labour costs have resulted in many farmers/producers withdrawing many of the benefits and facilities from on-farm workers. Most of these benefits, facilities and fringe benefits were associated with 'paternalistic' labour arrangements and practices – either in its more traditional or in its 'modernised' version (Kritzinger and Vorster 2001:61). Producers have in the past viewed most of these benefits as part of their 'social responsibility' to 'develop' their on-farm labour force.[3]

In order to 'come to grips' with paternalism and to more clearly identify its features, we need to re-examine du Toit's study of the micro-politics of paternalism (1993:320-21). Paternalism, he says, 'is more than a set of economic relations'. It is 'more than a worker's dependence on the farmer, and more than their isolation from the outside world'. Paternalism is also a 'specific way of *understanding* these relations, a particular interpretation of this dependency'. du Toit emphasises two central features of traditional paternalism on South African farms. The first is its deeply *organic* conceptualisation of the relationship between the farmer and worker. For paternalism, 'the farm is not merely an association of employers and employees; it is an all-embracing organic community – a family' (1992:4). The relationship is one of unity and intimacy and the farmer 'takes the place of the father' and 'takes responsibility' for the worker. The 'organic' interpretation of the relationship also means that the worker becomes 'part of the family' and 'part of the farm' when he/she starts work on the farm.

The paternalistic discourse, notes du Toit (1992), also raises the question as to one's place in the 'family'; whether one is 'inside' or 'outside' the farm as community. According to du Toit the theme of belonging to or not belonging to is encapsulated in the notion shared by the farmer and the worker of the concept of *mekaar verstaan* (understanding one another). This notion, he says, 'acts as the guiding paradigm and legitimising ideal of relations on the farm, the yardstick by which life is measured' (1993:321). This concept can be understood on two levels. On the more concrete level 'understanding one another' refers to a situation where the worker understands the farmer's orders and can execute these orders; on another level it refers to the mutual recognition and acceptance of the obligations, rights, benefits and duties that membership of the farm community brings. For the farmer it means that he can rely on his workers and that they respect his authority. For the farm worker is means that if you are seen as reliable you can ask for favours and assistance. Workers' duties extend beyond the labour provided by the worker family and also include personal behaviour imposed by farm rules. Farmers, of course, also have obligations towards farm workers. These include 'good treatment' and other benefits which could be far-reaching and open-ended, for example, providing good housing, protection from criminal elements, transport, medical care, financial help and assistance with more personal and family-related problems. Paternalism means that you can ask for help and favours. For workers paternalism often entailed a sense of identity, a sense of belonging and the provision of material and psychological security. For workers it is important to have personal access to the farmer and work for a 'good' farmer. To work for a 'good' farmer means that you have a 'good relationship' with him (Kritzinger and Vorster 1997). Paternalism also conceptualises the farm as a

community of interest and perceives the farm as a 'threatened' community. While antagonism within the farm is denied, paternalism postulates an antagonism existing between the farm community and the outside world – the lazy, drunk or irresponsible worker; the thief; the trade union etc.

The second feature of traditional paternalism relates to the way power functions on the farm and the special place of the farmer within the community. On fruit and wine farms racial and social identities are virtually interchangeable. Farmers often refer to 'our coloureds' while workers often talk about 'our white man'. The white man becomes the 'father' of the family. As du Toit explains (1992:10), 'his position as the one to whom service is owed, the one who dispenses favours, the workers' protector against the outside world, endows him with a unique centrality'. Thus, while farmers and workers have mutual rights and obligations, the relationship is essentially asymmetrical. This means that the farmer's obligations are institutionalised as a 'gift relationship' (ibid.11-12). Dissent from workers is immediately seen as a challenge of the farmer's authority. The literature also suggests that it is the constant threat of eviction from the farm that allows the farmer to effectively control his on-farm labour force. As Waldman (1996:70) notes, eviction entails the loss of accommodation, employment, access to the farm community and the possible loss of access to education for the children. The 'special' relationship between farmer and worker clearly entails contradictory elements. One the one hand it promises security as long as you enjoy the favour of the farmer. On the other hand, dependency breeds powerlessness, insecurity and uncertainty.

Research undertaken in the fruit sector during 1994/95 highlights many of the elements of traditional paternalism as identified by du Toit's work (Kritzinger and Vorster 1995; 1997:1228-130). When explaining their preference of having a proportion of their workers live on farms, for example, farmers emphasised that 'everybody feel part of the farm'. They noted that 'living on farm property results in a spirit of cohesiveness – an us feeling' and, 'the whole lot of us is a family'. They also stressed the farmer's immediate access to workers, the need to control workers and emphasised that workers are kept away from negative 'outside' influences. Farm workers indicated their need to have 'personal access' to the farmer and emphasised that the farmer helps them to 'solve personal problems', show 'personal interest' in them, treats them well or has a 'good relationship' with them (Kritzinger and Vorster 1997:128). Those farmers who were not in favour of trade unions organising on their farms, argued that 'outside' interference would harm the 'special' relationship existing between them and their workers. These findings illustrate a point made earlier, that is, that despite the evolution of paternalism since the 1980s, labour arrangements on fruit farms during the 90s have retained many of the elements usually associated with traditional paternalism.

In order to contextualise and 'make sense' of the relationship that has developed between contractors and contract workers since the mid-90s and, the extent to which this relationship resembles paternalistic relations on farms as discussed above, the following section examines the increasing utilisation of contract labour and the insecurity that contract workers face.

Contextualising the contractor-contract worker relationship: the externalisation of farm labour in fruit farming

Recent research into the South African deciduous export fruit sector has highlighted significant changes that this sector has faced since the early 1990s. The most important changes include the sector's re-entry into global markets, deregulation of markets and extensive labour and tenure legislation aimed at protecting farm labour. South Africa has a significant market for its fruit in Europe and the UK. Supermarkets in especially the UK is increasingly dominating the retailing of fresh produce and act as dominant buyers working through integrated value chains they are able to govern through their dominant position (Barrientos 2000; Barrientos et al 1999b). Supermarkets are exerting increasing pressure on fruit growers including pressure to meet production schedules and high quality standards. Global integration has been combined with deregulation of the deciduous fruit sector in 1997 with the dismantling of a single channel export system controlled by Unifruco (now Capespan). These developments have intensified competition for South Africa. There is now an expansion in the numbers of exporters operating out of the country. There has also been a rapid increase in the export of fruit by other Southern Hemisphere countries – especially Chile resulting in a downward pressure on export prices. Thus, growers are increasingly facing a 'pincer movement' of increasing demands to meet tight production schedules, standards of quality with declining prices (Barrientos et al 2002). Combined with these commercial pressures, South Africa has also undergone political democratisation and the fruit sector is operating within a changing legislative environment. It has been suggested that, contrary to the 'retreat' tactics of the neo-liberal state elsewhere, the South African state has actively intervened in the agricultural labour market (Barrientos et al 1999a). South African fruit producers have not been able to arbitrary shed labour or follow a 'hire and fire' strategy in effort to lower labour costs. Since 1993 the South African state has been legislating on unemployment insurance, basic conditions of employment, labour legislation and the right to strike action, security of tenure and employment equity.[4]

Fruit producers' changing employment strategies

The combination of all these pressures has led to significant changes in the pattern of agricultural employment in South Africa. It is estimated that 114 000 regular jobs have been lost in commercial agriculture between 1988 and 1996. The number of permanent jobs lost in 1994 is recorded as 19 percent (Simbi and Aliber 2000), while the percentage of farm workers in the total rural labour force has fallen from 15,2 percent in 1991 to 12,3 percent in 1996 (Statistics South Africa and National Department of Agriculture 2000). Within the fruit sector research has found that growers already indicated in 1994/5 and again in 1998/9 that they were planning to decrease their permanent on-farm labour and, that should the need for more labour arise in future, they would recruit more off-farm temporary and/or contract labour. (Kritzinger and Vorster 1995, 1999). It was evident that off-farm labour had become an attractive option for fruit growers within a context increasingly characterised by market competition. These trends appear to have been confirmed by a more recent study by du Toit and Ally (2001) on wine, fruit, mixed and table grape farms in the Western Cape. They conclude that, on the whole, the data indicate a 'definite job-shedding and externalising trend in some of the most important districts of the key labour absorptive agricultural sectors of the Western Cape rural economy'. The shift,

however, is not homogeneous as some producers have chosen not to change the number of on-farm permanent workers.

While fruit growers' changing employment strategies was shown to relate to a range of pressures, two considerations appear to be of special significance. In the event of an expansion of production and the corresponding need for labour, producers are reluctant to build more houses on their farms due to escalating costs. The employment of off-farm temporary labour are seen by producers as a means to cut labour costs as housing is normally not provided for these workers. As a rule these workers are also exempted from certain conditions of employment and benefits. Secondly, legislation on tenure and property rights (ESTA) poses a threat to producers' property rights. Thus growers are not only unwilling to fill existing houses on their farms, but a substantial number of farmers are demolishing existing housing (Kritzinger and Vorster 1999; du Toit and Ally 2001). It must be noted that, while farmers are increasingly employing off-farm labour, most of them still have a small core of on-farm permanently employed workers who take responsibility for more specialised tasks.

The contracting sector and the insecurity of contract employment

One of the most significant forms of externalisation and patterns in the use of temporary labour on fruit farms is the development of a labour contracting sector. As du Toit and Ally (2001) have suggested, labour contracting arrangements and types of outsourcing on Western Cape fruit farms are varied and complex. However, they do have one thing in common. Contrary to past arrangements off-farm labour are now being employed by independent third-party contractors and not producers/growers. For the purpose of our discussion the difference between casualisation and externalisation of labour needs some clarification. In the case of the former, although employees' status within the enterprise changes, their status as employees does not change. The employment relationship remains susceptible to regulation even though it may be more difficult. In the case of externalisation, however, goods and services are supplied in terms of a commercial contract rather than in terms of an employment relationship. This reduces the scope for all forms of regulation.

The consequences of these two processes are significant. Externalisation usually creates a new layer of entrepreneurs (contractors) some of who will be drawn from the ranks of those who were formally employed. Externalisation is also generating casualisation and workers are in the most 'casualised form of employment possible' (Theron 2000:63). Compared to on-farm permanently (and even seasonally) employed workers, contract workers have no access to the benefits and protection provided by labour legislation. Theron (2001:65-66) has argued that, although 'permanent' is not a category of employment that is explicitly acknowledged in South Africa's labour legislation, the protection that legislation provides are nevertheless premised on the 'permanent job'. Furthermore, all forms of labour regulation have evolved in response to the organisation of workers (Theron 2001:65). The degree to which workers are able to organise themselves and articulate their interests is central to any scheme to better protect peripheral workers. As Theron has noted, rights to organise do not accommodate the difficulty of organising marginalised workers. In the South African case, the Labour Relations Act assumes there is a workplace that is controlled by an employer. In the absence of collective organisation there can be know collective

bargaining. Thus, within the agricultural sector unions have had relative little success in organising agricultural workers (Murphy 1995).

In light of the above the increasing tendency towards externalisation of farm labour in the export fruit sector has raised new concerns regarding wage and security levels as well as legislative protection for farm workers. As Barrientos (2000) has argued, a growing number of workers are now being drawn into global markets on the basis of low wages and insecure work. This has potential implications in terms of the increase of poverty amongst workers linked to the global sector. Based on a recent study of the contracting sector, the remaining part of this paper highlights some of the risks and insecurities facing contract workers within the context of increasing externalisation.[5]

The over supply of farm labour in the deciduous export fruit sector has meant that, in most cases, contract workers have to rely on personal relations and informal networks to secure employment with a contractor. The ability to secure employment is dependent on having established and being able to maintain a social network that facilitates access to contract work. It is also dependent on workers having certain skills - especially pruning. Contrary to most permanently employed on-farm workers who have written agreements with farmers/growers and are covered by labour legislation, contract workers neither have signed agreements with their contractors nor are they covered by labour legislation.[6] Contractors cannot ensure long-term agreements with workers as farmers/growers, in order to maximise competitive advantage, are reluctant to negotiate long-term agreements with contractors. Given the informalisation of the employment relationship contract workers do not enjoy benefits like UIF, overtime pay, paid leave and other benefits, for example, contributions to medical expenses. Thus, both contractors and contract workers fall outside the normal institutional arrangements that cover employment relations. Contract workers are thus deprived of the security that other forms of employment enjoy.

Contract workers describe their work as that of a ‘general contract farm worker’. This entails pruning and thinning of trees and picking fruit during harvesting time.[7] Due to high unemployment levels and the seasonal nature of the work, contractors are able to easily source labour at low levels. Wages is negotiated between the farmer or farm management and the contractor before work commences and wages are calculated according to piece-rate. Price is calculated per hectare but, more often per tree. Wages vary, but on average women earn between R30 and R37 per day during harvesting time, R24 during pruning and R30 during thinning periods. (1 euro=R9,69). On average men earn more than women and during harvesting time they could earn up to R60 per day. During pruning and thinning time they earn an average of R50 per day. Supervisors earn substantially more – between R400 and R500 per week. An important factor determining income levels is the number of days contract workers work. While contract work is highly insecure in comparison to permanent and more stable seasonal work, some contract workers are able to work for prolonged periods of time. However, the precariousness of the work does undermine the security of the livelihoods it provides. Workers, for example, is highly dependent on good weather conditions and often work for only two to three days per week in winter months. Not all workers work overtime, but when they do, their earnings are extremely low.

Contrary to on-farm workers who enjoy housing as part of the employment relationship, contract workers are forced into various forms of off-farm housing. Most

contract workers' housing arrangements could be described as being dismal. Most of the contract workers in our study live in shacks in informal settlements in the Grabouw and Ceres areas, whilst others live in government scheme or RDP houses. Shacks lack basic facilities and amenities, for example, electricity, in-door running water and inside or outside flush toilets, while those who live in RDP houses have access to electricity, outside running and safe drinking water. Some contract workers (although in the minority) live with their families on farms and enjoy more favourable housing conditions.

While period of work and wage income determine the income of an individual contract worker, we also need to consider the total income of a worker's household to fully understand the insecurity and vulnerability contract workers experience. Total household income for contract workers varies and relate to number of household members earning an income, state grants and pensions received by members, remittances and time of year. From our study it appears that for contract workers the highest average per capita household monthly income is R497.30, while the lowest is R224.38. In the case of permanently employed farm workers the income is R666 and R234 respectively. While the difference in wages between permanent on-farm and contract workers are not that substantial and some contract workers earn higher wages than some on-farm seasonal workers (usually women), contract workers do not enjoy free housing, electricity and water and such like benefits. In the case of only two of the 16 households in our study did some of the household members receive state assistance in the form of state grants and pensions[8] (old age pension, disability grant and a foster child grant). When asked which member's income in the respective household are seen as the most secure, it was significant that state grants and pensions are viewed as the most secure income. In all of the remaining households it was evident that the income of members (usually male) who are permanently employed or who do contract work for up to 11 or 12 months per year are seen as the most secure. In all the households the wages of household members who do contract work for only a few months per year (usually women who work only seasonally) are perceived as the most insecure. The issue of relative deprivation was also raised when contract workers were required to compare their respective household income with those of other workers. Seven of the 16 workers viewed themselves as being either poor or very poor, while 5 workers assessed their respective households as being average compared to other workers. Only 4 viewed themselves as being well off. While income was an important consideration for workers when assessing their poverty levels, housing arrangements were also crucial. Those living with their family on farms, for example, were more likely to view themselves as being well off (Barrientos et al 2002).

From the above discussion it is evident that contract workers are insecure and vulnerable to poverty and relative livelihood deprivation. In the areas that we studied they had limited alternative forms of income generation or employment, few assets and poor infrastructure (Barrientos et al 2002). However, some contract workers were able to supplement their household income and devise household strategies to cope with insecurity.[9] The extent to which contract workers succeed to adapt to their insecure situation is closely related to household composition – especially the number of adult household members who enjoy employment, state grants and pensions, devising other means of income and, very significantly, the employment relationship

they have with their contractor. It is this relationship between contract workers and their contractors that the main section of the paper wishes to examine.

The data on which the examination of the employment relationship between contractor and contract workers are based is part of a much larger study which involves a case study of apple exporters from Ceres and Grabouw – two important regions of the South African deciduous fruit export sector. Both areas are located in the Western Cape. Data were obtained through semi-structured interviews conducted with 8 contractors and 16 contract workers from these areas. Producers included in the broader study indicated whether they made use of contract labour. If they did, the contractors of the contract teams were traced and interviewed. A selection of two contract workers per contractor, broadly representing the composition of the team, was done with assistance of the contractor. For the purpose of analysing the relationship between contractors and workers, additional in-depth interviews were held with 8 of the 16 contract workers. All the interviews were done in Afrikaans.[10]

The relationship between contractors and contract workers

Against the background of our discussion of paternalistic relations on South African farms, our examination of the employment relationship between contractors and contract workers is done on two levels. Following a brief overview of the profile of contractors and contract workers, we firstly explore the employment arrangements between contractors and their workers. We focus on the recruitment process, the role of the contractor in securing contract work, enforcing work rules and taking responsibility for workers' skills development. Secondly, we examine the obligations of contractors to 'take care' of contract workers and to assist them during times of financial and personal difficulties. We try to assess the extent to which these responsibilities – in relation to employment matters as well as more personal matters - correspond with farmers' responsibilities towards their on-farm workers. Many of these themes are articulated in workers' and contractors' conceptualisations of the contractor as either being a 'good' or 'bad' contractor and of a worker as either being a 'reliable'/'good' or 'unreliable' worker. They also highlight, we suggest, the paternalistic nature of the contract relationship.

Employment arrangements between contractors and contract workers

Profile of contractors and contract workers

Of the eight contractors with whom interviews were held, four are between 40 and 45 year sand three between 50 and 55 years of age. One contractor is 67 years old. Contractors are predominantly male with only one being a woman. Seven of the contractors are coloured, while the remaining one is white and male. The size of the labour force they employ varies considerably[11] and most of the contractors have been operating as independent contractors for a substantial number of years.[12] With the exception of a white male contractor who had practiced as a lawyer for 17 years, all the remaining contractors had been involved with farm work prior to establishing themselves as independent contractors.[13] Some of these contractors worked on farms for many years – in some cases between 10 and 17 years. It would appear that the most important reasons underlying their decision to become a contractor were the financial benefits associated with being an independent entrepreneur and the

insecurity often experienced by farm workers working on fruit farms. The contractors included in our study can be described as 'generalists'[14] in that they provide general services like pruning and thinning of trees and picking of fruit. In some cases the contracting business is essentially a 'family business' with contractors employing family members as supervisors – for example, wives, daughters, sons and/or sons-in-law. An important qualification needs to be noted. Given that the contractors included in our study were identified through/via producers, we can assume that these contractors have a fairly established relationship with growers, rather than being 'fly by nights'. Thus, these contractors cannot be seen as being representative of all contractors presently operating within the fruit sector.

Of the total number of contract workers included in this study (16), four are female and the remaining twelve are male. While three of the workers (all male) are African, the remaining 13 are coloured. Their ages vary between 18 to 42 years[15] with the youngest worker being a woman of 18 years. Almost half of the workers had 10 years of schooling with two workers having had 13 and four having had seven to eight years of schooling. While one African and one coloured worker had three and five years of schooling respectively, one African male worker had no schooling. The majority of contract workers are either married or live with a full-time partner. While two workers are divorced, three have never been married. Of the eight workers with whom in-depth interviews were held, four women and three men are coloured, while one male worker is African.

The recruitment process

In an important sense contract workers are dependent on the 'goodwill' of contractors to provide them with employment. As noted earlier, contract workers are very much dependent on personal relations and informal networks as well as family contacts in securing them contract work. In a labour market where supply far outweighs demand these personal relations and social networks are crucial in contract workers accessing employment. Contractors can 'pick and choose' amongst potential employees and often employ contract workers on the basis of 'intuition' – a 'feeling' that this is a 'good worker'. One contractor explains that 'workers talk to their friends and each year a worker brings someone along asking for work'. Contract workers also emphasise the informality of the recruitment process. The experiences of some of the contract workers support this. Magdalena (18 years) worked in Cape Town but wanted to return to her family. A family member informed her that her uncle – a contractor – was recruiting people to help with the thinning of trees. She was subsequently included in one of his teams. Carolus (31 years) had become friends with the son of a contractor and eventually came to meet him. The contractor questioned him about his pruning skills and 'decided' to offer him a job. Klaas (35 years) was visiting a neighbouring farm to look for work. The manager of the farm whom he knew advised him to see the contractor who was working in the orchards at the time. He spoke to her and immediately started work. As he says, 'the manager of this farm vouched for me as he knows me and I have working skills'.

Contractors attribute the success of informal recruitment practices to the over supply of labour in the agricultural sector. A female contractor from Grabouw says that everyone in the neighbourhood knows her. 'People come to my house and ask for work. When I walk down the road, people approach me for work'. Another contractor

explains that he needs only to drive around in the neighbourhood and ask anyone walking in the street whether they are interested in doing contract work. 'Not even five minutes pass' he says, 'before I have a group of people interested; everyone knows me; everyone knows my car'. Contract workers' desperation to secure employment is highlighted by the following a contractor:

> *The rate of unemployment is so high at the moment that it is not difficult to find prospective workers. For instance, last year I met people from Malmesbury (town) along the road and I gave them work. This year they returned to the farm on their own – they were so desperate for work.*

There is a correspondence between the recruitment of contract workers and that of farm labour by farmers. Farmers do not formally 'advertise' vacant positions on farms. In the unlikely event of the farmer having to appoint workers (given low levels of turnover and the shedding of on-farm labour), this is done through on-farm workers' existing social and family networks. Like the contractor, the farmer, more often than not, appoints workers on the basis of having 'good feeling' about a prospective worker.

Some of the comments above illustrate that, for both farmer and contractor, workers have to possess the necessary skills to be appointed. The fact that most contract workers were employed as on-farm labour prior to entering contract work, means that most workers in fact possess the necessary skills being required of them. We found that some of the contractors require workers to demonstrate their skills - especially pruning skills – before employing them. Explains one contractor, 'I ask about their employment history, about their knowledge of pruning etc. We then take the selected candidates to the farm where they have to demonstrate their abilities, especially pruning skills'. Another contractor from the Ceres area comments that he 'trusts his instincts' when appointing a new worker and he is extremely cautious when selecting contract workers:

> *After the initial interview I take the candidate to the farm where he/she will work, show them around, show them the equipment they have to work with and make them aware of possible injuries, e.g. falling off a ladder. Along with the supervisors we monitor the worker for one day. We know immediately when someone can't do the work properly and then we tell that person to leave the team.*

In some cases racial stereotyping also appears to enter the recruitment and employment process. Not all contractors voice preferences as to the racial composition of their contracting teams, but some do. Such stereotyping and preferences may affect the opportunities and chances of contract workers belonging to a particular racial grouping to secure employment with a particular contractor. One such contractor, for example, argues in favour of the employment of African workers:

> *I prefer to employ African people to coloured people – African people drink less and they live close to the farms in an informal settlement. I can rely on them to work on a Monday morning because they won't have such severe hangover as coloured people. In my opinion coloured contract workers have*

> *an attitude of 'I don't owe you as a contractor anything; I can do whatever I like'.*

One the other hand, a contractor who employs more African than coloured workers would prefer to employ more coloured workers. Coloured workers, he says, have a 'knack for pruning'. However, he says, 'we don't really take race into consideration'. Although arguing that he does not consider race to be an issue when recruiting contract labour, a contractor from the Ceres area is rather outspoken about the problems he experiences with African men in particular. He says, 'I find it very difficult to convince them that their work is not only about earning a quick buck; it is also about quality'.

Given the high unemployment levels in the fruit sector, the need to have social networks and contacts in place to secure employment and the possibility of racial preferences entering the recruitment process, the contractor appears to occupy a position of substantial power relative to that of the contract worker when recruiting and employing workers. Possessing the necessary skills does not necessarily guarantee employment for contract workers. Securing a job is more often than not dependent on 'making the right impression' on the contractor and convincing him/her that you are a 'good worker'. Failure to perform adequately, deliver quality work and comply with work rules results in immediate eviction from the contracting team. This is not to suggest that all contractors exploit their position of authority and power. However, as was suggested in our discussion of paternalistic relations between farmers and workers, the asymmetrical power relations existing between worker and contractor increases insecurity and dependency on the part of contract worker.

Securing a long- term contract with your contractor

Compared to permanent on-farm employment, contract work is characterised by insecurity and fluidity. Contract workers do not have written agreements with their contractors. Thus, an important consideration highlighted by our study is workers' expectations to secure a 'long-term' contract or 'permanent' employment with a specific contractor. A worker comments that 'one is just never sure' and according to a woman worker, 'the uncertainty affects everything' and is 'particularly difficult when you have children'. The following comment illustrates the insecurity experienced by workers:

> *It does not feel good everyday. When it rains, you sigh and think, "I am loosing a day's work here". But, you learn to live with it – it is better than sitting at home and being unemployed.*

While permanent employment is not possible within the contracting sector, 'permanency' for contract workers has taken on a somewhat different meaning. Those who have succeeded in being a 'core member' of a contracting team tend to view themselves as being 'permanent' contract workers. Thus, the contractor who treats someone as part of the 'core' and 'guarantees work everyday' is perceived by workers to be a 'good' contractor. A male worker from Ceres makes this point when he says,

> *'Yes, I am part of his team and if he has work, he will always come and look for me first; the preferred members of his team will always get the first option. As long as he has work, I will have work'.*

Workers also tend to develop a 'trust' relationship with contractors. 'Because jobs are scarce', says one worker, 'and once you know the contractor trusts you and likes your work, then you should stay with him'. The emphasis on trust is also evident from Klaas's comments:

> *This is my second contract with this contractor and I know that she will employ me again in future. She will never let me go, and I know that she is at this moment looking for work for us once this contract is finished.*

Women workers, more so than men workers, often appear to be nervous and anxious about doing contract work. Nevertheless, they believe that they will be employed on an on-going basis. For one female worker in particular, this is a problem and she discusses her feelings with co-workers and her contractor. This seems to reassure her that everything is fine:

> *I am not certain about this matter (on-going contract). There is always the element of uncertainty. However, as I see things between her and me, I think she will definitely keep on employing me – I feel positive about our understanding for one another. I ask her now and again if she is still satisfied with my work; that is also one way of knowing where I stand with her.*

While being fully aware that the contractor must first secure a contract with the owner/farmer, another female worker also puts all of her trust in her contractor:

> *I am sure the contractor will look after me and include me in a team on another farm. That is the way he works – I've seen how he has given contract workers other jobs on other farms once their current contract expired on a farm. Although I only have a verbal agreement with him, I feel confident that he will look after me in the future. We have a good understanding; I can feel it in my heart that he will take care of me. Until now he has never dropped or disappointed us.*

Feelings of insecurity are also shared by some of the male contract workers. A very despondent male worker says 'Although I've worked for this contractor for many years already, it happened more than once that the foreman does not include me in his team and then I don't have any work!' However, on the whole, male workers appear to be more confident than women about securing an on-going contract with the contractor. For them security is associated with the fact that they have been working for the same contractor over a period of time and have been included in a team on a regular basis. A male worker from Ceres explains this: 'I am not insecure because I am working permanently for this contractor and in five years I have never been without a job'. Other workers share this view:

> *One can say that I actually have a permanent job – I work throughout the year. There aren't other contractors on the farm. The farm owner promised us that we could continue working on the farm*

> *So far he has managed to find work for us almost every day – it makes me feel like a permanent worker again!*

Male workers, more so than female workers, also appear to rely on their contractor's acknowledgement and appreciation of the special skills they possess. Carolus is a good example. He says his contractor knows that he delivers work of a high standard and, 'since I work so well – especially pruning – he actually makes a profit out of my work! Other contractors, he says, 'have seriously asked him whether he is jinxed because his pruning is of such a high standard!' One male worker simply says; 'one can say that I actually have a permanent job – I work throughout the year!'

The above suggests that, in order to secure an on-going employment contract with a contractor, workers are very much dependent on the 'goodwill' of the contractor. This dependency finds expression in workers' notion of having a 'good understanding' with the contractor; the belief that he/she will 'take care' of them and that the contractor will not 'fail' or 'disappoint' them. It also finds expression in the belief that the contractor will acknowledge and appreciate the fact that he/she is a 'good worker' – possessing special skills to do a proper job. In some instances, expectations of an on-going contract is also dependent on the farmer/grower making certain 'promises' – either to the contractor or to the workers directly - about opportunities for future contract work. The relationship between contractor and contract worker appears to be – like the paternalistic relationship between the farmer and the farm worker – one of unity and intimacy – an organic relationship. In securing employment on an on-going basis the contractor 'takes the place of the father', 'takes responsibility' for the worker. Having a 'good understanding' or a 'good relationship' with the contractor, means that the worker becomes 'part of the contracting team' – a 'core' member of the team. These conceptualisations on the part of contractors and contract workers correspond with those articulated by farmers and farm workers within a context of paternalistic employment relations. Notions of the contractor as being either a 'good' or 'bad' contractor are replacing notions of the farmer as being either a 'good' or 'bad' farmer.

Work rules and skills development

Workers working and living on farms have to comply with a set of 'farm rules' stipulated by the farmer. For the most part contract workers are also bound by rules set by their contractor and/or the farm owner. One female worker explains that 'we go along with the particular farm's rules'. In her case the contractor does not have a specific set of rules. However, she says, 'when someone disobeys the rules of the farm, the manager tells the contractor about it and it is the contractor's responsibility to take that person off the farm'. The most important work rules involve the following: workers have to be at work on time; they have to be sober at work; they have to be at work everyday except when ill and, workers have to inform the contractor if they cannot work on a specific day. Workers are also expected to 'respect' their fellow workers in order to produce quality work. Other rules are also mentioned. According to a male worker, 'we have to ask him (contractor) to go the bathroom and must not fight with each other'. Many workers emphasise contractors' intolerance with alcohol abuse and workers are not allowed to smoke 'dagga'/marijuana at work. Some contractors are particularly strict with workers when

staying on farms for the duration of a contract. The following comments highlight this:

> *We are not allowed to drink while staying on the farm where we work – only on Fridays and Saturdays (not Sundays). When workers stay on the farm over weekends they are not allowed to leave the house – the contractor is worried that they might visit shebeens on the farms and get into trouble.*
>
> *There are no rules, except on Mondays no one is allowed to work with a hangover. If someone is drunk at work, he is sent home and R20 is subtracted from his weekly wage; on Tuesday the person is allowed to work again. We are also not allowed to eat while we work at the bins (when sorting fruit) – we have to finish eating during our lunch break.*

Irrespective of whether the farmer/owner or the contractor sets work rules for workers, the contractor is responsible for enforcing such rules. Failure to comply with these rules leads to the eviction of workers from the team. The contractor can be seen as the 'father'/'mother' who has to see that his/her 'children' behave in accordance with the rules and, as two male workers explain, 'When someone misbehaves, he or she is taken to the farmer and the contractor and are thrown out of the team' and, 'If you do not obey these rules, she (contractor) will speak to you and ultimately dismiss you from the team'. When someone ignores the rules, the contractor might give the person another chance, but in other cases, 'he tells the person to take his belongings and get off the farm'. A female worker says of her contractor, 'I've heard that in some cases he gave drunken workers a smack in the face'.

Contractors do not only enforce work rules, but they also play a significant role in ensuring that workers have the necessary skills to guarantee quality work. As noted earlier, having been employed as farm workers prior to entering the contracting sector, most contract workers possess the necessary skills at this stage. Contractors rely on this, for as one contractor notes, 'for me it is essential that workers have previous farm experience – many of them received good training on farms'. However, most contractors are responsible for maintaining his/her workers' skills levels. In order to secure contracts with farmers, contractors have to guarantee quality work on the part of workers. It would appear that, in the long run, contractors are going to have to play a more prominent role in the training of workers. In future it will be the contractor and not the farmer who will have to provide skills training for workers and take responsibility for quality control. For these reasons, contractors prefer to have a core of skilled workers in their teams. Thus, within the contracting sector the role of the contractor as far as the enforcement of work rules, the development and maintenance of skills and quality control are concerned, corresponds with that of the farmer. Both farmers and contractors also prefer to employ a number of skilled workers acting as 'core' members of their work force.

Coping with financial and personal problems

In his analysis of paternalism, du Toit (1992, 1993) has noted that the relationship between farmers and on-farm workers involves a range of mutual rights, duties and obligations which extend beyond the employment relationship per se. From our study it became clear that the duties and responsibilities of contractors towards their

workers also go beyond that of employment issues only. Contract workers often refer to their relationship with the contractor as one of being 'open'. The 'openness' of the relationship creates the space for generating and legitimating a range of expectations on the part of workers. Contract workers, for example, expect assistance from contractors - and in some instances contractors' wives as well - with their financial and other more personal problems.

'The contractor lends me money'

As suggested above, expectations on the part of contract workers and on-farm workers manifest in workers' notion of the 'good contractor' and the 'good farmer'. In addition to having to secure an on-going contract for workers, a good contractor is, first and foremost, one who provides financial assistance. According to Stella, 'a good contractor helps you with financial problems; helps with money to go to a doctor and to buy food', while Magdalena claims that she has a 'good relationship' with her contractor because 'he lends me money'. According to a male worker, he mostly works for his contractor because, 'when I was imprisoned in 1996 he paid the bail money and gave me work again'. One contractor is also reported by a worker to 'stand in for our team's debt when workers are having a bad period – he really looks after us'. A male worker whose family lives in the Transkei reports as having borrowed R150 from his contractor when his son died and he had to go to the Transkei for the funeral. Having an 'understanding contractor' enables Willem, for example, to cope with his financial difficulties:

> *When we struggle to make ends meet, I borrow money from the contractor. He subtracts from my wage the following week. He actually borrows money from the farm owner and since the farm owner calculates our wages, he knows exactly who owes him what. The contractor is very 'understanding' – if it rains the whole week and there isn't any money to subtract our debt from, he carries it over to the following week.*

However, not all contract workers borrow from their contractor. While he has accepted food for his family from his contractor when he had no work, a male worker is adamant that 'I would never borrow money from her'.

Contractors seem to accept the responsibility of having to financially assist workers. Having learnt to be cautious over the years, a contractor says that 'it is only in the case of an emergency that I would lend money to workers – some of them have lied to me and in the end spent all the money they borrow from me on liquor'. However, when workers approach him to buy them food, he 'gladly' does it. Workers, he says, 'view me like a charity!' The reciprocal nature of the relationship between contractors and workers is highlighted by the following comment by a contractor:

> *I have a 'welfare' relationship with most of the workers! I am their employer, but at the same time I am much more; I also help them with socio-economic problems. Although no one forces me to do so, I still help them wherever I can. That is just the way things work; if you help someone, then that person won't let you down. If someone delivers his best at work, then I will help him. In this way one can also build up a relationship of trust with the workers. I lend them money, help to pay funeral costs, assist with legal problems.*

Another contractor claims that workers 'mostly come to me with financial problems – they borrow money from me to buy clothes, their medical accounts and to pay for burial costs of their relatives'. He explains, 'what can I do? I can only be patient and listen to their problems and help where I can; I am almost like a "father" to them (ek moet maar pa staan vir hulle)' and, like most farmers after each harvesting season, he organises a party for all the workers to celebrate the harvest. He finds this to be a good way of motivating and rewarding the workers.

Emphasising his role as a 'father' for his workers, another contractor explains that he does not always have enough funds of his own to help workers. He borrows from the farm owner in order to help his workers financially. Every Friday he has to ensure that all debts are paid to the farm owner. He says, 'I have to act like the workers' father' (Ek staan pa vir hulle). Workers, he says, mostly complain about money and some would even go to his house over weekends to ask for assistance to pay accounts. When workers have a big problem, he says, 'the man and wife both come to ask for help; they expect me to help them all the time; in some instances I have to explain to them very carefully and formally that I cannot help them with every little problem they have'. To assist workers in the management of their finances, some contractors keep the savings of workers. Contractors also devise other schemes to help workers manage their money more successfully. However, such efforts usually fail:

> *I have discussed the issue with workers and suggested that we join a funeral/burial scheme and open a savings account for each worker. However, they are not interested; they say they want all their wages at the end of the week.*

Again, the role of the contractor in assisting workers who experience financial hardships corresponds with that of the paternalistic farmer. As part of their 'social responsibility' towards their work force, many (if not most) fruit farmers have financially assisted their on-farm workers in the past through, for example, production bonuses, financial schemes for major household purchases, contributions to medical expenditures and securing financial loans to workers. Such assistance and benefits are not covered by any legislation but are based on more personal and informal employment arrangements which have been institutionalised over time (Kritzinger and Vorster 2001:58).

'The contractor helps me with personal problems'

As with the paternalistic relationship between farmers and workers the relationship between contractor and contract worker often also accommodates personal and family related problems, for example, when children or other family members are ill and a family experiences problems of a more intimate nature. Stella notes that she lives quite close to her contractor. 'I go to her house in case of emergencies e.g. in time of illness; I often ask her for advice':

> *We have an open relationship and I can talk to her about all my concerns – work-related as well as personal problems. I have also taken my child to her when he was ill and she helped me to make a doctor's appointment.*

Jimmy claims that his relationship with his contractor is fine; 'he helps us with family problems when we have issues; it is easy to talk to him openly'. Some workers are adamant that they will share their personal with no one else but the contractor. A female worker comments on this:

> *We don't discuss personal problems/concerns with the farm foreman, manager or owner – we discuss it only with the contractor. I prefer it this way. We have the contractor's cell phone number and are free to contact him any time. Or when we see the contractor early in the morning (when he fetches some of the workers in the neighbourhood) we always take the opportunity to chat to him and discuss whatever personal issues we need to discuss with him. He looks after our interests and cares about us*.

All the contractors we interviewed confirmed the expectations that workers have regarding assistance with personal issues and problems and, most of these contractors accept this responsibility. A female contractor who takes this responsibility very seriously, explains:

> *Whenever workers need help, they come to me; I've learnt through the years to listen to each person's story and try to help wherever I can 'because I am a mother'. I've even had to help two of the workers with accommodation at my house because they had nowhere to go. Some of the workers – as well as their partners – discuss their personal problems with me, e.g. about alcohol abuse in the home. I am their mother, their nurse, their employer.*

Family ties and connections also seem to facilitate the establishment of a close relationship between contractors and workers. The partners of Willem and his contractor, for example, are sisters and this makes for a 'close bonding' between the two men:

> *We give each other advice e.g. I ask him to help me to stop drinking and he asks me for advice on getting a new house. I've told the contractor that I am considering to work on a farm permanently. He indicated that I am his best worker and he would feel sorry to lose me, but that he understands my situation and understands that I want to improve my life.*

Where the wife of the contractor is involved in the contracting business she is, like the wife of the farmer, often included in the relationship with contract workers. This is highlighted by Klaas's story:

> *The contractor and I have a good understanding – he likes my work and he helps when I ask for help. He isn't with us every day – we work closely with the contractor's supervisor. I discuss personal problems with him as well as his wife (my supervisor at present). For instance, when my partner was in hospital, his wife bought food and milk for the children*

Klaas's contractor reaffirms his story. Referring to the role that he and his wife play, he comments on the way he feels about his workers and what the relationship with them has come to mean for him:

> *Through the years my wife and I have grown close to the workers. We feel like a "big family". The workers call my wife "mother" instead of by her name. The workers are like children we have to raise. Because I feel sorry for some workers, I listen to their problems and try to help where possible. Recently some of the men have started to complain about their wives' drinking problems – how is a drunken woman supposed to look after the children! Many workers discuss their personal problems with their supervisor because I am on the road all the time and can't stay too long on one farm. As a contractor I have to set a good example for my workers. For instance, I no longer drink any alcohol. As a contractor I have to be good leader.*

A 'close' and 'open' relationship also creates opportunities for workers to abuse and exploit the relationship. For this very reason, some contractors (although the minority) appear to avoid assisting workers in personal matters. When it comes to personal problems, says a male contractor, 'many workers have tried to get me involved in their private lives, but I am not that gullible - I cannot get involved in everyone's problems'. He also suspects that, once he is registered as a contractor, 'they would bring even more personal problems for me to solve'. Fortunately, a contractor comments, 'they haven't involved me in their personal problems yet!' Referring to the traditional paternalistic relationship between farmers and workers, he feels that workers would benefit by no longer living on a farm as this would force them to be less dependent on their employer and to 'take care of themselves'.

A contractor from Grabouw grapples with how far his responsibilities towards his workers should go. As he explains: 'On the one hand I want to help them with their problems, but on the other hand it isn't really my responsibility - I also have my own financial and other concerns'. A 'close' relationship that has been exploited can also turn sour. A woman worker laments how she and her co-workers used to have a 'close relationship' with their contractor but, she says, 'many workers have disappointed him - they either left without any notice or abused his generosity - and now there is more of a distance between us'. Nowadays, she says, 'we discuss our problems (personal and work related) with the contractor's foreman – he is patient and sorts out our problems. In the evenings we all chat around the fire; there is a good atmosphere in the team'. In this case, the foreman of the team has replaced the contractor in fulfilling the role of 'protector'.

The contracting team as part of the 'family'

We also need to comment on the contracting team as part of the 'family' and the sharing of personal problems amongst team members, especially when contract workers are part of the 'core' of a team. The notion of the 'farm as family' and the extent to which this ideological construct is shared by farmers and on-farm workers alike was alluded to earlier in the paper. Farm worker communities have been described as 'tight' and 'close-knit' social units and to exhibit their own distinctive values, norms and 'lifestyles'. This often puts great pressure on workers to adhere to certain norms and 'understandings' (Kritzinger and Vorster 1996). While it is true that the emphasis on conformity leads to the 'obstruction of choice', on-farm workers usually emphasise the mutual help and understanding as well as the sense of belonging and community this social context provides for them. Contract workers, however, do not live on farms and the ideology of the 'farm as family' has little

relevance for them. Not only do they labour on different farms, but most contract workers live in informal settlements that fail to provide a sense of belonging and community. Although not all workers experience it as such, for some workers at least, the contracting team appears to be a close-knit unit that provides a sense of belonging and social support – a part of the 'family'. It provides a context in which friendships can develop and personal problems can be shared. Working in the same team over a period of time, for example, facilitates the development of strong friendships:

> *We discuss personal problems while we work. We share things with one another. If someone causes trouble at work the foreman sorts it out – when people gossip at work the foreman sorts out the situation immediately. You never go home in a bad mood'.*

The relationship between team members is often explained as being one of 'give and take' as is evident from the following comment:

> *We all help one another where we can. For example, I have given my son's old school uniform to one of the other women (she is also a single mother) in my team. I feel strange asking friends/co-workers to borrow money from them – I don't have the courage to ask them. The need must be extremely strong before I would do something like that. When things are tight one of my friends and I help each other out with food – one has to be able to give and take, you cannot only take from people.*

Being the only woman in her team a female worker explains that, while being the only woman bothered her at first, she now has become friends with some of the male workers - especially with an older man of 50 years who have 7 children and who gives her advice on raising her children. The men, she says, 'often ask my advice on problems they experience in their relationships'.

In the event of teams staying on farms for the duration of the work, team members – especially women – also spend time together - cooking, looking after the children, cleaning, drinking tea together etc. On some occasions, says a female worker, 'we quarrel about stupid things, nothing serious, and we forgive each other quite easily'. Male workers also refer to their team members as being their friends. According to one male worker, they 'talk about issues such as getting one's own home and we talk about the contractors and our work'. Willem notes that when working in smaller groups, 'we talk about our friends, our families and we crack jokes with one another - most of the time we are all very good friends'. The relationship between team members, a male worker comments, is often maintained after working hours:

> *We are friends and we visit each other anytime – even after work in the informal settlement. We mostly talk about women and community stuff. Sometimes we work with women in a team during harvesting time. We are also friends with these women and we visit them where they are staying - even like now they are not part of the team.*

Whereas the financial and personal dependency of on-farm workers on the farmer was identified as central to the paternalistic arrangements on farms, the above suggests that contract workers are similarly dependent on contractors for assisting and helping

them with financial and more personal problems. A popular and dominant survival strategy followed by contract workers involves borrowing money from their contractors.[16] Workers are also highly dependent on contractors to help them cope with personal problems. For workers, the contractor is their 'protector' – their 'father'/'mother'. A worker says of her contractor, '*sy is 'n ma vir ons almal*' (she is a mother for us all). In the past fruit farmers have accepted their role as 'protector' and 'father' as being an integral element of farm family businesses and it would appear that most contractors also accept this role as part of the contracting business. They refer to themselves as the 'mother' or 'father' of the workers. The contractor and the contracting team functions as a unity – a 'family'. Like on-farm workers contract workers are viewed and treated as 'children' who need guidance and, like the farmer, the role of the contractor is to do what is 'best' for them (workers). A male contractor who employs 25 'permanent' workers suggests that, 'if you want to go into the contracting business, you have to be patient and you have to make time for workers' problems'. While workers' behaviour cannot be controlled during weekends, he says,

> *You have to treat some of the workers like school children. For instance, you have to give them food rather than money because they will spend their income on liquor. To be a contractor comes with a whole range of responsibilities towards workers.*

Our discussion also highlights the significant role that the contracting team has come to play for some of the workers. Working together and, in the absence of strong community ties, the contracting team becomes part of the contracting 'family'. The 'close-knit' character of some of these teams provides workers with the opportunity to establish close friendships and to share personal problems with others.

Concluding comments

The examination of the employment relationship between contractors and contract workers in the fruit sector was an attempt to explore the nature of this relationship and the extent to which it resembles traditional paternalistic relations between farmers and farm workers. The relationship between the contractor and contract workers, of course, differs from the traditional relationship between farmers and workers in significant respects. It is important that we take note of these differences. Firstly, farm workers live on farms and, as du Toit (1992, 1993) has argued, farm communities are relatively isolated from the 'outside' world. This feeds into the ideology of the farm as 'family'. The fact that contract workers are not housed on farms means that there are greater limits to contractors seeking 'exclusive and undivided loyalty' from these workers. Tied housing encourages dependency and loyalty. While they are in the minority, some contract workers (especially male workers), for example, experience a greater sense of independence and empowerment in doing contract work and living off the farm. Male workers note that 'you (worker) decide on your own when and where and how much you will work' and, 'I like the fact that I decide my working time; if I don't want to take lunch, I do not have to'. Women are also empowered in that their employment is no longer dependent on the employment of a male partner or male family member.[17] Woman can now independently secure contract work. Secondly, the racial and, to a lesser extent, gender identities of contractors differ from that of fruit farmers. While in the past farmers have always been 'white' farmers, the vast majority of contractors are 'coloured'. In the contracting sector there is much less

of an overlap between class and racial identities. A ‘coloured man’ and not a ‘white man’, now acts as the ‘father’ or ‘patriarch’ of the family. Although most contractors are men, the contracting business also provides opportunities and space for women to operate as independent entrepreneurs. The one female contractor participating in the study was shown to act as the ‘mother’ for those who are employed by her. While the concept of ‘paternalism’ is predicated on the notion of the ‘male patriarch’ exercising authority over minors in the ‘family’, the study highlights the functioning of ‘matermalism’ within the contracting sector.

Although the above differences are important, the paper argues that the oversupply of farm labour and the absence of legislative protection and union organisation in the contracting sector have left most contract workers insecure and vulnerable. Within this context the relationship between contractors and contract workers has become particularly meaningful. Similar to the relationship between farmers and on-farm workers the relationship between contractors and contract workers has become highly personalised and the contractor is taking on the role of the ‘protector’ who has to minimise risk and provide greater security to workers. Contract workers are dependent on informal networks and contacts to be employed and have to ‘convince’ the contractor that they are ‘good’ workers. Like farmers, contractors often base their decision to employ someone on gut feeling, instinct and intuition. Contract workers are dependent on the contractor to secure on-going contracts for them in order to secure a regular income and therefore aspire to be a ‘core’ worker in the contracting team. It is the contractor who increasingly has to provide skills maintenance and enforce work rules. The relationship was shown to extend beyond work related issues and concerns. Like farmers, contractors are expected to assist their workers during financial and personal difficulties. On another level contractors and, especially contract workers, espouse the ideology of the team as ‘family’. Informal settlements do not provide a sense of belonging and the contract team provides workers with a sense of community. Although not discussed here, our study has also found that, given a choice, more than half of the 16 contract workers would prefer to be employed as permanent on-farm workers again. Their preference not only hinges on better housing being available on farms, but also on the stability and sense of community that farm life seems to provide.

The relationship between contractors and contract workers thus resembles the paternalistic relations on farms in significant ways. The relationship is often one of unity and intimacy and, like the farmer, the contractor ‘takes the role of the father’ (or mother) and ‘takes responsibility’ for the worker. The ‘organic’ nature of the relationship means that the worker becomes ‘part of the family’. The theme of ‘belonging’ explored by du Toit’s study, also finds expression in the concept of *mekaar verstaan* (understanding one another) in the relationship between contractor and workers. This ‘understanding’ of one another means that contractors and contract workers have certain responsibilities to one another. The worker has to be a ‘good’ and ‘reliable’ worker and produce quality work. If you are a reliable worker, you can ask for favours and assistance. The contractor, if he is a ‘good’ contractor, will ensure an on-going contract, lend you money, help you with personal problems and ‘take care’ of you. In the final analysis, however, the relationship resembles the one existing between farmers and on-farm workers. It remains asymmetrical and does not allow workers to challenge the authority of the contractor.

Despite the differences that do exist, we suggest that relations between contractors and contract workers in the fruit sector retain many of the paternalistic elements of the traditional relations between farmers and on-farm workers. Traditional paternalistic relations on farms were shown to have evolved into more formalised employment relations in recent years and, in some cases, paternalism has been significantly eroded. However, we suggest that paternalism has 'reinvented' itself and that a new form of 'paternalism' has evolved within the contracting sector.

Notes

[1] Due to historical circumstances the majority of on-farm labour has always been so-called coloured. A system of tied rent was established in the Western Cape to secure the required labour and tied housing formed part of the relations which established itself on fruit farms.

[2] It has bee suggested by du Toit that neo-paternalism or 'new managerialism' focuses on cost-reduction efforts and piece-rate system as well as participation and motivation of workers.

[3] Many of the benefits and facilities have affected all on-farm workers, for example, end of the year bonuses and bonuses for length of service. However some benefits and facilities are particularly relevant for women farm workers. These include financial assistance for major household purchases, transport to attend church services, women's clubs, literacy classes, on-farm stores and subsidised medical expenses.

[4] Legislation include The Unemployment Insurance Act (UIA) 1993; The Basic Conditions of Employment Act (BCEA) 1993 & 1998, The Labour Relations Act 1995; the Extension of Security of Tenure Act (ESTA) 1997 and The Employment Equity Bill (EEB).

[5] The larger study on Globalisation, Production and Povert is being conducted by the Institute of Developing Studies, University of Sussex and the Department of Sociology, University of Stellenbosch. The study on which this paper is based entails a relatively small number of case studies.

[6] Contractors are usually not registered at the Department of Labour. This means that no benefits can be paid out to workers at this stage. They do not enjoy UIF, overtime pay, paid leave as well as other benefits, for example, contributions to medical expenses.

[7] More specialised work entailing, for example, irrigation, spraying, tractor and forklift driving, is usually reserved for the core of permanently employed workers still living on farms.

[8] Vorster et al (2000) have suggested that in the context of high unemployment levels and precarious employment contracts resulting in a lack of social insurance, state grants provide an important measure of protection against contingencies of a dynamic market economy.

[9] Some of the households also appear to have other sources of income, for example, making doilies, knitwear, brooms, baking 'vetkoek' all of which are sold to neighbours in their respective communities. Some women (although the minority) supplement household income by accompanying contract workers to farms and cooking food for them – especially in winter months.

[10] The translation of direct quotes from Afrikaans to English inevitable leads to loss of meaning.

[11] The smaller contractor employs relatively small numbers of contract workers, does not provide highly specialised skills, has very little capital to invest in his/her business, usually does the supervising her/himself, services a small core of farms, is more likely to experience cash flow hick-ups and is more likely to work with their team(s) in the orchards. Farmers/growers usually supply light equipment, while workers have to provide their own working clothes. Smaller contractors lack transport facilities and are dependent on the farmer to provide transport for contract workers. Given the insecurity

characterising this type of business, the small contractor has virtually no access to credit. Larger operators/contractors do not operate very differently from the former – the most significant difference being the size of the labour force, the number of farms serviced and the number of supervisors allocated to the management of teams. Although larger contractors employ larger number of contract workers, they normally still rely on a smaller number of 'core' workers. The larger contractors included in our study also lack transport and enjoy limited access to credit.

[12] Four contractors, for example, have been in business for between 15 and 18 years with one being involved since the 1960s. The remaining three has been in business for a period of between three and seven years.

[13] Of these, five were orchard supervisors prior to venturing out as independent contractors with one being employed as a general permanently employed farm worker or contract worker.

[14] Du Toit and Ally (2001) differentiate between generalists (small and large operators), the well-resourced specialist who provides a comprehensive set of specialised quality services (harvesting, pruning, trellising, thinning, installation of irrigation systems, fencing, pole planting and establishment of vineyards) and, the labour-only contractor. The latter does not take responsibility for managing the completion of tasks, but functions only as a source of labour.

[15] Three are between 20 and 30, eight between 31 and 40 and four between 41 and 50 years of age.

[16]Contract workers also borrow money from friends and neighbours.

[17] On farms the unit of employment has always been the 'worker family'. Thus, women farm workers have had little independent claim as workers to either employment or access to housing on farms. Accessing employment and housing is largely dependent on either being a member of a farm worker family or through her relationship to a male worker – either as a spouse, partner or child.

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