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PRESS RELEASE

The attempt by Association of Mineworkers and Construction Union (AMCU) to try and use a backdoor to gain access to the Transport Bargaining Council was dismissed by the Commission for Conciliation, Mediation and Arbitration (CCMA).

AMCU wanted the CCMA to make a demarcation ruling that Plasser South Africa (Pty) Ltd should fall within the jurisdiction of the Transnet Bargaining Council and that its activities do not fall within the jurisdiction of the Civil Engineering Industry as defined.

AMCU submitted that the employees of Plasser conduct maintenance work on railway tracks designed and built by Transnet for the purpose of ensuring the safety and continued operation of the railway system. They are not engaged in construction nor do they do any civil engineering work per se.

The Transnet Bargaining Council submitted that it comprises of one single employer, Transnet and does not entertain the membership of non-state entities or any entities not falling within the ownership or control of Transnet.

Plasser agreed with the Transnet Bargaining Council and submitted that its activities fall squarely within the activities of the Civil Engineering Industry. Its employees main scope of activity is the repairing and maintenance of railway tracks, sleepers and ballasts.

Commissioner Larry Shear found after an inspection in loco that it is quite evident that Plasser does not fall within the scope of the Transnet Bargaining Council and does not qualify for such membership.

Mr. Steve Harris, General Secretary of the United National Transport Union (UNTU), welcomes the award of the CCMA and the decision of the standing committee of the National Economic Development and Labour Council to support the ruling. UNTU is the majority Union in Transnet.

“By doing an inspection on site the parties had the opportunity to watch a video showing Plasser activities which demonstrated ballasting, track tramping and flash welding. UNTU would like to see more inspection on site as it assists the Commissioner to apply his mind having seen what is the situation on ground level.”

According to Harris AMCU should keep to what the Union does best, represent mineworkers in the Mining Industry.

For further enquiries please phone Mr. Harris on (011) 728 0120 or 082 566 5516.

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