



CL: NUMSA.002

2014-09-16

TO:
ALL EXECUTIVE COUNCIL MEMBERS, FULL TIME TRADE UNION REPRESENTATIVES AND TRADE UNION REPRESENTATIVES: TRANSNET ENGINEERING

REPORT ON NUMSA CCMA APPLICATION FOR ORGANISATIONAL RIGHTS

On the 15 September 2014, we convened at the CCMA Port Elizabeth for conciliation on Numsa application for organisational rights in Transnet Engineering, in particularly the Uitenhage plant.

Before we could sit down for conciliation, the Commissioner concerned pointed out that in terms of Section 21 (3) of the Labour Relations Act (LRA) the employer must meet with the registered Union and endeavour to conclude a collective agreement as to the manner in which the Trade Union will exercise the rights in respect of that workplace.

At this stage the Commissioner requested that he would like to have a side meeting with Transnet and requested that Numsa leave the room, on their exit some of them left their cell phones in the room, on inspection it was discovered that one of the Numsa Representatives had left their phone on and was attempting to record the discussions between the Commissioner, Transnet and the two Transnet Unions.

This action of theirs is highly unethical as they did not seek any permission from the parties to record the proceedings; it thus comes to show that they will try all tactics to discredit UTATU SARWHU AND SATAWU in their attempt to gain recognition within Transnet.

After a long debate on this section and its merits, the commissioner concluded that the referral to conciliation was premature and that Numsa and Transnet should meet on 30 September 2014 to verify Numsa membership in Transnet in respect to Uitenhage and exhaust all other avenues possible to resolve the matter.

The application for a joiner by both SATAWU and UTATU SARWHU was not challenged by Numsa and therefore, the commissioner granted us the status as interested party in the conciliation/dispute.

Therefore, UTATU SARWHU and SATAWU will be party to every process of this application going forward. The current verification of Numsa membership in Uitenhage is verified at 22 members, but there are more resignations from UTATU SARWHU and SATAWU on a daily basis. We need to intensify our campaign to recruit back our members from this catastrophe, as Numsa has clearly declared its intentions to take Uitenhage on organisational rights strike as they did in Port of Ngqura.

UTATU SARWHU Greetings,

E. W de Klerk
O. b. o SA Harris
GENERAL SECRETARY

Non-profit Organisation – Ref: Number 036-913

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