

READ THIS FIRST



**WHAT IS THE
PURPOSE OF THIS
FORM?**

This form notifies NEDLAC that a trade union or a trade union federation intends proceeding with protest action.

**WHO FILLS IN THIS
FORM?**

The Secretary of the Trade Union or Trade Union Federation.

**WHERE DOES THE
FORM GO?**

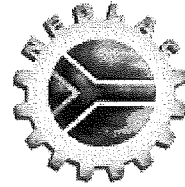
Executive Director
NEDLAC
14A Jellicoe Avenue
Rosebank
2196

Fax: (011) 447 2089

**OTHER
INSTRUCTIONS**

This form must be received by NEDLAC at least 14 days before the start of the protest action.

**NOTICE TO NEDLAC OF
INTENTION TO PROCEED
WITH PROTEST ACTION**



NOTICE TO NEDLAC IN TERMS OF SECTION 77 (1)(d)
OF INTENTION TO PROCEED WITH PROTEST
ACTION

1) PROTEST ACTION DETAILS

**We, the Congress of South African Trade Unions
(COSATU)**

(name of trade union, or federation of trade unions)

intend to proceed with the protest action of which notice

was served on NEDLAC on **21 August 2017**
(date)

The protest action will begin at **SEE ANNEXURE 1**
(place)

On the **SEE ANNEXURE** at **SEE ANNEXURE 1**
(date) *(time)*

2) GENERAL

Address of trade union/federation:

**110 Jorissen Street, Braamfontein, Johannesburg,
P.O Box 1019, Johannesburg 2000**

Tel: **011 339 4911** Fax: **011 403 0803**

Signature of Secretary 

Name: **Solly Phetoe (Deputy General Secretary)**

Date: **28 August 2019**

ANNEXURE 1

1. Having noted that:

- 1.1. On the 21 August 2017 COSATU submitted to NEDLAC a Section 77(1)(b) notice on the Economic Crisis and below are some of the issues raised;
- a) If the majority is unable to participate in the economy because they do not have jobs means that government would not have revenue to fund infrastructure that will benefit the social grants. It is against this background that the continuing economic crisis which is characterised by high job losses, poverty and income inequality must be immediately arrested.
 - b) The current wave of retrenchments is of great concern to the society and not only trade unions.
 - c) The South African economy, has not been able to create jobs for at least 9.3 million people who want to work but are unable to find work, One of the main drivers of poverty is unemployment.
 - d) The inability to create jobs has been exacerbated by the adoption of mechanization and recently robotics in agricultural, mining and retail sectors. When these workers are dismissed they are unable to move to other sectors because employers do not train or re-skill them for new industries and this resulted in high unemployment rate, increase in poverty and asset and income inequality.
 - e) The maintenance of high levels of profits and bonuses to executives cannot be a fair reason for retrenchments. Furthermore, the economy's inability to create jobs is contradicted not only by large retained profits but astronomical salaries of managers and executives.
 - f) Therefore one of COSATU demands was companies to be prohibited from retrenching employees, for the sake of profits and must be required to create a certain number of jobs per year and this must be monitored by the CCMA.

- 1.2. That in light of its section 77(1)(b) notice, NEDLAC convened a Section 77 Standing Committee to deal with COSATU's section 77(1)(b) notice, and the committee confirmed compliance.
- 1.3. The Section 77 Standing Committee convened a plenary meeting with the Applicant and the Respondents on 15 September 2017.
- 1.4. The respondent agreed to convene a Jobs Summit. With regards to the issue of retrenchments to maximise profits the respondent would consult its principals and revert back within a month.
- 1.5. A response from the respondent was not received within in the stipulated time therefore failed to provide a response.
- 1.6. Standing Committee agreed that the issues raised by COSATU could not be resolved and therefore the Standing Committee subsequently deemed the Section 77 (1) (b) Notice by COSATU as having been considered.
- 1.7. A NEDLAC Certificate in respect of COSATU's Section 77 (1)(b) Notice on the Economic Crisis was issued on 07 November 2017.

2. Further noted that:

- 2.1 On the 15th January 2019 COSATU submitted a Section 77(1)(d) showing its intention to proceed with a socioeconomic strike on the question of the Economic Crisis in South Africa, in particular that this was affecting the jobs of workers before its Section 77(1)(b) notice dated 21 August 2017.

2.2 In its 15th January 2019 application COSATU indicated that following the socioeconomic strike on the 13th February 2019, the Federation will assess the programme of action and decide on the way forward. It also indicated that it reserves the right to extend the programme of action should this be necessary.

2.3 The strike went ahead on the 13th February 2019 but the issues COSATU raised stand unresolved and government and business have shown commitment to continue with retrenchments and restructuring, in particular that this was affecting the jobs of workers.

3. THEREFORE:

3.1. COSATU is calling upon all workers to support a further socioeconomic protest action by engaging in various forms of protest.

3.2. The forms of protest action and action in contemplation of and furtherance of the Strike will involve protests by different Sectors and Provinces;

3.2.1 Rallies, marches, demonstrations, pickets (including lunchtime pickets), placard demonstrations, siyalalas at or near the premises of the head offices and regional offices of the financial institutions.

3.2.2 Engagement of members of the public, Affiliates and other trade unions to inform them of the reasons for the protest action and to persuade them to support the action.

3.2.3 Calling for solidarity campaigns that are aimed at the media, shareholders, employers, employees, suppliers and other stakeholders associated with the finance sector.

3.2.4 Work stoppage (socioeconomic strike) by finance sector employees.

3.2.5 A one day complete shutdown of all finance sector branches countrywide including but not limited to branches,

divisions, departments, etc. located in the respective head offices and regional offices of all financial institutions.

3.2.6 Handing over of memorandums to the CEO's of the various financial institutions at a common place where the workers will gather to participate in the protest action.

4. The protest actions in the finance sector that will involve time away from work are:

4.1. Rallies, marches, demonstrations, pickets, placards demonstrations, lunchtime pickets, etc. in the major towns and cities on Friday, 27 September 2019.

4.2. A national stay-away or socio-economic strike on Friday, 27 September 2019.

5. The specific activities in paragraph 4 above will take place during working hours. The socio-economic strike will commence at 00:00 and end at 23:59 on **27 September 2019**, except that shift workers will be away for the duration of one whole shift and it will be the shift that has the majority of hours on the day in question.

6. Following the finance sector socio-economic strike on 27 September 2019, COSATU will assess the programme of action and decide on the way forward. It reserves the right to extend the programme of action should it be necessary.