



SAEFA

SA ENGINEERS AND
FOUNDERS ASSOCIATION

29 September 2021

Wage Negotiation Advisory No. 42

Dear Members,

UPDATE ON WAGE NEGOTIATIONS AND PICKETING RULES MEETING HELD ON 29 SEPTEMBER 2021

Employer organisations and trade unions registered with the MEIBC met today under the facilitation of the CCMA to discuss picketing rules ahead of NUMSA's decision to embark on strike action from 5 October 2021.

Prior to the meeting, NUMSA circulated a proposed set of picketing rules, which were unanimously rejected as being grossly deficient by all of the employer parties, including SAEFA. After lengthy discussions, it became clear that NUMSA and some of the other trade unions were not open to agreeing on a reasonable set of picketing rules that provide the necessary protection to both employers and employee who wish to exercise their right not to strike. Accordingly, the employer parties proposed that the CCMA Commissioner consider the picketing rules issues by Commissioner Byrne in the 2014 round of negotiations, together with the draft picketing rules contained in the Code of Good Practice: Picketing as well as give regard to the regulations promulgated in terms of the Disaster Management Act.

Commissioner Shamain Dadabhai undertook to draft picketing rules after having considered the submissions made by the various parties, with a view to issuing the ruling by the evening of Sunday, 3 October 2021.

Despite being urged to hold off on issuing official notice of strike action until after the picketing rules were issued, NUMSA have now served notice of their intended strike action, scheduled to commence from 05h00 on the morning of Tuesday, 5 October 2021 (see attached).

Due to this unfortunate development and as previously communicated, SAEFA will, in conjunction with an independent institution, Tokiso, be conducting an electronic ballot of our members to assess the level of support for members to exercise their right to institute a lock out in response to the strike called by NUMSA.

This electronic ballot will take place in secret and the following must please be noted by all participants:



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- Only paid-up members in good standing will be entitled to participate in the ballot; and
- Only one vote per member in good standing will be allowed.

It must further be carefully considered that if the majority of members entitled to vote do so in favour of the lock out, this will ensure that any individual member wishing to exercise their right to lock out may do so, but is not obligated to do so. However, if the majority of members entitled to vote oppose the lock out, no member may then be entitled to exercise their right to lock out striking workers.

The results of the ballot will be shared with the Executive Committee over the weekend and the results will be made known to members as soon as is reasonably possible.

Yours sincerely,

Gordon Angus
SAEFA Executive Director