



SECTION 77 Notices

TERMS OF REFERENCE:

Section 77 of the Labour Relations Act gives workers the right to take part in protest action to promote or defend their socio-economic interest and be protected against dismissal and other disciplinary action. It gives Nedlac, as a policy-making body made up of Government, Business, Labour and the Community, the task of bringing the parties together to attempt to resolve the reasons for the protest action.

There were eight (8) section 77 notices lodged with Nedlac in the year under review.

| Union | Date | Reason | Respondents | Nedlac Action |
|------------------------|----------|---|--|--|
| SACTWU | 06/08/03 | Job losses in the clothing, textile and leather industry | Retailers and their suppliers of capital | <ul style="list-style-type: none"> ■ Brokered a Declaration between SACTWU and retailers on local procurement of apparel ■ Brokered a Declaration between SACTWU and the finance sector in support of buying local |
| CEPPWAWU and COSATU | 08/08/03 | Job losses caused by dramatic drop in demand for plastic bags as a result of charging by retailers | Major retailers charging for bags including Pick 'n Pay, Shoprite, Woolworths and Clicks | <ul style="list-style-type: none"> ■ Matter was clarified by government in respect of regulations on charging for plastic bags |
| SATAWU, UTATU and UASA | 09/05/03 | Insufficient consultation with regard to National Commercial Ports White Paper and the granting of concessions to operate South African ports | Ministry of Public Enterprise | <ul style="list-style-type: none"> ■ The National Commercial Ports White Paper withdrawn ■ A Ports Restructuring Committee (PRC) was convened, comprising government and the unions, to engage on port restructuring and reform |
| CWU | 10/09/03 | Restructuring resulting in job losses and contravening the ICT Sector Summit resolutions. | Telkom South Africa | <ul style="list-style-type: none"> ■ Application withdrawn |
| NUM | 26/02/04 | Impact of the strong Rand on the export sector resulting in the loss of jobs | Chamber of Mines, DME, DPE, DoF, Transnet, South African Reserve Bank, Durban Roodepoort Deep. | <ul style="list-style-type: none"> ■ Brokered a Statement of Intent between the parties in which the parties commit themselves to together finding ways of minimising the negative effects of a strengthening SA currency on jobs in the mining sector as well as to considering other relevant factors that affect jobs in the mining sector, such as the inefficiency and costs of logistics services |
| COSATU | 20/05/03 | The crises in public transport and the need for an integrated transport plan for the Western Cape | Metrorail, Government, SARCC | <ul style="list-style-type: none"> ■ Pending |
| ICAWU | 05/03/04 | Racism and intimidation in the company. Discrimination against local job seekers. Mass dismissals under pretence of leave. | JIC Mining Services | <ul style="list-style-type: none"> ■ Union was advised that the reasons for the contemplated strike action were not socio-economic in nature and as such fell outside the s77(1)(b) ambit of the Act. |