



Numsa Media Monitor

Tuesday 19 July 2016

A daily compilation of local, national and international articles dealing with labour related issues

Numsa/Eskom

Numsa to show support for Eskom employees

eNCA, 18 July 2016

JOHANNESBURG - Numsa is expected to picket outside Eskom's head office in Johannesburg on Monday.

The trade union says it's supporting Eskom's employees who are demanding better wages and working conditions.

The power utility has been embroiled in a wage dispute with another trade union, the National Union of Mineworkers (NUM).

The parties reached a deadlock in negotiations last Friday after NUM demanded a wage increase of 12 percent for the highest paid and 13 percent for the lowest-paid employees.

Eskom is offering seven percent, which the union says is unacceptable.

<http://www.enca.com/south-africa/numsa-to-show-support-for-eskom-employees>

Numsa set to strike over Eskom demands

Karl Gernetzky, Business Day, 19 July 2016

THE National Union of Metalworkers of SA (Numsa) is threatening industrial action at Eskom, while other labour unions are set to begin bargaining with the utility over wage demands.

Numsa, which has declared deadlock, picketed on Monday outside Eskom head office Megawatt Park to hand over a memorandum of demands that includes a 20% wage hike.

Vuyo Bikitsha, Numsa's electricity sector co-ordinator, said the union wanted a R5,000 housing allowance, performance bonuses — in line with those of executives — and the right to bargain on behalf of managerial staff.

Although Numsa and Eskom held a conciliation meeting on July 7, Bikitsha said: "We are preparing for a strike. We are still consulting with our national office and legal representatives."

The National Union of Mineworkers (NUM) on Monday referred a dispute to the Commission for Conciliation, Mediation and Arbitration. Of the about 36,000 Eskom employees, the NUM represents about 16,000 members, while Numsa has about 10,000 and Solidarity has 7,300.

Eskom is offering 7%-9% in year one, inflation plus 1% in year two and five months fully paid maternity leave.

The NUM said the offer was an "insult". The union wants 12%-13% in a one-year agreement.

A key grievance in the negotiations is the NUM's allegation of racial and gender pay disparities.

Solidarity has called on the NUM and Numsa to review their demands, citing improved offers from the utility and a need to reach agreement quickly.

Deon Reyneke, Solidarity deputy general secretary for the energy sector, said: "We believe it is crucial that all role players should now try to reach a favourable agreement around the negotiation table, that would assure the sustainability of Eskom, and ensure stability in the power supply."

Eskom spokesman Khulu Phasiwe said the utility remained hopeful of an agreement.

"We have been approaching these negotiations with a very open-minded approach, in which we could be influenced, but generally the unions have been sticking to their guns," said Phasiwe.

<http://www.bdlive.co.za/national/labour/2016/07/19/numsa-set-to-strike-over-eskom-demands>

Only a strike will move Eskom – Numsa official

Lameez Omarjee, Fin24, 18 July 2016

Johannesburg - If Eskom does not meet demands set by Numsa workers, the union may go ahead with a strike.

This is according to Vuyo Bikitsha, electricity sector coordinator for Numsa. Numsa workers arranged a picket on Monday, outside Eskom head office at Megawatt Park.

"The main purpose of the picket is to pressurise Eskom management into making a proper, fair and reasonable wage offer," said Bikitsha. The workers are calling for South African citizens to understand the issues dividing Numsa and Eskom, he said.

Eskom only introduced a 7% increase across the board. "This is unfair,

unreasonable and insufficient," said Bikitsha. Eskom's "moves" have not been significant. For women, five months full wages and 30% wages in the sixth month for maternity leave was introduced, explained Bikitsha.

Last week, wage negotiations reached a deadlock. As a result the CCMA will step in. It has been agreed that conciliation with Eskom will be extended until Monday, 25 July 2016.

Numsa is the only trade union that has formally declared a dispute with the CCMA. They are waiting to join the National Union of Mineworkers and the union Solidarity before taking further strike action.

"Only a strike will move Eskom... A strike is looming," he said. Numsa represents over 10 000 workers at Eskom. A strike will only be successful if various trade unions work together.

"This is just a warning. We are prepared to go for a full-blown strike if they don't meet our demands," added Kau Rasehlo, chairperson of the region, Numsa shop steward committee.

Numsa members strike outside Eskom head office to demand a 'substantial' wage hike. (Lameez Omarjee, Fin24)





Eskom recently reported "sound financial results" for the year ending March 2016. All financial ratios have increased and Eskom is doing well, said Bikitsha.

Their "key gripe" is that a 7% increase is proposed but over the past two years, chief executive Brian Molefe's salary "skyrocketed" from R2.95m to R9.5m, excluding benefits and perks. "That's more than 174% increase in two years," he said.

"How can they only give a 7% increase if more than R792m is shared by bosses as

executive bonuses?" Workers worked hard for a profit, reported at R4bn. "We are appealing to Eskom's conscience," he said.

Among the demands is a housing allowance of R5 000. The housing allowance is currently R2 600. In terms of bonuses, Numsa demands 25% - "they same as the managers are getting". They are currently getting 12%, according to Rasehlo.

Bikitsha also mentioned the "oppressive working conditions". Workers can no longer endure oppressive working conditions at a low salary base, he said. A number of workers took resignation packages in 2015.

Eskom spokesperson Khulu Phasiwe told Fin24 earlier on Monday workers have a right to picket and hand over a memorandum of their demands. "We will respect it and respond to it accordingly."

The power utility is in wage negotiations with unions and believes an agreement that covers their demands will be reached.

Phasiwe said Eskom's position has moved from an initial increase offering to 5% to 7% for middle management and 9% for the lowest paid workers.

Responding to whether service delivery may be impacted, Phasiwe said: "We hope people won't down tools; the law does not allow it." He explained that like the police and army, workers at Eskom are essential service providers and are not allowed to go on strike, by law.

"We will do our best to meet employees half way," added Phasiwe. He also said workers should remember that Eskom has undertaken a R280bn capital expenditure project which includes the completion of Medupi and Kusile power stations.

<http://www.fin24.com/Economy/Eskom/only-a-strike-will-move-eskom-numsa-official-20160718>

Eskom hopes to avert strike action

Steven Tau, The Citizen, 18 July 2016

The National Union of Mineworkers (NUM) says it hopes there won't be a strike at Eskom.

The union announced at the weekend it declared a wage dispute with the power utility following months of wage negotiations.

Workers affiliated with the NUM are demanding wage increases of 12% for the highest-paid employees and 13% for the lowest-paid, while Eskom is offering between 7% and 9%.

Speaking to The Citizen yesterday, the NUM's chief negotiator at Eskom, Helen Diatile, said the matter had been referred to the Commission for Conciliation, Mediation and Arbitration (CCMA).

"We are now waiting for a date from the CCMA and we hope to get a date as soon as possible," said Diatile.

“We already have a full mandate from workers to say that should talks between us and management fail to yield positive results, then we should proceed to the CCMA.”

The union said it was extremely disappointed and angry that Eskom still refused to close the apartheid wage gap within the company, saying white employees still earned more money than black ones within Eskom, even when they did the same job.

Other demands by NUM members included a housing allowance of R5 000 per month and the selling of leave days.

Eskom spokesperson Khulu Phasiwe confirmed the negotiations, which started around May, have not resulted in a solution.

“Last Friday was the last day of the fourth round of talks between Eskom and the NUM and, as a result, the matter has now been referred to the CCMA.

“We want to emphasise the point that we, as Eskom, are willing to find a solution to this wage impasse.”

He stressed that, by law, any employee working for Eskom was not allowed to go on strike as they were essential service providers.

“This is not an Eskom law but a government law and, therefore, we do not anticipate a strike and want to reiterate that we are in no way trying to stifle people’s rights to strike,” said Phasiwe.

“With regards to the law, discussions between Eskom and unions are continuing because, at the moment, this law does not differentiate between critical and noncritical staff members.”

Phasiwe added that the initial offer was 5%, which improved to 5.5% and 5.7% before going out to between 7% and 9%. “Eskom is offering increases of 9% for the lowest-paid workers and 7% for those earning [more].

“Eskom is hoping for a speedy solution to this impasse to ensure continued power stability on the system.”

Meanwhile, Numsa members are planning to picket at Eskom’s headquarters today.

<http://www.citizen.co.za/1208381/eskom-hopes-to-avert-strike-action/>

Eskom, union head to CCMA

Siseko Njobeni, Business Report, 18 July 2016

Johannesburg - The National Union of Mineworkers (NUM) will today refer its pay increase dispute with Eskom to the Commission for Conciliation, Mediation and Arbitration (CCMA).

This comes after the union on Friday declared a wage dispute with the power utility after both parties reached a deadlock.

The union demands a wage increase of 12 percent for the highest paid employees and a 13 percent wage increase for the lowest-paid employees. Eskom has offered

an increase of 7 percent. The NUM also demands a one-year wage agreement and a housing allowance of R5 000 per month.

The union has accused Eskom of “dirty tactics” and an “arrogant attitude” during the wage negotiations. It said Eskom’s 7 percent offer was an insult. “Eskom’s attitude has been very hostile. There is no indication that the company does not have money,” NUM chief negotiator at Eskom, Helen Diatile, said yesterday.

In the year ended March 31, Eskom increased cash generated from operating activities by 36.4 percent to R37.2 billion. It increased revenue by 10.6 percent to R163bn, while net profit was R4.6bn, up from last year’s R200 million.

Proposals

Meanwhile, Eskom on Friday confirmed that it had issued a request for proposals for six million tons for the Hendrina power station in Mpumalanga.

“This is in preparation to the expiry of the current coal supply contract in 2018. As previously indicated, all coal contracts will be adjudicated through an open tender process. Put differently, it does not mean that the incumbent suppliers will get automatic renewal of their contracts, they have to compete on pricing with other bidders as per the regulations stipulated in the Preferential Procurement Policy Framework Act,” Eskom spokesman, Khulu Phasiwe, said on Friday.

Phasiwe said the 6 million tons for the Hendrina power station would only come into effect after 2018, “that is when the current contract expires”.

The new contract would run for 10 years, up to 2028 – which is the expected remaining life of Hendrina.

Tegeta Exploration and Resources, a company owned by the Gupta family’s Oakbay Investments, currently supplies coal to the Hendrina power station. Tegeta earlier this year bought Optimum Coal – which had a long-term coal supply contract with Eskom for Hendrina – from Glencore for R2.15bn.

Recently, Eskom has increasingly voiced its displeasure with the performance of collieries, which have long-term coal supply contracts with the power utility. It complained that some of the mines cannot meet agreed volume, costs and quality targets.

In the cost-plus contracts, Eskom pays for operating costs plus an ore-determined return-on-investment with mines owned by the coal miner.

“Eskom has no problem with long-term coal supply contracts for as long as they are fixed cost, indexed and do not require an upfront capital injection from Eskom. It is for this reason that Eskom does not have a problem with long-term coal supply contracts at Duvha, Matimba and Medupi,” Phasiwe said.

<http://www.iol.co.za/business/news/eskom-union-head-to-ccma-2046387>

South African workers

Cotton textile workers get above-inflation pay increase

Bekezela Phakathi, Business Day, 19 July 2016

NEARLY 4,630 workers employed in 70 woven cotton textile factories across the country have walked away with an above-inflation wage agreement, which has been hailed as a victory for a living wage.

Southern African Clothing and Textile Workers Union (Sactwu) general secretary Andre Kriel said workers had received an 8.25% increase backdated to July 1 2016.

The muted nature of these negotiations and the relative speed with which an agreement was reached are in contrast to talks taking place in other sectors.

Although the Treasury has warned about the implications of above-inflation wages on inflation and interest rates, Sactwu has long campaigned for a living wage and argued that textile workers are the lowest-paid in manufacturing.

Kriel said the agreement with the woven cotton textile sector employers, represented by the South African Cotton and Textile Processing Employers Association, covers improvements in the prescribed minimum wages, retirement fund contributions and bargaining council levies.

"The agreement will now be submitted to the minister of labour, with a request for her to gazette and extend it to cover all nonparty employers in this sector.

"The 8.25% package settlement increase will be retrospectively effective from July 1 2016.

"This above-inflation settlement is a major step forwards in Sactwu's living-wage campaign," said Kriel.

The South African Cotton and Textile Processing Employers Association had not responded by the time of publication.

The cotton textile sector — as well as the overall clothing industry — is generally concentrated in KwaZulu-Natal, the Eastern Cape and Western Cape.

In the government's Industrial Policy Action Plan, the sector is identified as a "high priority" because it is labour-intensive.

In many developing countries, the sector has provided the early impetus for industrialisation, economic growth and job creation.

In 2013, textiles and clothing accounted for about 14% of manufacturing employment and represented SA's second-largest source of tax revenue.

<http://www.bdlive.co.za/national/labour/2016/07/19/cotton-textile-workers-get-above-inflation-pay-increase>

Nehawu threatens to render Parliament 'ungovernable'

Khulekani Magubane, Business Day, 18 July 2016

THE National Education Health and Allied Workers' Union has upped the stakes in its members' impasse with the Secretary of Parliament Gengezi Mgidlana by resolving to call on Public Protector Thuli Madonsela to investigate him.

Provincial and regional office bearers told media during a briefing in Cape Town on Monday that Mgidlana had not taken the union's demands in Parliament seriously, and that he left them no choice but to make Parliament ungovernable.

Nehawu and the management of Parliament have been at loggerheads over Parliament's failure to implement an agreement signed in December, following a strike which saw Nehawu bring the work of portfolio committees in Parliament to a standstill.

Provincial secretary Eric Kweleta told reporters that belligerence on the part of Mgidlana and "deafening silence" on the part of the ANC has pushed the union to call on the Public Protector to investigate the secretary of Parliament.

"We will be handing over a memorandum at the provincial office of the Public Protector to investigate Gengezi Mgidlana. We are demanding that his expensive trips, first class flights, expensive hotel stays with his wife be investigated. The Public Protector must also investigate the relationship between Mgidlana and the presiding officers," said Kweleta.

Last month, it was reported that, in four months, Mgidlana spent over R134,000 on high end hotel stays, chauffeur services and expensive travel with his wife at taxpayers' expense.

Kweleta said following a breakdown in consultation, the union would begin planning rolling mass action, which would include daily marches to Parliament. The union started lunch time pickets last week.

"As the leadership in the Western Cape we have mobilised our structures as regional leadership and provincial leadership to mobilise Western Cape branches to march to Parliament on a daily basis until the management agree to address the acrimonious state of affairs," he said.

For all the ire aimed at Mgidlana for his management of the labour issues in Parliament by Nehawu and opposition parties, it is, in fact, high ranking members of the ANC Parliamentary caucus who make up Mgidlana's most ardent defenders.

Ekapa South Regional chair Xolani Mdoda dismissed claims that the ANC was indifferent or, in part, responsible for the manner in which Parliament had neglected the union's demands. He said the union would continue supporting the ANC in next month's local government elections.

"Our position is to support the ANC in the local government elections as an affiliate of Cosatu (the Congress of South African Trade Unions). This attitude of Mgidlana is delaying us in our ability to campaign for the ANC. We find ourselves marching back to Parliament when we should be focussing our energy on campaigning," said Mdoda. He also sought to dismiss claims that Nehawu has been captured by reactionary forces.

The union marched to the provincial offices of the Public Protector to hand over its memorandum demanding an investigation.

<http://www.bdlive.co.za/national/labour/2016/07/18/nehawu-threatens-to-render-parliament-ungovernable>

Nehawu turns to Public Protector to investigate Mgidlana

Rahima Essop, eNCA, 18 July 2016

The union wants allegations of maladministration against the Secretary to Parliament investigated.

CAPE TOWN – Trade union, the National Education, Health and Allied Workers' Union (Nehawu), says it intends asking the Public Protector to investigate allegations of maladministration against Secretary to Parliament Gengezi Mgidlana.

The complaints relate to expensive overseas trips, his use of a state vehicle fitted with blue lights and questions around his academic qualifications – among other issues.

The call for a probe follows months of fraught labour relations at the institution.

Nehawu's Eric Kweleta says, "As the leadership in the province we find it very perplexing for the presiding officer, or the African National Congress, not to act against this man. Hence we've resolved to devise our own strategy in resolving these matters."

Mgidlana and four of his staff spent nearly R1 million on a 10-day "benchmarking" exercise to the United Kingdom, travelling business class and staying in luxury hotels last year.

Last month, workers went on strike after the union's parliamentary branch chairperson, Sthembiso Tembe and his colleague were suspended.

The two face internal charges for allegedly disrupting staff meetings called by secretary to Parliament.

Staff returned to work shortly afterwards, to allow Nehawu's national office bearers time to intervene in the impasse.

The work stoppage was a warning shot after months of strained relations.

The union and Mgidlana were at loggerheads over outstanding issues related to a strike last year.

The union's main demand was the reversal of salary deductions implemented under the "no work, no pay principle".

<http://ewn.co.za/2016/07/18/Nehawu-turns-to-Public-Protector-to-investigate-Mgidlana>

Parliament hopes CCMA ruling will 'close chapter of negative engagement' with Nehawu

TimesLive, 19 July 2016

Parliament said it had been vindicated by the Council for Conciliation, Mediation and Arbitration's (CCMA) dismissal of the National Education Health and Workers' Union's (Nehawu) "application in relation to the payment of bonuses in 2015".

The union had, in May, threatened to strike if Parliament's presiding officers do not meet its demands on the payment of bonuses and what the union claims were the "unilateral" reductions in the performance ratings of some employees.

In a statement on Monday, Parliament said the CCMA's award stated "it is the legislative duty of the Secretary to Parliament to ensure that the resources of [Parliament] are used efficiently". "In this regard the fact that [Parliament] as an institution had not achieved its overall targets which [it] found irreconcilable with performance achievements of 91 [percent] of its individual employees," the statement further quoted.

The CCMA appeared to have accepted Parliament's argument that the "review of the performance scores was a fair measure and done in accordance with its policies as a result of inconsistency between the performance of the institution based on audited results by the Auditor-General and the individual scores of the employees".

Parliament also noted that the CCMA found there was no "no evidence that [Parliament] had acted irrationally, capriciously or arbitrarily, with bias, malice or fraud or had failed to apply its mind or unfairly discriminated against the applicants when the scores were adjusted in order to achieve the approval of the Secretary to Parliament".

"The ruling by (the) CCMA is a thorough vindication of the position of Parliament in its submissions and public pronouncements. Parliament's management acted in good faith in its engagement with employee issues. It also exposes the unreasonableness of the local branch of Nehawu and those that joined in the unfair condemnation of Parliament," it continued.

"Parliament hopes that this ruling will close the current chapter of negative engagement and help solidify a commitment to work together in transforming the institution to offer an even more efficient support service to Parliament in discharging its constitutional responsibility."

The legislature has been beset with Nehawu actions, including what it alleged involved "targeted media" being "primed and invited into an internal meeting" which was disrupted in June.

The union also occupied the chambers of the Parliament during an unprotected strike of nearly four weeks late last year.

The union had said it intended "to begin...rolling mass action" in June, and the strike could extend beyond Parliament to the provincial legislatures.

<http://www.timeslive.co.za/politics/2016/07/19/Parliament-hopes-CCMA-ruling-will-%E2%80%98close-chapter-of-negative-engagement%E2%80%99-with-Nehawu>

Mining fatalities: Zwane is concerned

Thabisile Mbele, Business Report/Reuters, 18 July 2016

Johannesburg - Mineral Resources Minister Mosebenzi Zwane has visited Sibanye Gold to raise his concerns about increasing fatalities in the mining industry.

Zwane's visit comes as figures showed that fatalities in the industry have reached 49 so far this year – with 10 of those coming from Sibanye.

Zwane said the industry needed to take measures to address the situation.

“This is a serious setback for the sector, which recorded its lowest ever fatalities in 2015,” Zwane said.

“We should not place value on profits over the lives of workers, while we are aware of the endeavours being made by the industry; we remain concerned about the safety performance of our mines.”

The mining industry has seen an increase in the number of fatalities underground, with the most chilling being the Lily mine incident in Barberton, Mpumalanga, where three miners have been trapped underground since February, following a cave-in that closed the entrance to the 13 levels underground.

Last month, trade union federation Cosatu said it would stage a protest at Lily mine to pressurise the company and the government to fast-track the process of bringing to the surface the bodies of the trapped miners and also to compensate the stranded miners, who are currently sitting at home.

Zwane said it was regrettable that the company, which had been the best safety performer in the gold sector last year, was now leading with fatalities this year.

Last year, the industry recorded 42 fatalities but since the beginning of this year, a total of 49 fatalities have been reported with Sibanye Gold accounting for 10 of those.

Trade union Solidarity spokesman Gideon du Plessis said mines safety was not negotiable.

“Mergers need to be taken and make sure that mine houses remain the priority for our economy,” Du Plessis said.

Sharp focus

Sibanye Gold has also come into sharp focus following its announcement last week that 1 700 jobs were at risk at its Cooke 4 gold and uranium mine near Westonaria.

Since 2012, the industry has cut about 47 000 jobs and observers believe it could shed another 32 000 this year, particularly in the gold, platinum and coal sectors, which have been battered by weak prices and rising costs.

In September 2014, the company said it would implement measures to return the operation to profitability.

However, despite intense monitoring and interventions by a joint management and labour committee over the last 17 months, Cooke 4 operations have continued to fall short of production targets and losses have accumulated against the rise in gold and platinum prices.

The National Union of Mineworkers (NUM), the biggest union in the industry said it was concerned about the looming job cuts. NUM spokesman Livhuwani Mammburu

said the union welcomed Zwane's interventions to avert what he called a jobs bloodbath.

"There is a miner that supports about 10 members of his family, so if he loses his job (that) means the family will lose his support. If the company anticipates retrenching 10 percent of its employees then the minister must intervene," Mammburu said.

Meanwhile, platinum mining firms and South African trade unions should conclude wage talks quickly to avoid the protracted disputes that led to a five-month strike two years ago, Zwane said.

"I wish that everybody can negotiate with cool heads and avoid a strike and speedily resolve these negotiations," he said. Talks between unions and the mining companies started last week.

The Association of Mineworkers and Construction Union, the biggest union in the sector, is demanding pay hikes of more than 50 percent, while a smaller union NUM is seeking a 20 percent increase.

The demands are well above inflation at 6.1 percent.

<http://www.iol.co.za/business/companies/mining-fatalities-zwane-is-concerned-2046383>

Midvaal 'racism' protests set to continue

Steven Tau, The Citizen, 18 July 2016

It's nothing but ANC electioneering, says the DA, but Samwu claims black people don't get promoted.

The SA Municipal Workers' Union (Samwu) is expected to meet officials at the Midvaal local municipality today following days of violent protest by disgruntled employees.

Several gates leading to the municipality's entrances were damaged by irate workers, who also barricaded roads with burning tyres, rocks and rubble.

Speaking to The Citizen yesterday, Samwu's Lucky Nkosi said that if management failed to address workers' grievances, members were prepared to continue protesting indefinitely.

"On Friday, our members made it clear to us that they are prepared to continue protest action.

"We expect [the employer] to do the right thing by promoting black people the same way they have been doing with white people over the years," Nkosi said.

Meanwhile, the DA's Makashule Gana said the protest action was unprotected.

"We view this protest as electioneering by the ANC. The protest action is beyond labour disputes.

"The extent of the damage caused is still being assessed," Gana said.

<http://www.citizen.co.za/1208307/midvaal-racism-protests-set-to-continue/>

Top cop accuses police union of hypocrisy

Zintle Mahlali, Independent Media, 18 July 2016

Johannesburg - Acting National Police Commissioner Khomotso Phahlane pleaded with Police and Prisons Civil Rights Union (Popcru) members not to apply “double standards” when attacking his performance.

Phahlane, who was addressing delegates at Popcru’s central executive committee (CEC) meeting on Sunday, said the union defended SABC chief operating officer Hlaudi Motsoeneng, yet it had failed to do the same for him.

“Why do we apply double standards? When it comes to Phahlane, it’s an attack on Phahlane and it’s okay. But when it comes to Hlaudi - no, it’s an institution and it’s not okay,” Phahlane said.

He had been widely criticised by Popcru since replacing suspended National Police Commissioner Riah Phiyega, who is facing a commission of inquiry over her handling of the police on the days leading up to the Marikana massacre.

He received a mixed reaction, from the union’s more than 500 delegates, before making his speech when some delegates tried to sing “we don’t trust hypocrites”.

However, that attempt was quickly foiled by Popcru’s leadership.

One of the issues the union has with him is his “back to basics” approach to policing and fighting crime - the union says it doesn’t understand exactly what that means for policing.

Popcru feared the approach meant reverting to apartheid policing.

Phahlane spent the better part of his speech explaining to delegates that he was not interested in going back to apartheid-style policing.

“We are not interested in what happened prior to 1994, we have an interest in ensuring that the constitution and the regulatory framework which governs policing become a reality,” he said.

Phahlane added that the new approach was geared towards the betterment of the police service and addressing its challenges.

“Together with the minister of police we have advanced our back-to-basics approach and we have spoken to it, and we will continue to talk to each other. We can’t be apologetic if we are to make sure that visibility in the streets of our country becomes a reality,” Phahlane said.

Popcru president Zizamele Cebekhulu cautioned that even though the union’s nationwide strike had been called off, subject to engagements, more dialogue needed to take place with the SAPS, and the departments of correctional services and transport.

The union's strike was to take place last week, and would have seen its members marching to the various departments to air grievances on working conditions for workers.

In closing the union's CEC, Cebekhulu said Popcru, which was affiliated to Cosatu, remained on track to grow its membership from 16 000 members to 200 000 by 2019.

One of the union's strategies is to pull members from the metros' traffic divisions.

However, whether they will succeed is uncertain because some of the workers are members of the South African Municipal Workers Union (Samwu), which is also affiliated to Cosatu.

"We are having discussions about this between us and Samwu and looking at that possibility because it's a potential market and it's not yet our market," said Cebekhulu.

<http://www.iol.co.za/news/crime-courts/top-cop-accuses-police-union-of-hypocrisy-2046533>

South Africa

ANC list cited as fuelling candidate killings

Genevieve Quintal, Business Day, July 19 2016

THE ANC's list nomination process may be a key factor in the killings of its candidates and leaders in KwaZulu-Natal, an analyst says.

Over the past two months, the number of ANC members killed in the province has risen to 13, with the latest incidents taking place on Monday. Ward councillor candidate in Umuziwabantu Municipality, Bongani Skhosana was shot dead in front of a group of children he was transporting to school and candidate Khanyisile Ngobese-Sibisi was shot and killed in Ladysmith on her way to a Nelson Mandela day event.

Tension has remained high since the ANC's nomination process unfolded for the August 3 polls and as the party enters the final stage of its campaign it has sought to quash fights. Several protests have erupted over unhappiness with the lists of nominated candidates. Some ANC members have claimed candidates had been imposed on them.

Sifiso Kunene, a political analyst with the Centre for Participatory Democracy, said the killing of ANC leaders and members could not be divorced from the chaotic and violent list nomination process.

"The list process was contested terrain and some people felt that the winning factions are imposing candidates on them. They resisted this process and in some areas it resulted in violent and destructive protests. We are seeing a dangerous trend where people are taking lives to reverse these processes," he said.

In June, Police Minister Nathi Nhleko established a task team to investigate killings said to be politically motivated after the ANC in KwaZulu-Natal called on police to

escalate its investigations. ANC provincial spokesman Mdumiseni Ntuli said the party had not received any report from the police or feedback on the task team.

"The minister of police made an undertaking to establish a task team that should help to investigate ... as far as we know nothing has been established," Ntuli said.

Nhleko's office could not be reached for comment.

In terms of Electoral Commission of SA rules, the death of a ward councillor candidate would not affect the election. His name would still be on the ballot paper but if the person won the ward, a by-election would be held after the polls.

The Institute for Security Studies, which has been monitoring political attacks, said KwaZulu-Natal was the hardest-hit province. From January to June in 2016 there had been 18 incidents in the country, 10 of them in KwaZulu-Natal, it said.

Ntuli said the ANC in the province had been talking to its structures. "What we thought we needed to do was deal with the internal tension in the ANC which was a result of the selection process, so that we could better understand whether these killings have anything to do with our own internal dynamics or whether they originated outside the ANC processes."

<http://www.bdlive.co.za/national/2016/07/19/anc-list-cited-as-fuelling-candidate-killings>

SABC

4 SABC journos to fight sacking

Zelda Venter & Luyolo Mkentane, Pretoria News, 19 July 2016

Pretoria - In a surprise move the SABC on Monday night reportedly fired four of its employees who were earlier suspended.

SAfm current affairs executive producer Krivani Pillay, RSG executive editor Foeta Krige, senior investigative journalist Jacques Steenkamp and senior journalist Suna Venter were fired with immediate effect by the broadcaster.

They have vowed to go to court to fight the public broadcaster over the decision to first suspend them, and now dismiss them.

Attorneys representing the axed SABC journalists have indicated that they would be taking the matter to the Labour Court as early as Thursday.

The lawyers believe that they have a strong case against the defiant broadcaster as the dismissals were viewed as being inconsistent with the supreme law of the country.

Attorney Anton van der Bilj, the head of the Labour Court department at trade union Solidarity, said they were notified about the decision to fire the journalists at 7pm on Monday.

"We were informed at 7pm that they have been fired for contravening the SABC policy."

“We will apply to the Labour Court on Thursday that the dismissals be set aside. This is unheard of, such a decision can’t be made,” he said.

Solidarity had wanted that the suspensions and disciplinary processes against journalists opposed to censorship at the broadcaster be set aside, “pending the adjudication” by the Constitutional Court of the lawfulness of the SABC’s “censorship instructions”.

Van der Bilj said they had tried to reason with the SABC to no avail.

“We tried to keep the gloves on, but the SABC seemed not keen on reaching an amicable solution. The gloves are now off!”

Speaking to Independent Media, one of the axed journalists said the SABC management had told them that their “continued acts of misconduct had become intolerable and our employment is thus terminated with immediate effect”.

The dismissal of the four comes after the SABC refused to back down on its decision to ban the broadcast of visual footage of violent protests and destruction of public institutions.

However, the public broadcaster has denied ever adopting a policy to ban coverage of violent or other protests.

This is according to its acting group executive: news and current affairs, Maloko Tebele, in his answering affidavit in the high court in Pretoria.

The Helen Suzman Foundation (HSF) is seeking an urgent interdict against the implementation of what it termed the SABC’s policy and practice not to cover violent and other protests.

The matter will be heard by Judge John Murphy on Wednesday.

The foundation will ask for an interim interdict, pending the final determination of the issue, either by way of a review of the SABC’s editorial policies or final determination of the proceedings in this regard before the Independent Communications Authority of South Africa (Icasa).

While Tebele said the respondent would not oppose the granting of the interdict relating to what the foundation called its ban on covering marches and protests, it would not relent on broadcasting visual footage of violent protests and the destruction of public institutions.

According to Tebele, the SABC had been covering protests and marches all along.

“The only aspect which the SABC seeks to avoid is the broadcasting of visuals of the violent protests that are on the rise and which involve the destruction of public institutions.”

Head of the foundation, Francis Antonie, said in his affidavit that the SABC had adopted a “blanket and inflexible policy” which had resulted in its censoring the news and not covering, or only partially covering, protest action.

This was set out in a press release issued by SABC boss Hlaudi Motsoeneng.

But Tebele denied it was a policy and said this was merely an internal editorial instruction issued by SABC management in line with the prescripts regulating the broadcaster.

He also denied that the matter was urgent and said the issues had already been dealt with by Icasa.

The broadcast watchdog had ordered the SABC to lift its ban on broadcasting footage of violent protests. The SABC intends to fight this ruling on review.

Tebele said the act of destruction was merely criminal conduct.

He said, for example, that the burning of schools in Vuwani had nothing to do with the protest for municipal service delivery.

Tebele referred to some of the violent behaviour which occurred during protests and said these flared up once some of the community members saw SABC cameras.

Antonie expressed his concern over the timing of the SABC “policy” and “censorship” so close to the local government elections on August 3.

“The timing is either most unfortunate, or indicative of something far more sinister.

“It is not open to the SABC, or those who exercise control thereover, unilaterally to distort the information received by the public.

“Absence of information and half truths are as damaging and misleading as deliberate misrepresentation.”

Antonie said it appeared the purpose of the “censorship decision” was a political one, designed to shield politicians and public bodies from scrutiny, when their actions or omissions had elicited mass protest.

He said this application concerned the proper functioning, integrity and independence of South Africa’s national public broadcaster.

“The urgency in this matter is compounded by the proximity of the local elections and the need for transparency in relation to protests against political parties or leaders,” he added.

“The public rely on the SABC to broadcast such protests, regardless of their political sensitivity or violence.

“By failing to do so, the SABC may well mislead the public on the eve of elections regarding politically sensitive matters,” he went on to say.

Antonie said that given the proximity of the local elections, every day that the news was not properly reported, resulted in misinformation.

Tebele vehemently denied that the instruction regarding SABC news policy had anything to do with the local elections or at censoring news.

“I deny that the SABC has withheld any information from the public, amounting to a potential shield of political leaders or entities from public scrutiny.”

“I note that the urgency in this matter is linked to the local government elections, which implies that a lot of properties will be destroyed before those elections and that it is in the public interest that people should see how those public institutions are being destroyed.”

The court action against the SABC by the foundation, and the Icasa matter, come at a time when the public broadcaster is embroiled in a public spat, not only with civil society organisations, but with its employees as well.

Eight of them - including the sacked foursome - submitted papers directly to the Constitutional Court challenging their suspensions pending disciplinary action.

<http://www.iol.co.za/news/crime-courts/4-sabc-journos-to-fight-sacking-2046847>

Four SABC journalists fired because they approached labour court – lawyer

Kaveel Singh, Daily Maverick/News24, 19 Jul 2016

Four of the SABC journalists who were suspended or faced disciplinary hearings were fired on Monday possibly because they approached the Labour Court, their lawyer said.

“We will argue [in the court] on Thursday that the reason for them being dismissed is that they pursued their rights in terms of the Labour Court. It is only speculation at this time, [however] I think it is a fair assumption to be made,” Anton van der Bijl, the labour attorney for Solidarity who is representing the four journalists, said.

The four are Foeta Krige, Suna Venter, Krivani Pillay and Jacques Steenkamp.

Van Der Bijl confirmed that other journalists who were suspended or faced charges at the broadcaster but were not represented by Solidarity were not part of the application to the Labour Court. No action was apparently taken against them on Monday.

He said he would tell the Labour Court that the dismissals be set aside because the decisions were “based on unlawful policy”.

“The policy [of the SABC to not broadcast footage of violent protests] is subject to the decision of the ConCourt, the High Court and Icasa. We’ll ask that... [the sanctions] cannot proceed because the policy has not had an opportunity to be scrutinised by the court.”

Charges inconsistent with the Constitution

Solidarity said in an earlier statement that it “wants to have the suspension and disciplinary action against several SABC journalists set aside pending the adjudication by the Constitutional Court of the lawfulness of the SABC’s censorship instructions”.

“This comes after the SABC still failed to withdraw the charges against the journalists for their refusal to apply censorship. In a recent letter to the suspended and disciplined journalists, the SABC also accused them of having allegedly committed ‘further misbehaviour’ by informing the media of their suspensions and their continued refusal to comply with the SABC’s instructions.”

Solidarity chief executive Dr Dirk Hermann said: “We... believe that the individuals concerned have a very strong case against the SABC for the very reason that the charges laid against them by their employer are inconsistent with the Constitution.”

Economics editor Thandeka Gqubule, Krige and Venter were previously served with suspension letters after they disagreed with an instruction during a diary conference not to cover the Right2Know campaign’s protest against censorship at the SABC.

That protest was in response to SABC chief operating officer Hlaudi Motsoeneng’s decision to stop airing footage of the destruction of property during protests. This caused outrage from civil society and media organisations.

Following this, the SABC charged three other journalists for “liaising with the media” without authorisation from their bosses.

SABC to go to court over ruling

The three – Busisiwe Ntuli, Pillay and Steenkamp – wrote a letter to Motsoeneng last weekend, expressing their dissatisfaction with how operations had been managed at the SABC over the last few weeks.

Journalists Lukhanyo Calata and Vuyo Mvoko have also been either charged or suspended by the broadcaster.

The Independent Communications Authority of SA (Icasa) ruled last week that the SABC had to withdraw its resolution to ban the broadcasting of violent protests.

Motsoeneng told media at a briefing after the ruling that no one could tell the SABC what to do.

The broadcaster is now reportedly approaching the courts to have Icasa's decision reviewed.

<http://www.dailymaverick.co.za/article/2016-07-19-four-sabc-journalists-fired-because-they-approached-labour-court-lawyer/#.V43iBk3lrIU>

International

North Sea workers' strike to disrupt Shell operations – union

Karolin Schaps, Reuters, 18 July 2016

LONDON, July 18 A 24-hour strike of Wood Group oil and gas maintenance workers will "severely disrupt" operations at several Royal Dutch Shell platforms in the North Sea where they are employed, labour union Unite said on Monday.

The strike action scheduled for July 26 will be the first walkout by UK North Sea workers in ten years as oil and gas staff are angered by pay cuts and tougher working schedules brought on by cost savings amid the oil price crash.

The workers will also undertake several three-hour strikes over the following weeks, a union representative said.

A total of seven Shell platforms, including the historic Brent facility, will be affected by the strike of Wood Group employees who carry out maintenance. This means production from the platforms may not necessarily be impacted.

Shell is making contingency arrangements to ensure safety is not affected by the strike action, a person at the company said.

"It is anticipated that the action will severely disrupt operations on the Shell platforms," the union said in a statement.

The platforms affected are Brent Alpha, Bravo and Charlie, Gannet, Nelson, Curlew and Shearwater. Shell's Brent Delta platform, which is being decommissioned, is also included.

An overwhelming number of employees backed strike action in a ballot carried out last week.

Wood Group said it was continuing to engage with employees and labour unions to reach a resolution.

Shell said it hoped Wood Group and its employees would come to an agreement.

<http://uk.reuters.com/article/britain-northsea-strike-idUKL8N1A44TN>
