

COURT DECLARES NUMSA STRIKE AT NGQURA ILLEGAL

Written by Tracy
Tuesday, 29 July 2014 17:39

The Labour Court today declared the National Union of Metalworkers of South Africa's (Numsa) strike at the port of Ngqura Container Terminal illegal and unprotected, forcing the few members of the union who were still on strike to return to work or face dismissal.

The order applies to Transnet permanent employees only who must report for duty tomorrow (Wednesday) at 06:00 – the first shift of the day.

Numsa, which has just over 100 members of Transnet's over 60000 employees, called on its members to a no-work, no-pay strike on 25 April this year. The 14-week strike has been characterised by incidents of violence as the majority of workers ignored the call to strike. A few striking Numsa members were arrested and charged over the acts of intimidation and violence. All the issues Numsa raised had been addressed by the time the union called a strike.

Making the order, the Labour Court said Numsa and its members had failed to follow procedures set-out in the Labour Relations Act governing strikes. In addition, the court said Numsa and its members are bound by existing procedural agreements between Transnet and its recognised unions. Satawu and Utatu-Sarhwu, combined, represent about 80% of the workers in the bargaining unit both in Ngqura Container Terminal and company-wide. Numsa has less than 3% and requires a minimum of 30% representation to be recognised. In an unprecedented move, the court has ordered Numsa to pay all Transnet's legal costs.

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The company, through its employee assistance programmes, will activate the reintegration of the previously striking colleagues.

Transnet says that the industrial action has had minimal impact on its port operations.