

**29 OCTOBER 2024**

**MEDIA STATEMENT**

**FOR IMMEDIATE RELEASE**


**NBCRFLI WELCOMES INTENSIFIED MULTI-DISCIPLINARY JOINT INSPECTIONS TO  
ADDRESS EMPLOYMENT OF UNDOCUMENTED FOREIGN NATIONALS**

The Parties to the National Bargaining Council for the Road Freight and Logistics Industry (NBCRFLI), which are MTWU, SATAWU, RFA NEASA and CEO, including recently admitted TASWU and NUMSA, have commended intensified efforts of the Bargaining Council's Inspectorate and Parties to Council's participations in collaboration with government and law enforcement agencies to tackle the employment of undocumented foreign nationals within the Road Freight and Logistics Industry.

The NBCRFLI through its Designated Agents and Parties to Council's representatives have participated in **129** integrated multi-disciplinary joint law enforcement operations for the period 1 March 2024 to 30 September 2024. This marks a significant increase compared to the 41 joint inspections Council was part of in the previous financial year (1 March 2023 to 29 February 2024).

These joint operations, which include the South African Police Service, the Department of Home Affairs, the Department of Employment and Labour, the NBCRFLI and its Parties, are part of the 11-point action plan adopted by the RFL Interministerial Task Team, established by our President, to address the identified Industry challenges including non-compliance with labour laws and immigrations laws as well as employment of undocumented foreign nationals as truck drivers.

The multi-disciplinary operations inspect compliance with provisions of the Main Collective Agreement governing the Road Freight and Logistics Industry, employment laws such as the



Unemployment Insurance Fund (UIF), Basic Conditions of Employment Act (BCEA), Immigration Act and Employment Services Act, amongst others.

The NBCRFLI issued a circular to the Industry in October 2023, advising employers not to employ undocumented foreign nationals. According to clause 58 of the Main Collective Agreement, employers are required to make a genuine effort to ensure that no undocumented foreign nationals are employed. In this regard, employers who employ foreign nationals must comply with the relevant laws, particularly the Immigration Act and Employment Services Act.

The Parties lamented the current fines imposed on employers found guilty of employing undocumented foreign nationals, stating that such fines are insufficient to deter this illegal practice. It was pointed out that in some instances Employers, pay these fines and continue to employ undocumented foreign nationals.

The Parties to Council believe it is time the Department of Employment and Labour accelerate the review of the current legislative framework governing the employment of foreign nationals as stricter measures are needed to address non-compliance, particularly for repeat offenders who employ undocumented foreign nationals.

**ENDS//**

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*The Parties to the NBCRFLI are trade unions; Motor Transport Workers' Union of South Africa (MTWU), South African Transport and Allied Workers' Union (SATAWU), TIRISANO Transport and Services Workers Union (TASWU), National Union of Metalworkers South Africa (NUMSA) and employer associations: The Road Freight Association (RFA), National Employers' Association of South Africa (NEASA) and Consolidated Employers Organisation (CEO).*