

08 MARCH 2022

PRESS RELEASE- FOR IMMEDIATE RELEASE

**THE NBCRFLI AND ITS PARTIES REFUSE TO BE HELD TO RANSOM BY NON-
UNIONISED AND UNREGISTERED ASSOCIATIONS AND THREATENS TO
SUSPEND TRUCKING SERVICES IN THE COUNTRY**

The National Bargaining Council for the Road Freight and Logistics Industry (NBCRFLI/Council) and Parties to Council are perturbed by the protest marches and shut down that took place in our offices last week as the organisers of these marches and shut down are interdicted from doing so by a “Court Order” which is still effective and binding.

No appropriate notices giving permission to protest were issued to Council and we therefore question the legality of these marches and the police’s failure to enforce the Court Order.

The Council and the leaders of the Parties to Council refuse to be bullied and held at ransom and to be used as scapegoats of these attacks by associations that are not legally registered to represent employees and who want to operate outside the ambit of the South African Employment Law.

We are therefore calling on all relevant government ministers and the President of the Republic, Mr Cyril Ramaphosa to take decisive action against these groups. All Truck

Drivers Forum and Allied South Africa (ATDFASA) previously confirmed to the Minister of Employment & Labour that they represent unemployed truck drivers in South Africa as opposed to the Road Freight and Logistics Industry employees. Furthermore, ATDFASA is not registered as a trade union in terms of applicable laws and as such cannot make any demands on behalf of Industry employees. The Council, together with its Parties, have advised ATDFASA and other associations on numerous occasions to collaborate with party unions or register with the Department of Employment & Labour as this is mandated by Law and thereafter these associations would be welcome to then apply to be members of this Council. ATDFASA has until now not acceded to that advice.

The Parties to Council have negotiated, concluded, and signed the Settlement Agreement for the Industry which has already been promulgated by the Minister of Employment & Labour for implementation effective from 1 March 2022 and it will not be reversed for any reason. It cannot be that an association that was not party to these negotiations can come afterwards and make demands wanting to open these discussions through the backdoor without following the South African Employment Law that they have been long advised to follow.

The issue related to the employment of foreign nationals is a government matter, hence the Minister of Employment & Labour published a Draft National Labour Migration Policy (NLMP) and amendments to the Employment Service Act for public comments. Once approved, the Council will derive its guidance from this legislation. We do not understand why ATDFASA is referring policy matters to this Council, as they are also privy to this information and are part of the Inter-Ministerial Task Team that discusses these matters.

Ensuing these senseless attacks, it may be necessary for the Parties to Council to shut down the Industry for a period of time, while we wait for the President and the relevant government ministers to resolve these matters. The Parties to Council are no longer willing to watch and wait for further attacks on their companies which have cost innocent lives and billions of rands on infrastructure.

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