



COSATU INTENDED PROTEST ACTION 3 NOVEMBER 2023

Introduction

Management may be aware, from recent media reports, that the Congress of South African Trade Unions (COSATU), intends calling workers to support a socio-economic protest action on Friday, 3 November 2023.

Protest Action and the Labour Relations Act

The Labour Relations Act (LRA) permits registered trade unions or federations such as COSATU, to undertake protected protest action to promote the social and economic interests of workers provided that they observe the procedural requirements contained in Section 77 (1) (b) of the LRA 66 of 1995, as amended.

This application was duly considered by NEDLAC and the NEDLAC Section 77 Standing Committee has determined the notice to be ***NOT*** compliant with the administrative requirements of the LRA.

Consequently, *any* employees participating in any action on 3 November 2023 will ***NOT*** be protected by the normal rules regarding protected strike-action.

Management Guidelines on Possible Absenteeism on Friday, 3 November 2023:

SEIFSA recommends that management adopt the following course of action in dealing with any stay-away from work on the 3rd November:

- Inform all workers that any absences related to the protest action will be treated on the following basis:
 - no work, no pay;
 - That management reserves the right to take disciplinary action for participation in the protest action including any misconduct during the protest;
 - a shift for leave-pay and leave-enhancement pay qualification purposes will be lost in respect of the day's absence; and
 - any overtime worked during the course of the week will be paid at ordinary rates to make up for the lost ordinary working hours from Friday, 3rd November 2023.

The Staff of the SEIFSA Industrial Relations Division are available on (011) 298-9400 to provide any further advice and/ or assistance to management on the contents of this management brief.

Lucio Trentini
Chief Executive Officer