



PRESS RELEASE

5 NOVEMBER 2018

NUMSA served with Contempt of Court Order

Attention News Editors:

Johannesburg, 5 November 2018. The ongoing nationwide strike in the plastics industry by employees affiliated to the National Union of Metalworkers of SA (NUMSA) affected more than 450 companies and, yet again, was marred by unlawful conduct, extremely violent acts and intimidation.

As a result, the Plastic Convertors Association of South Africa (PCASA) approached the Labour Court seeking interdictory relief to order strikers to refrain from violent behaviour and intimidation. The interdict was obtained on the 19th of October. On instruction from NUMSA's executive, the strikers and participants in the protest action "intensified" the strike by resorting to extreme violence, brutal attacks on employers and employees and displayed utter contempt of the Labour Court's interdict.

As a result of NUMSA's intensified efforts to '*bleed the industry*' in its '*war on plastics employers*' it seems as if NUMSA and its executive officers, Irvin Jim and Visumzi Mahbo show no deference to the Court's restraining order on violence. This left the PCASA with no alternative but to approach the Labour Court with an urgent Contempt of Court application against NUMSA. The application was heard on 2 November 2018 on an ex parte basis and found that NUMSA, its members, Irvin Jim and Vusumzi Mahbo have something to answer for when the matter returns to Court on 1 February 2019. In the event that NUMSA is unable to show cause why the interim order should not be made a final order, NUMSA faces

a fine of R 1 000 000.00 and Irvin Jim and Vusumzi Mahbo face fines of R 100 000.00 each and/or imprisonment.

Early last week the parties to the Plastic Negotiating Forum were not able to reach an agreement in order to settle the current dispute and this resulted in a deadlock. Following the brutality by NUMSA members and the escalation of violence, employer parties have suspended talks and will not return to the negotiating table until all forms of violence and intimidation have ceased.

The South African plastics industry strongly condemns all forms of violence and criminal activities. Industrial action and orderly collective bargaining in South Africa have developed into a criminal process characterised by violence, malicious damage of property and intimidation.

Many employers whose property and factories have been destroyed, have already indicated that they will not rebuild, resulting in the loss of hundreds, if not thousands of jobs in the local plastics industry.

"Plastics manufacturing in South Africa is already battling for survival due to the threat of cheap imports from the Far East, high electricity and operating costs and labour costs," said Johan Pieterse, CEO of PCASA. "Losses suffered due to the strike could be potentially disastrous for the industry. For this reason, reaching an agreement with the unions will be beneficial to all," he added.

The National Employers Association of South Africa (NEASA), which is represented in the metals bargaining council, added its voice to the disappointment over the strike and the violence and intimidation.

ENDS

Notes to the editor:

The Plastics Convertors Association of South Africa (PCASA) is a trade association registered as an Employee Organisation with the Department of Labour.

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