

12 November 2018



Escalation of violence and intimidation in the Plastics Industry strike

Attention News Editors:

Johannesburg, 12 November 2018. The plastics industry condemns the brutality by NUMSA members and the escalation of violence against some of its members' employees. Since the beginning of the strike on October 15, the Plastic Convertors Association of SA (PCASA)'s office was overwhelmed by reports of its members suffering extreme violence, damage to properties and other forms of unlawful conduct at the hands of protesters participating in the national NUMSA strike.

Apart from the destruction caused by the striking members, the plastics industry denounces the latest attacks on employees. According to Johan Pieterse, CEO of PCASA, an employee did not return home to his family on Thursday night. "In South Africa it is becoming the norm for strikers to intimidate other employees who want to earn an honest day's living to support their families. It is time that South Africa as a nation takes a stand on violent behaviour during so-called legal strikes." According to the South African constitution, workers are allowed to strike and picket. The same constitution also protects the right of the employer's property in a democratic society as well as the right of an employee who does not want to participate in the strike, Pieterse added.

The plastics industry will not allow the ongoing violence and pretend that it is just another strike. Violence during "peaceful and lawful" strikes are seen as the norm. "It is not," said Pieterse "and no decent citizen of South Africa should tolerate this".

Pieterse added that NUMSA can most definitely also expect damages claims. The industry is still quantifying the destruction caused to property during the strike, which he says is already in excess of R70m.

NUMSA went on strike in demand of higher wages. Johan Pieterse said that all NUMSA's demands were met more than two weeks ago. "The final offer is even better than their demands. NUMSA was given an opportunity to sign the agreement before Friday, 9 November at 15:00, if not the agreement will expire and the industry will revise its offer downwards." Pieterse added.

NUMSA claims that they have never promoted unlawful conduct and that their officials have consistently called for lawful conduct. PCASA has copies of WhatsApp messages and video footage, captured by a NUMSA member, at the NUMSA offices wherein Irvin Jim sets plans in motion to attack those at work as he refers to them as "the rats". These copies will not be made available as they form part of a court bundle in an application that we are bringing.

Background of the strike

The strike officially started on October 15, and two days later the PCASA attempted to have the strike declared unlawful as a whole. That application failed. On 19 October 2018 the PCASA was successful with an application in the Labour Court to interdict the striking workers from behaving unlawfully i.e. interdicting any form of violence, damage to property and interfering with the normal activities of its members.

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 General Secretary and Sector Co-ordinator, Irvin Jim and Visumzi Mahbo show no deference to the Court's restraining order on violence and incitement. 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.

ENDS

Notes to the editor:

The Plastics Convertors Association of South Africa (PCASA) is a registered Employers' Organisation in terms of Section 96 of the Labour Relations Act.

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