



NATIONAL ECONOMIC DEVELOPMENT AND LABOUR COUNCIL

NEDLAC CERTIFICATE COSATU SECTION 77 (1) (B) NOTICE IN RESPECT OF THE STATE OF PUBLIC TRANSPORT IN SOUTH AFRICA

1. INTRODUCTION

- 1.1. NEDLAC received a notice, dated 17 August 2015, in terms of Section 77 (1) (b) of the Labour Relations Act 66 of 1995, from the Congress of South African Trade Unions (Cosatu).
- 1.2. This notice stated Cosatu's demands as follows:
 - 1.2.1. The urgent implementation of safe, reliable, integrated and affordable transport system.
 - 1.2.2. The scrapping of the e-tolling system.
- 1.3. The notice cited the following Respondents:
 - 1.3.1. National Treasury
 - 1.3.2. Department of Transport
 - 1.3.3. Department of Public Enterprises
 - 1.3.4. Metrorail

2. PROCESS AT NEDLAC

- 2.1. The NEDLAC Section 77 Standing Committee determined the notice to be compliant with the administrative requirements of the Labour Relations Act (LRA).

- 2.2. The NEDLAC Section 77 Standing Committee subsequently considered this notice through a plenary meeting, with both the Applicant and the Respondents. This meeting took place on 14 September 2015.
- 2.3. At this meeting, the Respondents acknowledged that there were challenges in respect of the public transport system. They however information on measures that were being implemented to address these challenges. The Respondents also requested an opportunity to submit additional information in this regard, for the consideration of the Applicant.
- 2.4. The Applicant stated that it was of the view that insufficient progress had been made to address its concerns. In addition, it stated that it had undertaken a number of engagements at Nedlac on the issue of public transport and e-tolling. They therefore requested that the Section 77 Standing Committee should deem the matter as having been considered.
- 2.5. Following the meeting, the Standing Committee resolved that the following actions should be undertaken towards attempting to resolve the concerns raised by the Applicant:
 - 2.5.1. The Respondent would be requested to provide the additional information that they had made reference to in their inputs, on their measures to address the demands of the Applicant.
 - 2.5.2. The Applicant would be requested to provide additional information on the previous engagements that it referred to during the plenary proceedings.
- 2.6. The deadline for the submission of the requested information was 21 September 2015.
- 2.7. The Standing Committee received the requested information from the Applicant, within the deadline period. The Respondents however failed to provide the requested information, despite follow-up.

3. DECLARATION

The Standing Committee noted the fact that the Respondent had failed to submit the additional information in respect of its interventions to address the concerns and demands of the Applicant. The Standing Committee subsequently deemed this Section 77 (1) (b) Notice by Cosatu as having been considered.

Signed in ROSEBANK on this 23 day of September 2015.



MAHANDRA NAIDOO
ACTING EXECUTIVE DIRECTOR: NEDLAC