



NATIONAL ECONOMIC DEVELOPMENT AND LABOUR COUNCIL

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Nedlac rejects accusations of bias against unions

The National Economic Development and Labour Council (Nedlac) rejects newspaper reports and utterances of bias in issuing Section 77 Certificates to applying trade unions.

All applications received are handled as prescribed by the Nedlac Protocols and Procedure for Considering Notices of Possible Protest Action in terms of section 77 of the Labour Relations Act, 66 of 1995 by the Section 77 Standing Committee, guided by the principle of impartially.

There is no intention or benefit derived by Council in stalling issuing of certificates to applicants. The representation of all four constituencies (Business, Community, Government and Labour) of Council in the standing committee is to ensure fair hearing and consideration of applications. It is therefore a misinformed argument to assume that Nedlac is biased in delivering on this mandate.

It is regrettable that Saftu has announced an intention to protest on the day of the Annual Summit to pressure Nedlac to consider its affiliation when there is no record of an application of membership yet. Nedlac has thus far only received three requests for information from Saftu. Two have been responded to and a response for the third is still being worked on. Nedlac cannot however argue against the constitutionally enshrined right of individuals and formations to protest, provided this is done within the confines of the law.

Nedlac has handled no less than four applications from Cosatu in the current calendar year. Only one out of these was issued a certificate while the rest are still being heard in the standing committee, where engagement is facilitated between the applicant and respondents. Cosatu's application on State Capture and Corruption was concluded just after one meeting where the respondent, which in this case is government and its state owned entities responded to issues raised in the application; and it was clear from there that the matter would not be resolved in the standing committee.

The application lodged by AMCU on Job Losses in the Mining Sector was initially declined and a meeting was held with the organisation to clarify the decision. Another application was subsequently made and feedback was then provided to the applicant on Monday, 04 September indicating that their application now met the administrative requirements of the LRA. The matter will now be heard by the standing committee with listed respondents invited for engagement as soon as a date is secured.

Nedlac remains committed to its founding declaration of strengthening cooperative mechanisms to address the challenges facing our new democracy in an impartial manner.

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