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CIRCULAR

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Kindly place on your staff notice board for the attention of your employees

Cape Region
Tel: 021 421 6140
Fax: 086 636 8696

Border Region
Tel: 043 743 7747
Fax: 086 636 8691

KwaZulu Natal Region
Tel: 031 305 4761
Fax: 086 636 8693

Midland Region
Tel: 041 586 1542
Fax: 086 636 8694

Gauteng Region
Tel: 011 639 8000
Fax: 086 636 8689

Free State &
Northern Cape Region
Tel: 057 352 4142
Fax: 086 636 8697

Tshwane Office
Tel: 012 320 2566
Fax: 086 648 3582

Centre for Dispute
Resolution
Tel: 011 834 4660
Fax: 086 636 8699

To: All employers and employees in plastics firms covered by the MEIBC

LABOUR COURT DECISION ON PCASA'S LEGAL ACTION

On Friday 1 July 2011, the Plastic Converters' Association (PCASA) launched an interdict application on behalf of its members against the council and all its parties in an effort to block planned industrial action on Monday 4 July 2011. On Sunday 3 July, the Labour Court rejected the interdict and awarded legal costs in favour of the MEIBC.

Although we are still awaiting the full judgement with reasons, the Labour Court's decision effectively upholds the right of all employees and employers in the industry to engage in protected industrial action in the metal and engineering industry. This decision also paves the way for plastics employees to engage in strike action and all plastics employers to embark on lock-out action.

The MEIBC was forced to defend the interdict application by the PCASA as it challenged not only the council's constitution and dispute resolution processes (which were correctly followed), but also had the potential of undermining the system of sectoral collective bargaining.

The council urges all employers (including plastics firms) to follow the industry-accepted principle of 'no work, no pay, no discipline' in the event of protected industrial action. We confirm that the council has received a notice of intended strike action from NUMSA, CEPPAWU, MEWUSA, SAEWA and UASA. Following the decision of the Labour Court the council has also received a notice of intended lock-out action from the PCASA and NEASA. SEIFSA issued a lock-out notice on 30 June 2011.

NUMSA and SEIFSA have agreed on picketing rules. The council urges all parties to apply these picketing guidelines which are available from the council's website at www.meibc.co.za.

Although the industry wage negotiations have reached the stage of 'power play', in which employers and employees will exercise their right in terms of the LRA and the MEIBC Constitution, the MEIBC is confident that a mutually beneficial deal is imminent.

Yours faithfully

Alistair Smith
Chief Executive Officer