

30 SEPTEMBER 2016

EMPLOYMENT ALERT

Our programme on Conducting a Disciplinary Enquiry has been accredited by the Services SETA.

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COSATU ANNOUNCES ONE DAY NATIONAL "STRIKE" FOR 7 OCTOBER 2016

NEDLAC has confirmed that COSATU has complied with s77 of the Labour Relations Act, No 66 of 1995 (LRA) in serving the necessary notices on NEDLAC.



[CLICK HERE](#) to view our NEW Employment Strike Guideline

COSATU ANNOUNCES ONE DAY NATIONAL "STRIKE" FOR 7 OCTOBER 2016

The activities on 7 October 2016 will constitute protected protest action and will not be a strike, despite COSATU calling it such.

Any employee is entitled to participate in the protected protest action and may not be disciplined for being absent from work.



COSATU has announced a one day national strike for all employees on Friday, 7 October 2016.

NEDLAC has confirmed that COSATU has complied with s77 of the Labour Relations Act, No 66 of 1995 (LRA) in serving the necessary notices on NEDLAC. The activities on 7 October 2016 will therefore constitute protected protest action and will not be a strike, despite COSATU calling it such. Similarly, the activities on 7 October 2015 were called a national strike but were in fact protected protest action.

Section 77 of the LRA provides for "protest action to promote or defend socio-economic interests of workers" and covers a much larger scope of demands than those of mutual interest between employee and employer.

The demands that COSATU wishes to "fight for" are:

- Demand the total banning of the labour brokers.
- Demand the scrapping of the e-tolling system including the expensive toll gates.
- Fight in defence of our Jobs and against retrenchments.
- Demand the implementation of the Legislated National Minimum Wage.
- Fight to defend and protect our Collective Bargaining Agreements.

- Fight for compliance with Occupational Health and Safety Standards in all workplaces.
- Fight for the implementation of the NHI.
- Fight for the scrapping of the Taxation Amendment Law.
- Demand the implementation of Free Education."

Any employee is entitled to participate in the protected protest action and may not be disciplined for being absent from work. Participating employees enjoy the same protection as in the case of a protected strike. However, the principle of no-work-no-pay will apply.

Any employee engaged in an essential service may not participate in the protest action. Employees in a maintenance service may participate if permitted by the agreement regulating the maintenance service.

It is not yet clear whether any of the non-COSATU unions will take part in the protest action organised by COSATU.

It is also not clear how widespread the protest action will be. Some of the COSATU regions have already indicated that they will support the project.

Faan Coetzee and Samantha Coetzee

Employment STRIKE GUIDELINE

Our Employment practice's new
EMPLOYMENT STRIKE GUIDELINE
answers our clients' FAQs.

Topics discussed include strikes, lock-outs and picketing.

 [CLICK HERE TO FIND OUT MORE](#)

CHAMBERS GLOBAL 2014 - 2016 ranks our Employment practice in Band 2: Employment.

Aadil Patel ranked by CHAMBERS GLOBAL 2015 - 2016 in Band 2: Employment.

Hugo Pienaar ranked by CHAMBERS GLOBAL 2014 - 2016 in Band 2: Employment.

Fiona Leppan ranked by CHAMBERS GLOBAL 2016 in Band 3: Employment.



Michael Yeates named winner in the **2015** and **2016 ILO Client Choice International Awards** in the category 'Employment and Benefits, South Africa'.



Cliffe Dekker Hofmeyr

BAND 2
Employment



2009-2016

Ranked Cliffe Dekker Hofmeyr

TIER 2
FOR LABOUR AND
EMPLOYMENT

2015 RANKED #1 BY
DEALMAKERS
FOR M&A DEAL FLOW
7 YEARS IN A ROW
1st by General Corporate
Finance Deal Flow

2014 1st by M&A Deal Flow
1st by M&A Deal Value
1st by General Corporate Finance
Deal Flow

2013 1st by M&A Deal Flow
1st by M&A Deal Value
1st by Unlisted Deals - Deal Flow

2012 1st by M&A Deal Flow
1st by General Corporate Finance
Deal Flow
1st by General Corporate Finance
Deal Value
1st by Unlisted Deals - Deal Flow

DealMakers

2015
1ST

South African law firm and
12th internationally for Africa
& Middle East by deal value

2ND

South African law firm and
2nd internationally for Africa
& Middle East by deal count

1ST

South African law firm and
15th internationally for Europe
buyouts by deal value



NO.1

6

YEARS IN A ROW
for client service excellence

#6YearsInARow



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BBBEE STATUS: LEVEL THREE CONTRIBUTOR

Cliffe Dekker Hofmeyr is very pleased to have achieved a Level 3 BBBEE verification under the new BBBEE Codes of Good Practice. Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

This information is published for general information purposes and is not intended to constitute legal advice. Specialist legal advice should always be sought in relation to any particular situation. Cliffe Dekker Hofmeyr will accept no responsibility for any actions taken or not taken on the basis of this publication.

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