



**MEDIA BRIEFING SPEAKING NOTES FOR CITY OF JOHANNESBURG  
EXECUTIVE MAYOR, CLLR. MPHO PARKS TAU ON THE ONGOING ILLEGAL  
WORK STOPPAGE AT WASTE MANAGEMENT ENTITY, PIKITUP, SANDTON  
LIBRARY ON TUESDAY, 29 MARCH 2016.**

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a world class African city

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**MMC for Environment and Infrastructure Services, Cllr. Matshidiso Mfikoe**

**Johannesburg City Manager, Mr. Trevor Fowler**

**Pikitup Board Chairperson, Dr. Patricia Hanekom**

**Johannesburg Metro Police Department Chief, Major General Zwelibanzi Nyanda**

**Members of the Media**

**Esteemed Guests**

It is during a very uneasy time for the City of Johannesburg that we are gathered here today to outline the state of affairs amidst an ongoing illegal work stoppage by workers at our waste management entity, Pikitup. This is purely because the disruptive status quo can no longer be tolerated and the City is taking serious action to ensure this.

The illegal industrial action by workers affiliated to the South African Municipal Workers Union (SAMWU) has seen the City's streets turned into dumpsites as strikers emptied bins onto them, as well as in some municipal offices. They damaged property along the way and continue to intimidate non-striking workers. These strikers have gone on to continuously frustrate efforts by the City to restore services to residents and normality at Pikitup.

The City is currently in possession of a memorandum of demands by SAMWU, which is mainly anchored on the call for a salary benchmarking increase and the removal of Pikitup Managing Director, Ms. Amanda Nair.

Mechanisms to address the workers' demands were activated and a PFA Agreement was subsequently signed last year to serve as a framework for addressing the striking workers' demands. However, during the benchmarking negotiations, factors that are beyond the City's control prompted the union to abandon the negotiation table and led workers back to the streets. It should be borne in mind that the wages demand is outside of the framework of the central negotiating chamber and the matter that is being dealt with is internal parity. It is regrettable that the situation has been reported as a dispute about salary demands and the City is of the view that the SAMWU leadership understands this well.

This has led to delays in resolving the workers concerns. For one, the process to establish if there was a chance to improve the relationship between Ms. Nair and the

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workers was set to begin on February 1<sup>st</sup> this year and completed in three months from thereon. However, due to lack of cooperation from the union, this process has stalled.

To this day, the City has remained committed to negotiations under the PFA Agreement as we are also anxious to speedily find amicable solutions to workers' concerns. This is notwithstanding the continued breaches of the PFA on the part of SAMWU.

In the meantime, we are also awaiting the outcome of a Labour Court hearing whereby both Pikitup and SAMWU were last week called upon to account on why two issued interdicts against the ongoing illegal strike were not adhered to as strikers continued to deface the City. Judgment was reserved in the matter.

It is unfortunate that today, in the interest of speedily restoring services to residents, Pikitup begins instituting disciplinary action against striking workers. These are workers who are already bearing the brunt of the no work, no pay policy on unprotected industrial action.

Two interdicts were issued against SAMWU in a bid to get striking workers to return to work, but these were not adhered to. Pre-dismissal warnings were recently issued to workers on the same day that SAMWU's national office called on strikers to return to work. However, these too were ignored – forcing the City's hand.

All the City's seven regions are currently experiencing waste overflows. This is as ongoing efforts by the City are being frustrated by strikers who have been intimidating non-striking workers. Street collection points are fast becoming illegal dumpsites while services in some areas have had to be grounded due to intimidation and safety concerns. This is while Pikitup assets are being vandalized and damaged – particularly the entity's fleet. All these concerns cannot be taken lightly. The actions of the striking workers that place the health and safety of residents at risk is regretted. There can be no justification for unprotected work stoppages and trashing of the City.

Contingency plans have been intensified as a matter of urgency from the past Easter Weekend while security has been prioritised for non-striking workers. The City Manager, Mr. Fowler, in terms of the Police Act, has issued an instruction to the Chief of JMPD to provide appropriate protection to workers and suppliers who are part of the contingency plan.

A Joint Operations Centre has also been established to identify and prioritise hotspots for urgent attention. The Centre is furthermore responsible for the coordination of security and tactical response to vulnerable areas. It also manages public queries and mobilises resources in collaboration with the City's other entities and the private sector through a new 24/7 hotline 011 286 6009.

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Law enforcement is also now in full swing to ensure the safety of those workers deployed in various communities for waste collection and cleanup. About 19 workers were arrested since the recent ongoing strike began. Eleven of these were released due to lack of evidence. Those who remain behind bars have already appeared in court and were released on R500 bail each. More arrests were made in Alex at the weekend and all the people, who have been arrested face criminal charges that range from public violence and attempted murder.

The general workers who participated in the unprotected strike, and are to undergo disciplinary action are facing the following charges:

1. Gross misconduct in that on 18 to 19 December 2015, the employees embarked on and participated in a strike action. The December 2015 strike was unlawful and unprotected in that it did not comply with the provisions of Chapter IV of the Labour Relations Act in that none of the prescribed dispute resolutions procedures had been followed.
2. Gross misconduct in that on 5 to 6 February 2016, the employees embarked on and participated in a strike action. The Labour Court declared the February 2016 strike to be unprotected. The February 2016 was unlawful and unprotected in that it did not comply with the provisions of Chapter IV of the Labour Relations Act in that none of the prescribed dispute resolutions procedures had been followed.
3. Gross misconduct in that on 9 March 2016 to 10 March 2016, the employees embarked on and participated in a strike action. The strike in question was unlawful and unprotected in that it did not comply with the provisions of Chapter IV of the Labour Relations Act in that none of the prescribed dispute resolutions procedures had been followed

There is also a charge against SAMWU shop stewards, who are also employees of Pikitup. They are charged with gross misconduct in that on or about 4 February 2016, they, individually or collectively, orchestrated, incited, encouraged and/or procured other employees of Pikitup, who are members of the trade union to embark or participate in an unprotected strike action from 4 February 2016 to 5 February 2016. The Labour Court declared the strike unprotected under case number J209/16. The strike in question was unlawful and unprotected in that it did not comply with the provisions of Chapter IV of the Labour Relations Act, 1995 (Act No. 66 of 1995) (“the LRA”).

No arrests have yet been made in relation to the recent shooting of two Pikitup trucks that subsequently collided along the Rand Show Road, near Nasrec. The drivers and other workers who were on those trucks were left traumatized. Fortunately none of them were wounded – or even worse – killed during the senseless attack.

More people were, however, arrested at the weekend following more attacks of non-striking workers in Cosmo City and Alexandra. In one of the cases, it would appear residents had heard enough and carried out a citizens’ arrest of some of the attackers. Some of those arrested are facing criminal charges that include attempted murder. This

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is the kind of anarchy that must be halted. However, residents are urged not to take the law into their own hands. Rather call 011 986 9000 or 10 111 for police assistance.

Although the City only launched a Bold Cleanup Campaign as part of our ongoing contingency plan to restore services and clear the waste collection backlog just a couple of days ago, there are residents who have heeded the call to action. The 24/7 hotline 011 286 6009, which has been established for residents and community organisations to call-in for waste collection assistance or request tools for cleanup initiatives, has been responded to numerous calls in this regard. Residents can also log-in illegal dump sites on the GPS linked JRA Find&Fix App available on the agency's website.

These calls, and the actions of residents and various community organisations' members, who are actively enabling our trucks into their areas to collect waste and facilitating cleaning and pick-up points, are a demonstration of active citizenry. Johannesburg needs this kind of active citizenry to continue beyond the current anxious period.

To all these active citizens of Johannesburg, thank you for your contribution to making Johannesburg – a world class African city. Those who still wish to join the Bold Cleanup Campaign of our City, be it to alert us of areas in dire need of waste collection or to ask for cleaning tools, please call the designated hotline 011 286 6009.

Most importantly, I must express my sincere gratitude to the workers and service providers, who are deployed as part of our contingency plan during the service disruptions – both the waste collectors and the security personnel. These are the citizens who, although uneasy during their shifts, soldier on bravely to collect overflowing waste in a bid to reclaim our City.

Thank you.