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### **SASA SITREP 5 - 3 OCTOBER 2019**

The Private Security Industry wage negotiations commenced during August 2019 under the auspices of the National Bargaining Council for the Private Security Sector (NBCPSS) in terms of the National Negotiating Protocol Agreement (NNPA) concluded in July 2019.

After multiple discussions and engagements between the parties, compulsory mediation took place between Employers and Organised Labour on the 2<sup>nd</sup> and 3<sup>rd</sup> of October 2019.

Notwithstanding Employers' best efforts to reach and conclude an agreement, Organised Labour opted to declare a dispute and elected to refer a dispute to the Commission for Conciliation, Mediation and Arbitration (CCMA).

Despite Organised Labour's unambiguous and unequivocal position to refer a dispute to the CCMA, Employers have nonetheless agreed to have another mediation session with Organised Labour and the appointed mediator on 16 October 2019.

The NNPA provides that parties may agree to further mediation meetings in order to resolve any disagreements or impasse's before referring any dispute to the CCMA but regrettably Organised Labour rejected this option. Employers implored Organised Labour to afford the mediation process more time before referring the matter to the CCMA, which notion was rejected.



Notwithstanding the above, the CCMA will now proceed to intervene in the matter in accordance with the provisions of the Labour Relations Act, 66 of 1995 as amended. Industrial action can only take place after the CCMA intervention and once a certificate of non-resolution of the dispute has been issued by the CCMA. Parties will then have to engage on picketing rules and Organised Labour have to conduct respective 'secret' and 'recorded' ballots nationally.

Organised Labour's demeanour and actions, unfortunately and regrettably, is indicative that they may be more interested at this stage in making threats rather than participating in complex negotiations in *good faith*. The aforesaid is evidenced by Organised Labour's joint press conferences and media releases threatening industrial action even before concluding the compulsory mediation process. The outright rejection for a further mediation session and the premature declaration of a dispute places a question mark on the willingness of Organised Labour representatives to negotiate and conclude a realistic and sustainable settlement.

Employers remain committed to *bona fide* negotiations and recorded its willingness to compromise and make further movements in an attempt to settle the matter.

Significant progress has in fact been made in narrowing the issues and the astronomical gap between the parties. At the end of the mediation – conducted on the 2<sup>nd</sup> and 3<sup>rd</sup> of October 2019 – Employers offered an above inflation increase of 5% for a Grade C Security Officer with a rand or value equivalent increase to the higher level grades in each respective year for a period of three years. Organised Labour's demand equates to an average annual increase of 16.62% for the three-year period.

Employers regret that Organised Labour representatives have failed to acknowledge, amongst others, the current dire economic situation in the country, the Consumer Price Index (CPI) which is currently around 4.3% and the unparalleled levels of non-compliance in the Industry of the very regulations and terms and conditions of employment that result from negotiations between the parties.

Despite the best efforts of compliant companies and their employer's organisations, non-compliance to the provisions of the Sectoral Determination and other regulations has thrived and increased over time.



Compliant Organised Employers in the Private Security Sector, through the ir Employers Organisations, have shown their commitment and embarked on a journey with Organised Labour to professionalise the industry and to uplift the working conditions, remuneration and terms and conditions of employment of Security Officers, especially the most vulnerable employees. This has been achieved, by amongst others; lifting the minimum wage by effectively reducing the grade from five to three, payment of geographical area premiums and reducing the areas, the establishment and implementation of an Industry Provident Fund, introducing numerous other benefits such as allowances, maternity benefits, increased leave provisions, long service benefits and others. Compliant employers also implemented a monthly salary and annual bonuses.

The current demands of Organised Labour are unrealistic, unsustainable and made without any consideration for the levels of non-compliance, the current CPI, the economic situation and the other challenges facing the industry.

Employers however remain committed to the negotiation process and remain positive that a fair and equitable settlement is achievable.

**SECURITY ASSOCIATION OF SOUTH AFRICA**

**TONY BOTES**

**NATIONAL ADMINISTRATOR**