

**From:** Tanya Cohen

**Sent:** 06 April 2017 08:09 AM

**To:** Busa Members 2017, Board of Trustees 2017

**Cc:** BUSA Board of Directors, BUSA Board Of Directors Alternates

**Subject:** Member Communication 17/2017 Update & Marches & Protest Action Tomorrow

Dear Members and Colleagues

1. BUSA met with all the main union federations over the past two days. We are all very concerned about the current situation and the ramifications of the recent events. BUSA has called for an urgent meeting of social partners at NEDLAC today, and are working to ensure that it is supported by all social partners.
2. In response to our request, the new Minister of Finance has agreed to meet early next week. We are seeking meetings with the ANC top 6, and also the SACP and some of the opposition parties to express our concern about the situation and exert pressure to set the country on the right course and insist on accountable leadership that acts in the sole interests of the country.
3. In relation to the planned marches and protest action scheduled to take place tomorrow, we have been advised that the action is not supported by COSATU, NACTU, and NUMSA. However, FEDUSA, is encouraging its members to make arrangements to attend if they wish to do so.

We recognise that many people and companies feel powerless in the face of the recent events and this is one way to demonstrate their concern and opposition to the reckless leadership actions of the recent past. As BUSA, we leave it to your discretion to decide if you wish to support the marches and action. In this regard, please note that further to my message earlier in the week:

- The action does not constitute labour protest action or strike action and is not covered by any of the labour laws and provisions relating thereto
- If you wish to give employees the space to participate, it is recommended that leave is taken.
- It is likely that people might be delayed or prevented from getting to work as a result of the marches and you may need to take further steps in this regard.
- Be aware of any precedent that you might set in terms of future such action on issues that you may or may not support.
- Provisions for safety and peaceful conduct are not guaranteed - it is advisable to take the necessary precautionary measures to protect people and property in close proximity to such action.

For your information, below is a very useful guideline issued by one of the FEDUSA affiliates that gives direction to their members on their participation.

**GENERAL GUIDELINES TO UASA MEMBERS INsofar AS THE CURRENT CALLS TO PARTICIPATE IN MARCHES ON FRIDAY, 7 APRIL 2017, AT VARIOUS CENTRES NATIONWIDE:**

Dear Members

We have investigated the calls for action and respond as follows:

1. QUESTION: Will the marches be "legal"?

RESPONSE: Unfortunately, there are, apart from the applications and the "LEGAL PERMISSION" the SAPS must provide - giving the organisers permission for a specific route to use when marching and/or place of gathering, there are NO "legal" labour grounds of protection insofar as the "conditions of employment" at this point in time and the principle of "no work no pay" will apply;

2. QUESTION: Did any Constituency apply to NEDLAC for a Section 77 to consider the resolution of the current scenario?

RESPONSE: According to the latest information, there were NO applications from any group or party to NEDLAC to consider any Sect 77 applications due to time constraints;

3. QUESTION: What should we as UASA members therefore do insofar as the calls for action on Friday, 7 Apr 2017?

RESPONSE: Our National Centre and FEDUSA's Mancom decided yesterday that our members are free to participate in the proposed marches/gatherings but without the "legal" labour-related protection and benefits as explained above, as it cannot be guaranteed.

However, due to the nature of the national crisis, they could approach their employers with a request NOT to discipline them for NOT being at work and of course, with a request to still give them payment for the day!

To this end, we sincerely hope that employers will come to an agreement and grant their workers certain benefits in light of the seriousness of the current political situation;

4. UASA reserves the right to involve its leaders, colours and national reserves in whatever future actions we might be mandated by our members and/or structures to participate in, without prior notice to any other parties in this regard.

5. Importantly, we are not giving up our status of being non-political or supporting any specific religious denominations;

6. We will, however, ensure that we are not coerced into any grouping with a different agenda due to the current national crisis!

7. Finally, fulfilling our ethos and values during any type of crisis, UASA distances itself completely from any violence or damages caused to property - moveable and non-movable, or injury to any person, by any of our members or any other person.

8. We should prevent hooliganism of all sorts and show our "citizen and taxpaying-power" by being civilised and focused on the objectives of whatever civil disobedience action we participate in!

We will communicate any further applicable and/or relevant information as it unfolds.

**Koos Bezuidenhout**  
**UASA CHIEF EXECUTIVE OFFICER on behalf of the UASA President and Management Committee**

Regards

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