

BEMAWU

BROADCASTING, ELECTRONIC MEDIA & ALLIED WORKERS UNION

Friday, 15 September 2017

THE GENERAL MANAGER
GROUP EMPLOYEE RELATIONS
SABC
C/O ARTILLERY & HENLEY RD
AUCKLAND PARK
JOHANNESBURG

EMAIL : XAMASE@SABC.CO.ZA



Dear Sirs,

NOTICE OF CONSULTATION | MTI/NEWS MERGER

Your letter dated 14 September 2017 has reference.

1. Your letter under reply purports to be a Section 189 notice. Kindly clarify the status of your letter.
 - a. Is your letter a Section 189 letter?
 - b. If yes, then your letter does *inter alia* not comply with the prescripts of S189, in particular subsections 3 (b), (c), (d), (e), (f), (g), (h), (i) and (j)

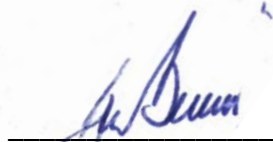
BROADCAST, ELECTRONIC, MEDIA & ALLIED WORKERS UNION (BEMAWU)
No 11 Display Gardens, Sarel Baard str, Gateway Industrial Park, CENTURION
Tel 0800 BEMAWU (Toll Free) Fax 0866715585 Email headoffice@bemawu.org.za
Web <http://bemawu.org.za>

2. Furthermore, as an employer employing more than 50 employees, the SABC is bound by S189A of the Labour Relations Act.
3. We have been informed the merger you now want to consult on, has already been implemented unilaterally.
4. To then ensure a fair procedure, you are required to instantly reverse the merger and satisfy the union with written proof of same, where you have communicated to management and via your Intercom the merger has been reversed.
5. Should the SABC refuse to comply with paragraph 4 above, we will accept your (flawed) invitation to consult is merely an attempt to pay lip-service to Section 189 of the Labour Relations Act and the duty to consult BEFORE implementation.
6. We will then proceed with an urgent application in terms of Section 189A (13) to seek an order from the Labour Court to compel the SABC to follow a fair procedure.
7. We are furthermore of the view the information provided in your letter under reply is not sufficient to ensure proper consultation as contemplated by the Act, and we will provide you with a list of information we seek to enable us to meaningfully engage with the SABC, subject to compliance with our paragraph 4 above.
8. Only after confirmation of compliance with our para. 4 above we will confirm our availability on the proposed dates, or other dates as soon as possible.
9. We are in possession of several correspondence, including audio recordings of meetings between aggrieved staff and SABC Board members and Top Management and a petition signed in respect of the merger. We have been informed and it appears to be correct from the evidence in our possession an agreement was reached with the SABC to reverse the unilateral implementation of the merger.
10. We do not intend to deal with the rest of the content of your letter under reply, save same should not be construed as an admission of the correctness thereof. We will respond in due course to same.

11. We place on record our members are vehemently opposed to the merger, for reasons that will become clear once the consultation process has started.

We await your most urgent response.

Sincerely



Hannes du Buisson
President
BEMAWU