



NEHAWU CALLS ON THE CCMA TO REFRAIN FROM VIOLATING AND DISREGARDING THE CONSTITUTION AND LABOUR LAWS

MEDIA STATEMENT FOR IMMEDIATE RELEASE

Tuesday June 24, 2025

The National Education, Health and Allied Workers' Union [NEHAWU] is dismayed by the way the Commission for Conciliation, Mediation and Arbitration [CCMA] is dealing with the right of its employees and part-time employees to associate with any union of choice and our recognition as a registered union at the institution.



As NEHAWU, we have recruited a number of employees working for the commission, following Section 21 of the Labour Relations Act and was requested by the commission that we undertake a verification exercise which confirmed the membership of the union. Having undergone these processes, the management in this institution has made it clear that it shall not grant the union a recognition agreement and organisational rights, despite the fact that we have met all the legal requirements as stipulated and also that a number of workers at the CCMA have joined the union.

The CCMA as a custodian of the Labour Relations Act [LRA] is undermining the same LRA that it is supposed to protect and consciously depriving its employees the right to associate with an organisation of their choice. This is the same CCMA that on daily basis forces other employers to comply with the LRA. They have tried to justify their reasons by stating that the CCMA is independent of the State, any political party, trade union, employer, employers' organisation, federation of trade unions or federation of employers' organisations, and on those basis, they are not going to grant us any organisational rights.

What further infuriates us is the fact that the management of CCMA has decided to grant organisational rights to a sweetheart staff association that is masquerading as a trade union and claiming to be representing the interests of the employees.



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The conduct of the management of the commission goes totally against the values and ethos of the CCMA which entail promoting social justice and fairness in the workplace by delivering ethical, qualitative, innovative and cost effective dispute and resolution services, institution building services, education, training and development and efficient administration. As NEHAWU, we have complied with Section 21 of the Labour Relations Act by submitting all the required documentation and clarified the rights we seek as a union.

The union held its national meeting with the representative of its members in the CCMA on the 20th of June 2025, where a decision was taken that the union must do everything possible in its power to fight this intransigent management of CCMA by exploring all avenues available at its disposal both legally and organisational including declaring a dispute immediately on the issue of recognition agreement.

We demand to the management of CCMA to urgently relook at their attitude towards NEHAWU, as the union shall not fight for its recognition at this age and stage of our democracy particularly under an institution that we were instrumental in its formation and establishment as a transformative union.

Lastly, we make this demand simple because the union shall not fold its arms and watch this management distort and misinterpret the law and at worst tolerate the delaying tactics implored by the employer on the rights of workers as enshrined in the Constitution of the Republic of South Africa. Actually we want to categorically say to CCMA management that undermine NEHAWU at your peril and you shall see the mighty of this red and militant national union.

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