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DEMOCRATISED TRANSPORT LOGISTICS AND ALLIED WORKERS UNION OFFICE OF THE GENERAL SECRETARY

PRESS RELEASE

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DETAWU REPORT BACK ON GREYHOUND SECTION 189 CONSULTATION

The Democratised Transport Logistics and Allied Workers Union (DETAWU) is pleased with the robust deliberations that took place at the first Commission for Conciliation, Mediation and Arbitration (CCMA) facilitated Section 189 consultation involving Greyhound on Monday.

The consultation took place virtually and although it was difficult, it was necessary to ensure the legalities of the process were complied with. DETAWU attended the consultation with the sole aim of saving jobs and raised pertinent legal questions during the meeting. Other labour formations who are party to the process were also present at the consultation and so was the employer.

Greyhound was forced to apply for CCMA facilitation after DETAWU and other unions cried foul following the company's announcement on 1 February that it would be shutting down its operations forever within a fortnight, leaving nearly 700 workers jobless. The employer had been planning to hold the first consultation with unions on 5 February, in the absence of the CCMA, but sense prevailed.

In the consultation, DETAWU pointed out that the original Section 189 notice had conflated three separate employers (Greyhound, Magic Transfers and Mega Bus) into one. This was irregular as each operation had to be scrutinised separately in order to interrogate the rationale for closure. The commissioner agreed and resolved that the notice would be deemed to have been issued on 15 February, and would therefore lapse on 15 April, in 60 days as stipulated by the Labour Relations Act.

DETAWU and other trade unions raised many questions during the consultation, among them the following:

- Why did Greyhound not consider going under business rescue when it noticed that its business was distressed?
- Why the holding group had not considered selling Magic Transfers and Mega Bus as going concerns along with the workforce, given there's plan to transfer 167 revenue-earning vehicles to the operation in Mozambique.
- Has Greyhound been receiving a subsidy from government?

The employer failed to provide a response to these and other questions, unwittingly making it clear that the livelihoods of the workers were not considered when the decision to close the business was made.

The commissioner pointed out that if the decision to close was set in stone, then the employer was effectively engaging in the Section 189 process in bad faith. Ultimately, it was resolved that the company would respond to all the questions raised in writing by close of business on 17 February.

Labour will have an opportunity to scrutinise the financials of all three operations on 23 February, followed by the second consultation on 24 February.

In addition, DETAWU will explore all other available legal remedies to ensure workers' interests are safe-guarded.

DETAUWU stands by its initial position; we absolutely oppose the closure of Greyhound and retrenchment of workers. We call upon Greyhound management to seriously reconsider their stance and reverse their decision to close down the company.

For more information or to arrange an interview, please contact:

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