

It is not a conspiracy when NUMSA Shopstewards and Elected officials are fighting for the soul of NUMSA away from a Stalinist and undemocratic elite

Press Statement

Summary

- About 30 NUMSA elected leaders, including both shopstewards and officials (union staff members), have been unconstitutionally suspended over the past few months by the Irvin Jim faction of NUMSA (known as Amajita). The most recent suspension occurred yesterday.
- This is a mass purge designed to prevent anyone who opposes the faction from standing for election in the Numsa national congress, which begins on 25 July.
- A full list of all the suspended people is attached - they are from Eastern Cape, Western Cape, Sedibeng region, Hlanganani region (Rustenburg), and Mpumalanga. All of these regions have taken a democratic decision, through their structures from workplace level up to regional executive committee, to stand candidates for the national office bearer (NOB) positions at the Numsa congress.
- At the recent SAFTU congress, the Irvin Jim faction demanded that suspended SAFTU NOBs be allowed to participate and stand in elections. Saftu readily agreed to this for the sake of democracy. But Jim's faction has now banned all of the suspended NUMSA leaders from participating in the NUMSA congress or from standing for election for NOB positions.
- The Irvin Jim faction announced a few days ago that they are preparing a further list of names of Numsa leaders from around the country who will also be banned. We have been informed that the Numsa congress will be "highly militarised" - in other words, that a fortune in Numsa members' money will be spent on private security to prevent democratically elected leaders from attending the national congress.
- We further highlight the concerns the suspended leaders have voiced over many years about how the Numsa Investment Company (NIC), which is owned by the National Manufacturing Workers Investment Trust, has failed to generate the dividends which it was supposed to pay over to the Trust for all these years. As a result, NUMSA members have never benefitted from the NIC, which also owes NUMSA R136 million which NUMSA lent the NIC several years ago. Instead NIC has bypassed the Trust and given benefits directly to individuals and structures to buy patronage in the union.

Introduction

NUMSA is led by a faction, calling themselves Amajita, which is in bed with the NUMSA Investment Company (NIC). They are engaged in a process of manipulating attendance at the NUMSA 11th Congress in order to win the Congress and continue looting. We are a group of experienced, militant NUMSA members, Office Bearers and staff who have come together because we cannot sit and watch as our union continues to degenerate.

As leaders in NUMSA we have taken this unprecedented step to defy internal NUMSA processes to address NUMSA members publicly about the rot in NUMSA. Whether we speak internally or publicly, the consequence of raising factual issues in NUMSA invariably gets you suspended. The purging that we see in NUMSA is all in defence of the faction and its interests.

NUMSA Investment Company

- NIC is owned by the National Manufacturing Workers Investment Trust; the trustees are senior NUMSA national and regional office bearers.
- For most of its life the Trust has simply not functioned. It has had no independent existence. It has been a sham. It has been housed in NIC premises. Its Secretary has been the NIC Company Secretary. Its activities have been funded by NIC as it has had no revenue.
- From its beginning, NIC was supposed to account to the Trust, its shareholder. The purpose of the investment company was to generate surplus which, in the form of dividends, would be paid to the Trust. The Trust would then decide how to spend this money in the interests of metalworkers.
- In practice, NIC has never paid a dividend to the Trust. Instead, it has exercised patronage by giving benefits directly to NUMSA individuals and structures:
 - A recent court case revealed that the accountants, Deloitte, discovered that R40,000 was spent on the NUMSA General Secretary's 50th birthday party and a daughter of the NUMSA GS was given a laptop valued at over R15,000. In response, the NIC CEO protested that this was a legitimate company expenditure because it facilitated company access to NUMSA structures.
 - NUMSA Regional structures were regularly supplied with liquor.
 - NUMSA leadership was taken to the Cape Town Jazz Festival.
 - NIC paid salaries for GS assistants. The current NUMSA spokesperson is also paid by NIC, or one of its large number of subsidiaries. This has enabled them to evade NUMSA salary scales and restrictions.

The tail wagging the dog

- As a benefactor of NUMSA's leadership at national and regional level, NIC has come to wield significant power in the union:
 - NUMSA has loaned NIC R95 million. For more than three years, NUMSA has passed resolutions of its Central Committee that the money must be repaid. Agreements have been reached on a repayment schedule. But only a small proportion of the money has been repaid. The CEO has constantly argued it is not possible to pay, due to a lack of funds. Yet earlier this year R95 million was paid to the CEO and three other executives as redemption of preference shares.
 - The NUMSA Central Committee of December 2019 mandated the National Office Bearers to meet with the NIC and resolve the matter of the loan. This resolution has been repeated at every CC since. Such a meeting has never taken place.
- The Amajita faction supports and defends the NIC, despite its behaviour towards the union. It is this faction which is dividing the union now. In October 2019 a leader of the faction and Chairperson of the Trust, the NUMSA 1st Deputy President, put down a R500,000 deposit to purchase a house from NUMSA's property company, WIP Investments Forty (Pty) Ltd. We wonder where an ordinary worker got such a huge sum from.

The National Manufacturing Workers Investment Trust

We, as leaders at all levels of the union, have been attempting to resist this process of what we call "business unionism".

- Some of us are trustees of the Trust which owns NIC. We have tried to get NIC to account to the Trust. This has not happened.

- Meetings of the Trust have been rare. We have been demanding that the Trust meet on a regular basis.
- A workshop of the Trust in February 2020 was spontaneously, without notice, converted into a Trust meeting which took decisions which had a far-reaching impact on the trust and the company.
- The Financial Sector Conduct Authority wrote to 3Sixty Life in May 2020 expressing serious concern that the company “is currently not in a solvent position and the Authority is concerned that this may lead to undesirable outcomes for policyholders”. The Trust refused to even entertain a discussion on such a serious matter. As we now know, this led to the company being taken into curatorship in 2022.
- Most recently, the NIC CEO has even refused to supply trustees with the company’s Annual Financial Statements.
- The majority of trustees, representing the Amajita faction, have defended the failure of the NIC to account to the Trust.
- The Trust has consistently failed to report to the NUMSA constitutional structures, as it is supposed to do. We have demanded in every Central Committee that it presents reports but these have never been forthcoming.
- Earlier this year the W.Cape Region held its Congress in the build-up to the 11th National Congress. This Congress is supposed to be the Workers Parliament in which members are free to express their views. The Regional Congress received a report from its Regional leadership which was heavily critical of the NIC. For the sin of presenting that report, the Regional Secretary has been suspended by the Central Committee and is now facing a disciplinary hearing.

Winning a majority in the Congress by hook or by crook

The Amajita faction has mobilised anti-democratic measures to fight to make sure, by whatever means necessary, that the majority of the delegates attending the forthcoming 11th National Congress support them:

- At a national level, they have suspended six regional and national leaders. These include the Regional Secretaries of W.Cape and E.Cape, the Regional Chairperson and Deputy Chairperson of E.Cape and the Secretary of the Port Elizabeth Local. At a regional level, they have so far also suspended 29 others in Hlanganani, Mpumalanga and Sedibeng NUMSA Regions. If the Special Central Committee held on 11 and 12 July is anything to go by, we expect more suspensions as the purge of democratic voices continues. These are all comrades democratically elected into their positions earlier this year. Their sin has been to consistently fight for accountability of the NIC, including a forensic audit of the books of the company and its numerous subsidiaries. They have been taken to a disciplinary process which is in violation of the constitution’s prescribed procedures for discipline of Regional Office Bearers. The process also suffers from a long list of defects designed to maximise the chances of the faction’s success.
- Just this week they have suspended the NUMSA 2nd Deputy President who is also the President of the federation which NUMSA founded and to which it belongs, SAFTU, for being elected to her SAFTU position. They did this after having publicly welcomed her election. Another reason stated for her suspension is that she has refused to dishonestly support the story of the rest of the NOB collective that defended the General Secretary’s dishonest affidavit in support of NIC in the matter of the curatorship of one of its subsidiaries, 3Sixty Life.

- At Regional level, it is hard to keep count of the suspensions. So far they have suspended 29 other comrades at Regional level and continue to do so.
- They have decreed, without having any constitutional powers to do so, that the entire Mpumalanga Region will not attend the National Congress.
- They have now agreed to send task teams to Locals in the W.Cape and E.Cape. In theory they are to resolve “grievances about the selection of delegations to the 11th Congress”. In practice they are to manipulate the delegations. Meanwhile, grievances from other regions which do not support the faction are ignored.

We are guided by the NUMSA Constitution and Policies

- **Adherence to the constitution of the union.** You cannot pick and choose the elements of the union constitution that you agree with and disagree with. For example, suspended comrades are currently being subjected to a disciplinary process which violates the constitution.
- **Democracy based on the principle of worker control.** Numsa historically prides itself on being the union most recognised as practicing worker control. Officials (elected or appointed) cannot be allowed to overrule or undermine decisions taken democratically by structures of members and their elected representatives.
- **The abuse of democratic centralism.** It can never be correct that you call a NUMSA NEC without a report to NUMSA Local Shopstewards Councils (LSSC) to allow for a democratic discussion and mandates to the NUMSA Regional Executive Committee (REC). This REC mandate becomes the position of a Region to debate with other Regions in the NEC. This is no longer happening in NUMSA. Regions nowadays go to the NUMSA NEC and participate and make decisions without a mandate. This is the worst kind of Stalinism - to insist that unmandated decision making is democratic centralism.
- **Administrative processes that are transparent and fair.** Democracy in the union is not possible when administrative actions are taken that are motivated by factional interests. Currently, properly constituted meetings are collapsed at great cost to the union just because the faction has not achieved its desired result. These are the actions of union bosses who want to corruptly hang onto power.
- **Subscriptions are for servicing members and nothing else.** Because you have access to the bank account of the Union you cannot simply embark upon legal actions or pay lawyers thousands of rands from Union funds just to see the interest of your action succeed. When you treat the monies of workers as your personal ATM, you are no different to those guilty of state capture. You are in fact guilty of union capture.

We are resisting

- We are resisting this process. We are not a rival faction which wants to get our hands on the NIC loot. We are a grouping of responsible union leaders from every region of the union who want the investment company to account, in detail, for its activities. We want it to stop acting as a cash cow funding factionalism in the union. And we want the union to return to its traditional values of democracy and accountability.
- We have produced a manifesto of what we stand for. We will do what we can to arrest the degeneration of the union we love and bring it back to the values which its founding mothers and fathers stood for.

Our Manifesto as a platform to restore and repair the 35-year old NUMSA

We are often accused as “Johnny Come Lately’s” who want to form another union. We include members and staff who go back as far as the 1980s. And we don’t want to set up another union. We want to rescue NUMSA from the Amajita faction. This conspiracy theory will not deflect us from working hard to restore the Union of Daniel Dube, Mthuthuzeli Tom, Phil Bokaba and many other leaders who have gone before us. In the manifesto we make some of the following points:

Tolerance:

- **The current leadership of NUMSA** has become intolerant of differing views. It has used administrative measures, such as illegitimate suspension, to stifle space for democratic discussion inside NUMSA.
- **We will** restore tolerance to the union in the best tradition of NUMSA’s history.

Democracy, accountability and worker control:

- **The current leadership of NUMSA** advances a wrong understanding of democratic centralism. Decisions of upper structures are enforced on lower structures without prior discussion and mandate from those lower structures.
- **We will** restore proper democracy in the union. We will reinstate the ‘Ear to the Ground’ approach. Different views will be encouraged in order for the union to make better decisions. Only after thorough, open debate in the structures will decisions become official, mandated positions of the union.

Collective bargaining:

- **The current leadership of NUMSA** has focused on centralised collective bargaining at the expense of weakening our workplace structures. They have brought to the National Bargaining Conference speakers who lamented the bad economy and the impossibility of demanding significant wage increases. And they have failed to organise the bargaining process effectively. The 10th National Congress mandated them “to start the Collective Bargaining process earlier”. But this year, bargaining in the Auto sector only started 2 days before the expiry of the agreement.
- **We will** revisit the NUMSA collective bargaining strategy to accommodate both plant-level and centralised bargaining.

Investment companies:

- **The current leadership of NUMSA** has failed to control the NUMSA Investment Company. In fact, NIC plays an active role in the internal affairs of the union. It has also never paid a dividend in its entire 27 years of life. And it has consumed more than R100 million of workers’ subscriptions which it refuses to pay back. Union investment companies present huge dangers for trade unions. In most unions in South Africa, they have been the direct cause of corruption, bureaucratisation and division.
- **We will:**
 - Institute an immediate forensic audit of the NUMSA Investment Company.
 - In line with the 10th Congress Resolution, actively pursue, by all means necessary, the repayment of the R136.2 million that NIC owes to NUMSA.
 - Empower the trustees and implement fully the Trust Deed of the National Manufacturing Workers Investment Trust. The Trust must function correctly and receive timeously all financial statements.

- Initiate a thorough debate at all levels of the union about the NIC. Is it serving any useful purpose to the membership? Or should the funds be brought back to NUMSA for investment in more profitable ways, to provide benefits to the members?

Conclusion

Nothing will deter us from continuing in our efforts and our struggle to expose and stop the anti-democratic behaviour and unconstitutional decisions taken by the Amajita faction and the corruption in the NIC supported by the leadership elite.

List of NUMSA Shopstewards, Office Bearers and Officials Suspended in 2022

Numsa National Office Bearer

1. Ruth Ntlokotse – 2nd Deputy President

NUMSA Hlanganani Region

2. Lawrence Chiguta - NUMSA Rustenburg Local
3. Siya Mashalaba - NUMSA Rustenburg Local
4. Joas Bafana - NUMSA Rustenburg Local
5. Godfrey Mamelela - NUMSA Rustenburg Local
6. Boase Mere – NUMSA Organiser in Rustenburg
7. Moabi AmosTladi - NUMSA Rustenburg Local
8. Hamilton Mogapi - NUMSA Rustenburg Local
9. Siyabonga Mashalaba - NUMSA Rustenburg Local
10. Comfort Lesomo - NUMSA Rustenburg Local
11. Kabelo Molefe - NUMSA Rustenburg Local
12. Mooketsa Tsatsane - NUMSA Rustenburg Local
13. Cornet Ntshabele - NUMSA Rustenburg Local
14. Thabo Letlape - NUMSA Rustenburg Local
15. Donald Matlala - NUMSA Rustenburg Local
16. Molale More - NUMSA Rustenburg Local
17. Phemelo Monametsi - NUMSA Rustenburg Local
18. Tladi Martin Kgaladi – NUMSA Rosslyn Local Chairperson

NUMSA Western Cape Region

19. Vuyo Lufele – Regional Secretary
20. Ezekiel Ntlhangoe – Regional Deputy Chairperson

NUMSA Eastern Cape Region

21. Andile Bloko – Regional Deputy Chairperson
22. Mziyanda Twani – Regional Secretary
23. Mandla Mazwayi – Regional Deputy Chairperson
24. Mphambukeli Mpofu – PE Local Secretary

NUMSA Sedibeng Region

25. Kwanda Khanyile – Chairperson of the NUMSA Meyerton Local
26. George Makhanya – A founder member of NUMSA **and** Vereeniging (Madikane) Local Chairperson
27. Khayaletu Mxwayo – Vereeniging (Madikane) Local Secretary

NUMSA Mpumalanga Region

28. Xolisa Posiso – Regional Chairperson

29. Maphumulo Bhekithemba – Member of the Regional Finance Committee