



**NUMSA condemns GroundUp for unethical and unfair news reporting on the
CCMA case involving NUMSA Western Cape Regional Secretary Vuyo Lufele
27 June 2023
Press statement**

The National Union of Metalworkers of South Africa (NUMSA) has noted a misleading article published by GroundUp on the suspension of the NUMSA Western Cape Regional Secretary, Vuyo Lufele. The article states that the Regional Secretary has been reinstated by the CCMA because his suspension was found to be invalid and unfair and therefore the CCMA lifted the precautionary suspension, and said he can report for duty on the 3rd of July.

We wish to set the record straight with GroundUp and the public at large on this matter, as it is very clear that Commissioner Buitendag, who was overseeing this arbitration, was deliberately misled by Mr. Lufele.

1. Mr. Lufele lodged various referrals with the CCMA including a referral on unfair labour practice in relation to his suspension and all of these referrals were consolidated into one matter. The parties, including Mr. Lufele, signed a pre-arbitration agreement to consolidate them so that they would all be heard and dealt with at the same time, and this was done on the 16th of March 2023, at the CCMA offices in Gauteng.
2. It was dishonest of Mr. Lufele to then proceed to lodge a 'backdoor' referral for unfair labour practice at the CCMA offices in Cape Town, which was held in June 2023, after he signed the agreement. He intentionally misled the Commissioner, knowing full well that this matter had been consolidated already in a separate case and a date to hear it was to be communicated by the CCMA. This is why NUMSA did not participate in that arbitration as the union was part of an agreement with him that the matters had been consolidated and would be heard at a later date.
3. Mr. Lufele deliberately leaked the award to the media in order to continue to spread the false narrative that his suspension has been deliberately prolonged by the union, when in fact, NUMSA has been scheduling his disciplinary processes.
4. Mr. Lufele delayed his disciplinary process and he has not been prepared to face the misconduct charges levelled against him by the union. An example of this is when he referred a matter to the CCMA claiming that the union cannot discipline him because he is a whistle blower against corruption taking place in NUMSA, and that the false, slanderous statements he has made against the union, are protected disclosures. Vuyo failed to disclose to GroundUp that in that arbitration process that dealt with his so-called 'protected disclosures', his concocted case was dismissed by an Arbitrator

by the name of Karen Charles. There is a detailed ruling which unmasks his lies about protected disclosure. The Commissioner dismissed the matter because, he failed to produce proof of the disclosure. Therefore the case was dismissed because “*the CCMA has no jurisdiction to hear the matter*”. This frivolous application launched by Mr. Lufele has resulted in delays to his disciplinary case. The ruling was handed down on the 7th of June. What is left is Mr. Lufele to face the charges in a normal NUMSA disciplinary process which the union is in the process of scheduling given that his delaying tactics have now been stopped by the CCMA’s arbitration process.

5. It is upon this basis that NUMSA will be applying for a rescission of the arbitration award and for the findings to be set aside. We have communicated to Mr. Lufele that in light of his disingenuous and dishonest behaviour, which is extremely disturbing, he must provide his consent to the rescission by no later than close of business Friday 30th of June 2023 to rescind the award he incorrectly solicited. If he fails to give consent, then he will leave NUMSA with no choice but to apply for the rescission in the normal time frames provided for by the CCMA, and, we will seek an appropriate cost order against him. In this communication it has been made clear to Mr. Lufele that he is not permitted to return to the NUMSA offices and as such he remains suspended.

We must also state that GroundUp which claims to be an ethical media house, did not even bother to ask the NUMSA leadership or the spokesperson for the union’s side of the story before publishing this one-sided piece of propaganda, and for this they must be strongly condemned. They had a duty to ask the union for a right of reply, but they failed in their basic journalism duties which is to verify the facts, and to get the other side of the story.

GroundUp has demonstrated, over a sustained period now, that when it comes to NUMSA they will spare no moment in pursuing slanderous fake news and in pursuing gutter journalism. GroundUp is playing a now open, and now hidden agenda which is anti-worker and is nothing short of union bashing, by driving the narrative of divisive factions that are tip-toeing in the shadows whose mission and task is to divide the unity of NUMSA members and NUMSA as an organization. One has to wonder whose class interests they are advancing when they publish fake news against the union. This is why we will be lodging a formal complaint against them, with the Press Ombudsman for their unethical and unfair treatment of the union.

We want to assure our members that we will not be distracted by these shenanigans. We are focused on the work of defending the working class and defending the gains of workers in the workplace. The unity of NUMSA members is sacrosanct and it is compulsory.

Aluta continua!
The struggle continues!

Issued by Irvin Jim
NUMSA General Secretary

For more information, please contact:
Phakamile Hlubi-Majola
NUMSA National Spokesperson
0833767725

phakamileh@numsa.org.za

NUMSA Head Office number: 0116891700

NUMSA Facebook page: <https://www.facebook.com/NumsaSocial>

NUMSA Twitter account: [@Numsa_Media](https://twitter.com/Numsa_Media)

NUMSA Website: <https://numsa.org.za/>