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MEMORANDUM OF DEMANDS

We, the members of AWU, KAWU, NUMSA, SANSAWF, SATAWU and the Progressive Unions organising in the Private Security Sector, note with disgust the ongoing challenges we continue to face and confront daily, as security officers in South Africa. We come here today to declare that PARLIAMENT and its **PORTFOLIO COMMITTEE ON POLICE** is complicit to the exploitation of security officers in the Republic of South Africa

We are aggrieved that the **PORTFOLIO COMMITTEE OF POLICE** is silent on the non-compliance with the Private Security Industry Regulation Act 56 of 2001 and other laws which leads to the routine exploitation of security officers.

Several security companies in this country, including some working for the state, are under fire for failing to provide their workers with agreed upon benefits despite deducting millions of Rands. This fraudulent and irregular deductions deny security officers their well-deserved benefits including healthcare insurance and provident fund.

We are angry that the **PORTFOLIO COMMITTEE ON POLICE** does absolutely nothing when non-compliant security companies routinely steal from the salaries of poor security officers.

We are aggrieved that the **PORTFOLIO COMMITTEE ON POLICE** allows government departments and municipalities to continue to outsource from the unscrupulous companies involved in this alarming exploitation of poor security officers.

THIS IS FRAUD AT A GRAND SCALE AND ITS NOT ACCEPTABLE.

These companies had failed to register their security officers with the designated healthcare insurance provider, to ensure that security officers receive quality primary healthcare and hospital cover when necessary.

All security companies MUST contribute R172 per month for each security officer they employ with the security officer contributing the balance. Alas, many security companies employed by the state do not pay over these premiums to the designated service provider. This is a sophisticated way of stealing from the workers, as these ends up in the pockets of greedy bosses and their operatives as dividends and bonuses, respectively.

This fraud exposes the security officers to catastrophic spending. Poorly paid workers are always at the risk of sinking even further into poverty because of the adverse effects of illness and injuries on duty on their earnings and family savings.

Also, many security companies doing business with the Government had not registered their security officers with the PROVIDENT FUND, even though they are deducting money for “provident fund” every month. These irregular deductions and withholding of premiums by security service providers adversely affects security officers when they retire, or their contracts terminated which is a common occurrence in the sector. The Unions are aware that this Provident Fund withheld by non-compliant companies, which amounts to about R145 million per month, ends up in the pockets of bosses and senior managers of these as dividends and bonuses, respectively.

This grand theft, fraud and exploitation of security officers is not only a general disregard of the law but a major risk to the reputation of both PSIRA and the **Portfolio Committee on Police**.

What Did the Unions Do?

We have taken legal action against some companies; We have petitioned Provincial Treasury Departments and Premiers; We have petitioned regulators such as The **Financial Sector Conduct Authority (FSCA)** to probe and stop the conduct of these non-compliant companies.

We even marched to the offices of PsIRA in Bloemfontein demanding the deregistration of unscrupulous companies defrauding security officers out of their medical insurance benefits.

Despite a promise to do so, we have not received any positive response from PSIRA.

The primary objectives of the PSIRA is to regulate the private security industry and to exercise effective control over the practice of the occupation of security service provider in the public and national interest.

To this end, **Chapter 4 of the Security Industry Regulation Act** (Act No. 56 of 2001) attempts to guarantee, among other things:

- compliance with existing legislation by security service providers is being promoted and controlled through a process of active monitoring and investigation of the affairs of security service providers.
- the provision of information to the users, prospective users or representatives of users of security services regarding the compliance of security service providers.
- compliance by security service providers with a set of minimum standards of conduct including compliance with their obligations towards the State, the Authority, consumers of security services, the public and the private security industry in general; and not least,
- the payment of minimum wages and compliance with standards aimed at preventing exploitation or abuse of employees in the private security industry.

Chairperson it is a pity that PSIRA, as an authority in the sector, does not understand their mandate.

The **PORTFOLIO COMMITTEE ON POLICE** has an obligation to ensure that the laws of the Republic are adhered to. As the custodian of security and police and state entities such as PSIRA The **PORTFOLIO COMMITTEE ON POLICE must** provide support PSIRA to use its accreditation and certifications processes to end the routine theft from the salaries of security officers especially those contracted to protect government premises. To this end, the **PORTFOLIO COMMITTEE ON POLICE** can't allow PARLIAMENT and the premises of other government departments and National Key Points to be protected by thieves and robbers.

We hope you appreciate our patience. We are workers with human rights. Our rights are enshrined in the CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA. One of your primary responsibilities is to ensure full compliance and adherence to the country's laws. The same laws that give life to the Main Collective Agreements, which, in turn, expresses our rights as security officers working for government. When you

allow the violation of these laws and the Main Collective Agreements by the non-compliant security companies that you contract, you violate us and our families.

Forcing workers to choose between buying food and paying for hospital care must end; forcing workers to choose between paying for their children's education and clothing and seeing a medical doctor must end NOW!

We should and would not be here today if you and the non-compliant companies respected our rights as workers. We would not be here today if you had listened to the workers' call over many months. Well, here we are NOW determined never to betray the genuine tears of security officers.

As progressive trade unions, we shall refuse to have to apologize for standing up for the poor and the working class. We shall never apologise for asserting workers' constitutional rights. We shall never apologise for demanding a better life for our members; quality healthcare; provident fund; minimum wage and overtime pay as well as the allowances due to workers as per the Labour Relations Act and the Main Collective Agreement.

As difficult as this action is for everyone, it is far more difficult for a family that relies on our continued livelihood as breadwinners.

Resolute in our action against white-collar crime, and believing in workers' unity, we trust that the working class can be the catalyst for radical transformation. Workers must unite and fight back against this vicious attack on their livelihoods, health and lives.

WE, THEREFORE CALL ON THE CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON POLICETO TAKE COGNIZANCE OF THE FOLLOWING DEMANDS AND RESPOND ACCORDINGLY, WITHOUT DELAY:

1. We call on the **CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON POLICE to show leadership and** call for the immediate termination of all contracts of government with non-compliant companies. Terminating all these companies will demonstrate that the **CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON POLICE** refuses to be an enabler of fraud, corruption and the general exploitation

of security officers in the **country**. It is our humble demand that the **CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON POLICE** call on the stubborn PSIRA BOARD AND EXECUTIVES to make it a requirement for all companies that are currently providing security services to be compliant with the **Security Industry Regulation Act**, Main Collective Agreement of the sectoral Council and the Labour Relations Act.

- 2. Revise Supply Chain Requirements to Ensure Full Compliance with the Security Industry Regulation Act.** It must be a requirement for bidders to comply with the **Security Industry Regulation**. To this end, National and Provincial Governments as well as State Owned Entities must never award a security services contract to a bidder without an authentic certificate of registration and/or letter of good standing from the National Bargaining Council for Private Security Sector.
- 3. Launch an investigation** to probe why PSIRA turn a blind eye to the plight of security officers.

FAILURE TO RESPOND

We demand a reply within seven (7) days. Failure to do so will leave us with no other option but to intensify our actions against the exploitation of security officers in this Republic. No company, no state-owned company, no provincial government department must do business with thieves, fraudsters and the corrupt.

We will never look away and pretend that that theft, fraud, and corruption is normal. We call on you chairperson to fight theft, corruption and fraud.

We will also petition the country's president Mr Cyril Ramaphosa to authorise the Special Investigation Unit (SIU) to investigate all the National, SOEs and Provincial Departments that award non-complaint companies with security contracts.

Presented by:

1. **AWU:** Name: _____

Date: _____ Signature: _____

2. **KAWU:** Name: _____

Date: _____ Signature: _____

3. **NUMSA:** Name: _____

Date: _____ Signature: _____

4. **SANSAWF:** Name: _____

Date: _____ Signature: _____

5. **SATAWU:** Name: _____

Date: _____ Signature: _____

Received by Chairperson of the Standing Committee of Finance on behalf of the **Standing Committee on Police.**

Name: _____

Date: _____ Signature: _____