



**NUMSA celebrates victory at the Labour Court to reinstate 54 workers who were dismissed by Goodyear
13 November 2024
Press statement**

The National Union of Metalworkers of South Africa (NUMSA) welcomes the Labour Court decision by Justice M Makhura to dismiss the application by Goodyear Tyres to set aside the re-instatement of 54 workers who were unfairly dismissed.

These workers who are NUMSA members, have been fighting for justice since 31 May 2021 after they were unfairly dismissed by the company. They rejected an instruction from the employer and management overreacted and dismissed them. The matter was in relation to a refusal by workers to work staggered breaks and to keep the machines going, in order to ensure continuous production. Workers were unhappy with the decision to compel them to work staggered breaks.

A case of unfair dismissal was referred to the CCMA and it was dealt with through arbitration. NUMSA took the matter up and in June 2022, the CCMA found that even though the conduct of workers was insubordination, their actions were not so gross as to warrant a dismissal and therefore they should be reinstated. It also emerged during the arbitration that workers had been issued with final written warnings, but, that the process to issue warning was unfair. They were denied union representation, even though they specifically requested it. The commissioner found that the issuing of the final written warnings was unfair procedurally, and that they were issued as part of the company's strategy to ultimately dismiss workers. The warnings were hurriedly issued to lay a foundation for mass dismissals. They were unfair and affected the process of a 'fair dismissal'.

Despite the loss at the CCMA arbitration, Goodyear management wanted this decision to be set aside and approached the Labour court.

NUMSA as a caring union, immediately took the matter up again with the Labour Court and we won. We are pleased that the Labour Court dismissed the application which means, these workers must be reinstated.

NUMSA is a militant union in the streets and also in the courts. As a union we have contributed heavily to Labour Law legislation because we always fight for members, and we are willing to go all the way to the constitutional court to defend the rights of workers. There is no other union that goes as far as we do in defending the working class. We are a union that cares deeply about justice for workers which is why we put in so much effort.

We have noted that the AZAPO branch in Nelson Mandela Bay in the Eastern Cape has opportunistically issued a press statement taking credit for our hard work. They did not lift a finger to defend workers and we condemn them for attempting to use our efforts to shamelessly promote themselves. They did not even have the decency to disclose in their statement that it was NUMSA that secured the victories and that it was NUMSA that used its own resources to defend workers.

In the meantime, we are told that Goodyear will be appealing the award. We stand ready once again, to defend our members. NUMSA will continue to defend its members and the working class in general against exploitation.

This case is proof positive that the working class must join NUMSA in their numbers, because we live up to our promises, and we defend the working class.

ENDS

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