



NATIONAL UNION OF METALWORKERS OF SOUTH AFRICA

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Office of the General Secretary

28 February 2023

TO : Zwelinzima Vavi, Saftu General Secretary

Dear Comrade Zwelinzima Vavi,

Your deployment to SAFTU as an official of NUMSA refers.

In terms of Section 3.4.7 of the SAFTU Constitution any official of the Federation or affiliate may stand for election as the General Secretary of the Federation. When so duly elected, Section 3.4.8 states that such person “*shall hold office for a period of three years, unless recalled in terms of this constitution.*”

In terms of Chapter 9, Section 1.1 of the SAFTU Constitution an affiliate (such as NUMSA) may recall any of its members who have been elected to serve as a National Office Bearer, Regional or Local Office Bearer, if the member violates the constitution of the affiliate, or brings it into disrepute, or if the affiliate considers that the person failed to represent the best interests of the union’s members and the working class in general.

President – Andrew Chirwa; 1st Deputy President – Mac Chavalala; 2nd Deputy President – Puleng Phaka;
National Treasurer – Mphumzi Maqungo; General Secretary – Irvin Jim;
Deputy General Secretary – Mbuso Ngubane

You were, of course, duly elected to the position of SAFTU's General Secretary as an official of NUMSA and as per the terms of the recall provision in SAFTU's Constitution, you may be recalled by NUMSA.

Your conduct over a protracted period of time has plainly brought NUMSA as an organisation in disrepute. After careful collective deliberation NUMSA's NEC has concluded that your conduct does not serve the best interests of NUMSA's members and the working class in general.

It is not the intention of this letter to state in any detail or comprehensively what conduct and actions on your part had resulted in the aforesaid conclusion being made. The right is reserved to do so in due course to the extent that this may prove to be necessary. For the present purposes the letter only refers to the following select instances:

1. On 18 March 2022 during an interview with Thabiso Kotane relevant to your contemplated suspension by the SAFTU National Office Bearers, you were party to - or alternatively you made no attempt to protect NUMSA from - an inappropriate suggestion that the NUMSA General Secretary was behind your contemplated suspension. In fact, you gave credence to the aforesaid suggestion. You proceeded to state in public that there was a major "fall-out" between yourself and the NUMSA General Secretary resulting from your contemplated suspension and/or NUMSA's alleged attempt to impose the SRWP on SAFTU. You said that your refusal to endorse the SRWP is the cause of "*the obsession to remove Zwelinzima Vavi.*"
2. Likewise, on 18 March 2022 during an interview on eNCA television, you stated that the President of SAFTU (a NUMSA deployee) and his 'handlers' were behind the attempts to remove you and that certain individuals within NUMSA were attempting to impose the SRWP on SAFTU, and that you are being punished because of SAFTU's refusal to endorse the SRWP. The host of the interview referred to your statement as a "bombshell."

3. Similar allegations were repeated on 21 March 2022 in an interview with Newzroom Afrika. In an attempt to deflect attention away from the real allegations underlying to your contemplated suspension you once again brought the name of NUMSA in disrepute. You repeatedly referred to NUMSA by name and alleged that persons within NUMSA were responsible for factionalism and attempts to impose the SRWP on workers.
4. On 18 March 2022 during an interview with SABC News you referred to NUMSA by name and claimed that NUMSA's alleged suspension of an official for seven years, was the modus operandi which was to be employed against you, thereby suggesting that NUMSA or persons associated with NUMSA was responsible for unfair actions against you at SAFTU.
5. During NUMSA's 11th National Congress, you actively associated yourself with or contributed towards an attack on NUMSA and/or its national leadership stating, or alternatively implying, that there is a corrupt relationship between NUMSA's national leadership or persons within the national leadership and NUMSA's Investment Company.
6. In the Eastern Cape and Western Cape Regional Congresses, you attacked NUMSA declaring that it was no longer a campaigning union in what clearly was a campaign against NUMSA office bearers. You insinuated that the reason why the union leadership was not campaigning was because it was captured by business unionism. You claimed that this was the reason why the leadership is not campaigning on worker issues. You characterized NUMSA and its leadership as captured and overwhelmed by business unionism and claimed that its leadership has completely gone wrong. To this effect you quoted Mao Tse Tung. You defined what you regarded as a deep political crisis of NUMSA and expatiated your allegations against NUMSA leadership. You compared their

failure not to mobilise workers and take up campaigns with a dog that has a bone in the mouth which cannot bark.

- The General Secretary of NUMSA, in NUMSA's 11th National Congress report, responded to your unfounded allegations in both the Eastern Cape and Western Cape Regional Congress where you were clearly campaigning against NUMSA national leadership claiming that under its national leadership the union was no longer running campaigns in the interests of workers, and you were calling on delegates to make a SWOP analysis of this weakness you have alleged. In response to the General Secretariat report, which carefully debunked your lies, you chose to launch an open letter against NUMSA and its leadership challenging the union secretariat report to the 11th national congress. The target of your letter were the delegates of the 11th national congress. The letter made serious allegations against NUMSA and its leadership, allegations that were not raised anywhere except in your open letter. Central to this was the claim that the union was busy preparing ground to leave SAFTU as its federation.
- In your open letter to NUMSA delegates to the 11th national congress, you were very clear that despite being a NUMSA deployee in SAFTU - and in responding to the expectation by NUMSA that you must further its interest at all material times which is an expectation outlined and spelled out clearly in Chapter 9 of SAFU's constitution- you were categorical in your defiance and refusal to act in the interest of NUMSA, as NUMSA expects you to act in its interest in line with the Chapter 9 of the SAFTU constitution. This is what you said to the delegates. ***“Why did not NUMSA not tell me in 2017 when I was elected that I am expected to champion the aims and decisions of NUMSA or face a recall?”***
- We want to make it categorically clear that there is no decision of the SAFTU NEC and there is no decision of SAFTU NOBs that mandated you to unleash a blistering attack against NUMSA and its leadership in the form of an open letter as you did targeting delegates to the 11th national

Congress of the union. NUMSA regards such an act as part of your consistent pattern and an attitude of mind in acting against NUMSA as an organization, its interest, and its leadership. As a union we reject your conduct and regard the cumulative nature of your repeated acts that have brought the union into disrepute as a serious act of misconduct.

7. You went further to make serious allegations that NUMSA shop stewards and union leaders were being bribed by union investment companies in congresses with alcohol and that, as a result, they can no longer speak with political confidence in the interest of workers and the union. The essence of your message is that the union leadership is captured by business unionism from union investment companies. To this effect you gave television interviews where the name of NUMSA as a union was tarnished and attacked.

8. Your attack against the union forced the NUMSA General Secretary to respond to your destructive and damaging allegations - including your allegation that NUMSA is no longer a campaigning union. He had to set the record straight in the Secretariat report to the 11th national congress where he responded to your damaging allegations against both the union and the union leadership. It was necessary to set the record straight as it was clear that your addresses in both the Eastern Cape and Western Cape were not constructive criticism aimed at building, strengthening, and unifying NUMSA as a union. On the contrary you were clearly running a campaign to swell divisions and to liquidate the unions unity. Moreover your propaganda and malicious attack against the union were plainly full of demonstrable untruths and lies.

Needless to state your aforesaid statements and conduct caused NUMSA serious harm and embarrassment, which in turn is considered to be contrary to the interests of NUMSA members, and the wider working class.

NUMSA cannot allow the aforesaid unacceptable state of affairs to prevail. Accordingly, you are required to provide written reasons, on or before 17h00 on Thursday, 09 March 2023, as to why NUMSA should not recall you.

All NUMSA's rights remain strictly reserved, inclusive but not limited to instituting disciplinary action against you.

Yours faithfully,



Irvin Jim

NUMSA General Secretary