

3 February 2012

REFUTAL OF ALLEGATIONS MADE BY THE NUM/COSATU

BRIEF HISTORY OF THE WORK STOPPAGE AT IMPALA RUSTENBURG TO DATE

On the 12th January 2012, the Rock Drill Operators (RDO's) at Impala Rustenburg's 14 Shaft embarked on a work stoppage. The RDO's raised concerns regarding their salaries and were adamant that their issues be addressed without the involvement of the National Union of Mineworkers (NUM).

Following this work stoppage, all the RDO's embarked upon a second stoppage on 18th January 2012. Their demands remained the same and they again refused to involve the NUM.

Management response to these demands was:

- The manner in which these concerns were raised (through work stoppages) was unacceptable.
- There are recognized procedures and structures within the organisation for raising these issues.
- Any engagement with delegates outside the NUM would be a breach of the Recognition Agreement.
- The only way of addressing the RDO's concerns would require the establishment of new structures and this would cause delays in the resolution of their grievances.

Management urged the RDO's to engage with the appropriate structures in the NUM, of which they are members, so that their concerns could be raised in a legitimate manner and addressed accordingly.

Subsequent to this the RDO's decided to embark on strike action on 20th January 2012.

Management continued to urge the RDO's to return to work and raise their grievances through the appropriate structures. In an effort to make this possible management arranged a meeting between the NUM Branch Committee and the spokesperson's of the RDO's later that day. This meeting was abandoned because the delegations representing the RDO's walked out of the meeting.

Management then applied for and obtained an interdict declaring the work stoppage illegal and unprotected. This order was communicated to the RDO's and they were requested to return to work by 24 January 2012 or face dismissal. On the 24th, these employees were dismissed but were given the opportunity to re-apply for their positions by 27 January 2012.

By 30 January 2012 the strike had escalated and the majority of the mining work force failed to report for duty. Management applied for and obtained a further interdict declaring this secondary strike also to be illegal and unprotected. These employees were dismissed on 1 February 2012.

ALLEGATIONS RAISED BY THE NUM/COSATU

Allegations against the Company have recently been raised by the NUM / COSATU with regard to the strike at Impala Rustenburg.

It has been alleged that "people who are not employees of the mine and who do not have a recognition agreement with the mine are allowed to convene meetings on the mine and address workers while our affiliated union, the NUM, a recognised trade union, on the mine, has to get permission before it can do so".

The Company did not allow any meetings to take place between non-employees and our workforce.

It is also alleged that "Impala Platinum is violating the labour laws of this country and negotiating in bad faith".

This is untrue. Save for giving the RDO's an opportunity to voice their grievances and responding or advising as previously mentioned, Impala did not negotiate with any delegation from the RDO's. The Company has in fact encouraged the NUM to meet with its members.

Finally it was further alleged that "the increase of wages of some categories of workers for us is unfair discrimination, as production relies on all workers in the mine; and we believe that Impala did this deliberately to incite workers so that it would be easy for them to restructure".

A valid and binding Wage Agreement is in place between Impala and the recognised union , the NUM as of October 2011. It needs to be pointed out that no increases were unilaterally awarded to any category of employees. The only increases were salary adjustments for the miners which were implemented in full consultation with the NUM. The allegation that this was done to incite workers to enable the company to embark on a restructuring programme is unfounded.