

LRA Form 4.5
Labour Relations Act, 1995

READ THIS FIRST

**WHAT IS THE
PURPOSE OF THIS
FORM?**

This form notifies NEDLAC that a trade union or a trade union federation intends proceeding with protest action.

**WHO FILLS IN THIS
FORM?**

The Secretary of the Trade Union or Trade Union Federation.

**WHERE DOES THE
FORM GO?**

Executive Director
NEDLAC
14A Jellicoe Avenue
Rosebank
2196

Email:
Nkhensani@nedlac.org.za

**OTHER
INSTRUCTIONS**

This form must be received by NEDLAC at least 14 days before the start of the protest action.

**NOTICE TO NEDLAC OF
INTENTION TO PROCEED
WITH PROTEST ACTION**



**NOTICE TO NEDLAC IN TERMS OF SECTION 77(1)(d)
OF INTENTION TO PROCEED WITH PROTEST
ACTION**

1) PROTEST ACTION DETAILS

We: **Congress of South African Trade Unions**
(COSATU) in abbreviation

.....

(Name of trade union, or federation of trade unions)

Intend to proceed with the protest action of which notice

Was served on NEDLAC on **10 FEBRUARY 2026**
(Date)

The protest action will begin at:
Mercy Avenue Street, heading to
GEMS Head office, Vutomi House
124 Mercy Avenue
Menlyn Maine Precinct
Pretoria
Gauteng

ON the SEE ANNEXURE A (date and time) SEE
ANNEXURE A

2) GENERAL

Address of trade union/federation:

**110 Jorissen Street, Braamfontein, Johannesburg,
2000**

Tel: **011 339 4911**

Signature of secretary:

Name: **Solly Phetoe**

Date: **09 February 2026**

Annexure A:

COSATU Section 77(1)(d) NOTICE ON ECONOMIC CRISIS

BACKGROUND

1. On the 21 August 2017 COSATU submitted to NEDLAC a Section 7(1)(b) notice on the Economic Crisis in South Africa.
2. NEDLAC convened a Section 77 Standing Committee to deal with COSATU's section 77(1)(b) notice, and the Committee confirmed compliance.
3. On 15 September 2017 the Standing Committee convened a plenary meeting with COSATU and the respondents.
4. In terms of the Notice, COSATU demanded, among others, that the maximizing of profits at the expense and prejudice of the worker must stop. However, the respondents failed to provide a response to this demand. Since then we have seen a number of retrenchments increase at alarming rates accompanied by weak economic growth as well as rising costs of living.
5. On 07 November 2017 the Standing Committee agreed that COSATU's demands could not be resolved and therefore deemed the section 77(1)(b) Notice as having been considered. This means that any protest action arising from this notice is protected. The certificate is attached to this notice.
6. This notice serves to notify Respondents of a protest action that will take place on 26 February 2026 in pursuance of the 21 August 2017 COSATU submitted to NEDLAC a Section 77(1)(b) notice on Economic Crisis in South Africa.

PROTEST ACTION

1. COSATU will be calling upon all workers to support a socio-economic protest action by engaging in various forms of protests.
2. The reason for the action is that:
 - a) GEMS implemented a 13.4 percent contribution increase in 2025.
 - The 9.8 percent increase from January 2026, followed by the 9.5 percent adjustment effective 1 April 2026, results in a cumulative increase of 23.2 percent over two years.
 - The Council for Medical Schemes (CMS) proposed an average membership contribution increase of 3.3 percent for 2026 as reasonable. GEMS disregarded this guidance, unilaterally imposing a 9.8 percent increase from January 2026, followed by the 9.5 percent adjustment effective 1 April 2026, exceeding CMS recommendations by 6.5 percentage points.
 - Public servants received a 5.5 percent salary increase for 2025/26.
 - Public servants will receive a 4 percent salary increase for 2026/2027, effective April 2026.
 - b) The government contribution to GEMS is wholly inadequate:
 - A 4.5 percent subsidy from 1 January to 31 March 2026.
 - An additional 0.5 percent subsidy from 1 April 2026
 - c) Governance Failures and Costly Operational Choices: Weak accountability and inadequate consequence management within GEMS.
 - d) A heavily outsourced administration and managed-care model that is costly and inefficient
 - e) Incidents of fraud, waste, and financial leakage within GEMS

- f) Failure to meaningfully make efforts to redesign benefit options to protect lower-income members through affordability measures, enhanced risk pooling, or increased cross-subsidisation
- g) Call for inclusion of labour representatives on the GEMS board

3. The forms of protest actions and actions in contemplation of the strike will involve:

- a) A Day of Protest on 26 February 2026 – this will take the form of a march and pickets outside the GEMS Head office in Vutomi House, 124 Mercy Avenue, Menlyn Maine Precinct, Waterkloof Glen, Pretoria, Gauteng.
- b) The specific activities in paragraph (a) above will take place during working hours.
- c) The socio-economic strike will commence at 00.00 and end at 23.59 on 26 February 2026, except that shift workers will be away for the duration of one whole shift, and it will be the shift that has the majority of hours on the day in question.

4. Paragraph 2.2.1.3(b) of the certificate to COSATU included issues arising from the call to abandon neo-liberalism and trickle-down economic policies as they have only benefited few individuals. It challenges, consequent to this, the enabling of few individuals becoming richer at the prejudice of the majority of the population, leaving is in a worse of state/ poorer.

Of further emphasis and relevance herein under 2.2.1.3 of the certificates issued, was the call by COSATU to review the National Development Plan, particularly, the Chapters on the Economy and Employment. This includes discussions on capacitating the state for efficient service delivery including quality healthcare and social protection.

5. Following the socio-economic strike on 26 February 2026, the Federation will assess the programme of action and decide on the way forward. The Federation reserves the right to extend the programme of action should it be necessary.