

## FREQUENTLY ASKED QUESTIONS ABOUT THE LOCK-OUT AT THE SA GOLD OPERATIONS

15 MARCH 2022

### INTRODUCTION

Despite our best efforts over nine months to reach an agreement that is fair, will benefit employees and ensures the long-term sustainability of our SA gold operations, wage negotiations between Sibanye-Stillwater and AMCU and the NUM, remains deadlocked.

On Monday, 7 March 2022 AMCU and the NUM served the Company with 48 hours' notice of a strike at the SA gold operations which began on the evening of Wednesday, 9 March 2022.

After careful consideration, we gave notice of a lock-out to the four unions who belonged to the union coalition– AMCU, the NUM, UASA and Solidarity – which took effect on the evening of Thursday, 10 March 2022 in the interest of achieving a resolution to the strike and minimising the negative impact the strike will have on all stakeholders, including employees. When we implemented the lock-out, none of the unions had unconditionally accepted our offer.

Subsequently, both Solidarity and UASA have unconditionally accepted our final offer and their members are no longer affected by the lock-out.

It is regrettable that AMCU and the NUM have decided to resort to strike action which will severely impact all stakeholders. Their members will remain locked out until the final wage offer made on 4 February 2022 is accepted.

Please contact this toll-free number if you have any questions or queries 0800 0070 68



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## Q 1. What is the current status of the lock-out?

**A** On Monday, 7 March 2022 AMCU and the NUM gave the Company 48 hours' notice of a strike at the SA gold operations. The strike started at 18:00pm on Wednesday, 9 March 2022.

In response, the company gave the unions who form part of the coalition (AMCU, the NUM, UASA and Solidarity) 48 hours' notice of a lock-out.

We have since received and accepted notice from UASA and Solidarity of their unconditional acceptance of the final offer made to all unions on Friday, 4 February 2022.

As a result, as of 14 March 2022, members of UASA and Solidarity will no longer be affected by the lock-out which came into effect at 22:00 on Thursday, 10 March 2022.

The lock-out notice with regards to AMCU and the NUM members employed in the bargaining unit remains in place until their unions sign the wage agreement.

## Q 2. What is a lock-out?

**A** Just as employees have the right to strike, the law gives companies the right to lock-out.

A lock-out means the exclusion by the company of its employees from the employers workplace for the purpose of compelling them to accept the wage agreement.

Therefore, all AMCU and NUM members employed in the bargaining unit (Category 4-8 employees as well as Miners, Artisans and Officials), **apart from those who perform priority services**, are locked out and not allowed to report for duty.

## Q 3. Why is Sibanye-Stillwater locking out?

**A** The lock-out is in the interest of achieving a resolution to the strike and minimising the negative impact the strike will have on all stakeholders, including employees.

## Q 4. When did the lock-out start and when will it end?

**A** The lock-out started on at 22:00pm on Thursday, 10 March 2022.

All employees in the bargaining unit were instructed not to report for work from 18:00 on Wednesday, 9 March 2022 when the strike started.

The lock-out will remain in place for employees who are members of AMCU and the NUM until the offer tabled to all unions on 4 February is accepted by these unions.



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## Q 5. Who is affected by the lock-out?

**A** The lock-out applies to all employees in the bargaining unit who are members of AMCU and the NUM. These employees are not allowed to report for duty and will not be paid for the duration of the lock-out.

UASA and Solidarity have since unconditionally accepted the final offer made on 4 February. As of Monday 14 March, members of UASA and Solidarity will no longer be affected by the lock-out. Their members have been instructed not to report for duty until notified otherwise by the Company, but will be entitled to payment.

Non-unionised employees have been instructed not to report for duty until further notice, **but will be paid.**

**Employees who perform priority services** regardless of their level of employment or union affiliation are not affected by the lock-out and are expected to report to work and perform their duties in accordance with the collective agreements regulating priority work.

## Q 6. How does the lock-out affect Category 4-8 employees and Miners, Artisans and Officials who are members of AMCU and the NUM?

**A** All employees in the bargaining unit who are members of AMCU and the NUM are locked out from 22:00pm on Thursday, 10 March 2022. This means that they cannot come to work.

Just as in the case of a strike, the principle of No work, No Pay will apply.

AMCU and NUM members employed in the bargaining unit will not be paid from the start of the strike from the night shift on Wednesday, 9 March 2022.

## Q 7. How does the lock-out affect Category 4-8 employees and Miners, Artisans and Officials who are members of UASA and Solidarity?

**A** We have received and accepted notice from UASA and Solidarity of their unconditional acceptance of the final offer made to all unions on Friday, 4 February 2022.

As a result, as of 14 March 2022, members of UASA and Solidarity will no longer be affected by the lock-out which came into effect at 22:00 on Thursday, 10 March 2022. Solidarity and UASA members' remuneration will not be affected.

We continue to urge ALL employees, irrespective of bargaining unit or union affiliation – except those providing priority services during the strike or as instructed by management – to continue not to report to the SA gold operations until further notice. The company will continue to provide regular updates to employees in this regard.



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**Q 8. How are non-unionised employees who form part of the bargaining unit (Category 4-8 employees and Miners, Artisans and Officials) affected?**

**A** All employees irrespective of bargaining unit or union affiliation were informed not to report to the SA gold operations from 18:00 on Wednesday, 9 March 2022.

All non-unionised employees in the bargaining unit will be paid for any shifts they are scheduled to work from the night shift on Wednesday, 9 March 2022 until further notice.

**Q 9. How are employees who perform priority services affected?**

**A** Employees who perform priority services, irrespective of union membership and level of employment, will not be affected by the strike and lock-out. These employees must continue to report for duty in accordance with the collective agreements regulating priority work. Employees who are defined as priority services in terms of various collective agreements are required to tender their services. Disciplinary action will be taken against Priority Services Employees who fail to tender their services, which may include termination of services.

**Q 10. How are employees who are employed outside of the bargaining unit affected by the lock-out?**

**A** Employees who are not employed in the bargaining unit, including Senior Officials and above will not be affected by the strike and lock-out and must continue to perform their duties.

Employees who are able to work remotely must continue to perform their duties remotely. Those who are based at the operations are requested to contact their HR with regards to specific arrangements.

**Q 11. How are employees who belong to AMCU and the NUM, but work remotely affected?**

**A** Employees who belong to AMCU and the NUM who work remotely have been locked out. They will not be able to log into their computers.



## Q 12. What can you do to end the strike and the lock-out?

**A** The lock-out will remain in place until the final offer tabled on 4 February 2022 is accepted by the striking unions.

Employees who are members of AMCU and the NUM can mandate their unions to accept the offer.

**In addition to the above questions, we have received many queries from employees relating resignation from union membership. Questions 13 and 14 addresses some of these queries.**

## Q 13. Can you resign from your union?

**A** Employees have the right to freedom of association i.e to freely join a union of their choice.

Should an employee wish to resign from their union they are required to give notice to the union in terms of its constitution. The company must continue to make the authorised deductions until the notice period has expired.

Employees need to ensure that their stop order cancellation form is submitted to their trade union as well as the company. In this regard, cancellation of stop orders can be emailed to your HR manager.

## Q 14. Can I change union membership?

**A** Should the employee become a member of a trade union that has not accepted the company's wage offer and is locked out, the employee will be locked out.

Should the employee become a member of a trade union that has accepted the wage offer, the employee will not be locked out. To the extent that the employee was previously locked out, the lock out will immediately be lifted.

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