

**NOTICE 138 OF 2011****NOTICE IN TERMS OF SECTION 62(7) OF THE LABOUR RELATIONS ACT, NO 66 OF 1995**

PLEASE TAKE NOTICE THAT:-

The National Textile Bargaining Council ("the NTBC") has referred a question contemplated in section 62 (1) (a) and (b) of the Labour Relations Act, 1995 to the CCMA for determination in terms of the said section 62 under Case No. **KNDB 13099-10**.

TAKE NOTICE FURTHER THAT the particulars of the referral are as follows:

1. Jel-ex CC is a manufacturer and seller of bulk bags used as containers for sugar, minerals etc;
2. The bag manufacturing process includes the melting of polypropylene granules and extruding from it a plastic tape/ribbon which is woven into a plastic material used in manufacturing the bags.
3. The main question to be determined during the demarcation process is whether Jel-ex CC and its employees are employed or engaged in the textile sector and whether the Main Collective Agreement of the NTBC is binding on them;
4. Jel-ex CC and the NTBC agree that it is necessary to determine inter alia whether Jel-ex CC manufactures yarn from synthetic or man made fibres and/or whether Jel-ex CC manufactures woven cloth or fabric from such yarns.
5. Jel-ex CC and the NTBC further agree that it is particularly necessary to determine whether the granules melted during its manufacturing process are "fibres" within the meaning contemplated in the definition of the textile industry, whether the tape/ribbon manufactured during its manufacturing process is "yarn" within the meaning of the said definition and whether the material manufactured by it is "woven cloth or fabric" within the meaning of the said definition.

TAKE NOTICE FURTHER THAT the issues are to be determined under Case No. **KNDB13099-10** at the offices of the CCMA, 6<sup>th</sup> Floor, Embassy Building, 199 Smith Street, Durban on a date to be determined by the Registrar.

6. Written representations may be made within 21 calendar days of the date of publication of this notice and should be directed to Ms Thato Letho at CCMA, Private Bag X94, Marshalltown, 2107 and clearly marked **KNDB13099-10**. Representations may also be forwarded per email to [ThatoL@ccma.org.za](mailto:ThatoL@ccma.org.za) or per facsimile at number 011 834 7386. Ms Thato Letho may be contacted for any enquiries at telephone number 011 377 6650, or

to

7. Ms Barbara Du Randt at CCMA, Private Bag X54363, Durban, 4000 and clearly marked **KNDB 13099-10**. Representations may also be forwarded per email to [BarbaraDR@ccma.org.za](mailto:BarbaraDR@ccma.org.za) or per facsimile at number 031 368 4644 / 086 506 9677. Ms Du Randt may be contacted for any enquiries at telephone number 031 368 4644