

**DEPARTMENT OF LABOUR
NOTICE 234 OF 2016**

NOTICE IN TERMS OF SECTION 62(7) OF THE LABOUR RELATIONS ACT 66 OF 1995 (AS AMENDED)

PLEASE TAKE NOTICE THAT:-

1. The Building Industry Bargaining Council (Cape of Good Hope) (BIBC) has applied to the CCMA in terms of section 62(1) of the Labour Relations Act 66 of 1995 as amended (the LRA) for a demarcation to the effect that the activities of the respondent, Cape Global Construction and Engineering Training Centre (Pty) Ltd, falls within the registered scope of the BIBC according to its certificate of registration and main collective agreement. The applicant contends that the respondent is required to register with the BIBC and comply with the provisions of the main collective agreement.
2. The respondent, Cape Global Construction and Engineering Training Centre (Pty) Ltd is a temporary employment service provider that supplies labour to a client known as NMC (Pty) Ltd. This entity is registered under the scope of the BIBC. The applicant therefore argues that all employees employed within a business that is registered under the scope of the BIBC, should be registered under the scope of the BIBC. The respondent opposes the demarcation application on the basis that it is registered under the scope of the Metal and Engineering Industries Bargaining Council (MEIBC) and complies with all its collective agreements.
3. The respondent submits that its activities fall outside the registered scope of the BIBC and therefore it is not required to register with the BIBC or to comply with the provisions of its collective agreements.
4. The CCMA believes that the question is of substantial importance to both industries, and therefore invites written representation by any interested parties. Of relevance is the fact that the applicant's collective agreement refers to employees employed through temporary employment service providers and therefore other similar entities may be potentially affected by the outcome of the demarcation application.
5. Written representations may be made within 21 calendar days of the date of publication of this notice, and should be clearly marked with reference number **WECT19390-15** and directed to:-

Contact: **Ms Shannon Rene Shamrock**

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Fax: **021 465 7193/7/87 or 021 462 5006**

Email: **shannons@ccma.org.za**

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