

DEPARTMENT OF LABOUR

NO. 207

28 FEBRUARY 2020

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

PLEASE TAKE NOTICE THAT: -

1. Kaapstorm Eiedomme 23 CC t/a Victro Granite Paarl (the applicant) 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 order to the effect that its activities and scope do not fall within the registered scope of the Building Industry Bargaining Council. It seeks an order that it should be demarcated under the scope and jurisdiction of the Bargaining Council for the Furniture Manufacturing Industry for the Western Cape.
2. The applicant's business is involved in the procurement of granite slabs which are cut and polished and then installed on various sites. The granite slabs are mostly used for certain furniture items and in the installation of kitchens.
3. The first respondent, the Building Industry Bargaining Council, is opposing the demarcation application on the basis that the activities of the applicant fall under its scope and registration. It will request a demarcation order that the applicant's business should be subject to its certificate of registration and collective agreements.
4. The second respondent, the Bargaining Council for the Furniture Manufacturing Industry for the Western Cape, will request a demarcation order that the applicant's business should be subject to its certificate of registration and collective agreements.
5. The CCMA believes that the questions raised by this demarcation application is potentially of substantial importance. Of relevance is the fact that some similar businesses are registered with the first respondent, while other similar businesses, are registered with the second respondent. To the extent that there may be an overlap between the two bargaining councils, this may have broader implications for the two different industries. It is therefore apparent that there may be other businesses or entities that could potentially be affected by the outcome of this application. Such entities should have the right to make representations to the CCMA.
6. 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 **WECT 20232-19** and directed to: -

Contact: **Ms Shoneez Abrahams**Tel: **021 469 0118**Fax: **021 465 7193/7/87 or 021 462 5006**Email: **ShoneezA@ccma.org.za**Hand delivery: **6th Floor, CCMA House, 78 Darling Street, Cape Town, 8001.**