

RESOLUTION NO 4 OF 2003

AMENDMENT TO RESOLUTION 1 OF 1998: AGENCY SHOP AGREEMENT

1. Introduction

- 1.1 The parties to the Public Service Co-ordinating Bargaining Council (“the PSCBC”) concluded an agency shop agreement in the form of Resolution No. 1 of 1998 on 26 May 1998.
- 1.2 In concluding that agreement the parties intended to comply with all of the applicable requirements of Section 25 of the Labour Relations Act, 1995 (“the LRA”) and specifically intended the agreement to provide that employees who are not members of a trade union party to the agreement are not compelled to become members of any trade union party.
- 1.3 The parties believe that the agreement, properly interpreted, makes this clear.
- 1.4 Nevertheless, some employees appear to doubt that the agreement provides that employees who are not members of a trade union party are not compelled to become members of any trade union party.

1.5 In order to confirm and, to the extent necessary, clarify what has always been the intention of the parties to the agency shop agreement from the time the agreement was concluded, the parties now conclude this agreement, which amends the agency shop agreement.

2. Agreement

2.1 This agreement binds:

- (i) the employer;
- (ii) the employees of the employer who are members of the trade union parties to this agreement; and
- (iii) the employees of the employer who are not members of any trade union party to this agreement, but who fall within the registered scope of the PSCBC.

2.2 Schedule 1 to Resolution No.1 of 1998 is hereby amended with immediate effect in the following respects:

2.2.1 by inserting the following as clause 3) (2):

“3) (2) No employee is or can become obliged to join a trade union that is or becomes a party to this agreement. Employees who are not members of a trade union party to this agreement are not compelled to become members of any trade union party to this agreement.”

2.2.2 by renumbering clause 3) as clause 3) (1).

3. If there is a dispute about the interpretation or application of this agreement any party may refer the matter to the Council for resolution in terms of the dispute resolution procedure of the Council.

4. The Council will monitor the implementation of this agreement.

**THIS DONE AND SIGNED AT CENTURION ON THIS 19TH DAY
OF JUNE 2003.**

ON BEHALF OF THE EMPLOYER PARTY

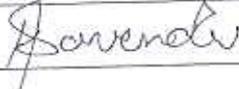
	Name	Signature
State as Employer		

ON BEHALF OF TRADE UNION PARTIES

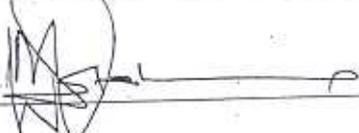
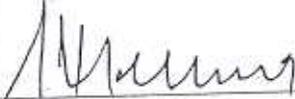
Trade Union	Name	Signature
DENOSA		
HOSPERSA/ NUPSAW		
NAPTOSA		
NEHAWU		
POPCRU		
PSA		
SADTU		
SAPU		

THIS DONE AND SIGNED AT CENTURION OF THIS 19 DAY
OF JUNE 2003.

ON BEHALF OF THE EMPLOYER PARTY

	Name	Signature
State as Employer	KENNY GOVENDER	

ON BEHALF OF TRADE UNION PARTIES

Trade Union	Name	Signature
DENOSA		
HOSPERSA/ NUPSAW		
NAPTOSA	A. HENDRIKUS	
NEHAWU	L. SOTAKA	
POPCRU	A. WIRGBOO	
PSA	HINDE CLERCO	
SADTU		
SAPU		