

FROM:
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TO: The Secretary
Furniture Bargaining Council
7 Maritz Street
Bellville
7530
Fax: 021 917-1394

AND TO: The Secretary
NUFAWSA
9 Maritz Street
Bellville
7530
Fax: 021 948-4254

AND TO: The Secretary
CFMA
P O Box 1329
Milnerton
7435
Fax: 086 716 9242

APPLICATION FOR EXEMPTION

Dear Sir

1) Having familiarised ourselves with the contents of the Collective Agreements promulgated in Government Gazette number 41754 dated 06 July 2018 the contents of which was extended by law to all furniture manufacturing firms in the Western Cape, we hereby apply to be exempted from the following provision/s in the above law: -

- | | | Tick the appropriate box/es | |
|-------|--|--|--------------------------|
| • | Main Collective Agreement Clause 37 | EXPENSES OF THE COUNCIL | <input type="checkbox"/> |
| • | Main Collective Agreement Clause 16 | HOURS OF WORK | <input type="checkbox"/> |
| • | Main Collective Agreement Clause 17 | PAYMENT OF REMUNERATION | <input type="checkbox"/> |
| • | Main Collective Agreement Clause 19 | FORENOON AND AFTERNOON INTERVALS | <input type="checkbox"/> |
| • | Main Collective Agreement Clause 22 | NIGHT SHIFT WORK | <input type="checkbox"/> |
| • | Main Collective Agreement Clause 38 | HOLIDAYS AND HOLIDAY AND BONUS FUND | <input type="checkbox"/> |
| • | Main Collective Agreement Clause 40 | TRADE UNION CONTRIBUTIONS | <input type="checkbox"/> |
| • | Main Collective Agreement Clause 41 | LEVIES PAYABLE BY EMPLOYERS WHO ARE MEMBERS OF
THE EMPLOYERS' ASSOCIATION | <input type="checkbox"/> |
| • | Main Collective Agreement Clause 42 | PROVIDENT FUND CONTRIBUTIONS | <input type="checkbox"/> |
| OTHER | | | |
| • | Main Collective Agreement Clause | | <input type="checkbox"/> |
| • | Main Collective Agreement Clause | | <input type="checkbox"/> |
| • | Main Collective Agreement Clause | | <input type="checkbox"/> |

2) (a) Give a brief summary of the reason/s for and/or the purpose of this application

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(b) The period for which exemption is sought is

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Tick the appropriate box

(c) Have you consulted with all effected staff YES NO

If yes, please attach minutes of the meeting/s and/or an attendance record signed by those in attendance. Also include details of other staff support of this application for exemption e.g. letters of support by individuals or staff representatives (shop steward/s).

What was the general take by staff and their representative/s in response to consultation about this exemption application?

YES NO

(d) Have you consulted with the Trade Union and/or Employer Organization

If yes, what were the names of the respective representative/s and their organisation/s?
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(e) In your opinion do you feel that your exemption application: -

YES NO

i. Is fair to the employer, its employees and other?

Please substantiate why. Because

(Continues on next page)

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Tick the appropriate box

YES **NO**

ii. Does not undermine the Main Collective Agreement i.e. published in Government Gazette number 41754 dated 06 July 2018

Please substantiate why. Because

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YES **NO**

iii. Will make a material difference to the viability of your business?

Please substantiate why. Because

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YES **NO**

iv. Will assist in overcoming economic hardship during the currency of this Agreement and will prevent unnecessary job losses?

(It is pivotal where possible to attach supporting documentation) Please substantiate why and how this point “iv” applies to this application. Because

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(f) What will change in order to prevent or overcome a similar situation as the present situation where relief by way of exemption is required to remedy your present situation?

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3) The following documentation is included herewith in support of this exemption application.

- | | Tick the
applicable box/es |
|--|-------------------------------|
| i. A signed and completed company details form (Annexure A) | <input type="checkbox"/> |
| ii. A comprehensive exposition of reasons and background (Annexure B) | <input type="checkbox"/> |
| iii. Affidavit/s where deemed necessary (Annexure C) | <input type="checkbox"/> |
| iv. Minutes and attendance records of a relevant staff meeting (Annexure D) | <input type="checkbox"/> |
| v. Letter of support from Trade Union i.e.
..... (Annexure E) | <input type="checkbox"/> |
| vi. Letter of support from the Employer Organization i.e.
..... (Annexure F) | <input type="checkbox"/> |
| (Other) | |
| vii. (Annexure G) | <input type="checkbox"/> |
| viii. (Annexure H) | <input type="checkbox"/> |
| ix. (Annexure I) | <input type="checkbox"/> |
| x. (Annexure J) | <input type="checkbox"/> |

4) IN CLOSING we confirm that we understand that compliance with the law is mandatory until such time that the Secretary of the Council has issued a licence fixing, in respect of any person granted exemption, the conditions subject to which such exemption is granted and the period during which such exemption shall operate: Provided that the Council may, if it deems fit, after one week's notice in writing has been given to the person concerned, withdraw any licence of exemption.

5) This application was signed on (date) at (place)

Signed by: (recommended to be signed by the natural person responsible for the business along with at least one staff representative)

..... (Name and surname) (Capacity)

..... (Name and surname) (Capacity)

..... (Name and surname) (Capacity)

..... (Name and surname) (Capacity)