



## **BARGAINING COUNCIL FOR THE RESTAURANT, CATERING AND ALLIED TRADES**

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Date: 06/09/2019

Our Ref: Enq. Maggie Poee

### **NOTICE TO ALL PARTIES FALLING WITHIN THE REGISTERED SCOPE OF THE BARGAINING COUNCIL FOR THE RESTAURANT, CATERING AND ALLIED TRADES**

1. In March 2014 the Department of Labour sent a Circular (Ref LR2/7/P) to all Statutory and Bargaining Councils concerning the method by which the representivity of such Councils would be determined and verified.
2. Section 49(2) of the Labour Relations Act provides that:-

(2) A bargaining council, having a collective agreement that has been extended by the Minister in terms of section 32, must inform the registrar annually, in writing, on a date to be determined by the registrar as to the information specified in subsection (3) and the number of employees who are-

  - (a) covered by the collective agreement;
  - (b) members of the trade unions that are parties to the council;
  - (c) employed by members of the employers' organisations that are party to the council.
3. The aforesaid Circular further provides that proof of updated membership older than six months would not be taken into consideration. Furthermore the Circular further provides that:

“... the Council should obtain membership data from its parties, preferably in Excel Format. The Council data should also be in Excel Format. The Council should submit the data in Excel Format in respect of the registered scope of the Council and in respect of the scope of any agreement.”
4. Importantly the Circular additionally provides that the Council is expected to conduct checks on proof of payment of party members and that therefore the parties to the Council must therefore provide proof of payment of membership (for example in the form of payment returns, redacted bank statements) to the Council.

5. The following information should be included in the Excel spreadsheets submitted by the parties to the Council:
  - 5.1. Employee ID Number / Work Permit Number
  - 5.2. Employee Name and Job Title
  - 5.3. If the Employee is a member of a trade union, the name of the trade union and the value of the monthly membership (trade union) fee
  - 5.4. Firm Company Account Number (the account number for registered entities with the Council as provided by the Council)
  - 5.5. Firm / Company Name
  - 5.6. If the Firm / Company is a member of a registered employer organisation, the name of the Employer Organisation
6. Accordingly with effect from \_\_\_\_\_ 2019, the Council will require all parties falling within the registered scope of the Council to submit the aforementioned mention in the specified format to the Council either by email on a monthly basis, or if no email facilities are available, by facsimile.
7. This information may be submitted monthly by email to \_\_\_\_\_ or by facsimile on \_\_\_\_\_.
8. Should you require assistance in submitting this information on a monthly basis, please contact the Bargaining Council for assistance. A copy of the Excel template and Circular from the Department of Labour may be downloaded from [http://\\_\\_\\_\\_\\_](http://_____)

Yours sincerely

**Template for Excel format**

Firm / Company Name: \_\_\_\_\_

Firm / Company Bargaining Council Account Number: \_\_\_\_\_

Name of employer organisation if a member: \_\_\_\_\_

Firm / Company Contact Person: \_\_\_\_\_

Firm / Company Contact Number: \_\_\_\_\_

Firm / Company Email Address: \_\_\_\_\_

Proof of payment of employer organisation and/or trade union membership fees must be attached to such correspondence.

<b>Employee ID Number / Work Permit Number</b>	<b>Employee Name</b>	<b>Employee Job Title</b>	<b>Member of Trade Union (if any)</b>	<b>Monthly trade union membership fee</b>


If submitting by facsimile, please use additional pages if necessary.