

**NOTIFICATION TO EXERCISE ORGANISATIONAL RIGHTS**

*(Made under Regulation 34(1))*

DETAILS OF EMAIL AND PHYSICAL ADDRESS, TELEPHONE NOS. AND FAX NOS. OF HEAD OFFICE AND AREA OFFICES OF THE COMMISSION TO BE INSERTED HERE

**READ THIS FIRST:**

**A. PURPOSE OF THE FORM**

This form must be completed by a registered trade union that seeks to notify an Employer in terms of Section 64 of the employment and Labour Relations Act, that It seeks to exercise an organization right conferred under the Act.

**B. WHO FILLS IN THE FORM?**

The registered trade union seeking to excise organization rights, must complete the form.

**C. HOW TO SERVE THE FORM?**

The form must be served on the employer that the trade union has notified of its intention to exercise organization rights. The form may be served by hand, registered post or fax.

The following constitutes proof of service:-

- By hand:- receipt signed by the party or a person who appears to be at least 18 years old and in charge of the party's place of residence or place of employment, or a signed statement by the person who served the document;
- By registered post:- proof of posting from postal authorities;
- By fax:- fax transmission slip confirming the fax was successfully transmitted.

**D. WHAT HAPPENS AFTER THE FORM IS SERVED?**

The employer must meet with the trade union within 30 days of receipt of this form, to attempt to conclude a collective agreement granting the organizational rights and regulating the manner in which the rights are to be exercised. If there is no agreement or the employer fails to meet with the union within 30 days, the union may refer a dispute to the Commission for Mediation and Arbitration. The Commission shall then refer the dispute to mediation.

Union seeking to exercise Organizational rights enter details

**1. UNION'S DETAILS**

Full Name: \_\_\_\_\_

Registration No: \_\_\_\_\_

Any acronym: \_\_\_\_\_ Date of reg. \_\_\_\_\_

Postal address: \_\_\_\_\_

Physical address: \_\_\_\_\_

Contact Persona: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

Cell: \_\_\_\_\_ Email: \_\_\_\_\_

Union insert  
employer's details here

2. EMPLOYER/EMPLOYER ASSOCIATION DETAILS

Full Name: \_\_\_\_\_

Registration No: \_\_\_\_\_

Any acronym: \_\_\_\_\_ Date of reg. \_\_\_\_\_

Postal address: \_\_\_\_\_

Physical address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

Cell: \_\_\_\_\_ Email: \_\_\_\_\_

If this applies to a  
number of  
Workplaces, attach  
details on Separate  
paper

3. WORKPLACE DETAILS

Describe the physical address/Locality of workplace(s)  
at which the Union seeks to exercise organizational rights:

\_\_\_\_\_  
\_\_\_\_\_

The possible rights in  
the ELRA include:

- Access (section 60)
- Establishing a field branch (section 60(2))
- Deducting union dues (section 61)
- Union representatives (section 62)
- Paid time off for union representatives (section 62(5))
- Disclosure of information (section 62(6))
- Paid leave (section 63)

4. ORGANISATIONAL RIGHTS

Describe in detail the organizational rights that the Union seeks to  
exercise in respect of the Section 60(3) ) Employer:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attach additional paper if insufficient space here

G.N. No. 47 (contd.)

Section 64 (3) of ELRA requires the parties to meet within 30 days to attempt to conclude an agreement

5. PROPOSED DATES FOR MEETING

The Union proposes a meeting with the Employer to discuss this Application on any of the following dates:

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Insert any other relevant information here

6. GENERAL

Any other matter which the Union wishes to bring to the Employer's attention

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Signature: \_\_\_\_\_

Name of Signatory: \_\_\_\_\_

Capacity: \_\_\_\_\_

Date: \_\_\_\_\_