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Ccma form 7. 11 pdf

LRA Form 7.11 Labour Relations Act 1995 Sections 133, 135,191(1) and 191(5A) PART A REFERRING A DISPUTE TO THE CCMA FOR CONCILIATION (INCLUDING CON-ARB) READ THIS FIRST WHAT IS THE PURPOSE OF THIS FORM? This form enables a person or organisation to refer a dispute to the CCMA for conciliation and con-arb. WHO FILLS IN THIS FORM? Employer, employee, union or employers' organisation. WHERE DOES THIS FORM GO? The Registrar, Provincial Office of the CCMA in the province where the dispute arose.




See details on this page WHAT WILL HAPPEN WHEN THIS FORM IS SUBMITTED? 88996200556.pdf When you refer the dispute to the CCMA, it will appoint a commissioner who must attempt to resolve the dispute within 30 days. OTHER INSTITUTIONS Please note that if you are covered by a bargaining council, a statutory council or an accredited agency you may have to take the dispute to that council or agency. You may also need to deal with the dispute in terms of a private procedure if one applies. If in doubt contact the CCMA for assistance. FURTHER INSTRUCTIONS A copy of this form must be served on the other party. Proof that a copy of this form has been served on the other party must be supplied by attaching: — A copy of a registered slip from the Post Office; — A copy of a signed receipt if hand delivered; — A signed statement confirming service by the person delivering the form; — A copy of a fax confirmation slip; or — Any other satisfactory proof of service. PROVINCIAL OFFICES OF THE CCMA CCMA EASTERN CAPE — East London 6 Oxford Street EAST LONDON Private Bag X9068, EAST LONDON, 5200 Tel : (043) 743-0826 Fax : (043) 743-0810 Email : PE@ccma.org.za CCMA EASTERN CAPE — Port Elizabeth CCMA House, 107 Govan Mbeki Avenue PORT ELIZABETH Private Bag X22500, PORT ELIZABETH, 6000 Tel : (041) 505-4300 Fax : (041) 586-4585 Email : PE@ccma.org.za CCMA FREE STATE CCMA House, Cnr Elizabeth & Westburger Streets BLOEMFONTEIN Private Bag X20705, BLOEMFONTEIN, 9300 Tel : (051) 505-4400 Fax : (051) 448-4468/9 Email : BLM@ccma.org.za CCMA GAUTENG — Johannesburg Regional Office 127 Fox Street JOHANNESBURG Private Bag X94, MARSHALLTOWN, 2107 Tel : (011) 220-5000 Fax : (011) 220-5101 / 02/03/04/05 / 0861 392 262 Email : Johannesburg@ccma.org.za CCMA GAUTENG — Tshwane (Pretoria) Metro Park Building, 351 Schoeman Street PRETORIA Private Bag X176, PRETORIA, 0001 Tel : (012) 392-9700 Fax : (012) 392-9701/2 Email : Pretoria@ccma.org.za CCMA KWAZULU-NATAL — Durban Embassy Building, 199 Smith Street DURBAN Private Bag X54363, DURBAN, 4000 Tel : (031) 362-2300 Fax : (031) 368-7387 / 7407 Email : KZN@ccma.org.za CCMA KWAZULU-NATAL — Pietermaritzburg Gallwey House, Gallwey Lane PIETERMARITZBURG PO Box 72, PIETERMARITZBURG, 3200 Tel : (033) 345-9249 / 9271 Fax : (033) 345-9790 Email : KZN@ccma.org.za CCMA KWAZULU-NATAL — Richards Bay First Floor, Promenade Building, Cnr Tassel Berry & Lira Link Streets RICHARDS BAY Private Bag X1026, RICHARDS BAY, 3900 Tel : (035) 789-0357 Fax : (035) 789-7148 Email : KZN@ccma.org.za CCMA LIMPOPO CCMA House, 104 Hans van Rensburg Street POLOKWANE Private Bag X9512, POLOKWANE, 0700 Tel : (015) 297-5010 Fax : (015) 297-1649 Email : PTB@ccma.org.za CCMA MPUMALANGA CCMA House, Diedericks Street WITBANK Private Bag X7290, WITBANK, 1035 Tel : (013) 656-2800 Fax : (013) 656-2885/6 Email : WTB@ccma.org.za CCMA NORTHERN CAPE CCMA House, 5-13 Compound Street KIMBERLEY Private Bag X6100, KIMBERLEY, 8300 Tel : (053) 831-6780 Fax : (053) 831-5948 Email : KMB@ccma.org.za CCMA NORTH WEST - Klerksdorp CCMA House, 47 Siddle Street KLERKSDORP Private Bag X5004, KLERKSDORP, 2570 Tel : (018) 464-0700 Fax : (018) 462-4126 Email : KDP@ccma.org.za CCMA NORTH WEST - Rustenburg Shop SG7 11B, 43-45 Boom Street, RUSTENBURG Private Bag X82104, RUSTENBURG, 0300 Tel : To be confirmed Fax : (014) 538-1267 Email : To be confirmed CCMA WESTERN CAPE CCMA House, 78 Darling Street CAPE TOWN Private Bag X9167, CAPE TOWN, 8000 Tel : (021) 469-0111 Fax : (021) 465-7193/7 Email : CTN@ccma.org.za Have you ever received an LRA Form 7.11 and felt unsure of what your next step should be? In this article the procedure will be explained to you and you will never have to wonder about it again.

1. 2600448579.pdf Where does the LRA 7.11 Dispute Referral form come from? When a dispute between an Employer and Employee arises, either party or a representative of the party completes a 7.11 Dispute Referral Form and submit this form to the CCMA. It is important to note that a copy of this form must be provided to the other party. If the referring party neglects to provide a copy of the form to the other party, the referral maybe deemed defective. After being notified that a case at the CCMA has been opened the parties wait to be issued with a Notice of Set-Down informing them of the date and time of the hearing they will need to attend. 2.



The Notice of Set-Down: After the submission of the LRA 7.11 Dispute Referral form, the parties receive a Notice of Set-Down.

<div>LRA Form 7.17 Rule 38 of the DRC Rules Section 138(16) Labour Relations Act of 1995, as amended</div> <div>READ THIS FIRST</div> <div>WHAT IS THE PURPOSE OF THIS FORM?</div> <div>WHO FILLS IN THE FORM?</div> <div>WHERE DOES THE FORM GO?</div> <div>OTHER INSTRUCTIONS</div>	<div>REQUEST FOR TAXATION</div> <div> Dispute Resolution Centre</div> <div>1. DETAILS OF PARTY REQUESTING TAXATION: Surname: First Names: Identity number: Postal Address: Postal Code: Tel: Cell: Fax: Email: 2. DETAILS OF OTHER PARTY Names: Postal Address: Postal Code: Tel: Cell: Fax: Email: 3. REQUEST FOR TAXATION: Case Reference Number In the case between (applicant) and (respondent) a cost order was made in favour of the applicant/respondent. In terms of Rule 40 of the DRC Rules (I/we now request that the matter be set down for taxation. The bill of costs is attached. 4. CONFIRMATION OF ABOVE DETAILS: Form submitted by (name): Signature: Position: Date: Place: DRC Ref Number: Please turn over</div>
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The Set-Down contains critical information the parties will need to proceed with the matter, the case number, the date and time of the hearing, the primary issue and the process to be followed (Conciliation, Con-Arb or Arbitration). 3. The Process (Conciliation, Con-Arb or Arbitration): The process of a CCMA Matter is divided into three categories namely Conciliation, Con-Arb or Arbitration.

<div>If it is an unfair labour practice, state whether it relates to production.</div> <div>This section must be completed if necessary with the details on a separate page and attach to this form.</div>	<div>1. STATE UNDER DOMESTIC DISPUTE, USE THE RELEVANT BOX <input type="checkbox"/> Misconduct <input type="checkbox"/> Inequity <input type="checkbox"/> Unlawful Dismissal <input type="checkbox"/> Constructive Dismissal <input type="checkbox"/> Poor Work Performance <input type="checkbox"/> Demarcation/Strike for Reasons <input type="checkbox"/> Operational Requirements (Personnel/Work) Check: Was the only employee dismissed? <input type="checkbox"/> Where the employee employs less than ten (10) employees <input type="checkbox"/> Other 4. SUMMARISE THE FACTS OF THE DISPUTE (Use additional paper if necessary) 5. DATE AND WHERE DISPUTE AROSE: The dispute arose on (give the date, day, month and year) The dispute arose where (give the city/town in which the dispute arose) 6. DATE OF DISMISSAL (if applicable) 7. FAIRNESS/UNFAIRNESS OF DISMISSAL (if applicable) 8. PRECEDENTIAL ISSUES Was the dismissal procedurally unfair? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, why? 9. SUBSIDIARY ISSUES Was the reason for the dismissal unfair? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, why? 10. RESULT REQUIRED 11. SECTOR Indicate the sector or service in which the dispute arose <input type="checkbox"/> Retail <input type="checkbox"/> Safety/Security (Private) <input type="checkbox"/> Mining <input type="checkbox"/> Transport (Private) <input type="checkbox"/> Building & Construction <input type="checkbox"/> Food & Beverage <input type="checkbox"/> Business/Professional Services <input type="checkbox"/> Other Please turn over</div>
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A Conciliation is an informal discussion between the Employer and Employee facilitated by a Commissioner of the CCMA, in an attempt to settle the matter before the matter proceeds to arbitration. If the matter is settled, a settlement agreement is signed by both parties binding them to their agreed settlement. The Con-Arb Process is the most common practice in CCMA Matters. This process combines the Conciliation and Arbitration processes. During a Con/Arb the process will happen in two phases. The first phase is conciliation where the parties attempt to settle the matter. If they are unable to settle the matter, the Commissioner will proceed with the second phase, the Arbitration process, directly after the Conciliation process on the same day. Parties may object to Arbitration following directly after the Conciliation by serving a Notice of Objection on the CCMA as well as the other party. In doing this the Arbitration will be rescheduled for another date id the parties cannot settle the matter during conciliation. Arbitration is a formal procedure facilitated by a Commissioner of the CCMA. During this process the parties will be given the opportunity to state their case, provide their evidence and call and question witnesses. After this process is done the Commissioner has 14 days to provide the parties with a judgment. The CCMA process can become quite difficult and complicated. Let Cofesa help & guide you through it. It is just required that you send us the LRA 7.11 Form and the Set-Down as soon as you receive it. Written by Henry Jacobs, Riaan Waldick & Nicole Waldick from our Pretoria branch-Curvest