



Overview

The course is designed to enable the delegate to understand how the CCMA and various Bargaining Councils operate.



Duration

1 Day (08:30– 16:00)



Audience Profile

- HR & IR Personnel
- Company Directors
- Management
- Supervisors
- Unions



Course Outline

Module M2– Basic Overview of the CCMA And Bargaining Councils

Basic interface with the ccma

- How does the CCMA fit into the Labour Environment?
- How to contact the CCMA
- When are the offices of the Commission open
- How to calculate time periods in these Rules
- Who must sign documents
- How to serve documents on other parties
- How to prove that a document was served in terms of the rules
- How to file documents with the Commission
- Documents and notices sent by registered post/email
- How to seek condonation for documents filed late

Conciliation of disputes

- How to refer a dispute to the Commission for conciliation
- What notice must the Commission give of a conciliation
- Commission may seek to resolve dispute before conciliation
- What happens if a party fails to attend or is not represented at conciliation
- How to determine whether a commissioner may conciliate a dispute
- Issuing a certificate in terms of section 135 (5)
- Conciliation proceedings may not be disclosed

Con-arb in terms of section 191 (5a)

- Conduct of con-arb in terms of section 191 (5A)

Arbitrations

- How to request arbitration

Rules for the conduct of proceedings before the ccma

- When must the parties file statements
- When the parties must hold a pre-arbitration conference
- What notice must the commission give of an arbitration
- How to determine whether a Commissioner may arbitrate a dispute
- How to postpone an arbitration

Rules that apply to conciliations and arbitrations and awards

- Where a conciliation or arbitration will take place
- Objections to a representative appearing before the Commission
- How to join or substitute parties to proceedings
- How to correct a citation of a party
- When the Commission may consolidate disputes
- Disclosure of documents
- What happens if a party fails to attend proceedings before the Commission

Applications

- How to bring an application
- How to apply to vary or rescind arbitration awards or rulings
- How to apply to refer a dismissal dispute to the Labour Court
- PRE-DISMISSAL ARBITRATION IN TERMS OF SECTION 188A
- How to request a predissmissal arbitration in terms of section 188A

General

- Condonation for failure to comply with the rules
- Recordings of Commission proceedings
- How to have a subpoena issued
- Payment of witness fees
- Taxation of bills of cost
- Certification and enforcement of arbitration awards
- Definitions

Module M1– First Contact– CCMA & Bargaining Councils

- Referral of Dispute to the CCMA (7:11 Form)
- Notice of Setdown
- Conciliation Certificate (7:12 Form)
- Request for Arbitration (7:13 Form)
- Subpoena (7:16 Form)
- Request for Retrenchment Facilitation (7:20)