

## **IN THE EXEMPTION APPLICATION OF:-**

**COLT TRANSPORT**

**Applicant**

**and**

**NATIONAL BARGAINING COUNCIL FOR THE  
ROAD FREIGHT AND LOGISTICS INDUSTRY (Council)**

**Respondent**

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### **DECISION**

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1. The Applicant applied for exemption not to contribute to Council's Wellness Fund. Applicant's employees are registered with Discovery Health.
  
2. The matter appeared on the Agenda of the Exemptions Body meeting held on the 18<sup>th</sup> July 2011.
  
3. The following were present:-
  - 3.1 Mr Y. Nagdee - Chairperson of the Exemptions Body
  - 3.2 Mr G. Wessels - Member of the Exemptions Body
  - 3.3 Ms M. Brown-Engelbrecht - Member of RFEA
  - 3.4 Mr T. Short - Member of RFEA
  - 3.5 Mr J. Gys - MTWU
  - 3.6 Mr E. Kock - Senior Agent of NBCRFLI
  - 3.7 Ms T. Stroh - NBCRFLI
  - 3.8 Mr P. Mndaweni - Committee Secretary of NBCRFLI

4. Apologies were received from:

4.1 Ms R. Manning - Member of the Exemptions Body

5. **APPLICANT'S SUBMISSIONS**

The Applicant submits, inter alia, as follows:

***"Application for exemption from Wellness Fund contributions as we have the Discovery Key Care Plus Medical Aid for our staff, and that is far superior to the Wellness Clinics. Staff can go to private hospitals and also have day to day cover to G.Ps and Specialists. It also includes glasses, dental and other benefits via the Discovery specified service providers."***

6. **COUNCIL'S SUBMISSIONS**

The Council submitted, inter alia, as follows:

***"The employer is applying to be exempted from the Wellness Fund Agreement.***

***Employer has a fair compliance history with Council and has no outstanding invoices & returns. Employees, shop stewards support this exemption. Employer prefers his employees to be on a medical aid knowing that he has peace of mind considering his employees immediate health concerns.***

***Employees support this exemption as they have a medical aid instead of going to Council's truck stop. Employer is in a sound financial***

*position."*

7. **ANALYSIS**

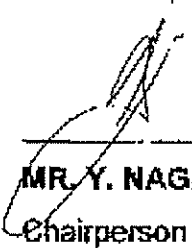
7.1 The submissions made were carefully considered. A perusal of the documentation reveals that Discovery Health have a HIV Care Programme. The Applicant also have a treating doctor that treats its employees.

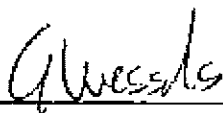
7.2 The Exemptions Body is satisfied that the Applicant has met the criteria for the granting of the application. The application has the support of its employees.

8. **DECISION**

Having regard to the above, the Applicant is granted an exemption from the Wellness Fund from 1<sup>st</sup> July 2011 to 30 June 2012.

DATED THE 1<sup>st</sup> DAY OF August 2011 AT BRAAMFONTEIN,  
JOHANNESBURG.

  
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MR. Y. NAGDEE  
Chairperson of the  
Exemption Body

  
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MR G. WESSELS  
Member of the  
Exemption Body