

Reference No. \_\_\_\_\_

\_\_\_\_\_ Applicant/s

\_\_\_\_\_ Respondent/s

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**NOTICE OF APPLICATION FOR CONDONATION**

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Please take notice that the Applicant intends to apply for condonation of his/her/their late referral for conciliation/arbitration on a date to be determined by the NBCRFLI.

An affidavit or statement in support of the application is attached hereto.

Also take notice that should the Respondent party wish to oppose the application, an answering affidavit or statement must be delivered to NBCRFLI and the Applicant 14 days after service of the application, failing which the application may be heard in the absence of the Respondent's affidavit. (NB: This application will be dealt with in terms of CCMA Rule 31).

Signed at \_\_\_\_\_ on: \_\_\_\_\_

Applicant/s details: \_\_\_\_\_

Address: \_\_\_\_\_

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

To: NBCRFLI  
31 De Korte Street, Braamfontein, Jhb, 2001  
Private Bag X69, Braamfontein, 2107

And to: Respondent/s details:

Address: \_\_\_\_\_

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

NB: Please note that condonation application must be served on the Employer party and furnish the NBCRFLI with proof of service thereof.

**APPLICATION FOR CONDONATION IN RESPECT OF UNFAIR DISMISSAL DISPUTE**

REFERENCE NUMBER: \_\_\_\_\_

\_\_\_\_\_  
(Applicant/Employee)

and

\_\_\_\_\_  
(Respondent/Employer)

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**AFFIDAVIT**

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I, the undersigned,

\_\_\_\_\_  
(Full name of Employee/Employer)

do hereby make oath and say:

**1. Background**

1.1 Applicant was dismissed on:

\_\_\_\_\_

1.2 Respondent refused to reinstate applicant on:

\_\_\_\_\_

1.3 The dispute arose on:

\_\_\_\_\_ after all attempts to negotiate or follow other internal procedures including an appeal hearing at the company failed.

**2. Degree of Lateness**

2.1 The referral is \_\_\_\_\_ days late.

2.2 Applicant did the following to pursue his/her rights after his/her dismissal:

2.2.1 Applicant went to his/her union, / the Department of Labour / Community

Advice Centre / Legal Advice Centre / CCMA on \_\_\_\_\_

2.2.2 Applicant telephoned his/her union, / the Department of Labour /

Community Advice Centre / Legal Advice Centre / CCMA on \_\_\_\_\_

2.2.3 Applicant signed the referral form on \_\_\_\_\_

**3. Reasons for Lateness**

The reason/s that applicant referred the matter late is

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**4. Prospects of Success**

Applicant believes that he/she has good cause because (explain with good reasons why dismissal is unfair)

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**5. Prejudice**

As the applicant (employee), if condonation is not granted, I will be prejudiced because

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As the respondent (employer), if condonation is granted, I will be prejudiced because

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**6. General**

Any other relevant information

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\_\_\_\_\_  
Applicant signature

\_\_\_\_\_  
Respondent signature

Signed before me on \_\_\_\_\_

at \_\_\_\_\_

by the deponent who acknowledges that he/she knows and understands the contents of the affidavit, has no objection to taking the oath / affirmation and considers it binding on his/her conscience.

Commissioner of

Oaths \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Capacity \_\_\_\_\_