

IN THE EXEMPTION APPLICATION OF:-

**ROAD FREIGHT EMPLOYERS ASSOCIATION
obo FURNITURE REMOVAL SECTOR**

Applicant

and

SATAWU AND TAWUSA

Respondent

DECISION

This matter appeared on the agenda of the Exemptions Body at the meeting of the 22nd June 2009.

Present on this day were:-

- | | | | |
|----|-------------------|---|-------------------------------------|
| 1. | Adv. R. Rawat | - | Chairperson of the Exemption's Body |
| 2. | Mr. Y. Nagdee | - | Member of the Exemption's Body |
| 3. | Mr. T. Short | } | Representatives of the RFEA |
| 4. | Ms M. Brown | | |
| 5. | Mr. T. Zulu | - | TAWUSA Representative |
| 6. | Mr. J. Gamede | - | SATAWU Representatives |
| 7. | Mr. Paul Mndaweni | } | Secretariat of NBCFRI (Council) |
| 8. | Mr. E. Kock | | |

A decision in this matter was delivered in June 2009 and is to be referred to for a background of these facts.

In this instance, at the meeting of the 22nd June 2009, the parties had still not resolved the matter between themselves and sought that the Exemptions Body decide the matter.

Further, the RFEA, on behalf of the Furniture Removal Sector, also offered a compromise to the Unions. This was refused and the stalemate continued.

The Exemptions Body considered the submissions made by both parties. SATAWU's position was that its members were not prepared to accept a reduction of 1% in the

increase agreed to in the recent negotiations. It was submitted no financial information was placed before the Exemptions Body. SATAWU also has a problem with large international companies riding on the problems faced by local companies.

The RFEA in reply submitted that the Employers Association tabled detailed proposals for a lower rate of increase in the Furniture Sector. They made reference to the Exemption granted for the 2008 year and the minutes of the 2009 negotiations.

It was also submitted that as a result of the recession similar economic conditions were being experienced globally and locally.

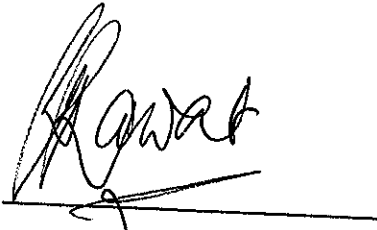
It was also submitted that a 1% reduction in wages as claimed, will not mean the difference in survival and collapse, but it will secure many jobs in the furniture sector.

The Exemptions Body is mindful of the needs of employees but is swayed by the fact that in the current economic climate the priority should be on job preservation. It was also in the contemplation of the parties that an Application for Exemption would be sought in this sector.

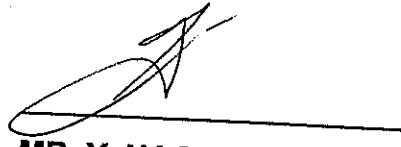
Having regard to the information before us, we believe that an exemption on the following basis would be fair and just in the circumstances:

- i) An exemption to pay 1% less on minimums for the Furniture Removal Sector be granted for the period of one year, starting from the 1st June 2009;
- ii) A 1% reduction will not be applicable on actuals paid in the sector.

DATED THE 13 DAY OF JULY 2009 AT BRAAMFONTEIN, JOHANNESBURG.



ADV. R. RAWAT
Chairperson of the
Exemption Body



MR. Y. NAGDEE
I agree