

DIRECTIVE IN RESPECT OF DISPUTE RESOLUTIONS FOR THE COUNCIL:

COVID 19 has resulted that a lot of things we have done in the past will no longer be possible in future and that we all will have to adapt to a new way of doing things. All parties will have to accept that it will not be business as usual and that some of the changes will take a long time to get use to or even accept.

This virus have no boundaries and we cannot expect to go back to how to how we have done things in the past if we want to preserve life. The life of people will always take precedence above our believes, political views, ideologies, trusts issues, etc.

The following rules has been made for implementation in relation to the council:

1. We need to ensure high levels of hygiene and avoid interaction as far as possible in order not to spread the virus
2. All offices to have enough PPE's for staff
3. All offices to have hand held Thermometers to check all visitors to offices before entry
4. No people without a mask to be allowed entry into offices.
5. Hearing rooms to be disinfected after every hearing.

The most important announcement is as follow:

- Referrals will be accepted as from **Monday the 11/05/2020**
- **Hearings will start to commence as from 18/05/2020**
- Cases from March and April will receive preference
- Commissioners will travel to workplaces and other venues as far as possible
- Hearings such as conciliations can be done via telephone to speed up the process
- Commissioners to be allowed to work remotely if it speed up the process
- Web-base hearings is allowed on consent from both parties (this to be explored as the preferred option for the future)
- Councils will invest in new technology to assist with the new normal

Hearing Processes:

- Processes will be done on paper as far as possible, this include matters such as condonations, interpretation of terms and conditions, etc.

- *Hearings to be held as far as possible at employer premises:*
 1. This will include dismissals
 2. Unfair labour practice cases
 3. Unilateral changes to terms of terms and conditions
 4. To eliminate lots of people attending hearings tele/web-cam testimony from witnesses to be conducted as far as possible.

Exceptional Circumstances:

- Large scale dismissals in terms of S198A (the CCMA directive will apply)
- Matters of Mutual Interest matters may be set down once it become a matter of public interest at identified and prepared venues for such matters

The Council encourages parties and the industry at large to take every precaution necessary to avoid the spreading of this virus and to contact the Emergency 24-hour hot line on 0800 029 999 or WhatsApp 060 012 3456, or visit www.nicd.ac.za for assistance if necessary.

No permits are not required for Bargaining councils or for people attending processes at the council under level 3

We appeal that parties please advise their respective organisations, staff and officials dealing with IR matters to prepare and adhere to the following procedures as outlined.