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FOR PSA MEMBERS: **NATIONAL HOME BUILDERS REGISTRATION COUNCIL (NHBRC)**

21-11-2024

Feedback: NHBRC dispute on organisational rights

Members will recall that since the PSA managed to recruit some 134 employees at the NHBRC more than a year ago, the employer is yet to grant the PSA organisational rights as stipulated in the *Labour Relations Act*. On 2 July 2024, the PSA submitted a letter to the attention of NHBRC Management, but no response was received. The contents of the letter request the employer to grant the PSA the following rights:

- Access to NHBRC workplace in its head office, provincial offices, and satellite offices in terms of section 12 of the *Act*,
- Deduction of trade union subscription in terms of section 13 of the *Act*,
- To have trade union representatives in terms of section 14 of the *Act*,
- Leave for trade union activities in terms of section 15 of the *Act*, and
- Disclosure of information in terms of section 16 of the *Act*.

The PSA decided to declare a dispute with the Commission for Conciliation, Mediation, and Arbitration and conciliation was set down on 10 October 2024. During conciliation proceedings, the employer responded that it had concluded a closed-shop agreement with Nehawu and the agreement in question has a clause that indicates that any minority union should at least have 30% of members as a threshold. The PSA requested the employer to provide such a document so that it can align. The employer could not provide such an agreement during conciliation proceedings, however, parties agreed to extend the conciliation for two days to allow the employer time to find the documents.

Conciliation was then extended to 14 October 2024 and the employer decided to respond on 15 October, indicating that it was unable to find such a collective agreement. The Certificate of Non-Resolution was then issued, and the PSA referred to a matter for arbitration. The arbitration hearing is scheduled for 3 December 2024. The PSA will continue to protect members' rights and promote their interests. It is clear that the employer is trying to prevent the PSA from enjoying organisational rights and providing service to members. Members will be informed of developments.

Employees who want to join the PSA can visit the PSA's website, send an email to ask@psa.co.za, or contact PSA Provincial Offices.

Reuben Maleka
GENERAL MANAGER