



SOUTH AFRICAN LOCAL GOVERNMENT BARGAINING COUNCIL

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2 March 2009

TO: All Conciliators and Arbitrators
Various Divisions
SALGBC

And To: Regional Secretaries

Gauteng Division	Ms C Manda	(011) 333-8091
Eastern Cape Division	Mrs S Walter	(041) 585-0646
KwaZulu-Natal Division	Mr A Singh	(031) 267-0930
Western Cape Division	Mrs W Brink	(021) 930-9244
Northern Cape/Free State Division	Mr M Faas	(053) 831-3608
North West/Mpumalanga/Limpopo Division	Mr E Shelembe	(012) 320-4136

Sir / Madam,

CIRCULAR NO. 3/2009:

CERTIFICATE ISSUED IN TERMS OF SECTION 135 OF THE LABOUR RELATIONS ACT

At a recent meeting of the Executive Committee of the SALGBC, held on 17 November 2008, it was discussed that a Conciliator amended a Certificate of Outcome (first Certificate) after the initial conciliation hearing. The applicants in the matter thereafter requested in writing, that the Certificate be amended because the Certificate was wrong. The Regional Secretary of the SALGBC forwarded such correspondence to the concerned Conciliator. The Conciliator subsequently amended the Certificate and issued a second Certificate. The nature of dispute was changed from Unfair Labour Practice, which was reflected in the first Certificate, to Mutual Interest in the second Certificate.

The Executive Committee having discussed the matter, resolved as follows:

"6.5.1 The General Secretary must issue a circular to all conciliators that a certificate issued in terms of Section 135 of the Labour Relations Act, cannot be amended by the conciliator when one of the parties to the dispute request that the certificate be amended. If any party to the dispute disagrees with the certificate, it must be taken on review in terms of the applicable provisions of the Labour Relations Act."

It will be appreciated if all Conciliators and Arbitrators adhere to the above resolution.

Yours faithfully



SS GOVENDER
GENERAL SECRETARY

Address correspondence to the General Secretary