



CIRCULAR NO: 2018/0006

DATE: 04 May 2018

TO ALL PARTICIPANTS IN THE MOTOR INDUSTRY

CANCELLATION OF TRADE UNION SUBSCRIPTIONS

From time to time employers approach MIBCO with a request to back date the cancellation of trade union membership.

In order to clarify the correct statutory and legal requirements MIBCO would like to direct all participants' attention to the following;

Section 13 of the Labour Relations Act, 66 of 1995 deals with the deduction of trade union or levies more specifically Section 13 (3) stipulates;

"An employee may revoke an authorisation given in terms of subsection (1) by giving the employer and the representative trade union one month's written notice..."

This provision is also reflected in respective Constitutions of the respective trade unions.

MIBCO advise that it is the duty of the employers who receive union member resignation to send it to the respective union Local or Regional Office, and submit such proof to MIBCO for our records.

Should there be no compliance with this Section, as contained in the Labour Relations Act; MIBCO will unfortunately not be in a position to assist employers or employees with regards to the cancellation of membership and trade union subscriptions deducted in term of the Act.

THE MIBCO TEAM

Good to Great Together