

DEPARTMENT OF EMPLOYMENT AND LABOUR

NO. 1789

25 February 2022

**NOTICE IN TERMS OF SECTION 62 (7) OF THE LABOUR RELATIONS ACT 66 OF 1995 (AS AMENDED)**

PLEASE TAKE NOTICE THAT:-

TFC Operations (Pty) Ltd is a company that currently operates some 22 service stations located nationally, which service stations include associated businesses such as restaurants and fast food outlets. The company together with its holding company Kaap Agri Bedryf Ltd, has applied to the Commission for Conciliation, Mediation and Arbitration ("the CCMA") in terms section 62(1) of the Labour Relations Act for a demarcation order to the effect that the associated businesses do not fall under the jurisdiction of the Motor Industry Bargaining Council ("MIBCO"). MIBCO is opposing the application. Other bargaining councils which also claim jurisdiction over some or all of the businesses are the Bargaining Council for the Fast Food, Restaurant, Catering and Allied Trades ("BCFFRCAT"), the Bargaining Council for the Restaurant, Catering and Allied Trades ("BCRCAT") and the Bargaining Council for the Food Retail, Restaurant, Catering and Allied Trades ("BCFOOD").

Other parties who have been cited as respondents / interested parties include the National Union of Metalworkers of South Africa ("NUMSA"), the Retail Motor Industry Organisation ("RMI"), the Motor Industry Staff Association and Famous Brand Management. None of these have indicated an intention to oppose the application.

The CCMA believes that the question raised by this demarcation dispute is potentially of wider application in that there may be a number of other parties (including trade unions) who have an interest in this dispute, and those parties may well be affected by the outcome of this application. Such entities should have the right to make representations to the CCMA. The CCMA therefore invites written representations in relation to the issue in dispute by any interested party.

Written representations may be made within 21 calendar days of the date of publication of this notice, and should be clearly marked with reference number **WECT 19194-20** and directed to:-

Mr Jimmy Loots

Tel: +2711 3776 991

Email: [JimmyL@CCMA.org.za](mailto:JimmyL@CCMA.org.za)

Hand-delivered: CCMA Head office

28 Harrison Street,

Marshalltown,

Johannesburg,

2001