



GENERAL, DOMESTIC & PROFESSIONAL EMPLOYERS ORGANISATION

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NEWSLETTER AN EVENTFULL AND NOT TOO EXHILARATING YEAR SO FAR, BUT YOUR EXECUTIVE HAVE BEEN HARD AT WORK!!

FIRSTLY ON A POSITIVE YET SAD NOTE:

The GDP has always been proud of its track record in serving small and medium sized companies across all sectors and have managed the Organisation on the following principles:

Respect
Ethics
Administrative control
Compliance
Honesty

Why “Reach”

Since inception our Founding Members, Executive, and Organising Officials have reached out to smaller and medium sized employers and companies. These employers do not have easy access to practical labour management and legal advice, as do the larger employers through their HR and Legal Departments and Bargaining Councils. The latter serve the large companies and conglomerates and not the small to medium size entrepreneurial businesses, which is our main focus.

WHAT DOES THE GDP OFFER?

The Organisation gives small to medium sized employers an opportunity of access to a network of advice and assistance from other members who have specialist labour knowledge. The annual fee of R955.00 or for very small employers with one employee R635.00 is essentially an administrative one.

Naturally comprehensive advice with the necessary time input from accredited specialists comes at a cost. Specialist fees vary in accordance with who provides the service and the nature of the service. Fees are monitored for any unrealistic charging or any complaint received.

THE SAD NOTE:

The Membership has grown mainly because the smaller employer is so vulnerable to the overly legalistic restrictions in employment practices and the impact of large Unions and Employer Business Forums. Smaller to Medium sized employers have increasingly needed guidance and assistance outside of the large forums.

Unfortunately on account of this very real need there have been incidents by a few Representing members, who have tried to utilise the GDP for their own unrealistic gain and prey on the vulnerable.

Your Executive have over the past 18 months actively routed out such unscrupulous members who have blatantly ignored the Organisations Code of Conduct. There have unfortunately been those who have essentially signed up members only for Representation at the CCMA, Bargaining Councils, and Labour Court, and have not provide a holistic service as required in the Code of Conduct.

This is totally against the spirit and intentions of the Registration of the Organisation and its Constitution and Code of Conduct

When the Code of Conduct has been contravened by members, they have been expelled after a due process of appearing before the Executive Committee in terms of clause 6 of the GDP's Constitution.

THE NATURE OF INFRINGEMENTS ARE:

- 1 Representing individual employees of fellow members
- 2 Representing at dispute forums, companies/employers who are not members of the GDP
- 3 Encouraging falsification of UIF declarations in applications for membership
- 4 Behaviour tantamount to touting companies at the CCMA for representation
- 5 Subcontracting to independent consultants to conduct representation at dispute forums under the guise of being an employer or associate of a member
- 6 Appearances without all the required verification documents
- 7 Active and Public misrepresentation and undermining of fellow members bringing the GDP's name and reputation into disrepute.

THE POSITIVE NEWS:

The Executive Committee has and will continue to ensure that each and every member who does not subscribe to the Organisations Constitution and Code of Conduct will be expelled as we cannot have a few unscrupulous members ruin the ideals and very foundation of the Organisation.

What have we had to do to ensure that the GDP is purged of those members who quite frankly wish to pursue their own interests and gains in contradiction of the very purpose for which the Organisation was founded in 1997?

Sadly almost draconian Rules and Controls have had to be implemented. These new Rules are now on our website (www.gdpeo.co.za), and the Code of Conduct is being adapted to incorporate such.

To monitor compliance we:

- 1 Check disclosure of UIF registration numbers and monitor EMP201 particulars, as certain members will go to the length of advising a prospective member to dishonestly disclose a UIF number that is not valid.
- 2 To route out Representing Members and Organising Officials who completely ignore the Code of Conduct and completely outlaw any such practice.
- 3 Expel Organising Officials or Representing Members who appear at dispute forums to represent without ensuring as per the Code of Conduct and Rules that the employer they represent is a paid up member of the GDP.

Fortunately we are routing out these practices and must acknowledge that the “Case Law Site” that the GDP has accessed, helped in exposing these dishonest and unethical practices of fellow members.

PLEDGE:

Following on a meeting of all Representing Members and Organising Officials held in January 2014 and addressed by Bruce McGregor of McGregor Erasmus Attorneys Inc. it was resolved that any further or past infringements will not be tolerated and that the Organisation will immediately ensure that its sound reputation of responsibility and compliance will not be compromised.

In this way the Organisation will continue to meet its objectives in providing a voice and collective assistance to the small and medium sized employer who does not have internal resources to rely on.

We stand for dispute prevention and resolution at the interface of Industrial Relations.

No wonder we have the aftermath of Marikana and marginalisation of the real needs of Employers and Employees.

OUR ACTION PLANS:

- 1 Accreditation of Representing Members and Organising Officials when applying for membership, or where an existing member wishes an employee of such member to represent.
- 2 Administrative control by requiring declaration of the following information prior to representation:
 - Case number
 - Date
 - Name of member
 - Who will represent the member
- 3 Obtaining full indemnity insurance as a responsible Organisation

- 4 Formation of a private dispute resolution service with accredited Mediators, Facilitators, and Arbitrators focussed specifically for the small and medium employer at affordable rates.
- 5 Expansion of a National Network.

N E Seaber
On behalf of the Executive Committee