



# GENERAL, DOMESTIC & PROFESSIONAL EMPLOYERS ORGANISATION

LR2/6/3/311

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## GENERAL, DOMESTIC & PROFESSIONAL EMPLOYERS' ORGANISATION CODE OF CONDUCT AND INDEMNITY DECLARATION

Each Organising Official and/or Member representing is required to sign his/her acceptance of the following Code of Conduct.

- 1 **“Organising Official”** shall be defined as any person duly approved and appointed by the Executive Committee. Such person must have recruited at least 10 Members in good standing at any given time.  
  
An Organising Official and/or Member representing shall comply with all of the provisions of the Constitution.
- 2 An Organising Official and/or Member representing shall recruit and provide advice and assistance to bone fide Members across the broad spectrum of labour matters.
  - 2.1 An example of these services is:-
    - Formulating company strategies, policies and procedures in accordance with SA Labour Legislation.
    - Practical orientation training for management in interpreting, administrating and managing the requirements for sound labour relations.
    - Management training in interfacing with employees, Trade Unions and employee representatives.
    - Dispute resolution and company representation in Conciliation and Arbitration forums.
    - Company representation at Employer Organisations, Bargaining Councils and Industry Forums.
    - Designing, formulating and implementation of employment agreements, disciplinary procedures and codes, and implementation thereof.
    - Negotiation of procedural, substantive and collective agreements between organised labour and management.
    - Public and or membership seminars on current Labour issues and development.
    - General Human Resources management procedures and advice.
  - 2.2 Where an Organising Official and/or Member representing participates and assists in Collective Bargaining of any nature where there is interface with a Union, the Company **must** become a Member of the Organisation (the reason for this is that we cannot have a situation where negotiation or representation at plant level with a Union is, firstly in a professional capacity and then suddenly when cases are at the CCMA, Labour Court or Bargaining Councils as an Organising Official and/or Member representing).
  - 2.3 Should an Organising Official and/or member representing cease to provide services to Members across the broad spectrum of Industrial Relations in a six month period, then he/she shall advise the Secretariat and his/her membership status as an Organising Official and/or member representing shall be suspended until such time as he/she is able to validate that he/she is again able to comply with the Code of Conduct.
  - 2.4 The Executive may require at any time for an Organising Official/member representing to update their credentials and adherence to the Code of Conduct.

- 3 All Members representing, Officials and Employees of the Organisation shall at all material times act in terms of the Objectives of the Organisation, and Constitution.
- 4 Members representing, Officials and Executive Committee Members may only represent paid up Members at the Labour Court, CCMA or Bargaining Councils or Dispute Resolution Centre's. Both the Official and Member representing being represented must be currently paid up at the time and have a valid Certificate of Membership.
- 4.1 No Organising Official or Member Representing, may under any circumstances what so ever, sub-contract his/her representing status to any non-Member, any previous Member or any non Bona Fide Employee of the certified member as reflected on the up to date Membership Certificate.
- 5 No Membership Certificate shall be issued or provided to either the Member or the recruiting Member representing or Official, unless the following strict requisites have been complied with:
- 5.1 Members application forms must be duly completed **in full** and signed by only an authorised person employed by the Member/Company.
- 5.2 Proof of payment has been furnished to the Secretariat.
- 6 No Member representing, Official or Executive Member may authorise a membership fee for joining the Organisation, other than the prescribed membership fee, unless a discount has been approved at the discretion of the Executive Committee and without precedence.
- 7 No Member representing, Official or Executive Member, if paying on behalf of a new or renewing Member, may charge a Membership fee of more than the prescribed fee.
- 8 No Organising Official and/or Member representing or Executive Committee Member, may verbally or physically as a Member of the Organisation and in such capacity advise or represent any Trade Union.
- 9 No Organising Official and/or Member representing or Executive Committee Member may represent any individual employee at the CCMA, Bargaining Council, Labour Court or any Dispute Resolution Centre.
- 9.1 No Organising Official and/or Member representing or Executive Committee Member may consult/advise any employee of any other Member, the onus being on the Organising Official and/or Member representing or Executive member to check with the Secretariat of the Organisation if the respective Company who employs the employee is a Member or not.
- 10 No Official or Member representing will act in any manner which will bring the Organisation's good name into disrepute, and in particular will not represent either personally or in writing or verbally, unless the Member being represented is paid up and in good standing, the onus being on the Official and/or Member representing or Executive Member to check before proceeding.
- 11 An Organising Official and/or Member representing, shall at all times in any Union negotiation matters and disputes, conduct written communication with any Member or CCMA, Bargaining Council, Labour Court or any Dispute Resolution Centre, must declare their GDP Membership and status in all correspondence.
- 12 An Organising Official and/or Member representing accepts that should he/she be found to be in breach of the Code of Conduct, his/her status as an Organising Official and/or Member representing may be removed by the Executive Committee and his/her membership of the Organisation may be terminated.
- 12.1 Prior to any penalty, an Organising Official and/or Member representing shall be afforded the opportunity to address the Executive Committee verbally and/or in writing in his/her defense of any allegations.
- 13 No credit of membership fees will be held by the Secretariat.

14 No Organising Official and/or Member representing or Executive Committee member may invoice any Member on a GDP letterhead.

15 Labour Court Applications:

- Under no circumstances can any application be submitted by a Member on behalf of another Member citing the GDPEO as a party in the matter.
- Organising Officials and Members representing may compile Notices of Motion and applicant pleadings but must have a practicing attorney check the submissions and sign them off as in order.
- The application papers in total must be sent to the GDPEO's Secretariat before submission to the Labour Court.
- No Member or Organising Official may represent under the banner of the GDPEO at the Labour Court.

I \_\_\_\_\_, who accepts by signature hereunder to at all times comply with this Code of Conduct, and further hereby fully indemnifies the Organisation, should I be cited in any action or litigation against the Organisation as Second or Third Respondent. I hereby acknowledge it is my entire responsibility to take out whatever Professional Indemnity Insurance (PII) might be required of me to protect myself/my members and the GDP.

Signed: .....

Date: .....