

Annual Report 06|07



CCMA

COMMISSION FOR CONCILIATION, MEDIATION & ARBITRATION

'Revolutionising Workplace Relations'

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Vision

To promote social justice and economic growth, with the social partners, by transforming labour market relations. This will be achieved by delivering high quality, low cost dispute resolution and prevention services.

Mission statement

- For ourselves we hold dear professionalism, integrity, service and the value of sharing trustworthy relationships.
- For the CCMA, we hold ourselves accountable for sustaining our vibrant diverse community, united by a thirst for learning and strengthened by self-discipline.
- For the public, we hold fast to our commitment to transforming labour relations by resolving disputes fairly and sharing our knowledge widely.
- For Africa, we hold high the ideals of equity, social justice and shared prosperity.

Values

- integrity;
- non-discrimination, embracing diversity;
- maturity (openness);
- accountability (conscientiousness); and
- service and teamwork.

Functions of the CCMA

The Labour Relations Act, 66 of 1995 (LRA) sets out the functions of the CCMA. The CCMA's statutory functions are divided into those which are compulsory and those which are discretionary.

The CCMA's compulsory statutory functions are to:

- conciliate workplace disputes;
- arbitrate certain categories of disputes that remain unresolved after conciliation;
- establish picketing rules;
- facilitate the establishment of workplace forums and statutory councils;
- compile and publish information and statistics about our activities;
- consider applications for accreditation and subsidy by bargaining councils and private agencies; and
- provide support for the Essential Services Committee.

The CCMA's discretionary statutory functions are to:

- supervise ballots for unions and employers' organisations;
- provide training and information relating to the primary objective of the LRA;
- advise a party to a dispute about the procedures to follow;
- offer to resolve a dispute that has not been referred to the CCMA; and
- publish guidelines on any aspect of the LRA and to make rules.

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MESSAGE FROM THE GOVERNING BODY CHAIRPERSON



The last year marked ten years since the CCMA was established. This important milestone was marked by reflections on achievements, shortcomings and challenges over this period. Much has been achieved through the efforts of our staff, Governing Body members and stakeholders in the labour market arena. We once again would like to thank all of them for their outstanding contributions. It is therefore once again a great pleasure to present the CCMA Annual Report for the 2006/2007 financial year in terms of section 115(1)(d) of the Labour Relations Act, as amended and as required by the Public Finance Management Act (No. 1 of 1999).

In the past year the CCMA performed very well against its set objectives as laid out in its three-year strategic plan ending at the end of the financial year under review. The CCMA remained committed to its primary objective of providing speedy, accessible and free dispute resolution services. This was demonstrated through a marked improvement in meeting the set efficiencies and statutory requirements for the completion of processes and issuing of awards by the organisation this year. Significant progress was also made in terms of recruitment and initiatives for the training and retention of a highly skilled pool of commissioners. This was completed without compromising the service quality and in many areas improving it during the year under review.

The CCMA, through its Dispute Management and Institution Building units, also remained focused on creating and strengthening strategic partnerships with the users and social partners. Institution Building was focused on the provision of training and support to bargaining councils to ensure they maintain their role in the labour market.

As the CCMA enters the second decade of its existence, the Governing Body and CCMA management realise the great need to take its service delivery to a higher level. Therefore, the CCMA's strategic focus for the next financial year will be on the realisation that:

- the recipients of CCMA services require a user friendly, accessible, speedy, simple, compliant, realistic service;
- our social partners require that we build a sustainable and dynamic organisation that is positioned to meet the organisation's needs of tomorrow; and
- our social partners require our services to be cost effective and allocation of resources to be appropriate to meet the delivery of services.

I am confident that with the continued hard work of all concerned we will continue to exceed the expectations of our social partners and users.

In conclusion, once again I would like to thank the Governing Body members, management and staff of the CCMA for their commitment and hard work during the past financial year.

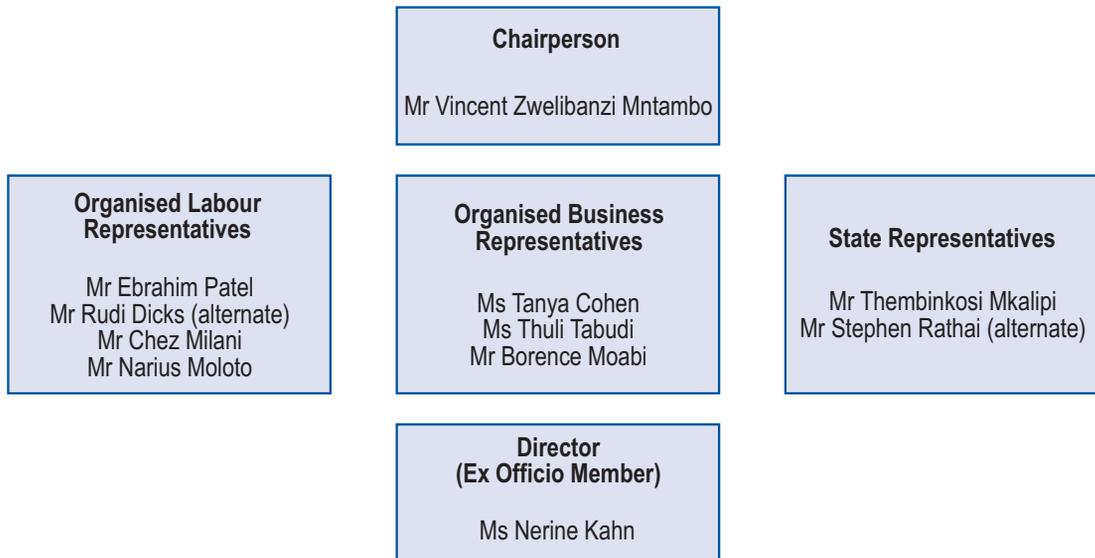
A handwritten signature in black ink, appearing to read 'Vincent Zwelibanzi Mntambo'. The signature is stylized and includes a flourish at the end.

Vincent Zwelibanzi Mntambo
Chairperson of the Governing Body
31 May 2007

CCMA GOVERNANCE

The tripartite Governing Body is the supreme policy making body of the CCMA. The Governing Body consists of a chairperson and nine other members, each nominated by NEDLAC and appointed by the Minister of Labour. The members comprise three representatives from each of the following: state, organised labour and organised business. The Director of the CCMA is an ex officio member of the Governing Body. The Governing Body meets on a quarterly basis for its normal meetings. These meetings are supplemented on an ad hoc basis where required.

Governing Body



Celebrating CCMA's 10th birthday from left: Thembinkosi Mkalipi, Zwelibanzi Mntambo, Thuli Tabudi, Ebrahim Patel, The Honorable Minister of Labour: MMS Mdladlana, Nerine Kahn, Borence Moabi, Chez Milani and Tanya Cohen

CCMA GOVERNANCE

During the 2006/2007 financial year the CCMA Governing Body met as follows:

Meeting Dates	Governing Body Attendees		Management	
10 May 2006	Mr Z V Mntambo Mr C Milani Ms T Cohen Ms T Tabudi	Mr T Mkalipi Mr E Patel Mr B Moabi Mr S Rathai	Ms N Kahn Ms S King	
25-26 July 2006	Mr Z V Mntambo Mr C Milani Ms T Cohen Mr R Dicks	Mr T Mkalipi Mr E Patel Mr B Moabi Mr S Rathai	Ms N Kahn Mr E Van Zuydam Mr R Bernickow Mr P Kekana	Mr N Govender Mr M Ally Mr J Daphne Ms N Siele
17 August 2006	Mr Z V Mntambo Mr C Milani Mr E Patel Ms T Tabudi Mr R Dicks	Mr T Mkalipi Mr N Moloto Mr B Moabi Mr S Rathai	Ms N Kahn Mr N Govender	
2 November 2006	Mr Z V Mntambo Ms T Cohen Mr R Dicks Mr C Milani (via teleconference)	Mr N Moloto Mr B Moabi	Ms N Kahn Mr N Govender	
28 February 2007	Mr Z V Mntambo Mr E Patel Mr B Moabi Mr C Milani (via teleconference)	Mr T Mkalipi Ms T Cohen Mr S Rathai	Ms N Kahn Mr N Govender	

Three sub-committees comprising at least one Governing Body member from each of the three stakeholder groups namely: the Human Resources Sub-Committee, the Finance Sub-Committee and the Accreditation and Subsidy Sub-Committee, assisted the work of the Governing Body during the 2006/2007 financial year.

Human Resources Sub-Committee

The Human Resources Sub-Committee ensures the compliance with human resources policies and procedures, which includes recruitment and remuneration. During the year under review, Ms Tanya Cohen chaired the Human Resources Sub-Committee. Mr Thembinkosi Mkalipi, Mr Rudi Dicks and Ms Thuli Tabudi representing government, labour and business respectively, comprised the other members of the sub-committee. The sub-committee met on 2 May 2006, 2 August 2006, 23 October 2006, 19 February 2007 and 5 March 2007.

Finance Sub-Committee

The role of the Finance Sub-Committee is to review and ensure that the annual budget of the CCMA is appropriately accounted for in terms of National Treasury Regulations. During the year under review, Mr Chez Milani chaired the Finance Sub-Committee. Mr Thembinkosi Mkalipi, Ms Tanya Cohen and Mr David Lakay representing government and business respectively, comprised the other members of the sub-committee. The sub-committee met on 2 May 2006, 2 August 2006, 1 November 2006 and 21 February 2007.

Accreditation and Subsidy Sub-Committee

Accreditation and Subsidy Sub-Committee is responsible for the accreditation of bargaining councils and their panellists as well as ratifying the payment of subsidies to councils. Mr Thembinkosi Mkalipi chaired the Accreditation and Subsidy Sub-Committee. Mr Borence Moabi and Mr Narius Moloto, representing business and labour respectively, comprised the other members of the sub-committee. The sub-committee met on 20 April 2006, 14 August 2006, 5 October 2006 and 13 February 2007.

CCMA GOVERNANCE

Audit Committee

An independent Audit Committee comprising representatives of the state, organised labour and organised business assisted the work of the Governing Body. Mr Kevin Cowley, a representative of organised business, chaired the Audit Committee. Other members during the year under review were Mr Freddie Petersen representing the State, Mr John Maluleke and Mr Moose Burger both organised labour representatives and Mr Sello Hlalele, an independent audit expert. The Audit Committee's primary role is to review the effectiveness of the internal control systems and the internal audit function of the CCMA.

During the 2006/2007 financial year the Audit Committee met as follows:

Meeting Dates	Audit Committee Attendees		Management
3 May 2006	Mr K Cowley Mr S Hlalele Mr M Burger Mr C Kruger	Mr F Petersen Mr J Maluleke Mr K Lachman Mr R Hansen	Ms N Kahn Ms S King Ms P Mjoli Mr N Reddy
9 May 2006	Mr F Petersen (via teleconference) Mr S Hlalele (via teleconference) Mr J Maluleke (via teleconference) Mr M Burger (via teleconference)		Ms N Kahn Ms S King Ms P Mjoli
27 July 2006	Mr K Cowley Mr S Hlalele Mr C Kruger	Mr F Petersen Mr K Lachman Mr R Hansen	Ms N Kahn Mr N Govender Ms P Mjoli Mr N Reddy
5 October 2006	Mr K Cowley Mr S Hlalele Mr K Lachman Ms L Du Plessis	Mr F Petersen Mr M Burger Mr C Kruger	Ms N Kahn Mr N Govender Ms P Mjoli Mr N Reddy
8 December 2006	Mr K Cowley Mr J Maluleke Ms C Van Antwerpen	Mr M Burger Mr K Lachman Ms L Du Plessis	Ms N Kahn Mr N Govender Ms P Mjoli Mr N Reddy
26 March 2007	Mr K Cowley Mr S Hlalele Mr M Burger Mr M Moodley	Mr F Petersen Mr J Maluleke Ms L Du Plessis	Ms N Kahn Mr N Govender Ms P Mjoli Mr N Reddy

DIRECTOR'S REPORT FOR THE YEAR ENDED 31 MARCH 2007



It is my pleasure to submit this report to the Minister of Labour and Parliament of the Republic of South Africa, on the work of the Commission for Conciliation, Mediation and Arbitration (CCMA) for the 2006/2007 financial year, in terms of the Labour Relations Act, No. 66 of 1995 (LRA) and the Public Finance Management Act, No.1 of 1999 (PFMA).

At the end of March 2007 I completed my first year as the Director of the CCMA. It has been quite a busy and exciting year particularly with the rise in debate and discussion of the impact of the CCMA in the South African labour market, coming as it did, as we celebrated the CCMA's 10 year anniversary on 11 November 2007.

We had an opportunity to reflect on our achievements and to gather the views of all the stakeholders in this regard and a book and DVD on CCMA 10 years' achievements were produced. While we celebrated the progress made during the forming stage of the CCMA, we also acknowledged and identified the challenges lying ahead of us in taking the CCMA through its second decade. Some of the plans to address the challenges will be covered in this report. In the past year the CCMA, through the hard work of its staff and the guidance of the Governing Body and senior management, achieved significant progress towards the achievement of its vision of providing simple, quick and low cost dispute resolution service in the South African labour market.

General review of the state of financial affairs

The CCMA budget allocation for the 2006/2007 financial year was R203 171 000, with additional funding of R41 543 000 having been received. The total funding for the year was R244 714 000. This increase in funding was a great boost for the CCMA as in past years the yearly increase in funding did not keep pace with expenditure. The CCMA ended up with a deficit as a result of the new accounting standards that were applied in the 2005/2006 financial year. The additional funding has helped to clear that deficit. Although the income statement shows a surplus, all the funds were committed at year end.

Governance

Good governance and excellent service delivery remain a priority for the CCMA. In this regard, I need to compliment the Human Resources, Finance and Accreditation and Subsidy Sub-Committees of the Governing Body for their vigilant overseeing of the CCMA's policies and procedures. These sub-committees provide guidance and support to management. The Finance Sub-Committee plays a critical role in monitoring the financial management of the institution. The CCMA being a largely people based business relies heavily on the invaluable input on the Human Resources Sub-Committee which has dedicated and committed support from its members.

Audit and risk

The Audit Committee continued to play a key role in scrutinising the effectiveness of the financial controls, policy adherence and risk management. The toll-free fraud hotline also continued to complement the risk management strategy of the CCMA. Risk management will receive specific focus in the coming year.

Ethics policy and code of good conduct

CCMA employees adhered to the Ethics Policy which sets out the conduct expected of all employees. The Ethics Policy protects the CCMA's integrity, impartiality and reputation and also enforces respect for constitutional rights in employment, workplace relationships, human dignity, non-discrimination and diversity. There is also a code of conduct in place to regulate the commissioners' conduct during proceedings. Complaints and violations if reported are vigorously investigated.

Employee wellness

A number of staff workshops on Voluntary Counselling and Testing for HIV AIDS were conducted. We also have an Employee Assistance Programme catering for staff wellness by providing support and advice on employee wellness issues.

Service delivery

In terms of the four areas of the CCMA's service delivery, namely: Dispute Resolution; Dispute Management; Institution Building and Registry, the following can be reported:

DIRECTOR'S REPORT FOR THE YEAR ENDED 31 MARCH 2007

Dispute resolution

A total of 123 472 cases were recorded as new referrals during the 2006/2007 financial year, constituting a 1% decrease from the previous year. Some 31% of these cases were screened out as non-jurisdictional.

A total of 42 916 cases were settled, marking a 3% increase in the national settlement rate compared to the 2005/2006 financial year. Of these cases, 26% were settled at con-arb; 18% at conciliation; 22% at arbitration and 12% at pre-conciliation. In limine, pre-dismissal arbitration and rescission made up the other settled cases.

Number of processes conducted in the 2006/2007 financial year:

- 32 106 con-arbs were conducted, an average of 129 per day, of which 26 170 were finalised in one event.
- 81 442 conciliations (including pre-conciliation, conciliation and con-arbs) were conducted, an average of 327 per day. There was a 76% improvement in terms of conciliations conducted outside the statutory 30 day period compared to the 2005/2006 financial year.
- 46 593 arbitrations were conducted, an average of 187 per day and there was a 3% improvement in the timeous delivery of late awards compared to the 2005/ 20006 financial year.
- 59% of the awards issued were in favour of employees and 40% in favour of employers, 1% for other.
- Postponements remained a challenge for the CCMA as the number of postponements still remains high.

However, significant progress was made in meeting the set efficiencies for the completion of processes. As set out in the table below:

Efficiency targets and actual performance comparison at a glance

Item	Target	March 2006	March 2007	Difference (2006/2007)
Pre-conciliations conducted	10%	15%	16%	1% improvement
Pre-conciliations settled	7%	5%	7%	2% improvement
Con/arbs conducted	50%	40%	38%	2% decline
Con/arbs finalised	80%	77%	82%	5% improvement
Conciliations conducted outside 30 days	0%	7%	0%	7% improvement
Settlement rate	70%	60%	63%	3% improvement
Arbitrations finalised	80%	86%	89%	3% improvement
Late awards	0%	9%	6%	3% improvement
Postponements	5%	8%	8%	0%
Average turnaround time - conciliation	30	45	30	15 days improvement
Average turnaround time - arbitration	74	79	48	31 days improvement

Dispute management

During the 2006/2007 financial year the following dispute management and prevention user workshops and seminars for employers and unions were conducted nationally:

164 two and three day best practice workshops; 92 presentation workshops; 30 user forum meetings and 54 imbizos/ road shows. The content of the presentation workshops included best practice guidelines for employers, employees/ trade unions on preparatory steps for workplace procedures and CCMA processes; and best practice guidelines for workplace discipline; and principles of evidence.

28 bilateral briefing sessions and 23 breakfast seminars were also held during the 2006/2007 financial year and 82 radio slots were secured in various radio stations for educational purposes.

Institution building

Ten bargaining councils' accreditation was renewed in October 2006. In addition to administering the subsidisation of the bargaining councils' dispute resolution work, and processing the enforcement of bargaining council arbitration awards, the CCMA also facilitated a number of training workshops for bargaining councils. The CCMA also played a supportive role in the investigation of accreditation of more private dispute resolution agencies.

DIRECTOR'S REPORT FOR THE YEAR ENDED 31 MARCH 2007

Major projects

Section 150 interventions:

The CCMA offered intervention in the prolonged private security industry strike in terms of section 150 of the LRA. The dispute was ultimately resolved through the determination and hard work of the CCMA. As part of its ongoing and proactive dispute management process the CCMA has actively engaged the parties in an attempt to finalise all outstanding matters and avoid a confrontation of similar nature in the future. This includes an ongoing process with the key role players to address various ongoing sectoral issues.

Corporate identity change:

The CCMA senior management believed that there was a need to reposition the CCMA brand to bring it up to date with current media images in the African context. The old logo was changed to a more African and colourful logo. The cog, circles and wheel style has been used in the new logo to indicate that the symbol of the CCMA is now placed in the world of work and/or the labour market. With the triangles representing the tripartite structure of the Governing Body.

Public awareness

The CCMA has a website and a multilingual Call Centre for informing the public about its services, assisting with workplace related concerns and advice as well as case related queries.

End of renewal strategy and launch of 'Tsoso' strategy

This year also saw the final year of the last three-year strategic plan. A new three-year strategic plan focusing on ensuring appropriate collaboration with internal and external key stakeholders has been devised. Cost, speed, user friendly delivery of all services, compliance, quality, social justice, effectiveness and professionalism are the new goals set in terms of the new strategy. In line with the following strategic focus areas:

- **Customer:** Recipients of CCMA services require user friendly, accessible, simple, speedy compliant, realistic services.
- **Finance:** CCMA social partners require cost effective services and allocation of resources to be appropriate to meet the speedy delivery of services.
- **Organisation / Learning and Growth:** CCMA social partners require that we build a sustainable, dynamic organisation that is positioned to meet the organisational needs of tomorrow.
- **Internal Process:** CCMA social partners require high quality, speedy, consistent, effective and fair, legislation compliant services.

This strategy will be carried out in terms of the following strategic objectives:

- Repositioning the CCMA in the labour market (intensifying and broadening outreach).
- Professional development and excellence.
- High performance, high impact delivery of service with a balance between quality and quantity and where social justice and restoring dignity are a focus of the dispute resolution process.
- Building a healthy organisation culture.
- Enhance and entrench internal processes and systems (ensure effective deployment of resources).
- Reposition the organisation design to meet the future strategic needs of the CCMA.

In conclusion, I would like to extend my gratitude to the Chairperson and the members of the Governing Body for their commitment, guidance and leadership and my thanks to CCMA management and staff without whom this work would not have been accomplished.



Nerine Kahn

Director
31 May 2007

HUMAN RESOURCES

CCMA organisational structure

The organisational structure of the CCMA is designed to facilitate the exchange of information and energy both within itself and between itself and the broader industrial relations environment. Its purpose is to ensure a self-organising and self-regulating system to deliver effective dispute resolution, dispute management and institution building services to the public.

The structure and functioning of the organisation are characterised by two complementary components: commissioners and registry. The commissioner pool, 439 in total, comprised mainly part-time commissioners. Part-time commissioners, as independent contractors, provide services to the institution as and when needed. The registry comprised 316 employees to support the work of the CCMA.

At CCMA's 10th year anniversary



Ronald Bernickow
and Nerine Kahn



Jeremy Daphne and
Stephen Ntombela



Nersan Govender
and Gillian Downs



From Left: Butiki Rantso, Nina Siele, Piet Shai and Prince Kekana

HUMAN RESOURCES

Employment equity

In the 2006/2007 financial year the CCMA submitted a new employment equity plan covering the period 2006 to 2010 to the Department of Labour. The new plan incorporates the new amendments to employment equity regulations issued by the Department of Labour in May 2006.

The tables below outline the 2006/2007 financial year breakdown of the CCMA employment equity targets against its actual position. The CCMA monitored the implementation of the plan on a quarterly basis through the National Employment Equity Committee. The progress is also monitored by the Human Resources Sub-Committee and the Governing Body.

Employees by gender

Male		Female	
Target	Actual	Target	Actual
50%	31%	50%	69%

Employees by race

African		White		Coloured		Indian	
Target	Actual	Target	Actual	Target	Actual	Target	Actual
71%	73%	14%	10%	8%	12%	10%	5%

Breakdown by position

	Target	National Management Committee Actual	Administrative/ Clerical Actual	Commissioners (Full-Time) Actual	Commissioners (Part-time) Actual
Gender					
Female	50%	44%	77%	31%	28%
Male	50%	56%	23%	69%	72%
Race					
African	71%	44%	76%	58%	40%
White	14%	30%	7%	22%	41%
Coloured	8%	7%	12%	12%	6%
Indian	7%	19%	5%	8%	13%
Disabled	10%	0%	3%	5%	5%

Labour relations

The Commission Staff Association (CSA) and CCMA management signed a two-year collective agreement. The Collective Agreement covered the period from 2006 to March 2008 and included a Bursary Scheme, Funeral Assistance Scheme and an agreement on performance-based increases, among other things.

Employee wellness

In the 2006/2007 financial year the CCMA conducted HIV/AIDS awareness training which also covered the importance of voluntary counselling and testing. Impact studies on HIV/AIDS in the workplace were scheduled to take place in the 2007/2008 financial year. Financial Management training was also conducted for staff and will continue in the 2007/2008 financial year. Employees have a 24 hour support line for any work and family related challenges through the CCMA Wellness Programme, which is outsourced to an independent service provider.

EDUCATION, TRAINING AND DEVELOPMENT

As a service organisation, the CCMA relies on the capabilities of its workforce to ensure that quality service is delivered to its users. During the 2006/2007 financial year, a range of training programmes were designed and delivered to equip staff and to give effect to the workplace skills and employment equity plans of the CCMA. A process was implemented to improve and upgrade the training and development offered by the CCMA. This included the editing and updating of existing commissioner training manuals in respect of recent developments in case law. Assessment methods were also changed significantly. The methodology, content and design of all training material was reviewed and improved. Several in-house training courses were developed including training courses on “Who is an employee”, and “Interpreter Empowerment” to empower CCMA interpreters. Arrangements were also made to send all new recruits to a Legal Writing and Drafting Skills Course provided by WITS, to improve the quality of the awards issued.

Some 20 staff members were awarded bursaries in order to pursue studies relevant to their jobs and the functions of the CCMA. Focus was also placed on executive and management development to support the career development, retention and succession plans. Some 32 middle managers completed the Emerging Management Development Programme (EMDP), whilst others were enrolled on the Management Advancement Programme (MAP).

Training conducted for CCMA staff

Module	Sessions	People trained
Substantive law	13	222
Conciliation	7	87
Jurisdictional Rulings	9	124
Managing Dismissals	7	89
Arbitration 1	8	71
Arbitration 2	8	71
Performance Management	8	63
Management Development Programme	1	10
Emerging Management Development Programme	1	13
Management Advancement Programme	1	3
Supply Chain Management	1	5
Assessor	1	1
Moderator	1	1
Oracle 9i DBA Fundamentals II	1	1
Skills Development Facilitator	1	2
Supporting Users – Ms 2261	1	1
Troubleshooting Applications – 2262	1	1
Influential Business Communication	1	1
Conducting Work Place Investigations	1	1
Microsoft Certified Systems Engineers 2003	1	1
Information Technology Project Management	1	1

An amount of R848 465 00 was generated from providing CCMA specific training to external parties as set out in the following table:

EDUCATION, TRAINING AND DEVELOPMENT

Training conducted for external parties

Organisation/public participants	Module	Sessions	People trained
Gauteng Shared Service Centre	Substantive Law	1	10
	Conciliation	2	18
	Jurisdictional Rulings	2	19
	Managing Dismissals	2	20
	Arbitration 1	1	10
	Arbitration 2	2	19
Ekurhuleni Metropolitan Municipality	Substantive law	1	10
	Conciliation	2	18
	Jurisdictional Rulings	2	19
	Managing Dismissals	2	18
	Arbitration 1	1	8
	Arbitration 2	1	8
NW Premier Office	Substantive law	1	22
	Conciliation	1	22
	Jurisdictional Rulings	1	22
	Managing Dismissals	1	22
	Arbitration 1	1	22
	Arbitration 2	1	22
Private candidates	Substantive law	2	46
	Conciliation	2	37
	Jurisdictional Rulings	2	36
	Managing Dismissals	2	45
	Arbitration 1	2	32
	Arbitration 2	2	32

The Civil Society Strengthening Fund, under the auspices of the Department of Labour, also made it possible to render training to two trade union federations namely: the Federation of Unions of South Africa (FEDUSA) and the National Council of Trade Unions (NACTU) and their affiliates.



Glen Cormack, Nerine Kahn and Prince Kekana

EDUCATION, TRAINING AND DEVELOPMENT

Federations	Module	Sessions	People trained
FEDUSA	Substantive law	2	18
	Conciliation	2	18
	Jurisdictional Rulings	2	18
	Managing Dismissals	2	18
	Arbitration 1	2	18
	Arbitration 2	2	18
NACTU	Substantive law	2	39
	Conciliation	1	9
	Jurisdictional Rulings	1	16
	Managing Dismissals	1	11
	Arbitration 1	1	12
	Arbitration 2	1	15

Bargaining councils

The CCMA also trained bargaining council panellists as set out in the table below, as part of the support, training and development offered to other dispute resolution institutions.

Bargaining council	Module	Sessions	People trained
Road Freight Industry Bargaining Council	Substantive law	3	35
Restaurant, Catering and Allied Trades Tearoom, Restaurant & Catering	Conciliation	3	24
Transnet Bargaining Council	Jurisdictional Rulings	3	27
Hairdressing & Cosmetology Semi National	Managing Dismissals	3	28
Motor Industry Bargaining Council	Arbitration 1	2	18
Hairdressing & Cosmetology–Pretoria	Arbitration 2	2	18
South African Local Government			
Chemical Industry Bargaining Council			
Building Industry Bargaining Council			
National Bargaining Council for Clothing Manufacturers			
Metal Industry Bargaining Council			
Bargaining Council for the Contract Cleaning Industry			
Clothing Bargaining Council – Natal			

DISPUTE RESOLUTION

During the 2006/2007 financial year a total of 123 472 disputes were referred to the CCMA, an average of 496 referrals every working day. The number of disputes referred during the financial year under review represented a 1% decrease from the 2005/2006 financial year.

Some 31% of the disputes referred to the CCMA during the 2006/2007 financial year were deemed to be non-jurisdictional and screened out. The number of cases deemed to be jurisdictional decreased by 0.3% from the previous year. Another 16% of the total jurisdictional cases were dealt with at point of entry by pre-conciliation. This process was introduced with the aim of improving front desk services and the quick, cost effective resolution of uncomplicated disputes. Of these, 47% were settled at the time of referral (constituting 7% of the total jurisdictional cases).

Referrals by province

The demand for CCMA services by province has remained consistent since the inception of the CCMA. This consistency has allowed for the accurate allocation of resources to each province to meet the demands each year. With the opening of the Pretoria office in 2005, the caseload in Johannesburg has decreased, but it still had the largest caseload during the year under review at 28%, followed by KwaZulu Natal at 18% and Western Cape at 14%. The remaining offices each accounted for less than 10% of the national caseload.

Referrals by issue

Issue	2006/2007	2005/2006	% Difference
Unfair dismissal	81%	80%	+1%
Unfair labour practice	7%	7%	0%
Mutual interest	3%	4%	-1%
Collective bargaining	3%	3%	0%
Severance pay	2%	2%	0%
Other	4%	4%	0%

Unfair dismissal disputes continued to account for the largest percentage of issues in dispute. During the financial year under review, these disputes accounted for 81% of the total caseload, an increase of 1% over the previous year.

Referrals by sector

Sector	2006/2007	2005/2006	% Difference
Retail	16%	16%	0%
Business and professional services	11%	11%	0%
Private security	11%	11%	0%
Domestic	10%	10%	0%
Building and construction	8%	8%	0%
Agricultural and farming	4%	4%	0%
Food and beverage manufacture	4%	4%	0%

The breakdown of referrals by sector has remained relatively consistent throughout the period. The retail sector has consistently accounted for the highest number of referrals since the inception of the CCMA and accounted for 16% during the financial year under review.

DISPUTE RESOLUTION

Conciliation

Conciliation accounted for 52% of the total events heard during the financial year under review. A total of 81 442 conciliations (including pre-conciliations, con/arbs and conciliations) were heard, an average of 327 every working day. This represented a decrease of 1% from the previous year. Some 99.6% of the total conciliations heard, were within the statutory 30-day period and the average number of days from referral to conciliation hearing was 30 days. Some 63% of disputes referred to the CCMA were settled by conciliation.

Of the total conciliations heard, 39% were heard using the con/arb process. This process was introduced by the amendments to the LRA promulgated in August 2002 and attempts to expedite the dispute resolution process by the conciliation and arbitration taking place as a continuous process on the same day. Some 82% were finalised in one day – 50% resulted in a settlement while 29% resulted in an award being rendered.

Non-attendance at conciliation accounted for 16% of the total conciliations heard. Non-attendance by the respondent accounted for 38% of all non-attendance, while non-attendance by the applicant and both parties accounted for 37% and 25% respectively.

Arbitration

A total of 46 593 arbitrations were heard, 30% of the total events heard. This constituted a decrease of 3% from the previous year. Some 28% of the arbitrations were settled while 53% resulted in an award being rendered. Of the awards rendered, 59% were in favour of the employee party and 40% were in favour of the employer party – fairly consistent with previous years. The remaining 1% were deemed to be out of jurisdiction. The average number of days from arbitration referral to hearing was 40 and to finalisation was 48 days. Some 94% of awards were rendered within the statutory 14 days.

Non-attendance at arbitration accounted for 19% of the total arbitrations heard. Non-attendance by the applicant accounted for 43% of all non-attendance, while non-attendance by the respondent and both parties accounted for 35% and 22% respectively.

Other processes

Process	2006/2007	2005/2006	% Difference
Ballot	2	6	-67%
Facilitation	335	310	+8%
In limine	14312	17067	-16%
Pre-dismissal arbitration	71	63	+13%
Rescission	9051	8809	+3%
S189A facilitation	114	226	-50%
Taxation	65	76	-14%

In addition to the conciliations and arbitrations heard, a further 23 882 'other' processes were heard during the financial year under review, 13% less than the previous year. In limines accounted for 60% of the total other processes heard – 50% of these were condonation applications, 50% of which were granted. Of the total rescissions heard, 63% were granted.

The CCMA also dealt with a total of 10 026 section 143 applications, 18% more than the previous year. Of the total applications received, 7 446 from within the CCMA, 44% more than the previous year and 2 580 from the various bargaining councils, 21% less than the previous year.

PUBLIC AWARENESS AND INFORMATION

Call centre

The CCMA national call centre launched in June 2002 has had a huge impact on the CCMA. The call centre dealt with a total of 169 956 calls during the year under review (an average of 683 calls every working day). This represented a 15% decrease from the previous year and brought the total number of calls since the introduction of the call centre to 847 312.

The call centre provided information on CCMA case related queries and labour legislation, which accounted for 48% and 40% respectively of all calls.

Calls by province

Province	2006/2007	2005/2006	% Difference
Gauteng	66%	68%	-2%
Western Cape	14%	14%	0%
KwaZulu Natal	13%	12%	+1%
Other	7%	6%	+1%

The percentage breakdown of calls received by province was fairly consistent with the percentage breakdown of referrals by province. Gauteng accounted for 66%, Western Cape accounted for 14% and KwaZulu Natal accounted for 13%. The other provinces together accounted for 7%.

Calls by language

Language	2006/2007	2005/2006	% Difference
English	74%	72%	+2%
Afrikaans	14%	14%	0%
IsiZulu	6%	6%	0%
Sesotho	4%	5%	-1%
Other	3%	3%	0%

The call centre provided a service in all the official languages. English has consistently been the language of choice by members of the public.

Calls by sector

Sector	2006/2007	2005/2006	% Difference
Business and professional services	26%	35%	-9%
Retail	13%	12%	+1%
Domestic	13%	13%	0%
Building and construction	4%	3%	+1%
Banking and finance	3%	3%	0%
Private transport	3%	3%	0%
Private health	3%	2%	+1%

The percentage breakdown of calls by sector was also fairly consistent with the percentage breakdown of referrals by sector with business and professional services, retail and domestic sectors accounting for the highest number of calls.

DISPUTE MANAGEMENT

Demand for Dispute Management (DM) services continued to increase over the financial year under review. This was the final year of an ambitious three-year strategic plan, with a variety of projects and services implemented in all areas of South Africa.

While maintaining a focus on capacity building for organised labour and business, strong emphasis was placed on awareness raising and information sharing for vulnerable and unorganised workers and small businesses. An illustration of this is the outcomes of the imbizo meetings / road shows and community radio projects. In collaboration with the Department of Labour, 54 imbizo meetings and road shows were held, primarily involving rural areas. The CCMA participated in 82 community radio sessions involving 20 community radio stations reaching most communities in South Africa.

Skills development initiatives for organised labour, business and advice offices continued apace throughout South Africa. This involved two and three-day workshops, breakfast and labour law seminars, and presentations covering a wide range of topics. These events involved significant numbers of learners and participants. Approximately 6 975 learners were engaged in the process through 164 workshops, 23 seminars and 92 half or one-day presentations. In terms of quality and impact, emphasis was placed on outcomes based training for learning approaches.

Overview of DM lead projects

Seven lead projects were conducted: best practice use of the CCMA workshops, user forum meetings, community radio sessions, imbizo meetings / road shows, one or half-day presentation workshops, bilateral briefings and breakfast seminars. Strategically targeted CCMA users and sectors were prioritised in implementing the lead projects, reflecting the CCMA's multi-faceted approach aimed at maximum impact and reach.

All national measurable outcomes set in the DM 2006/2007 Year Plan were met – a significant achievement requiring considerable effort and planning.

Best practice workshops

Province	Shop stewards	Advice offices	Full-time union officials	Employers	Total	Year plan target
Western Cape	11	4 (DoL) 3	2	3	23	A minimum of five best practice workshops per province based upon provincial targeting strategies
KwaZulu Natal	9	4	1	3	17	
Eastern Cape	13	1	1	-	15	
Gauteng Johannesburg	12	1 2 (DoL) 4 (CCMA Staff)	3	4	26	
Gauteng Pretoria	6	1 (DoL)	1	-	8	
Mpumalanga	12	1 1 (DoL)	-	1	15	
North West	16	2 (DoL) 1 1 (CCMA Staff)	1	-	21	
Free State	9	1	3	3	16	
Nothern Cape	10	2	1	1	14	
Limpopo	4	1	2	2	9	
Total	101	31	15	17	164	

Excellent progress was made with best practice workshops, with 164 two and three-day workshops held in the 2006/2007 financial year, exceeding the national target 50 workshops. All regions exceeded the regional target of five workshops each.

DISPUTE MANAGEMENT

User forum meetings, community radio slots and imbizo meetings / road shows

Province	User forum meetings	Year plan target	Community radio slots	Year plan target	Imbizo meetings / roadshows	Year plan target
Western Cape	2	A minimum of two user forum meetings per province, following required standards	1 (Voice of Cape) 5(Radio Zibonele) 1 Workers World (7)	A minimum of four sessions held per province, following required specifications (a public awareness campaign held on importance of referring cases correctly and in time)	2	A minimum of two imbizos / roadshows per province, with project outcomes met
KwaZulu Natal	3		1(Newcastle community radio) 1 (Radio Al-Ansaar) 4(Ukhozi Radio) 2 (Radio Gasgasi) (8)		6	
Eastern Cape	4		1(Radio Nqubela) 2 (Radio Umhlobo Wene) (3)		-	
Gauteng Johannesburg	3		1(Vaal Radio) 1(SABC-TV) 3(Jozi FM) 1(Radio Motsweding) (6)		5	
Gauteng Pretoria	3		1(Radio Ikwekwezi FM) (1)		3	
Mpumalanga	2		3(Radio Kragbrom) 5 (Radio Nkangala) (8)		6	
North West	3		10 (Radio Motsweding) 3(Mafisa Community Radio) (13)		8	
Free State	5		24(Radio Rosestad) (24)		16	
Nothern Cape	2		5(Radio Teemaneng) (5)		5	
Limpopo	3		8 (Radio Thobela FM) 1(Munghana-Lonene) (9)		3	
Total	30	20	82+1 TV slot	40	53	20

All regions met the target of two user forum meetings each and in total 30 user forum meetings were held, exceeding the national target of 20. All regions met the target of four radio slots each, with the exception of Gauteng-Pretoria (one slot held) and Eastern Cape (three slots held). Nationally, 82 radio slots were held, exceeding the national target of 40 radio slots. All regions met the target of two imbizo meetings / road shows, with the exception of Eastern Cape, which did not hold any imbizo meetings / road shows.

DISPUTE MANAGEMENT

Nationally, 54 imbizo meetings / road shows were held, exceeding the target of 20 imbizo meetings / road shows.

One or half-day presentation workshops, bilateral briefings and breakfast seminars

Region	Presentation workshop	Year plan target	Bilateral briefings	Year plan target	Breakfast seminars	Year plan target
Western Cape	5	A minimum of 2 presentation workshops held per province for targeted constituencies, following required facilitation / presentation standards	4	A minimum of 2 targeted trade unions and employers engaged per province	1	A minimum of 1 breakfast seminar per province, following required specifications
KwaZulu Natal	22		2		(Cocktail)	
Eastern Cape	10		1		1	
Gauteng	3		2		2	
Johannesburg	6		3		3	
Gauteng Pretoria	18		3		4	
Mpumalanga	2		2		1	
North West	9		3		3	
Free State	8		4		2	
Nothern Cape	9		2		2	
Limpopo	9		2		2	
Total	92	20	25	20	23	10

All regions met the target of two presentation workshops each and in total 92 presentation workshops were held, significantly exceeding the national target of 20. The following presentation workshops have been developed: best practice guidelines for employers on preparatory steps for workplace procedures and CCMA processes; best practice guidelines for employees/trade unions on preparatory steps for workplace procedures and CCMA processes; workplace discipline for employees/trade unions and employers; and principles of evidence.

All regions met the target of two bilateral briefings each, with the exception of Eastern Cape (one bilateral briefing) and Gauteng - Johannesburg (one bilateral briefing). Nationally 28 bilateral briefings were held, exceeding the national target of 20 bilateral briefings.

All regions met the target of one breakfast seminar each and in total 23 breakfast seminars were held, exceeding the national target of 10 breakfast seminars.



Eugene van Zuydam, Nerine Kahn, Judge Yacoob, Jeremy Daphne

DISPUTE MANAGEMENT

Other dispute management activities held

In addition to the activities covered above, a further 11 DM projects were implemented. This included the following:

- Proactive strategic intervention project – involving strategic facilitations, relationship building and sectoral initiatives.
- Labour law seminar project – involving provincial seminars on topical issues.
- Regional co-operation project – involving the Southern African Labour Dispute Prevention and Resolution Forum.
- User and social partner needs analysis and promotion of partnerships project – involving partnerships with DoL, Justice Centres, Advice Offices and other institutions.
- CCMA continuous professional development seminar project – involving a two and a half-day seminar held for 220 full and part-time CCMA commissioners focusing on labour market and labour law topics. This included CCMA 10th anniversary activities.

A practical example of activities carried out is the following table for the month of March 2007 for the 'user and social partner needs analysis and promotion of partnerships project':

User and social partner needs analysis and promotion of partnerships activities for March 2007

Province	Activity	Date	Town
Eastern Cape	Security Forum meeting	2 March	Port Elizabeth
KwaZulu Natal	Security Sector Summit	16 March	Durban
KwaZulu Natal	DoL Stakeholders meeting	27 March	Richards Bay
KwaZulu Natal	Agri-Sector Steering Committee meeting	28 March	Durban
KwaZulu Natal	Meeting with DoL - labour law fair & other joint initiatives	28 March	Durban
KwaZulu Natal	Matters of Mutual Interest launch	29 March	Durban
North West	Participated in DoL inspectors conference	8 March	Rustenburg
Mpumalanga	Participated in Women in Agriculture Rural Development launch	29-30 March	Nelspruit
Mpumalanga	Agri-sector Task Team planning meeting re road shows	7 March	Witbank
Western Cape	CCMA/Catholic Justice & Peace Commission meeting	6 & 19 March	Cape Town

CCMA 10 YEAR ANNIVERSARY CELEBRATIONS

On 11 November 2006 the CCMA celebrated its 10th anniversary. Various activities were organised and these included regional celebrations for CCMA staff and stakeholders countrywide on 10 November 2006. The key message was about the historic circumstances in the South African labour market which led to the establishment of the CCMA. The changes that came about with the new dispensation and the establishment of the CCMA; and the CCMA's performance in meeting its primary mandate of providing free, accessible and speedy dispute resolution services. As well as how the CCMA envisaged it would improve and deal with its challenges in the next decades.

The following key areas were highlighted to indicate the CCMA's success in promoting social justice and equality:

- CCMA's high settlement rate in comparison with that of the Industrial Court. The Industrial Court settled on average 17% of their cases, while the CCMA has achieved an average settlement rate of 70% of its cases.
- In its first 10 years of existence the CCMA handled more than 1.3 million cases, proving its capability to address a high volume of cases at high speed.
- 'Restoration of human dignity' through the provision of a just and fair system as the processes accord each party the right to express their issues and grievances, and to know that they have been heard.
- Marked reduction in the incidents of industrial action in the 10 years of the CCMA's existence. While the CCMA does not claim responsibility for the number of strikes, surveys show that in the past seven years since 1999 strike action has been limited to workplace issues. There has also been far greater compliance of social partners with the regulatory framework and resorting to legal and protected strike action.

The major event was a Gala Dinner held on 27 November 2006 where the Minister of Labour delivered the keynote address. Social partners, including representatives from dispute resolution agencies and ministries in the Southern African Development Community (SADC) Region, attended the dinner. As well as many people who had been involved in the establishment of the CCMA and during its past 10 years history.

The regional activities held on 10 November 2007 were as follows:

Eastern Cape: The Eastern Cape office hosted a gala dinner for staff and social partners on 10 November 2006 at the Port Elizabeth Town Hall. The speakers were: Mr Chez Milani, a member of the Governing Body, Mr Livingstone Matiwani, Deputy Director and Business Manager of the Department of Labour and Mr Floors Brand, Acting Convening Senior Commissioner. There was also a "10 year anniversary cake cutting" session and long service certificates and gifts were handed to deserving employees.

Free State: The Free State office held its function at the Olivia Game Lodge. All the speakers: Mr Thabo Motheane from Bloemfontein Chamber of Business and Commerce, Ms Bronkhorst from the Department of Labour and Mr Mashinini from COSATU, congratulated the CCMA for its role in the past 10 years and indicated a need for strengthening the existing relationship with all social partners. The formal session was followed with entertainment and the handing of long service awards to employees.

Gauteng: The CCMA Head Office, Pretoria office and the Johannesburg office held a joint formal lunch, also attended by Gauteng social partners, at the Turffontein Race Course. Commissioner Kenny Mosime was the main speaker and in his talk he highlighted the significance of the CCMA's role in the South African labour market in the backdrop of the previous systems and labour laws. Thereafter deserving employees were honoured with long service awards followed by lunch and entertainment.

As part of the 10 year anniversary celebrations a commissioners' Continuous Professional Development Convention was also held in Gauteng. Although this is an annual event the 2006 convention's theme was aligned to the 10 year anniversary celebrations. It also included part-time commissioners.

KwaZulu Natal: The KwaZulu Natal office held a Labour Law Seminar at the International Convention Centre in Durban with the theme 'Celebrating 10 Years of the CCMA - acknowledging the past, assessing the present and heralding the future'. Judge Zak Jacob from the Constitutional Court was the keynote speaker at the seminar and there were representatives from all the other stakeholder groups.

The function for staff and local stakeholders kicked off with staff and guests gathered at the entrance of the CCMA office and led in procession by the Metro Police and accompanied by the SAPS Military band to the Durban City Hall. Convening Senior Commissioner, Eugene Van Zuydam opened the function, followed by addresses from local social partners. The official ceremony ended with cutting of the cake, staff dancing to the SAPS Military band and

CCMA 10 YEAR ANNIVERSARY CELEBRATIONS

the release of 10 peace doves and balloons. Thereafter, staff gathered at the Sahara Cricket Stadium for lunch and entertainment. Former CCMA Director, Mr Charles Nupen, handed out the 10 year award certificates and gifts.

Limpopo: In Limpopo a formal lunch was held where long service awards were handed to honour employees who have been with the CCMA for 10 years. There were also speeches by local social partners.

Mpumalanga: The Mpumalanga office held their celebrations at Pienaarsdam. The event was marked by speeches from local social partners, with Ms Pinky Phosa from the Mpumalanga Provincial Legislature delivering the keynote address. Ms Phosa commended the role of the CCMA in the province in the deepening of democracy and ensuring equal access to justice and equality for all. The formal session was followed by music and dancing.

Northern Cape: In Northern Cape a formal lunch was held at the Horseshoe Motel for staff and social partners where employees who have been with the CCMA for 10 years were honoured with long service awards.

North West: The North West office held their celebrations at the Klerksdorp Recreational Centre. The Judge President of the Mafikeng High Court delivered the keynote address and there were also speeches by the local social partners. In his speech, the Judge indicated that the CCMA exceedingly met its mandate but also needed to pay particular focus to capacity building and staff retention, amongst other things.

Western Cape: The Western Cape office held their celebrations at the Old Mutual Campus Courtyard Centre with entertainment provided by a live band. Local social partners delivered speeches and long service awards were handed to honour employees who have been with the CCMA for 10 years. Many of the initial commissioners and people involved in the LRA drafting also attended.

CCMA Director, Ms Nerine Kahn, spoke at NEDLAC as the kick off of the 10th Anniversary celebration. The feedback from the various events held countrywide indicated that nationally all stakeholder groups, government, organised labour and organised business praised the role of the CCMA in the South African labour market and the difference the CCMA has made in its first decade.

Similar sentiments were echoed by the Minister of Labour in his speech at the major event on 27 November 2007 when he reminded the audience of how far the South African labour market has come, stating that *“The fact is that barely more than 10 years ago the South African labour market, and the dispute resolution mechanism, was fractured: divided by race, class, sector and even ideology. Little was held in common between competing interests. We had no uniform dispute resolution system. The old Industrial Court was inaccessible, unaffordable and unable to meet the requirements of the changing workplace. It did not enjoy the sanction or legitimacy of the majority of workers. Many of you will recall that disputes that arose were often unprocedural and unregulated, frequently leading to bitter and protracted conflicts, with the ever-present threat of violence and disruption. The workplace was figuratively, if not literally, in a state of revolt. In the 10 years existence the CCMA has rewritten the dispute resolution landscape in South Africa. It has established itself as a defender and protector of rights, freedoms and responsibilities”*.

The Minister of Labour also mentioned how the international community, in particular the International Labour Organisation (ILO), hold the CCMA out as world example of true labour reform and social dialogue. He alluded the success of the CCMA among other things to the CCMA's business model of social partnership. Saying, social partnership *“is the recurring theme of the success we have achieved in the last 10 years, and the key to our future growth and prosperity”*.

A nationwide, month long media campaign was also conducted through radio, television and print to raise awareness about the CCMA's achievements and its celebration of the end of its first decade in existence. A lot of support and congratulatory messages were received from the stakeholders including Business Unity South Africa (BUSA), Congress of South African Trade Unions (COSATU) and the Federation of Unions of South Africa (FEDUSA). A DVD was produced and a book published on the history of the CCMA and its journey through the first decade.

All the successes and shortcomings pointed out by the various stakeholders were seen as invaluable for carrying the CCMA into the next decades.

INSTITUTION BUILDING

Accreditation

During the financial year under review, the following bargaining councils were accredited to perform the listed dispute resolution functions in terms of the LRA until the stated expiry dates.

Accredited bargaining councils

Name of Council	Expiry Date	Subsidies Paid
Metal & Engineering Industry Bargaining Council	31/01/08	R1 099 350
Motor Industry Bargaining Council	31/01/08	R756 900
National Bargaining Council for the Road Freight Industry	31/01/08	R210 400
Furniture Bargaining Council (Western Cape)	31/01/08	R13 050
Bargaining Council for the Laundry Cleaning & Dyeing	31/01/08	R19 350
National Bargaining Council for the Chemical Industry	31/01/08	R132 400
Electrical Industry Bargaining Council (National)	31/01/08	R38 700
Bargaining Council for the Fishing Industry	31/01/08	0
Furniture Bedding and Upholstery Bargaining Council	31/01/08	R28 350
Transnet Bargaining Council	31/01/08	R108 900
Bargaining Council for the Clothing Industry	31/01/08	R86 850
Bargaining Council for the Contract Cleaning Industry	31/01/08	R5 400
Entertainment Industry of South Africa Bargaining Council	31/10/07	R38 700
Bargaining Council for the Grain Industry	31/10/07	R9 450
Building Industry (Cape of Good Hope)	31/10/07	R147 150
Building Industry (Southern-Eastern)	31/10/07	R68 850
Building Industry for the Meat Industry	31/10/07	R52 650
Building Industry (Bloemfontein)	31/10/07	R27 000
Hairdressing & Cosmetology Trade	31/10/07	R12 600
Furniture Manufacturing Industry (KwaZulu Natal)	31/10/07	R19 800
Statutory Council for the Printing, Newspaper and Packaging Industry	31/10/07	R40 350
Sugar Manufacturing and Refining Industry	31/10/07	0
New Tyre Manufacturing Industry	31/10/07	0
Canvas Goods Industry Bargaining Council	31/10/07	R4 050
Restaurant Catering and Allied Trade	31/10/07	R178 200
Tearoom Restaurant and Catering Trade (Pretoria)	31/10/07	R135 000
Motor Ferry Industry Bargaining Council	31/01/08	0
General Public Service Sectoral Bargaining Council	31/01/08	0
South African Local Government Bargaining Council	31/01/08	R60 750
Safety & Security Sectoral Bargaining Council	31/01/08	0
Public Health and Welfare Sectoral Bargaining Council	31/01/08	0
Public Service Co-ordinating Bargaining Council	31/01/08	0
Amanzi Statutory Council	31/01/08	Cases conducted by SALGBC

Subsidy applications

The CCMA subsidised 7 320 cases during the 2006/2007 financial year (details listed in the above table). Councils accredited by the CCMA were subsidised at a rate of R450,00 per closed case.

Applications to enforce arbitration awards

Applications processed to enforce arbitration awards amounted to 1 537 over the financial year under review. This constituted a decrease from the last year, where 2 372 applications were processed.

ESSENTIAL SERVICES

During the year under review the Essential Services Committee comprised the following members:

- Advocate Edwin Molahlehi (Chairperson)
- Mr John Botha (business representative)
- Mr John Mawbey (labour representative)

The committee's performance during the year under review could be measured against its functions, which are:

- To conduct investigations as to whether or not the whole or part of any services is an essential service, and then to decide whether or not to designate the whole or part of that service as an essential service;
- To determine disputes as to whether or not the whole or a part of any service is an essential service; and
- To determine whether or not the whole or a part of any services is a maintenance service.

Essential services government gazette notices

During the year under review, the committee designated as essential the following services provided at all airports in South Africa for a period of four months, commencing from 3 December 2006 and expiring on 30 April 2007.

- all electrical services;
- all safety services; and
- all security services.

The Essential Services Committee published this notice in terms of section 71(8) of the LRA.

The following applications were received from the following parties:

- **Airports Company of South Africa (ACSA):** by the end of the 2006/2007 financial year the matter was pending and a hearing scheduled for 25 June 2007.
- **Legal Aid Board:** by the end of the 2006/2007 financial year the matter was pending and a hearing scheduled for 27 June 2007.
- **Department of Home Affairs (Immigration Officers):** by the end of the 2006/2007 financial year the matter was pending and a hearing scheduled for 26 June 2007.
- **Corning Products SA (Pty) Ltd:** the applicant withdrew this application prior to the committee taking any decision.
- **Huis Talje Children's Home:** the committee advised the applicants that in terms of Notice No. 1462 in Government Gazette No. 27104 dated 24 December 2004 the committee had already designated:
 - "the whole of the services provided by old age homes registered in terms of the National Welfare Act, (Act No. 100 of 1978)".
 - "the whole of the services provided by the Children's Homes and places of care in terms of section 30 of the Child Care Act of 1983".
- **Ezemvelo KwaZulu Natal Wildlife:** matter pending, applicant was requested to submit a detailed motivation.
- **Douglasdale Dairy:** matter pending, applicant was requested to submit a detailed motivation.

Minimum service agreements

The following Minimum Service Agreements for the South African Local Government Bargaining Council were referred to the committee for ratification in terms of section 72 of the LRA. These Minimum Service Agreements were not ratified by the committee, pending the submission of the new Framework Agreement by the South African Local Government Council.

ESSENTIAL SERVICES

Province	Municipality
Eastern Cape	Lekunjani Municipality Senqu Municipality Koukamma Municipality Inkwanca Local Municipality Ngqushwa Local Municipality Nxuba Municipality Mnquma Local Municipality Sakhisizwe Municipality Tsolwana Municipality Elundini Municipality Alfred Nzo District Municipality Nkonkobe Municipality Ukhahlamba District Municipality Gariep Municipality Emalaheni Municipality Mbhashe Municipality Ndlambe Municipality
Limpopo	Ba-Phalaborwa Municipality Musina Local Municipality Thulamela Municipality Greater Tzaneen Municipality Lephalale Local Municipality
Mpumalanga	Albert Luthuli Municipality Delmas Local Municipal Council
Northern Cape	Bophirima District Municipality



10 Year Celebration in Durban

AUDITOR – GENERAL REPORT

REPORT OF THE AUDITOR-GENERAL TO PARLIAMENT ON THE FINANCIAL STATEMENTS AND PERFORMANCE INFORMATION OF THE COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION FOR THE YEAR ENDED 31 MARCH 2007

REPORT ON THE FINANCIAL STATEMENTS

Introduction

1. I have audited the accompanying financial statements of the Commission for Conciliation, Mediation and Arbitration (CCMA) which comprise the statement of financial position as at 31 March 2007, statement of financial performance, statement of changes in net assets and cash flow statement for the year then ended, and a summary of significant accounting policies and other explanatory notes, as set out on pages 30 to 51.

Responsibility of the accounting authority for the financial statements

2. The accounting authority is responsible for the preparation and fair presentation of these financial statements in accordance with the South African Statements of Generally Accepted Accounting Practices (GAAP) including any interpretations of such Statements issued by the Accounting Practices Board, with the effective Standards of Generally Recognised Accounting Practices (GRAP) issued by the Accounting Standards Board replacing the equivalent GAAP Statement and in the manner required by the Public Finance Management Act, 1999 (Act No. 1 of 1999) (PFMA). This responsibility includes:
 - designing, implementing and maintaining internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error;
 - selecting and applying appropriate accounting policies;
 - making accounting estimates that are reasonable in the circumstances.

Responsibility of the Auditor-General

3. As required by section 188 of the Constitution of the Republic of South Africa, 1996 (Act No.108 of 1996) read with section 4 of the Public Audit Act, 2004 (Act No. 25 of 2004), my responsibility is to express an opinion on these financial statements based on my audit.
4. I conducted my audit in accordance with the International Standards on Auditing and General Notice 647 of 2007, issued in Government Gazette No. 29919 of 25 May 2007. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.
5. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control.
6. An audit also includes evaluating the:
 - appropriateness of accounting policies used
 - reasonableness of accounting estimates made by management
 - overall presentation of the financial statements.
7. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Basis of Accounting

8. The CCMA's policy is to prepare financial statements on the basis of accounting determined by the National Treasury as set out in accounting policy note 1.

AUDITOR – GENERAL REPORT

Opinion

9. In my opinion, the financial statements present fairly, in all material respects, the financial position of the CCMA as at 31 March 2007 and its financial performance and cash flows for the year then ended, in accordance with the basis of accounting as described in note 1, and in the manner required by the PFMA and the Labour Relations Act, 1995 (Act No. 66 of 1995).

Emphasis of matters

Without qualifying my audit opinion, I draw attention to the following matter:

Significant uncertainty

10. The CCMA utilised the services of part-time commissioners and interpreters. The CCMA regarded these individuals as independent contractors for taxation purposes and withheld taxation in line with the individuals' taxation directives. Uncertainty existed whether these individuals were functioning as employees or as independent contractors of the CCMA as disclosed in note 23. For income tax purposes, tax should have been deducted at the statutory taxation rates applicable to individuals, should these individuals found to be acting as employees as defined in the Income Tax Act, 1962 (Act No. 58 of 1962.)

The CCMA could be held liable by SARS for the difference between the tax deducted per the individual's taxation directive and the taxation as per the statutory taxation rate (refer to note 23), and could also be liable for significant penalties and interest.

The CCMA actively engaged SARS to determine an outcome on this matter, at the date of this report the outcome was not yet known.

OTHER MATTERS

I draw attention to the following matters that are ancillary to my responsibilities in the audit of the financial statements:

Internal control

11. The material adjustments to the annual financial statements as highlighted in paragraph 12 below, were due to the lack of proper review and monitoring of the preparation of the annual financial statements.

Material corrections made to the financial statements submitted for audit

12. The financial statements were submitted on 31 May 2007 but required significant adjustments.

13. The following cumulative adjustments were made:

- Revenue decreased by R10.3 million;
- Expenses decreased by R3.3 million;
- Non-current assets increased by R5.4 million;
- Current liabilities increased by R3.8 million;
- Non-current liabilities decreased by R2.4 million; and
- Retained income increased by R10.9 million.

14. The following financial statements notes were subsequently included:

- Software;
- Deferred revenue;
- Restatements and reclassifications;
- Related parties;
- Financial instruments; and
- New accounting standards promulgated, but not yet adopted.

AUDITOR – GENERAL REPORT

OTHER REPORTING RESPONSIBILITIES

Reporting on performance information

15. I have audited the performance information as set out on pages 6 to 8.

Responsibilities of the accounting authority

16. The accounting authority has additional responsibilities as required by section 55(2)(a) of the PFMA to ensure that the annual report and audited financial statements fairly present the performance against predetermined objectives of the public entity.

Responsibility of the Auditor-General

17. I conducted my engagement in accordance with section 13 of the Public Audit Act, 2004 (Act No. 25 of 2004) read with General Notice 646 of 2007, issued in Government Gazette No. 29919 of 25 May 2007.

18. In terms of the foregoing my engagement included performing procedures of an audit nature to obtain sufficient appropriate audit evidence about the performance information and related systems, processes and procedures. The procedures selected depend on the auditor's judgement.

19. I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for the audit findings reported below.

Audit findings

20. The strategic plan of the CCMA did not include objectives and outcomes as identified by the executive authority as well as key performance measures and indicators for assessing the public entity's performance in delivering the desired outcomes and objectives.

21. The CCMA did not report on all the pre-determined objectives as required by section 55(2)(a) of the PFMA.

APPRECIATION

22. The assistance rendered by the staff of the CCMA during the audit is sincerely appreciated.



Ms. M.A. Masemola for Auditor-General
Johannesburg
31 July 2007



A U D I T O R - G E N E R A L

STATEMENT OF RESPONSIBILITY

FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

BOARD MEMBERS' RESPONSIBILITY FOR THE ANNUAL FINANCIAL STATEMENTS

The Governing Body is responsible for the preparation and presentation of financial statements that are relevant, reliable, complying with the relevant laws and regulations and the integrity of the information contained in the annual report.

In order for the Governing Body to discharge its responsibilities, management develops and maintains a system of internal control. The Governing Body has ultimate responsibility for the system of internal control.

The annual financial statements have been prepared in accordance with Statements of Generally Recognised Accounting Practice. These annual financial statements are based on appropriate accounting policies, supported by reasonable and prudent judgments and estimates.

The Governing Body has reviewed the entity's budgets and cash flow forecasts for the year ended 31 March 2007. On the basis of this review, and in view of the current financial position, the Governing Body have every reason to believe that the entity will be a going concern in the year ahead and have continued to adopt the going concern basis in preparing the financial statements.

The Governing Body has reviewed the entity's systems of internal control and risk management for the period from 01 April 2006 to 31 March 2007. The Governing Body is of the opinion that the entity's systems of internal control and risk management were adequate for the period under review.

The annual financial statements for the year ended 31 March 2007, set out on pages 30 to 51 and is signed on its behalf by:



Vincent Zwelibanzi Mntambo
Chairperson of the Governing Body
31 May 2007



Nerine Kahn
Director
31 May 2007

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION STATEMENT OF FINANCIAL PERFORMANCE FOR THE YEAR ENDED 31 MARCH 2007

	Notes	2007 R'000	2006 Restated R'000
Revenue	2	234,851	208,780
Other income	3	653	340
		<u>235,504</u>	<u>209,120</u>
Administrative expenses	5	44,494	39,105
Staff costs	6	96,387	85,525
Subsidies	7	3,773	2,712
Other operating expenses	8	90,848	79,130
Depreciation and amortisation	9	5,011	3,972
Total expenses		<u>240,513</u>	<u>210,444</u>
Gains on sale of fixtures and equipment	4	64	380
Income from investments	10	4,592	1,810
(Deficit) / Surplus for the year		<u>(353)</u>	<u>866</u>

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION STATEMENT OF FINANCIAL POSITION FOR THE YEAR ENDED 31 MARCH 2007

	Notes	2007 R'000	2006 Restated R'000
ASSETS			
Non - current assets			
Fixtures and equipment	11	14,671	10,914
Intangible assets	12	3,245	3,333
Current assets			
Inventories	13	697	465
Trade and other receivables	14	136	301
Prepayments and advances	15	1,190	841
Cash and cash equivalents	16	58,318	38,089
Total assets		78,257	53,943
EQUITY AND LIABILITIES			
Capital and reserves			
Accumulated surplus		7,018	7,371
Non - current liabilities			
Operating lease liabilities	19	3,066	1,197
Deferred revenue	20	6,748	2,074
Current liabilities			
Trade and other payables	17	37,355	25,105
Provisions	18	24,070	18,196
Total equity and liabilities		78,257	53,943

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION STATEMENT OF CHANGES IN NET ASSETS FOR THE YEAR ENDED 31 MARCH 2007

	Notes	Accumulated Surplus
Balance as at 31 March 2005 as previously stated	29	(3,562)
Restatement		10,067
Balance as at 31 March 2005 as restated	29	6,505
Surplus for the period		866
Balance as at 31 March 2006		7,371
Deficit for the period		(353)
Balance as at 31 March 2007		7,018

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION CASH FLOW STATEMENT FOR THE YEAR ENDED 31 MARCH 2007

	Notes	2007 R'000	2006 Restated R'000
Cash flows from operating activities			
Receipts		253,311	214,989
Grants		244,714	208,577
Interest received		4,592	1,810
Services & other receipts		4,005	4,602
Payments		224,242	194,497
Employee costs		88,420	82,673
Suppliers		132,250	109,721
Subsidies		3,572	2,103
Net cash flows from operating activities	22	29,069	20,492
Net cash outflow from investing activities			
Proceeds on disposal of fixtures and equipment		64	380
Acquisition of fixtures and equipment		(8,356)	(7,844)
Acquisition of intangible assets		(548)	(551)
Net increase in cash and cash equivalents		20,229	12,477
Cash and cash equivalents at beginning of the year		38,089	25,612
Cash and cash equivalents at end of the year	16	58,318	38,089

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION ACCOUNTING POLICIES FOR THE YEAR ENDED 31 MARCH 2007

1. Accounting Policies

The annual financial statements for the Commission for Conciliation, Mediation and Arbitration have been prepared in accordance with the generally recognised accounting practice financial reporting framework. This framework is defined as the effective Standards of Generally Recognised Accounting Practices (GRAP) and the South African Statements of Generally Accepted Accounting Practices (GAAP), including any interpretations of such Statements, where no GRAP Standard exists. These standards are established by recognised national standard setting bodies and are designed to achieve fair presentation.

1.1 Basis of preparation

The financial statements have been prepared on the historical cost basis except for financial instruments at fair value or amortised costs. The financial statements have been prepared on a going concern basis and the accounting policies have been applied consistently throughout for the period, except for changes in accounting policy as detailed in note 29.

1.2 Revenue recognition

Revenue is measured at the fair value of the consideration received or receivable and represents amounts receivable for goods and services provided in the normal course of business, net of discount. Revenue from a contract to provide services is recognised by reference to the stage of completion of the contract. Interest is accrued on a time basis, by reference to the principal outstanding and at the effective interest rate applicable.

1.3 Expenditure

Expenditure is recognised on the accrual basis.

1.4 Retirement benefit costs

The Commission for Conciliation, Mediation and Arbitration operates a defined contribution plan, the assets of which are held in separate trustee administered funds.

Payments to defined contribution retirement plans are charged to the income statement in the year to which they relate.

1.5 Taxation

No provision for income tax has been made as the Commission for Conciliation, Mediation and Arbitration is exempt in terms of section 10(1)(cA)(b) (ii) of the Income Tax Act, 1962.

1.6 Fixtures and equipment

Fixtures and equipment are stated at cost less accumulated depreciation and any accumulated impairment losses. The gross carrying amount of fixtures and equipment is initially measured using the historical cost basis of accounting. Subsequent expenditure relating to an item of fixtures and equipment is capitalised to the carrying amount of the assets when it is probable that future economic benefits, in excess of the originally assessed standard of performance of the item concerned will flow to the entity. All other subsequent expenditures are recognised as expenses in the year in which they are incurred.

Depreciation is charged so as to write off the cost or valuation of assets (other than land and properties under construction) to its residual value over their estimated useful lives, using the straight-line method. The method and rates used are determined by conditions in the relevant industry.

Residual values and estimated useful lives are assessed on an annual basis. The effect of changes in estimates is accounted for on a prospective basis.

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION ACCOUNTING POLICIES FOR THE YEAR ENDED 31 MARCH 2007

The gain or loss arising on the disposal or retirement of an item fixtures and equipment is determined as the difference between the sales proceeds and the carrying amount of the asset and is recognised in profit or loss.

1.7 Impairment

At each balance sheet date, the entity reviews the carrying amounts of its tangible and intangible assets to determine whether there is any indication that those assets may be impaired. If any such indication exists, the recoverable amount of the asset is estimated in order to determine the extent of the impairment loss. The impairment loss is recognised in the income statement.

1.8 Leasing

The Commission for Conciliation, Mediation and Arbitration only has operating leases. Rental payable under operating leases is charged to income statement on a straight-line basis over the term of the relevant lease.

1.9 Inventories

Inventories are stated at the lower of cost and net realisable value.
Inventories are valued on the First In First Out basis.

1.10 Financial instruments

Recognition

Financial assets and liabilities are recognised on the entity's balance sheet when the entity becomes a party to the contractual provisions of the instrument.

Measurement

Financial instruments are initially measured at fair value, which include transaction costs. Subsequent to initial recognition these instruments are measured as set out below.

Financial assets

The entity's principal financial assets are trade and other receivables and cash and cash equivalents.

- Trade and other receivables
Trade and other receivables are stated at their nominal value as reduced by appropriate allowances for estimated irrecoverable amounts.
- Cash and cash equivalents
Cash and cash equivalents are highly liquid and are recorded at fair value.

Financial liabilities

The entity's principal financial liabilities are trade and other payables.

- Trade payables
Trade and other payables are stated at their amortised cost using effective interest rate method.

1.11 Provisions

Provisions are recognised when the Commission for Conciliation, Mediation and Arbitration has a present obligation as a result of a past event and it is probable that this will result in an outflow of economic benefits that can be estimated reliably. Provisions are measured at the directors' best estimate of the expenditure required to settle the obligation at the balance sheet date, and are discounted to present value where the effect is material.

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION ACCOUNTING POLICIES FOR THE YEAR ENDED 31 MARCH 2007

1.12 Governments Grants

Government grants are recognised when it is probable that future economic benefits will flow to the Commission for Conciliation, Mediation and Arbitration and when benefits can be measured reliably. The grant is recognised to the extent that there are no further obligations arising from receipt of the grant. Government grants whose primary condition is to acquire non-current assets are recognised as deferred revenue on the balance sheet and transferred to the income statement on a systematic and rational basis over the useful lives of the related assets.

1.13 Comparatives

Where necessary, comparative figures have been adjusted to conform to changes in presentation in the current year.

1.14 Key sources of estimation uncertainty

In the process of applying the entity's accounting policies, management has made the following judgements that have the most significant effect on the amounts recognised in the financial statements.

Fixtures and equipment

The residual values and estimated useful lives are assessed on an annual basis. The residual values of all assets are estimated to be zero.

Item	Useful life
Furniture and fittings	5 to 9 years
Office equipment	2 to 5 years
Computer equipment	3 to 5 years
Motor vehicles	5 years

Leasehold improvements

Leasehold improvements are amortised over the shorter of the assets' useful lives and the lease term.

Intangible assets

Item	Useful life
Computer software	3 to 10 years

Trade and other receivables

The provision for bad debt was calculated on 100% of debtors over 90 days.

Provisions and accruals

Provisions are based on management's best estimate of the likely amount that the entity is liable for at year end. This is based on supporting documentation and management experience with similar transactions.

Leave pay

The provision has been determined based on total leave days outstanding. Only 30 days can be encashed, but the total leave days can be taken by employees.

Litigation

This is based on the estimated costs of attorneys for completing cases against CCMA.

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION ACCOUNTING POLICIES FOR THE YEAR ENDED 31 MARCH 2007

Cases in process

Estimate based on the average cost of completing cases for the CCMA, based on the expected mix of cases, the average time spent per case and the incremental costs to be incurred for finalisation of these cases.

Bonuses

Performance bonuses are paid to employees who have rating of 3 and above. The rating starts from 1 to 5, where 1 is poor and 5 is excellent.

1.15 Accounting pronouncement at 31 March 2007

At the date of authorisation of these financials statements, the following standards and interpretations were in issue but not yet effective:

GRAP 6	Consolidated and Separate Financial Statements
GRAP 7	Investments in Associate
GRAP 8	Interest in Joint Ventures
GRAP 9	Revenue from Exchange Transactions
GRAP 11	Construction Contracts
GRAP 12	Inventories
GRAP 13	Leases
GRAP 17	Property Plant and Equipment
GRAP 18	Segment Reporting
GRAP 100	Non- current Assets held for Sale and Discontinued Operations
GRAP 101	Agriculture
GRAP 102	Intangible Assets
SA GAAP:	
IFRS 7 (AC 144)	Financial Instruments: Disclosures
IFRS 8 (AC 145)	Operating Segments
IFRIC 8 (AC 441)	Scope of IFRS 2
IFRIC 9 (AC 442)	Reassessment of Embedded Derivatives
IFRIC 10 (AC 443)	Interim Financial Reporting and Impairment
IFRIC 11 (AC 444)	IFRS 2: Group and Treasury Share Transactions
JFRIC 12 (AC 445)	Service Concession Arrangements

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

	2007	2006
	R'000	Restated R'000
2. Revenue		
Rendering of services	3,187	2,014
National Departments	231,664	206,766
Total	<u>234,851</u>	<u>208,780</u>
3. Other income		
Seminars and other sundry income	<u>653</u>	<u>340</u>
4. Gains on sale of fixtures and equipment		
Insurance recoveries	36	348
Profit on disposal of assets	28	32
Total	<u>64</u>	<u>380</u>
5. Administrative expenses		
Surplus from operations is arrived at after taking the following into account:		
General and administrative expenses	19,091	15,271
Governing Body	78	55
Auditor's remuneration	854	760
- Audit fees	<u>854</u>	<u>760</u>
Travel and subsistence	3,089	2,252
Rentals in respect of operating leases (minimum lease payments)	21,382	20,767
- Buildings	<u>18,406</u>	<u>17,850</u>
- Fixtures and equipment	2,730	2,690
- Vehicles	246	227
Total	<u>44,494</u>	<u>39,105</u>
6. Staff costs		
Wages and salaries	81,681	71,851
Basic salaries	<u>66,167</u>	<u>62,867</u>
Performance awards	11,610	6,308
Temporary staff	2,577	2,069
Leave	<u>1,327</u>	<u>607</u>
Defined Provident contribution plan expense	10,100	9,742
Social contributions (Employer's contributions)	1,582	1,358
UIF	<u>477</u>	<u>429</u>
Other salary related costs	<u>1,105</u>	<u>929</u>
Senior managers 's remuneration	3,024	2,574
Total	<u>96,387</u>	<u>85,525</u>

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

	2007 R'000	2006 Restated R'000
7. Subsidies		
CCMA Accredited Bargaining Councils	3,773	2,712
8. Other operating costs		
Loss on theft	38	67
Increase in provision for bad debts	174	425
Loss on disposal of assets	186	432
Training and development	7,022	3,388
Consultants, contractors and special services	71,090	65,634
Legal fees	1,278	543
Maintenance, repairs and running costs	5,015	3,603
- Property and buildings	382	137
- Fixtures and Equipment	4,536	3,376
- Other maintenance, repairs and running costs	97	90
Entertainment expense	5	66
Case disbursement expenses	6,040	4,972
Total	90,848	79,130
9. Depreciation & Amortisation		
	5,011	3,972
- Fixtures and equipment	544	629
- Vehicles	23	23
- Computer equipment and peripherals	1,998	2,413
- Office furniture and fittings	1,178	317
- Computer software	636	590
Leasehold improvements	632	-
10. Income from investments		
Interest income		
- Bank deposits	4,592	1,810
11. Fixtures and equipment		
Office equipment		
Opening net carrying amount	822	846
Gross carrying amount	2,409	2,597
Accumulated depreciation	(1,587)	(1,751)
Additions	1,575	645
Disposals	(3)	(40)
Depreciation charge	(544)	(629)
Net carrying amount 31 March	1,850	822

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

	2007	2006
	R'000	Restated R'000
Vehicles		
Opening net carrying amount	50	73
Gross carrying amount	116	116
Accumulated depreciation	(66)	(43)
Depreciation charge	(23)	(23)
Net carrying amount 31 March	27	50
Computer equipment and peripherals		
Opening net carrying amount	5,754	4,594
Gross carrying amount	16,075	18,610
Accumulated depreciation	(10,321)	(14,016)
Additions	1,523	3,652
Disposals	(131)	(79)
Depreciation charge	(1,998)	(2,413)
Net carrying amount 31 March	5,148	5,754
Office furniture and fittings		
Opening net carrying amount	2,772	1,425
Gross carrying amount	9,939	9,133
Accumulated depreciation	(7,167)	(7,708)
Additions	2,038	2,031
Disposals	(90)	(367)
Depreciation charge	(1,178)	(317)
Net carrying amount 31 March	3,542	2,772
Leasehold Improvements		
Opening balance	1,516	-
Additions	3,220	1,516
Amortisation charge	(632)	-
Balance	4,104	1,516
Total Fixtures and equipment		
Opening net carrying amount	10,914	6,938
Gross carrying amount	30,055	30,456
Accumulated depreciation	(19,141)	(23,518)
Additions	8,356	7,844
Disposals	(224)	(486)
Depreciation charge	(4,375)	(3,382)
Net carrying amount 31 March	14,671	10,914

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

	2007 R'000	2006 Restated R'000
12. Intangible assets		
Computer Software		
Opening net carrying amount	3,333	3,384
Gross carrying amount	6,507	10,678
Accumulated depreciation	(3,174)	(7,294)
Additions	548	551
Disposals	-	(12)
Depreciation charge	(636)	(590)
Net carrying amount 31 March	<u>3,245</u>	<u>3,333</u>
13. Inventories		
Consumable stores	<u>697</u>	<u>465</u>
14. Trade and other receivables		
Trade receivables	766	707
Less: Provision for doubtful debts	(695)	(523)
Opening Balance	(523)	(400)
Provisions during the year	(174)	(425)
Utilised during the year	2	302
	71	184
Vat input	-	38
Other receivables	65	79
Total	<u>136</u>	<u>301</u>
15. Prepayments and advances		
Staff advances	1	5
Prepayments	1,144	791
Advances	45	45
Total	<u>1,190</u>	<u>841</u>
16. Cash and cash equivalents		
Cash at bank	57,374	37,241
Cash on hand	22	22
Pledged Funds*	922	826
Total	<u>58,318</u>	<u>38,089</u>
* Pledged Funds are not available for use by the entity.		

As required in section 7(2) and 7(3) of the Public Finance Management Act, the National Treasury has approved the local banks where the bank accounts are held. The total direct or contingent liabilities of the entity in respect of guarantees that may be entered into is R942,710. The entity has a ABF facility of R 1,700,000.

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

	2007	2006
	R'000	Restated R'000
17. Trade and other payables		
Trade creditors	14,612	12,860
Accruals :		
General expense, bargaining council and case disbursements	9,489	8,114
Audit fees	892	750
Skills development levy	1,452	768
Workmen compensation	249	231
Payroll creditors	278	241
Learnerships and project funds	388	204
Short term portion of deferred revenue	8,762	386
Operating lease accrual	1,233	1,551
Closing balance	<u>37,355</u>	<u>25,105</u>
18. Provisions		
Leave pay		
Opening balance	3,884	3,965
Provisions made during the year	1,328	607
Utilisations of provisions during the year	<u>(410)</u>	<u>(688)</u>
Closing balance	4,802	3,884
Bonus		
Opening balance	5,575	2,503
Provisions made during the year	11,810	6,373
Unused amounts reversed during the year	(911)	(62)
Utilisations of provisions during the year	<u>(4,664)</u>	<u>(3,239)</u>
Closing balance	11,810	5,575
Litigation claims		
Opening balance	330	450
Provisions made during the year	600	330
Utilisations of provisions during the year	<u>(330)</u>	<u>(450)</u>
Closing balance	600	330
Cases in process		
Opening balance	8,407	1,481
Provisions made during the year	6,858	8,407
Utilisations of provisions during the year	<u>(8,407)</u>	<u>(1,481)</u>
Closing balance	6,858	8,407
Total provisions		
Opening balance	18,196	8,399
Unused amounts reversed during the year	(911)	(62)
Provisions made during the year	20,596	15,717
Utilisations of provisions during the year	<u>(13,811)</u>	<u>(5,858)</u>
Closing balance	<u>24,070</u>	<u>18,196</u>

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

	2007 R'000	2006 Restated R'000
19. Operating lease liabilities		
Long – term portion of operating lease straight line accrual	3,066	1,197
	<u>3,066</u>	<u>1,197</u>
20. Deferred revenue		
Opening balance	2,074	649
Realised	(317)	(121)
Deferred	13,753	1,932
Short - term portion	(8,762)	(386)
Closing balance	<u>6,748</u>	<u>2,074</u>
21. Retirement Benefit Obligations		
The entity has made provision for provident schemes covering all employees substantially. The funds are governed by the Pension Funds Act, 1956 (Act No. 24 Of 1956).		
The Commission for Conciliation, Mediation and Arbitration operates a defined contribution retirement benefit plan for all qualifying employees. The assets of the scheme are held in funds under the control of trustees, separately from those of the entity.		
As at 31 March 2007 contributions of R10,380,928 (R10,016,589 - 2006) due in respect of the reporting period had been paid over the scheme.		
22. Reconciliation of net cash flows from operating activities to surplus/(deficit)		
(Deficit)/ Surplus	(353)	866
Adjusted for:		
- Interest income	(4,592)	(1,810)
- Profit on sale of fixed assets	(64)	(380)
- Loss on sale of fixed assets	224	499
- Depreciation on property, plant and equipment	5,011	3,972
(Increase) Decrease in inventories	(232)	11
(Increase) Decrease in Trade and other receivables, prepayments and advances	(184)	2,456
- Increase (Decrease) in operating lease liability	1,869	(1,551)
- Increase in provisions	5,874	9,797
- Increase in deferred revenue	13,050	1,811
- Increase in payables	3,874	3,011
Net cash flows from operations	<u>24,477</u>	<u>18,682</u>
Interest	4,592	1,810
Net cash flows from operating activities	<u>29,069</u>	<u>20,492</u>

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

	2007 R'000	2006 Restated R'000
23. Contingent liabilities		
Legal matters		
The entity is involved in legal cases instituted against the CCMA. Where the probability of losing the case is high, adequate provision has been made in the financial statements based on advice from legal counsel. A number of legal cases are currently outstanding for which legal counsel has advised a 50 -50 possibility of losing. The aggregate possible exposure is estimated to be R2 million (2006: R2million).		
South African Revenue Service		
There is uncertainty over the tax treatment applied by the CCMA for payments made to part – time commissioners. The CCMA has met with officials from SARS. SARS is still investigating this matter and has not given any indication of the financial implications for CCMA, if any. Due to the significant uncertainty, CCMA has not provided for the possible exposure as it cannot be determined at this stage.		
24. Operating lease arrangements		
The entity as lessee		
At the balance sheet date the entity had outstanding commitments under non-cancellable operating leases, which fall due as follows:		
Up to 1 year	15,545	17,582
1 to 5 years	47,578	56,444
More than 5 years	12,717	18,069
Total	<u>75,840</u>	<u>92,095</u>
25. Commitments		
Commitments		
- Contracted for but not provided in the financial statements		
Total future capital commitments	<u>819</u>	<u>705</u>

The capital expenditure is to be financed by internal generated funds.

The commitments represent orders and contracts approved and placed before year end but invoiced and delivered in the new year.

FINANCIAL REPORT

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	2007 R'000	2006 Restated R'000
26. Directors' emoluments		
Vincent Mntambo - Governing Body Member	13	10
- Salary	0	0
- Bonuses and performance payments	0	0
- Expense allowances	13	10
- Provident Fund	0	0
Thembinkosi Mkalipi - Governing Body Member	0	0
- Salary	0	0
- Bonuses and performance payments	0	0
- Expense allowances	0	0
- Provident Fund	0	0
Borence Moabi - Governing Body Member	35	26
- Salary	0	0
- Bonuses and performance payments	0	0
- Expense allowances	35	26
- Provident Fund	0	0
Tanya Cohen - Governing Body Member	1	4
- Salary	0	0
- Bonuses and performance payments	0	0
- Expense allowances	1	4
- Provident Fund	0	0
Thuli Tabudi - Governing Body Member	0	0
- Salary	0	0
- Bonuses and performance payments	0	0
- Expense allowances	0	0
- Provident Fund	0	0
Narius Moloto - Governing Body Member	17	7
- Salary	0	0
- Bonuses and performance payments	0	0
- Expense allowances	17	7
- Provident Fund	0	0
Chez Milani - Governing Body Member	12	8
- Salary	0	0
- Bonuses and performance payments	0	0
- Expense allowances	12	8
- Provident Fund	0	0
Total - Governing Body Members	78	55

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	2007	2006
	R'000	Restated R'000
Edwin Molahlehi - Director (1 April 05 - 30 September 05)	0	313
- Salary	0	241
- Bonuses and performance payments	0	28
- Expense allowances	0	5
- Provident Fund	0	39
Nerine Kahn - Director (From 1 March 06)	738	61
- Salary	626	52
- Bonuses and performance payments	0	0
- Expense allowances	13	1
- Provident Fund	99	8
Susan King - National Registrar (Resigned end of June 06)	492	607
- Salary	462	497
- Bonuses and performance payments	0	21
- Expense allowances	3	10
- Provident Fund	27	79
Eugene Van Zuydam-NSC: Dispute Resolution	703	591
- Salary	634	554
- Bonuses and performance payments	59	27
- Expense allowances	10	10
- Provident Fund	0	0
Jeremy Daphne - NSC: Dispute Management	677	570
- Salary	526	463
- Bonuses and performance payments	57	21
- Expense allowances	10	10
- Provident Fund	84	76
Moe Ally - NSC: Institution Building	557	544
- Salary	449	447
- Bonuses and performance payments	27	15
- Expense allowances	10	10
- Provident Fund	71	72
	<u>3,167</u>	<u>2,686</u>
- Bonuses and performance payments relate to 2005/2006 financial and 2004/2005 financial year	<u>-143</u>	<u>-112</u>
Total – Senior Managers	3,024	2,574

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COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

	2007	2006
	R'000	Restated R'000
27. Related Party transactions		
Trading transactions		
During the year, CCMA entered into the following trading transactions with related parties:		
Service Income		
Eskom	7	7
Legal Aid Board	5	0
South African Broadcasting Corporation	1	0
South African Local Govt Association	10	0
South African Revenue Services	4	1
Telkom SA Limited	1	3
Purchases		
South African Broadcasting Corporation	651	0
South African National Parks	13	0
South African Post Office Limited	10	20
Telkom SA Limited	2,721	2,272
Government Printing	21	11
Owing by CCMA		
South African Broadcasting Corporation	181	0
Telkom SA limited	189	57
Training services to the related parties were provided at the CCMA's usual approved training list prices. The purchases were made at market prices.		
28. Fruitless and wasteful expenditure		
Interest charged on invoices received late.	0*	0
* Less than R1000		

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COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

29. Change in Accounting Policies, Reclassifications and Restatements

Reconciliation 2006	Balance as previously stated	Restatement	Reclassifications	Balance as previously stated
	R'000			R'000
Statement of Financial Performance				
Revenue	210,590	(1,810)	-	208,780
Other income	688	-	(348)	340
Other operating expenses	(165,097)		85,967	(79,130)
Administrative expenses	(48,075)	2,172	6,798	(39,105)
Depreciation and amortisation	-	140	(4,112)	(3,972)
Subsidies	-	-	(2,712)	(2,712)
Staff costs	-	416	(85,941)	(85,525)
Gains on sale of fixtures and equipment	32		348	380
(Deficit) Surplus for the year	(52)	918	-	866
Statement of Financial Position				
Fixtures and equipment	11,526	1,778	(2,390)	10,914
Intangible assets	-	943	2,390	3,333
Trade and other receivables	455	-	(154)	301
Prepayments and advances	839	-	2	841
Accumulated surplus (closing balance)	3,562	(10,067)	-	(6,505)
Accumulated surplus (opening balance)	3,614	(10,985)	-	(7,371)
Deferred revenue	-	2,074	-	2,074
Operating lease liabilities	(12,434)	11,237	-	(1,197)
Trade and other payables	(29,933)	(899)	5,727	(25,105)
Provisions	(12,621)	-	(5,575)	(18,196)

Restatements

Straight-lining of operating leases

The entity restated its statement of financial position and statement of financial performance for the 2006 year to correct an error in the calculation of the straight-lining of operating leases. The error resulted in adjustments to the long-term liability of R11.2 million and the short-term liability of R0.5 million. The accumulated deficit opening balance was adjusted with R10.7 million for the 2006 financial year.

Capitalisation of capital expenses previously expensed

The entity restated its accumulated deficit and administrative expenses for the 2006 year to capitalise leasehold improvements to the value of R1.5 million and software of R1.2 million that were previously incorrectly expensed in the year that it was incurred. This resulted in an increase in the corresponding statement of financial position. Depreciation of R nil and amortisation of R0.1 million was calculated and recorded from the date of purchase of these assets. The corresponding grant income that was received in the prior financial periods were also deferred in accordance with the policy discussed under "revenue recognition". The restatement impacted on the cashflow information for the year ended March 2006 and the 2006 cash flow information was restated.

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

Revenue Recognition

The entity applied IAS 20 (AC134) Accounting for Government Grants and Disclosure of Government Assistance to grants related to assets. Grant revenue received to fund the purchase of assets are deferred and recognised over the period that the asset is being depreciated. Previously government grants were fully recognised income when received. The CCMA restated its revenue for the 2006 year with R1.7 million for the net effect of the deferral of revenue related to assets purchased and the income recognised to match the depreciation recorded on these assets. The entity restated its statement of financial position disclosure for deferred revenue for the year ended March 2006 with R2.5 million, being the net effect of cumulative revenue deferred on capital items previously expensed and the revenue recognised as income to match the depreciation recorded on the underlying assets purchased with the grant. The restatement impacted on the cashflow information for the year ended March 2006 and the 2006 cash flow information was restated.

Intangible assets

Comparatives were also restated in accordance with IAS 38 (AC129) Intangible Assets to reclassify software previously accounted for as fixtures accounted for as fixtures and equipment to intangible assets. Under IAS 38, computer software that is not considered intergral to the related hardware should be classified as an intangible asset. Accordingly the CCMA reclassified computer software cost and accumulated depreciation that is not considered intergral to the hardware to intangible assets. The restatement has been performed with retrospective effect from 1 April 05. The total cost of items reclassified was R10.7million and accumulated depreciation was R7.3 million. The comparative figures in the cash flow statement were adjusted for the reclassification to reflect the additions made to intangibles of R0.6million separately from additions to fixtures and equipment.

Reclassifications

Other operating expenses

The entity reclassified the other operating expenses and administrative expenses previously disclosed into more line items on the statement of financial performance, being staff costs, subsidies, depreciation and amortisation. These reclassifications provide more meaningful information to the user of the financial statements.

Insurance recoveries

The CCMA reclassified the insurance recoveries to the value of R0.3 million from other income to gains on disposal of fixtures and equipment. This reflects the nature of these receipts more accurately on the statement of financial performance for the 2006 year.

Sundry creditors

Sundry accounts payable, being unallocated receipts from customers to the value of R0.2 million was reclassified to trade accounts receivables in the 2006 year. This disclosure is more accurate in accordance with the nature of the account.

Bonus provision

The bonus provision of R5.6 million, disclosed as trade and other payables in the 2006 year, was reclassified to provisions in accordance with the nature of the provision.

FINANCIAL REPORT

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2007

30. Financial instruments

The entity's financial instruments are mainly bank balances and cash, trade and other receivables, provisions and trade and other payables. The most important types of financial risk that the organisation is exposed to are credit risk and liquidity risk.

Credit risk management

The entity's cash and cash equivalents are placed with high quality financial institutions. The entity does not have any significant exposure to any individual customer. The carrying amounts of financial assets, included in the statement of financial position represent the entity's exposure to credit risk in relation to these assets.

Liquidity risk management

Regular cash flow forecasts are prepared to ensure that sufficient cash is available.

Fair value of financial instruments

At balance sheet date, the carrying amounts of cash and short-term deposits, trade and other receivables, trade and other payables, short-term provisions and accrued expenses approximated their fair values due to the short-term maturities of these assets and liabilities.

AUDIT COMMITTEE REPORT

This report has been prepared in terms of the Treasury Regulations 3.1.13(a) and (c) of the Public Finance Management Act, 1 of 1999.

A fully independent Audit Committee, comprising representatives of the three stakeholder groups, also assists the work of the Governing Body, as stated on page 5.

The committee is generally satisfied that the CCMA Internal Audit Unit is functioning well, particularly with regard to identifying internal control weaknesses and in recommending effective control remedies. CCMA management, in turn, responded to reported weaknesses and implemented the recommendations made to ensure more effective and efficient internal controls.

The Audit Committee has reviewed the annual financial statements audited by the Auditor-General and is satisfied that these statements fairly reflect in all material respects, the financial position of the Commission as at 31 March 2007, in accordance with the South African Statement of Generally Accepted Accounting Practice and in a manner required by the Public Finance Management Act, 1 of 1999.

The committee has also reviewed the reports of the Auditor-General and the Internal Audit Unit. In the context of the committee's understanding of the risks facing the Commission, the committee is satisfied that there are internal controls mitigating the major financial risks which are generally adequate, effective and efficient. However, there are still some weaknesses in terms of the ongoing management of certain policies and procedures, which will be closely monitored in the coming financial year.

The Audit Committee assumed the role of the Risk Committee in the year under review and monitored and reviewed the management of risk by the institution. The CCMA Governing Body has agreed that a separate Risk Committee will be constituted in the next financial year reporting to the Audit Committee on this important area in the future.



Kevin Cowley
Chairperson of the Audit Committee

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CCMA

COMMISSION FOR CONCILIATION, MEDIATION & ARBITRATION

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