

**Section 136
Labour Relations Act,
1995**

REQUEST FOR ARBITRATION



IMPORTANT

READ THIS FIRST



**WHAT IS THE
PURPOSE OF THIS
FORM?**

This form assists a person or organisation refer a dispute to the TBC.

**WHO FILLS IN THIS
FORM?**

Employer or Union or employee or in the case of non-unionised employees

**WHERE DOES THIS
FORM GO?**

To the Secretary, Transnet Bargaining Council, P.O. Box 2951, Houghton, 2041, Fax no.: (011) 486-1226 via the Union Head Office if the employee is a member of a recognised Trade Union.

OTHER INSTRUCTIONS

When you refer the request for arbitration to the TBC, the Secretary will appoint an arbitrator in terms of the relevant clause of the Constitution.

1. DETAILS OF PARTY REQUESTING ARBITRATION

Name:

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Postal Address:

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Tel: Fax:

Cell: Email:

2. DISPUTE DETAILS

Case Reference Number:

The case between and
(party) (other party)

was referred for conciliation, but remains unresolved.

The certificate confirming the failure of conciliation is attached.

In terms of Section I/we now request
(see chart on page 3)
that the matter be resolved through arbitration.

The issue in dispute are

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(Give a brief description. The commissioner may require a more detailed statement of case later)

TBC Ref. Number

Please turn over →

OTHER INSTRUCTIONS

A copy of this form must be served on the other party.

Proof that a copy of this form has been served on the other party must be supplied by attaching:

- ◆ A copy of a registered slip from the Post Office;
- ◆ A copy of a signed receipt if hand delivered;
- ◆ A signed statement confirming service by the person delivering the form;
- ◆ A copy of a fax confirmation slip; or
- ◆ Any other satisfactory proof of service.

The certificate confirming that the dispute was unresolved through conciliation must also be attached to this form.

If a party does not want the commissioner who conducted the conciliation proceedings to arbitrate this dispute, that party must fill in the notice of objection form.

If both parties agree on a particular commissioner to arbitrate then they must inform the Transnet Bargaining Council within 48 hours of the dispute being certified as unresolved.

Check!

Have you sent a copy of this completed form to the other party?

Have you included proof (that you have sent a copy to the other party) with this form?

Have you attached the certificate confirming that the dispute was unresolved through conciliation?

3. WHAT DECISION WOULD YOU LIKE THE ARBITRATOR TO MAKE:

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The Arbitrator may require a more detailed statement of case later.

4. CONFIRMATION OF ABOVE DETAILS:

Form submitted by (name):

Signature:

Designation:

Date:

Place:

This form must be signed by the referring party or a person entitled to represent the party in the arbitration proceedings.

5. DETAILS OF OTHER PARTY

Name:

Designation:

Postal Address:

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Tel: Fax:

Cell: Email: