

**BUILDING INDUSTRY BARGAINING COUNCIL  
(CAPE OF GOOD HOPE)**

**Case number: 20230622009**

**Date: 12 October 2023**

**In the matter between**

**Building Industry Bargaining Council**

**Applicant**

**and**

**Ram Shopfitting (Pty) Ltd**

**Respondent**

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**ARBITRATION AWARD**

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**DETAILS OF THE HEARING AND REPRESENTATION**

1. The arbitration hearing was scheduled for 09 October 2023 at 10h02 at the Building Industry Bargaining Council's offices in Bellville. Mr. Lizo Faniso, the designated agent, represented the applicant, whilst the respondent, Ram Shopfitting (Pty) Ltd, was represented at the proceedings by Mr. Mark Solomon.

**ISSUE TO BE DECIDED**

2. The alleged contraventions of the Building Industry Bargaining Council's Collective Main Agreement as set out in the Details of Contraventions (Annexure A) are to be determined.

**SUBMISSIONS OF THE PARTIES**

3. Mr Faniso stated that on 26 April 2023, a site inspection was conducted at M1 Investec, V&A Waterfront in Cape Town. It was established that the respondent had failed to comply with the Council's Main Collective Agreement by failing to purchase benefits. A compliance order was emailed to the respondent on 22 June 2023, but the respondent has not responded to this. The applicant stated that the respondent must submit the wage records for the period 01 November 2022 to 22 June 2023 and he must purchase benefits.

## **ANALYSIS**

4. Considering the respondent's failure to prove that the applicant's claim for non-compliance is defective, I accordingly find that the respondent has contravened the provisions of the Council's Main Collective Agreement.

## **AWARD**

Having considered the submissions, I order the following:

5. The respondent is hereby ordered to submit the wage records/time sheets for the period 01 November 2022 to 22 June 2023 within 14 days of receiving the award.

Date issued: 12 October 2023

A handwritten signature in black ink, appearing to be 'Ilse de Vlieger-Seynhaeve', written in a cursive style.

Bargaining Council Commissioner: Ilse de Vlieger-Seynhaeve