



# SETTLEMENT AGREEMENT

IN THE COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION

Case Number: GATW 332-18

In the dispute between:

NUPSAW OBO MEMBERS (Applicant)

and

DIS-CHEM PHARMACIES (Respondent)

The undersigned parties record the settlement of their dispute in the following terms. By signing this agreement, the parties acknowledge that the agreement was read to them and interpreted (where necessary) and that they understand the content hereof. This agreement is in full and final settlement of the dispute referred to the CCMA. The parties agree to resolve the dispute as follows:

- 1) The Applicant party agrees to terminate the industrial action with immediate effect. This will be communicated to their members.
- 2) The Respondent agrees to grant the Applicant party Organisational Rights related specifically to Section 13 of the LRA Stop Order facilities effective 1 February 2018. This will be within Dis-chem workplace/company and provided the Applicant trade union's membership amounts to not less than 1500 membership.
- 3) The Respondent agrees to pay the Applicants their outstanding bonus pay for 2017. The payment will be paid on/before 5 February 2018.
- 4) The Respondent agrees to pay the Applicants their salaries for January 2018 subject to the 'no work no pay' principle being applied.
- 5) The parties agree to conduct a verification process with the assistance of the CCMA on Friday and Saturday 26 & 27 January 2018 at 08:00 to 20:00 at the Respondents premises at 23 Stag Road, Midrand.
- 6) The Applicant Trade Union agrees should their membership be below 1500 members, after the verification process, they will continue to recruit members without any intimidation and without being entitled to any stop order facilities in such circumstances.
- 7) The parties agree to a threshold of 30% membership within the Company for all other Organisational Rights.


8) The Respondent wishes to reserve its rights to conduct any disciplinary action against any employee who may have allegedly committed misconduct during the industrial action.

9) The Applicants agree to return to work on Monday the 29 January 2018.

10) No variation of this agreement shall be legally binding unless reduced to writing and signed by the parties. This agreement constitutes a full and final settlement of this dispute.

11) Any alleged non-compliance with the above terms of the agreement may give rise to a non-compliance and/or interpretation of this agreement and may be referred to the Commission in terms of Section 24 of the Labour Relations Act or enforced at the Labour Court.

**DONE AND SIGNED AT CCMA TSHWANE ON 24 January 2018.**


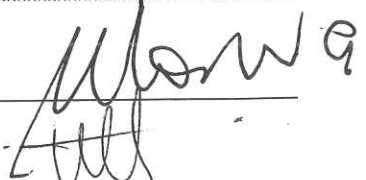
  
S.L. Marema  
APPLICANT

  
J. OCKSE  
RESPONDENT

  
Manella Mthembu  
WITNESS

  
WITNESS

  
WITNESS

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This agreement was conciliated by:  SIGNATURE:   
W. Wilkense

