



## LEGAL SERVICES LABOUR LAW COMPLAINT FORM

TEL: 012 644 4300  
FAX: 011 388 9828  
E-MAIL: [sapd@solidarity.co.za](mailto:sapd@solidarity.co.za)

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**PERSONAL DETAILS:**

SURNAME: \_\_\_\_\_

FULL NAMES: \_\_\_\_\_

ID NUMBER: \_\_\_\_\_

GENDER:  MALE  FEMALE OCCUPATION: \_\_\_\_\_

POSTAL ADDRESS: \_\_\_\_\_

CODE: \_\_\_\_\_

PHYSICAL ADDRESS: \_\_\_\_\_

CODE: \_\_\_\_\_

TEL (H): \_\_\_\_\_ TEL (W): \_\_\_\_\_ CEL: \_\_\_\_\_

FAX: \_\_\_\_\_ E-MAIL ADDRESS: \_\_\_\_\_

DATE OF JOINING SOLIDARITY: \_\_\_\_\_ MEMBER NO.: \_\_\_\_\_

**ALTERNATIVE CONTACT DETAILS OF NEXT OF KIN/FRIEND:**

SURNAME: \_\_\_\_\_ NAME: \_\_\_\_\_

TEL: \_\_\_\_\_ CELL: \_\_\_\_\_

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**DETAILS OF EMPLOYER WITH WHOM YOU ARE IN DISPUTE:**

NAME OF EMPLOYER: SA POLICE SERVICE

WHAT IS THE EMPLOYER'S LEGAL PERSONALITY?  Sole owner  Company  Trust  
 Close corporation Registration number: N/A

POSTAL ADDRESS: Private Bag X94, Pretoria

CODE: 0001

PHYSICAL ADDRESS: Wachthuis Pretorius Street, Pretoria

CODE: 0001

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TEL: 012 644 4300  
FAX: 012 664 1228 / 011 388 7927  
E-MAIL: legalservices@solidarity.co.za

TEL: 012 393 7135 CELL: -

FAX: 012 393 7159 / 60 E-MAIL ADDRESS: dekockpfp@saps.gov.za

CONTACT PERSON: Brigadier PFP de Kock

**NATURE OF DISPUTE :** (Tick appropriate box.)

- Unfair dismissal       Salary/overtime/remuneration       Amendment of conditions of service
- Disciplinary action       Refusal of leave       Severance payment
- Retrenchment       Unfair labour practice       Unemployment insurance
- Other (specify) Promotion

Please complete the OHS/IOD form for any dispute related to occupational injury, occupational safety or occupational decease.

**EXPOSITION OF THE PROBLEM:** (Attach comprehensive report, if necessary.)

Collective grievance ito SSSBC agreement 3/2018

How did you address the problem? Part of the collective action.

**JOB PARTICULARS:**

Date of employment: \_\_\_\_\_ Gross salary: \_\_\_\_\_

Date on which problem originated: 5 December 2018

Date of disciplinary hearing: n/a Date of appeal: n/a

Date of dismissal: n/a

City/town where problem originated: Pretoria Province: Gauteng

Sector in which you work:

- Mining       Construction       Security       Metal/engineering
- Food       Motor industry       Agriculture       Public service
- Municipal service       Road Freight       Other (specify) \_\_\_\_\_

# LEGAL SERVICES MANDATE

TEL: 012 644 4300  
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E-MAIL: legalservices@solidarity.co.za

APPENDIX A

I, \_\_\_\_\_,  
(Full names and surname)

with ID number \_\_\_\_\_ hereby authorise Solidarity to handle on my behalf any and all disputes and problems that I may encounter in terms of labour legislation and to act on my behalf in all relevant forums/courts.

- I authorise Solidarity to negotiate any settlements on my behalf in any manner and for any amount that Solidarity may deem just and fair in the circumstances.
- I authorise Solidarity to sign any referral documents or settlement documents on my behalf and I hereby exempt Solidarity's representatives of the necessity to obtain further authorisation or permission from me in order to sign such documents or enter into such settlements on my behalf.
- I authorise Solidarity to call for and obtain, as if I had done so myself, any personal documents that are relevant to my problem at the discretion of the Solidarity representative dealing with the matter.
- I note and acknowledge the fact that unless I am a fully paid-up Solidarity member and had been one for a period of three (3) months prior to the beginning of my labour dispute and at the time of the dispute's being heard, I shall not be eligible for any assistance of any nature whatsoever from Solidarity, except if I had been transferred from another trade union and Solidarity is recognised by the employer as a bargaining agent.
- I note and acknowledge that the onus rests with me to approach Solidarity for assistance as soon as possible following the beginning of my problem and, in the case of an alleged unfair dismissal, not more than twenty (20) days. Should I approach Solidarity after this period, I realise that referral of my problem to the relevant forums/courts may be too late for acceptance by these forums.
- I note and acknowledge that, should it be found at any time that I had uttered any untruths relating to my case, whether to my representative or while giving testimony in the matter, and which untruths may have had a deleterious effect on the outcome of the matter or may have placed Solidarity or its representative in a poor light, that I will repay on demand all money that Solidarity had spent in pursuing the case on my behalf. In such an instance Solidarity will be entitled to withdraw from the matter forthwith and will not be obliged to provide me with any further assistance.
- I hereby exempt Solidarity and/or any of its employees and/or representatives from any negligence in the conduct of any matter on my behalf and undertake to bring no claims of any nature whatsoever against Solidarity or its representatives for any matter that may arise from the handling of any matter on my behalf.
- I acknowledge that the resolution of issues with regard to labour law may take long to resolve and that, should it be found that I had placed unfair pressure on or had exhibited untoward behaviour towards any Solidarity employee, Solidarity may decide to withdraw from my case forthwith and that I would henceforth have to conduct it myself.
- I undertake to make good any cost orders that may be made in favour of the employer at the conclusion of my case and to pay such orders on demand, should it be found that such cost order had been issued on the grounds of my conduct and/or pressure from my side.
- I abide by the decisions and advice of Solidarity and its representatives whether or not it would be advisable to take action in the prevailing circumstances, to withdraw action or not to bring action at all.
- By signing this document I irrevocably declare that I have read and understood the contents of this mandate form and Appendix B and that I accept the contents as binding and imperative.

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
SIGNATURE

# LEGAL SERVICES INFORMATION SHEET

TEL: 012 644 4300  
FAX: 012 664 1228 / 011 388 7927  
E-MAIL: [legalservices@solidarity.co.za](mailto:legalservices@solidarity.co.za)

## APPENDIX B

### **IMPORTANT MEMBER INFORMATION:**

- You must have been a Solidarity member for three (3) months or longer prior to the onset of a problem in order to be eligible for free assistance with labour law issues.
- Your membership dues must have been fully paid up at the time of the onset of the problem and during the hearing of the dispute in the relevant forum, and the onus rests with you to check your bank statements/salary advices every month to ensure that the membership fees are in fact being paid.
- You may be granted representation in a disciplinary hearing if you submit written authorisation from your employer that a Solidarity official is allowed. Such written authorisation must accompany your complaint form. Representation will depend on the availability of a legal official.
- If you wish to lay claim to legal assistance, you must lodge the complaint with Solidarity no more than twenty (20) days after dismissal, in order to allow for the necessary administrative processes and merit determination.
- If your complaint is lodged after the period of twenty (20) days, no guarantee can be given that your case will be accepted by the relevant forum, since a case of unfair dismissal has to be referred to the relevant forum within thirty (30) days. If the complaint is lodged with Solidarity after a period of thirty (30) days without a valid reason, Solidarity will be under no obligation to render further assistance in the matter.
- In the case of complaints relating to promotion, demotion, the withdrawal or refusal of benefits and fringe benefits and unfair suspensions the internal grievance procedures must be exhausted before Solidarity can take the matter further. A copy of your grievance, the outcome thereof and all relevant documentation must accompany the complaint form. Such matters must be referred to the relevant forums within ninety (90) days [thirty (30) days for public servants] after conclusion of the matter.
- Complaints relating to overtime, leave, mealtimes, allowances, salaries and similar matters are handled by the Department of Labour and complaints must be referred directly to the Department in order to avoid delays. A labour inspector will be assigned to you by the Department of Labour to visit the workplace and investigate the complaint. Should it be found that the employer had acted incorrectly; a compliance order will be served on the employer to compel him to rectify the matter. Solidarity does not have the legal powers enjoyed by labour inspectors and it can therefore not act on your behalf in matters of this nature.
- After referral of a case of unfair dismissal, a conciliation process must be followed in an attempt to settle the matter between the parties.
- If no settlement is reached after completion of the conciliation process, the Commissioner will issue a certificate to refer the matter for arbitration.
- All these referral documents will be completed by the Solidarity representatives and if referrals are done directly by members, Solidarity will be under no obligation to pursue the matter any further.
- The average period for the conclusion of arbitrations by the CCMA and other bargaining councils is generally at least six (6) months. Labour Court matters take at least two (2) years.
- Dates for the disposal of cases are assigned by the relevant forums and Solidarity has no say in the assigning of dates. Delays in certain matters are therefore unavoidable and beyond the control of Solidarity.
- We request you not to visit our Legal Department without an appointment, as our legal officials may not be available due to other scheduled appointments.
- You can visit [www.solidaritylegalservices.co.za](http://www.solidaritylegalservices.co.za) to view the flowcharts indicating the flow of processes within the General Litigation Department and Labour Court Department.

(Please keep a copy of this appendix.)

# RECRUITMENT FORM

TEL: 012 644 4300  
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Dear Member

We request that you provide us with contact details of your colleagues and friends who are interested in membership so that we can provide even better service and so that our work may be sustained. It is essential that Solidarity should grow – that is why we ask you to assist us today. We shall contact these people and ask them to become members of Solidarity, just like you. One of our agents will contact them with more information. Please return this form with your completed complaint form.

Your Information	
Name and Surname	
Telephone number	
Membership number	

	Name and Surname	Telephone number	Email address
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

# SOLIDARITY OFFICES

TEL: 012 644 4300  
FAKS: 012 664 1228 / 011 388 7927  
E-MAIL: legalservices@solidarity.co.za

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## HEADOFFICE

**Street address:** Cnr DF Malan Drive and Eendracht Street  
Kloofsig, Centurion  
**Tel:** 012 644 4300  
**Fax:** 012 664 1228

## BLOEMFONTEIN

**Street address:** 58C Kellner Street  
Westdene, Bloemfontein  
**Tel:** 051 430 6152/3  
**Fax:** 051 430 6163

## CARLETONVILLE

**Street address:** 74 Van Zyl Smit Street  
Oberholzer, Carletonville  
**Tel:** 018 788 4861/018 786 2785  
**Fax:** 011 788 5102/011 388 9854

## KLERKSDORP

**Street address:** 48 Buffeldoorn Avenue  
Buffelpark Centre, Klerksdorp  
**Tel:** 018 468 8533  
**Fax:** 018 468 8563

## LYDENBURG

**Street address:** Cnr Viljoen and Maasdorp Streets  
Versekeringsforum Building, Lydenburg  
**Tel:** 013 235 3698/013 235 4985  
**Fax:** 013 235 1814

## PIETERSBURG / POLOKWANE

**Street address:** 79 (3A) Biccard Street  
Pietersburg  
**Tel:** 015 297 0287  
**Fax:** 015 297 1589

## CENTURION

**Street address:** C/O DF Malan & Eendracht Streets  
Kloofsig  
**Tel:** 012 644 4442/8  
**Fax:** 012 349 8880

## RUSTENBURG

**Street address:** Cnr Heystek and Thabo Mbeki Streets  
Total Garage, Rustenburg  
**Tel:** 014 592 4336  
**Fax:** 014 592 4371

## VAALDRIEHOEK

**Street address:** 130 Rossini Boulevard  
Vanderbijl Park  
**Tel:** 016 931 3160/2/4  
**Fax:** 016 931 3171

## WITBANK

**Street address:** 2B Bureau de Paul, Corridor Crescent  
Route N4 Business Park, Ben Fleur x11  
**Tel:** 013 656 3871  
**Fax:** 013 656 6846

## BELLVILLE

**Street address:** 18 Du Toit Street  
Bellville  
**Tel:** 021 946 4440/4418  
**Fax:** 021 949 4259

## BOKSBURG

**Street address:** 232 Rondebult Road,  
Libradene, Boksburg  
**Tel:** 011 913 0783/1101  
**Fax:** 011 913 3850

## ELLISRAS

**Street address:** Shop 4, Marula Mile Centre  
35 Louis Botha rd. Ellisras  
**Tel:** 014 763 1174  
**Fax:** 014 763 1264

## KATHU

**Street address:** Rietbok Street  
7 Theque Building, Kathu  
**Tel:** 053 723 1604  
**Fax:** 053 723 1407

## NEWCASTLE

**Street address:** 79 Harding Street  
Sanlam Park B, Newcastle  
**Tel:** 034 312 9711 / 9917  
**Fax:** 034 312 5170

## PORT ELIZABETH

**Street address:** 52, 6<sup>th</sup> Avenue  
Newton Park  
**Tel:** 041 364 3219  
**Fax:** 041 364 2927

## RICHARDSBAY

**Street address:** 12 Anglers Rod Street  
Meerensee, Richards Bay  
**Tel:** 035 753 1935/1936  
**Fax:** 035 753 1937

## SECUNDA

**Street address:** Cnr Joe Slovo and Moore Streets  
Secunda  
**Tel:** 017 634 5296  
**Fax:** 017 634 5297

## WELKOM

**Street address:** Shop 5, The Strip, Metro Village  
312 Stateway, Welkom  
**Tel:** 057 352 6839  
**Fax:** 057 357 2072



[www.solidariteit.co.za](http://www.solidariteit.co.za)

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