



FURNITURE BARGAINING COUNCIL

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CIRCULAR 05/23

TO ALL EMPLOYERS AND EMPLOYEES

OBLIGED NOTICES TO EMPLOYEES/WORKERS IN CASES OF NON-COMPLIANCE BY ESTABLISHMENTS/EMPLOYERS

1. In terms of the prevailing Main Collective Agreement, every employer shall forward monthly payments for all prescribed fees, levies, and contributions, together with the required returns, to reach the Council by no later than the 10th day of the month, following the month to which it relates.
2. In the event that any establishment fails to comply with the above, the employees of such establishment are or may be detrimentally affected. In the latter instance the Council has an obligation to notify the employees concerned of any potential reduction or loss of their benefits.
3. With regard to arrear Provident Fund contributions and returns, please note that in terms of Section 13A of the Pension Funds Act, (Act 24 of 1956, as amended), the Financial Sector Regulation Act, (Act 9 of 2017 as amended) and the "Conduct Standard" (Notice 8 of 2023 as published by the Financial Sector Conduct Authority), even stricter obligations are placed on retirement fund administrators such as this Council, to notify the fund's Principal Officer, the Financial Services Conduct Authority (FSCA) and the South African Police Services (SAPS) in writing, within strict prescribed time lines of such arrear contributions. Any failure on the side of the Council to take the prescribed actions as set out in Section 13A as well as the "Conduct Standard" may have serious consequences, or even result in the withdrawal of Council's approval as an administrator of the Fund.
4. To this end, the Governing Body of this Council has resolved to give all employers and employees a pre-indication of our future intended action, in order to prevent any establishment to be caught unawares.
5. Urgently note that in future this Council will be notifying your employees/workers of any failure on your side to comply in full and will be reporting non-compliant establishments/employers to the necessary required authorities. We will also be taking the necessary actions to ensure the proper enforcement of our Collective Agreements.

Kindly ensure that all provisions of this Circular are complied with. Please contact the Council's Inspectorate Department should you require any additional information or clarity regarding this Circular.

Please do not contact any junior staff members of the Council for any additional information or clarity regarding this Circular.

A COPY OF THIS CIRCULAR MUST BE DISPLAYED ON YOUR ESTABLISHMENT'S NOTICE BOARD