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Foreword

Wow, what a year this has been!

It is hard to believe that as this issue of MISA DATA is distributed, we are speeding towards December!

It has been a roller coaster year in the motor retail industry. The economy has been challenging, businesses have been under pressure, and in many instances staff bears the brunt of changes that are necessary from an economic perspective.

For MISA it has also been a very busy year. Behind the scenes, we have been working hard to support our members on various fronts in the workplace. Beyond that, we have continued and expanded our upliftment and community programmes, including our involvement with our ‘adopted’ school, Hoërskool Die Burger.

We had a strong presence at Automechanika earlier in the year, and held successful AGMs in all our Regions. The annual MISA Women’s Forum Woman of the Year Award is another example of our vision of supporting and uplifting an often marginalised sector of our industry.

As this issue of MISA DATA was put to bed, the dispute we declared with MIBCO as a result of the unilateral agreement the RMI and NUMSA signed in mid-July, had not been resolved. We will not allow that the rights of the majority of our members are ignored in respect of personalised guaranteed increases, and we will continue to campaign for this cause.

We will keep our members updated on our website, our Facebook page and via the MISA eDATA.

It might feel a little early, but I’d like to wish all our members a happy and safe Festive Season and look forward to bringing you good news regarding the negotiations soon.

Martlé Keyter
MISA CEO Operations
MISA WOMAN OF THE YEAR
IS ABOUT GROWTH

The annual MISA Women’s Forum Woman of the Year award is one of the MISA Women’s Forum’s most important development initiatives.

As a campaigner for the equal rights of women in the retail motor sector, the MISA Women’s Forum instituted this award in 2011 to pay homage to the role that women play in this important economic sector.

But the award aims to do more than that, according to Martlé Keyter, National Co-ordinator of the MISA Women’s Forum, who also serves as FEDUSA Vice President for Gender.

“It is an important opportunity for the winner to grow and develop personally and professionally during her tenure as the MISA Woman of the Year,” she says. “We are not necessarily looking for the most senior, most successful woman in the retail motor industry, but we are looking for someone who has the potential to develop far beyond their current job title and role.”

Another important criterion is also the difference the person makes in the lives of others, whether it’s through community involvement, or simply by touching and enriching the lives of colleagues at work.

“We all know someone who is the ‘sunshine’ in an office or dealership. She is someone who is selfless and has a passion for serving people of all walks of life; someone who makes a difference in your life. That is the kind of person that the MISA Women’s Forum is looking to find and develop further through this annual award.”

Regional winners play important role
The award is structured in such a way that a Regional Finalist is selected in each MISA region who then competes for the national title. “There can only be one national winner, but the regional finalists also play an important role,” says Martlé. “We want them to be role models and mentors to their colleagues in the industry. We all need someone to look up to, don’t we?”

The winner of the MISA Woman of the Year 2013 wins an all-expenses-paid working trip related to the IOL in Geneva in 2014.

Heidi’s road to personal growth
Heidi Reid, the 2012 MISA Woman of the Year, is a perfect example of someone who, by her own admission, has grown immensely during her year as MISA Woman of the Year.

“If anyone had told me three years ago that I would be travelling the country talking in front of groups of people I would not have believed it. But there I was, speaking at every MISA August Breakfast,” she says.

“I joined the MISA Women’s Forum in the middle of 2009 with the intention of helping out in the background, as I always saw myself as just another ‘worker bee’. But then as Forrest Gump’s mom always said: ‘Life’s like a box of chocolates... you never know what you’re gonna get.’ With hindsight, when I made the decision to get involved with MISA, I picked the right chocolate out the box. Things didn’t exactly work out as I thought or intended – they worked out a whole lot better!”
2013 MISA WOMAN OF THE YEAR
RENEÉ TAKES HOME THE TITLE TO KZN!

KwaZulu-Natal born and bred Nolwazi Reneé Ntshingila is the 2013 MISA Woman of the Year! She was chosen by the unanimous vote of an independent panel of judges.

Reneé is PA to Emma Demmer, the Dealer Principal at McCarthy Volkswagen Umhlanga and has initiated and organised various community upliftment projects in Umlazi, where she lives with her family. These include projects to ‘green’ the area as well as anti-drug programmes.

Earlier this year, she was awarded a scholarship to attend the 2013 Activate! Leadership and Public Innovation Programme.

“This vote by the judges is confirmation of the belief they have in Reneé’s future potential,” says Louise Bennett, who chairs the Women’s Forum, “We at the MISA Women’s Forum have no doubt she will be a worthy MISA Woman of the Year and that she will make a valuable contribution.”

Meet the Regional Finalists

Eastern Cape
Crystal Slabbert is the Eastern Cape Regional finalist. She runs a cleaning company, which serves Maritime Motors in Port Elizabeth. She not only creates jobs, but is also instrumental in supporting the personal development of her staff members.

Free State/Northern Cape
Annelize Venter, Financial Manager at Central Nissan, Bloemfontein, was tragically killed in a car accident a few days after her nomination was announced. “She was a lovely person and had so much potential,” says Martlé. “We are deeply saddened about her untimely death.”

Northern/Highveld
Renée Swanepoel, Group HR Manager at Lindsay Saker, is the Northern/Highveld Region’s finalist. She has a real passion for people development. Among various others, she was instrumental in helping to mentor a female employee into becoming a DP and 18 months later being crowned the top DP in the Lindsay Saker Group.

Western Province
Kim de Villiers of Motorport Tableview has the motor industry in her blood, being the third generation of ‘motorheads’ in the family. Kim has a strong focus on empowerment, people development and community involvement.
The one aspect that all of the above-mentioned processes and procedures have in common is that they are all considered to be internal employer procedures.

As such, they are all subject primarily and almost entirely to the internal policies and procedures of the concerned employer (subject of course to the provisions and requirements of the Labour Relations Act, 66 of 1995 (the “Act”)).

Internal employer procedures
One more aspect that they will likely all share is that most (if not all!) will exclude representation of employees by outside persons subject to these processes and procedures. In general, this means that employees may not be represented by an attorney or a Union official or representative who is not also an employee of the same employer. Most disciplinary codes provide that an accused employee may only be represented by a fellow employee or a shop steward.

The Act provides in Section 14, that employees who belong to a representative Trade Union (a Union that has as its members the majority of employees in a particular workplace), may elect trade union representatives, or in other words a shop steward.

It is, however, a long-standing MISA policy not to elect such Trade Union representatives. This does not mean that all is lost.

The MISA legal department will in all instances where we believe our members are being unfairly treated, apply to the concerned employers for the right to represent our members in any disciplinary hearings.
There are of course no guarantees that we will be granted this access to these hearings. But fortunately, more and more employers are acknowledging and understanding the undeniable benefit of having one of our skilled LROs present at these hearings.

**Resolving issues in the best interest of our members**
The benefits of our presence are numerous but the most important one is that our approach as MISA is to resolve the issue(s) at hand in the best interest of our members in line with the overriding principle of doing the right thing, and always in accordance with the law(s). In so doing we often prevent smaller issues from escalating to larger, less manageable ones, which invariably saves time and (importantly) costs for all involved.

**MISA is there every step of the way**
Even when we are not afforded the right of access to or representation at disciplinary hearings, we will still pro-actively engage with our members in these circumstances. We will offer professional advice and assistance in preparing for the hearing and take members through the process step by step to ensure they know exactly what to expect and how to react. We will even make ourselves available for telephonic consultation during the hearings if required.

As a general rule MISA does not get involved in grievance procedures or counselling sessions as these are often completely informal and are conducted in an attempt to resolve the issues that may exist between the employer and the member internally and amicably.

**We offer advice**
It is also often beneficial for members to attempt to resolve their internal issues by themselves as it contributes to building a proper relationship between members and their employers. We will still advise members in these circumstances, though. This not to say that we won’t get involved directly and actively if we are requested to do so, and of course allowed, and if the matter is of an extremely serious nature.

**Help when you need it**
It is therefore important for our members to remember that there is help when they need it and that we will assist and even represent them at disciplinary hearings if we are allowed to. It is also extremely important that MISA is informed of the hearings immediately when members are advised of the date and time thereof. The entire process and our effectiveness are dependent on timeous notification to MISA to allow us the necessary time to take the formal steps in applying for representation, etc. and so that we can properly prepare for the arguments that will have to be made at the hearings.

MISA is also actively pursuing Recognition Agreements with various employers in terms of the Act, in which we always negotiate the right to represent our members at internal hearings.

In conclusion, while MISA does not enjoy the automatic right of access and representation at internal disciplinary hearings, we will always assist in any way we can with advice and guidance if our members are being treated unfairly.

Ryan Green heads up MISA’s Legal Department. He can be contacted on ryan.green@ms.org.za

‘We will always assist in any way we can with advice and guidance if our members are being unfairly treated.’
As the adage goes, “it’s not what you say, it’s how you say it”. The way you communicate in a professional environment speaks volumes. While “text speak” might be acceptable for personal SMS messages, at work professional correspondence remains vital.

In fact, it can often be a determining factor when it comes to hiring a new employee, giving someone a promotion, or establishing new business connections.

Text at face value
The difficulty with written correspondence is that there are virtually no contextual cues, aside from conversations that may have taken place as a precursor to a letter.

One should always consider that the recipient of your correspondence is not able to hear your tone of voice or see your facial expression or body language. The reader has no choice but to take the written word at face value.

This may not sound like an altogether negative prospect, but the truth is that we tend to soften our delivery of information with a pleasant tone, a sympathetic gesture or a simple expression like a smile. Without these visual cues, the reader may interpret things very differently to how they were intended. So how can you ensure that your correspondence meets the highest standards?
Three tips for effective correspondence:

1. Conduct a three-point analysis
Before you set out to draft an email or letter, first conduct a three-point analysis. Who is your letter for? Why are you writing it? What is the situation? These factors will inform the tone, format and content of your correspondence.

2. The importance of tone
The term “tone” is usually used to refer to something audible, like the tone of someone’s voice. However, a message or a letter can also have an implied tone. The recipient could read your correspondence and interpret it as being anything from warm, friendly and supportive to hostile, and impersonal – even sarcastic.

This is why tone is so important. Certain expressions are likely to alienate your reader. For instance, the following expressions should be approached with caution:

- “With all due respect …”
- “You claim that … but our records indicate the following …”
- “You failed to include …”

Although you may feel that these expressions are honest, they actually convey an accusatory tone. Instead of facilitating effective communication on any given subject, they attack the reader’s integrity and will most likely cause them to become defensive.

3. Language and style
The language that you use in your correspondence can also either engage or alienate your reader. While you should always err on the side of being slightly more formal in professional communication, it is not recommended that you litter your writing with old-fashioned clichés such as, “We are in receipt of …”, when a simple “I have received …” will do.

Consider the following points when approaching the style that will characterise your correspondence.

- Do you use first and second person pronouns throughout, such as “I”, “we” and “you”?
- Do you compensate for unseen friendly gestures by selecting words that convey an approachable tone?
- Do you aim for a polite, conversational tone that you would use in a conversation at the office?
- Do you steer clear of jargon and words that would alienate your reader?

The golden rule
Before you hit the “send” button or seal the envelope, read your correspondence back to yourself – aloud, if at all possible. This simple piece of advice is one that communication professionals everywhere are in agreement on.

Reading your correspondence before you send it will help you to “hear” it as your reader would, and it will help you to weed out errors before it’s too late.

Remember, business correspondence demands attention to detail, exceptional clarity and a high level of diplomacy.

GetSmarter, the high-touch online education company
MISA WOMEN’S FORUM PAYS HOMAGE TO WOMEN IN MOTORING

Each year, the MISA Women’s Forum pays homage to women in the South African retail motor industry with its August breakfasts.

These very popular events are held every year in each of MISA’s regions and coincide with MISA’s regional annual general meetings.

“It is a way of celebrating Women’s Month and of recognising the important role that women play in the motor retail industry, which is still largely male-dominated,” notes Martlé Keyter, MISA’s CEO Operations.

The MISA Women’s Forum creates opportunities for its members to network, share experiences, and learn from their female colleagues in the motor industry. The breakfasts provide an ideal opportunity for this in an informal setting.

“We see it as an opportunity to take a breakfast ‘breather’, get (and share) some motivation and have some fun, of course,” says Louise Bennett, who chairs the Women’s Forum.

As has become customary, guests were treated to inspiring and thought-provoking performances by well-known artists. This year, Lizz Meiring, well-known actress, radio personality, magazine columnist and author was the guest performer at the MISA Breakasts in Durban, Cape Town and Port Elizabeth.

Bongi Mthombeni captured the audience with his energetic, yet poignant, performance at the Gauteng function. Bongi achieved a top nine position in SA Idols Season 6, a top 5 position in Die Sanger 2012, and appeared in the 2011 Pantomime Cinderella (as Prince Charming) and the 2012 Pantomime Jack and the Beanstalk (as Jack). He also starred in Summer of Love, presented at various Barnyard Theatres.

Bloemfontein enjoyed Lynette Beer’s ‘Seeds of Inspiration’.
FEELING BOXED-IN AT WORK?
FRUSTRATED BY A CAREER THAT IS GOING NOWHERE? THEN YOU MAY BE EXPERIENCING WHAT IS COMMONLY KNOWN AS A “CAREER PLATEAU”.

This point is reached when, despite having worked for a company for some time, you are experiencing no upward momentum in your career. This feeling is experienced for many reasons: you may have reached the highest possible level in your organisation; you may be feeling trapped in your position; or perhaps you simply no longer feel challenged or engaged by your work.

Factors such as organisational downsizing, a limited number of available positions, or even a lack of appropriate skills can lead to plateaus. In experiencing a plateau, you can feel bored and demotivated, which has a negative impact on you, your productivity and your colleagues.

SO WHAT’S NEXT?
The important thing to do is to see this moment as a fantastic opportunity to reassess and redefine your career goals and explore what your next move could be. If you are hoping to stay in the organisation, a lateral move to another department could provide a new challenge. For others, this plateau might be the motivation that you need to change careers, and start looking for a job elsewhere, even in a different sector.

Either way, here are some tips that could help you achieve your goal and move past this frustrating stage.

REACH OUT TO OTHERS
If you want to stay within the same company, but are frustrated with the limited scope of your current position, then it may be useful to look at potential opportunities or new roles that you could fill within the organisation.
Do not be afraid to propose new plans or systems, as this can often lead to the creation of new opportunities, which might just be the challenge you need to move past the plateau.

**Plan your next step**
A career plateau provides the chance to re-evaluate your professional goals and plan the path that you will follow to get there. This is the time to ask yourself the following questions:
- Why do I feel stuck in my current position?
- Are there other departments where my skills would be better used? Can I transfer to that department?
- If not, what are my possibilities outside the company?
- What risks am I willing to take?
Once you have answered these questions, you will be well on the way to formulating a new career plan.

**Take stock of your skills**
This step is important, as your skills will determine your options for growth. In moving forward, your skill base is your greatest asset. This may be the time to further your education and study something different, which is the best option if you are looking to change careers completely.

If you want to stay in the same line of work, then it would be best to look at ways of honing your existing skills. Speak to your HR manager or manager for some guidance.

**Approach a mentor**
Often, a fresh perspective is needed to help you evaluate your current position and see your options more clearly. This may be a good time to find a mentor; someone who can motivate and inspire you. This person should be someone you can learn from, who is able to provide guidance as you navigate and escape the career plateau.

Lastly, remember that reaching a plateau does not need to signal the end of your career. Rather, it is an exciting new opportunity that can be the catalyst for professional and personal growth. Good luck!

From: GetSmarter, the high-touch online education company
MEET THE
MISA REGIONAL EXECUTIVE COMMITTEES

In each region, MISA members are represented by a Regional Executive Committee. In turn, these Committees are represented at the National Executive Committee. We look at these structures in a little more detail.

MISA has Regional Offices in Johannesburg, Durban, Bloemfontein, Port Elizabeth and Cape Town, and each Region has a Regional Executive Committee.

Each of the five Regional Executive Committees consists of democratically elected representatives, who meet once a month and are responsible for overseeing the Regional activities and services.

Regional AGMs are held every year during August and are open to all members. Every three years, the MISA membership in each Region elects representatives to serve on the Regional Executive Committee.

The Regional Chairperson and Vice-Chairperson, together with elected additional members, serve on the MISA National Executive Council (NEC).

National Executive Council (NEC)
The management of MISA’s affairs is vested in the National Executive Council (NEC), which is the highest authority in MISA.

The NEC consists of 20 elected member representatives (who represent the various Regions) and the MISA Chief Executive Officer.

The NEC meets once a year to discuss and decide on strategic and policy matters, financial accounts, organisational reports, the provision of benefits and guidelines on the collected bargaining policy.

The NEC elects a President, Senior Vice-President and Vice-President to serve for a period of three years.

The Presidential Committee attends to all matters that arise between meetings of the NEC in respect of MISA’s administrative functioning.

Eastern Cape Region

The Eastern Cape Regional Committee members are, from left, Dale Hein, Arnold Rainier, Shawn Williamson, Warren Weir (Chair), Andries van Staden and Heidi Reid. The Vice Chair, Marius Gouws, was absent when this photo was taken.
Louise Bennett, Chair of the Natal Region, is pictured (centre front) with the Natal Committee Members. They are (clockwise) Nava Annamalay, Shannon Robertson, Anand Annamalay, Joan Knox and Andrew Waller.

The members of the Northern Highveld Regional Executive Committee are, from left, Renier Smith, Gerhard Lourens, Phumla Mthembu, Riaan van der Walt, and Cathy Jacobs. They are pictured with former MISA Second Vice-President Ansie van Rhyn (centre).

The Western Province Regional Executive Committee members are, from left, Esme Laubscher, Cheryl Jeftha, Ilse Conradie, Frik Möller, Koos Olivier (Chair), Mitch Dantas, and Jules Heyderrych. Johan King was absent when the photo was taken.

The MISA Free State Regional Executive Committee are, back from left, Bennie Claassen (Chair), Terrence Janse Van Rensburg, Wouter Swanepeol, and Riaan Wessels. Front, from left, Lenus Ackermann, Lelanie Marx, and Ian Matthews.
EMBRACE CHANGE IN ALL ASPECTS OF YOUR LIFE

Agility, in sports terminology, is the ability to change the body’s position or direction quickly. This is a skill that requires balance, coordination, speed, reflexes, strength, and endurance. Applying these principles to all aspects of your life can make it easier to adapt to change and manage the challenges of a busy modern lifestyle.

Here are some tips on how to embrace change in the external environment in order to maintain a healthy balance in your personal life.

**Balance**

Take the time to decide what is important to you, and weigh up how you want to balance the different aspects of your life. If you feel that you don’t get to spend enough time doing what you love, figure out how to tip the scales. Go to bed a little earlier so you can fit in that morning run, or skip watching television so that you can get round to reading that novel. Make plans with friends to have lunch or a braai, or go to the theatre once a month. Life is full of obligations; make sure that you balance them with activities that energise you.

**Coordination**

If you feel you’re juggling too many tasks and are always one step behind, it’s time to make changes that will help you to simplify and coordinate your life. Investing in a dishwasher might give you an extra hour a day to do something else; joining a gym near your home might mean you spend less time in the traffic. Think of creative ways to streamline your day, and implement them.

**Speed**

Don’t waste too much time mulling over change. If you are unhappy about something in your life, be proactive about dealing with it. Allowing problems to stagnate will often leave you feeling trapped, whereas acting quickly will allow you to retain a sense of empowerment.

**Reflexes**

Sometimes, changes will occur that you have no control over. It may be something as trivial as roadworks or potholes on your route to work, or as serious as someone in your life falling ill. Sharpen your reflexes and learn to respond quickly and proactively to help you to stay on your feet.

**Strength**

Change is not always easy, and not always avoidable. How you respond to it, however, is up to you. Draw on your inner strength and have the courage to stick to your decisions. It may be tough, but chances are that you are stronger than you give yourself credit for.

**Endurance**

In order for changes to be effective, you have to have the endurance to get through the adjustment phase. Don’t be discouraged if things don’t go as smoothly as you hoped; rather focus on the long-term benefits.

From: GetSmarter, the high-touch online education company

*Balance, co-ordination, strength and endurance are just some of the traits one needs to embrace change successfully at work and at home.*
For many of us, being active and following a healthy diet while sitting behind a desk for eight hours per day is a challenge. Making small changes can, however, have a significant impact on your overall health. Here are six tips to keep you healthy and fit at work.

**Stock up on nutritious food**
Keeping healthy snacks at hand will prevent you from visiting the vending machine or the bistro when your stomach starts growling. Eating regular smaller meals will also prevent you from overeating at your next meal. Opt for snacks that are rich in fibre and protein, such as fruit, nuts, biltong, rice cakes, and low-fat yoghurt.

**Out of sight, out of mind**
Don’t keep food on your desk where it is constantly in sight and within reach. By keeping snacks in the fridge or a drawer, you will only think about them when you are hungry.

**Keep hydrated**
We often mistake thirst for hunger. By the time we realise that we are thirsty we are already dehydrated. Keep a large glass of water on your desk and take regular sips. Aim to drink six to eight glasses of water per day. If you don’t like plain water, try adding a slice of lemon or a few strawberries.

**Cut back on caffeine**
While a cup of java might provide you with some antioxidants and energy to get through the morning, consuming too much caffeine may be harmful. This can lead to a lack of concentration, increased heart rate, high blood pressure, irritability and muscle tremors. If the habit of having a warm drink at regular intervals is difficult to kick, try swapping coffee for decaffeinated coffee or rooibos tea.

**Get up and stretch**
Sitting decreases blood circulation, slows your metabolism and after a few hours even affects your ability to concentrate. Getting up regularly to stretch your legs is important. Try walking to the shop during lunch, taking the stairs instead of the lift, and swapping your chair for a medicine ball.

**Social occasions**
Regular cakes and teas, Friday drinks and social occasions easily let you lose sight of what you are consuming. Saying no to a slice of chocolate cake on a Monday morning or a cold beer on a Friday afternoon is difficult if the alternative is a few carrot sticks or Brussels sprouts. If you know that there is a social occasion ahead, spoil yourself with a healthy treat, such as a tub of berries, your favourite flavour of yoghurt or even a small bar of good-quality dark chocolate instead – this will still give you the satisfaction of enjoying a treat, but without the guilt.

From: GetSmarter, the high-touch online education company
What is collective bargaining? In essence, a collective agreement and an individual contract of employment are one and the same. The fundamental difference is that an individual contract of employment regulates the employment relationship between an individual employer and individual employee and is negotiated and concluded by and between an individual employer and an individual employee.

On the other hand, a collective agreement regulates the employment relationship between a group of employees and an individual or group of employers. It is negotiated at a central level between the respective parties.

Collective agreements, much like individual contracts of employment, generally only bind those employees and employer(s) that are party to the collective agreements. However this is not always the case.

In terms of Section 32 of the Labour Relations Act (LRA) 66 of 1995, it is possible to extend a collective agreement to bind employees and employers that are not parties to the collective agreement. It can be argued that this is, and has been, the core of collective bargaining in South Africa. As without this extension, in many instances, the reason for partaking in collective bargaining would by and large disappear.

Think, for example, what would happen if employer A negotiates and concludes a collective agreement which prescribes among other, minimum wages of R10 per hour for its employees. As Employer A is a party to this agreement, it is bound by it and obligated to pay the R10 per hour. Employer A therefore needs to structure its costing and profit margins to accommodate this wage.

Employer B, however, chooses not to be a party to this particular collective agreement. As such, it is not bound by the agreement and is not obliged to pay the minimum wage of R10 per hour. Employer B chooses to pay its employees only R7 per hour and is consequently able to structure its costing and profit margins to undercut that of Employer A.

The problem is clear for all to see. Employer A will lose business to Employer B due to lower prices. Employer A will quickly lose any incentive to be party to the collective agreement and will likely give notice to cancel the agreement or to withdraw from it in order to level the playing field.

Section 32
And this is where Section 32 comes in, because once a collective agreement is extended to so-called Non-Parties (which are those employees and employers not party to the collective agreement) then the Non-Parties are equally bound by the terms of the collective agreement.

Of course, collective bargaining holds massive benefits for both employers and employees. It ensures certainty and stability for both parties in respect of what to expect and how to perform in the employment arena as all the relevant provisions are contained in a single written and agreed to document, called the collective agreement. The same rules apply for everybody in the same sector which, in turn, encourages healthy competition.
The collective bargaining process, in principle, also allows for participation in determining and setting terms and conditions of employment by a broader base of employers and employees collectively, which ensures a more inclusive and holistic approach to employment.

The extension of collective agreements, however, clearly has a direct and rather immediate effect on the rights and obligations of Non-Parties, as they are forced to comply with the provisions of a collective agreement that they had no say or input in. This is why the LRA also provides for certain requirements that have to be met prior to the extension of a collective agreement.

Law
It is important to note that once extended, a collective agreement enjoys the same status as subordinate legislation. In other words, it becomes law.

The first requirement comes down to the principle of “majority rule”. If the majority of employers and employees have concluded a collective agreement in a particular sector, then it can and must be extended to the minority in that sector. This requirement is in line with the democratic government system in place in South Africa, as it reflects the aims and principles that underpin our Constitution.

Should the parties to the collective agreement, however, fail to meet the majority requirement, then the situation changes. Then the collective agreement may still be extended, but now it is a discretionary extension based on certain factors e.g. stability and diversity of the sector and whether or not the parties to the agreement are ‘sufficiently representative’ within the particular sector. This is clearly not in line with the majority-rule principle and this situation is currently one of the most problematic issues faced by collective bargaining.

Another critical challenge to collective bargaining is that the current Section 32 does not empower the Minister of Labour or the Registrar to interrogate the contents of any collective agreement that is sought to be extended. It merely requires certain procedural steps along with the representivity requirements.

Challenging the process
A recent challenge in the High Court was based on this issue and the applicants argued that this situation is untenable as it effectively gives the parties to an extended collective agreement unfettered legislative power. For this reason the applicants are asking the High Court in this matter to declare Section 32 of the LRA unconstitutional.

The danger posed to collective bargaining by these challenges cannot be underestimated. Should they succeed in the current form, then it would effectively mean the end of collective bargaining in South Africa. Many employer organisations and trade unions and associations are dependent on the current and future existence of the collective bargaining model for their existence and fundamental reasons for their existence would disappear should collective bargaining fail.

This would, of course, have a major impact on employers and employees across many sectors in South Africa. It could potentially lead to closures of businesses and losses of jobs, not least those employed directly by collective bargaining organisations. It could also lead to potential exploitation by and of all involved and create possible competition issues.

It is therefore very important that the parties to current collective bargaining processes and agreements – and all those who seek to challenge the principle of collective bargaining – take a step back and look at the bigger picture. Collective bargaining can – and has – worked, but only if approached and implemented with integrity, honesty and the best interests of all involved.
With life being as fast-paced and dynamic as ever, we find ourselves in a whirlwind of personal and professional expectations. We are all desperately searching for the road to success in our personal and professional capacities. The good news is that success can be learned.

Taking into consideration some of the greatest figures of the modern age, from Mahatma Gandhi to Bill Gates, there are six characteristic traits that successful people have.

1. **Vision**
   Where are you going? How do you plan to get there? These are the first questions you should ask yourself. Obtainable goals form the basis of your success story.

2. **Courage**
   Fear is a hindrance to your personal and professional growth. At all levels of life, fear is present. What is important is how you choose to handle fear. Remember that where there is fear, there is also growth.

3. **Risk-taking**
   To achieve growth of any kind, a certain level of risk is necessary. A proactive approach to risk-taking allows you to better control the result. You are thus responsible for the desired outcome.

4. **Passion**
   Passion is an enormous driving force behind successful people. If you love what you do, doing it is easy. Consider the late Steve Jobs, co-founder of Apple. Jobs attributed his ability to keep faith (despite personal setbacks) in his love for both his profession and people in his life.

5. **Determination**
   Life is tough, so your strength and determination greatly affect the probability of your success. There will always be opposition to your ideas. Adversity is difficult to deal with, but the correct mindset will see to it that it is little more than a bump in the road. Don’t be too hard on yourself. Do not dwell on things that are out of your control. Instead, focus your energy on what you can control.

6. **Perseverance**
   In life, failure is inevitable. Failure is never fun, but it forms the basis of future successes. Learn from your mistakes and put this experience into practice. Commitment, hard work and determination are all important features of perseverance. The next time you’re considering throwing in the towel, pick yourself up, dust yourself off, and try again. You may just be surprised by the outcome.

‘Often the difference between a successful person and a failure is not one has better abilities or ideas, but the courage that one has to bet on one’s ideas, to take a calculated risk – and to act.’ Maxwell Maltz.
Despite their fallibility, passwords won’t be replaced any time soon. We look at how to make passwords more hack-resistant.

**Unpredictability**
The more unpredictable and ‘disorderly’ your password, the better. The gurus refer to the concept as entropy. The higher the entropy, the longer it will take, on average, to crack your password.

**Randomness**
The benefit of a password’s size is obvious: More characters means more possible combinations. The benefit of randomness is less subtle. A password like YesThisIsMyGreatNewRandomPassphrase wins points for size – 36 characters! – but loses points for randomness, since it’s just upper- and lower-case letters. (It’s also less random because it’s in English: Attackers try to take advantage of common letter patterns.)

Something like *5FRRcr62{d~OkP!{AKaxzevQZb6L{~S1F~b would be more secure – it’s both big and highly random. Unfortunately, it’s almost impossible for most people to remember… but it’s easy for a computer to remember.

**Ways to make strong, memorable passwords**
There’s no magic formula for making passwords both very strong and easy to remember. However, here are some ideas:

**Size matters**
In statistical terms, memorable passwords aren’t very random, but you can make them stronger with sheer size. These days, 14 to 15 characters is a minimum for a random password. For a password based on words or phrases, a realistic minimum might be 20 characters. When in doubt, go big.

**Use combined terms**
Grouping three to five unrelated words together can be a great basis for a long password.

Something like TurquoiseGullGrapeDiner creates a sizable password (23 characters) but only requires you to remember four things.

**Use groups of symbols and numbers**
The example above won’t work if a system requires numbers or symbols. However, if you accent it with a small group of special characters, like (3^, it can be used almost anywhere as TurquoiseGullGrape(3^Diner. Here’s the trick: Come up with two or three sequences of symbols and numbers like that, then re-use them to both add entropy to your longer passwords and meet password requirements.

**Never reuse passwords**
It’s tempting to make a single strong password and use it everywhere. Don’t do it. When attackers steal passwords, they often get information like names, email addresses, billing details, and even security questions or password hints along with them. If attackers crack your password on one service they can quickly try the same password with your name or email address on other services. If you never reuse passwords, damage from a cracked password is already contained.

From *Six tips to bombproof your password* by Geoff Duncan on [www.digitaltrends.com](http://www.digitaltrends.com)
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Allow us the opportunity to discuss your requirements for:
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• Asset structuring
• Liability-driven asset solutions
• Pension fund administration

And we’ll prove that what sets us apart is our heartfelt drive to deliver
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MISA is a registered trade union in the retail motor sector (LR2/6/2/1226). MISA is affiliated to the Federation of Unions of South Africa (FEDUSA), a politically non-aligned trade union federation representing its members at national and international level.

**MISA’s Mission**

- **The Protection and Advancement of our members’ interests**
- **Benefits offering value for money**
- **Service of the highest order**

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