



AC Brabys Celebrates 100 years.

AC Braby arrived in South Africa in the late 1890's and joined Donaldson & Hill directory publishers, selling advertising space and assisting with general accounts. In 1901 he opened a small Durban office for this Cape based company. After three years, he bought the copyright to the Natal Directory publication. In 1904, Brabys was born with the first appearance of the Brabys' Natal Directory. A significant stride in the business came about with the advent of the telephone in 1912. Brabys acquired a 10-year contract to publish the Durban telephone directory!

The firm grew steadily over the years filling the growing need for new publications and forging lucrative contracts throughout Sub-Saharan Africa. AC played an active role as chairman throughout, and retired at the age of 82 in 1954. He was succeeded by his son Horace. Horace matriculated at DHS and read a B. Comm degree at the University of Natal. The business prospered under his guidance, and after 46 years, he retired as MD but continued to serve as chairman until 1985. David Smith, an outsider to the family brought fresh ideas to the business and was appointed MD in 1977. It was shortly thereafter - 1978, that the company joined the Federation of Master Printers of SA (Chamber) through the company's Rockhaven Press. *(Continued on page 2)*

Proposed Technical Training - a mute response

In the Chamber's June Bulletin, it was stated that the Chamber was considering the introduction of Technical Training in 2004. Besides those companies that the Chamber had already been in contact with prior to the publication, the response from Chamber members has been mute. Regrettably, it appears that the need for technical training is not as critical as it was originally thought to be. Members are invited to contact Geoff Warren in this regard.

Public Holiday to Roll Over

The Chamber has received numerous queries concerning the status of 26th December 2004 "the day of Goodwill."

To clear up any misunderstanding, the 26th falls on a Sunday this year, and will therefore roll over to Monday the 27th. The Public Holidays Act No 36 of 1994 states that "whenever any public holiday falls on a Sunday, the following Monday shall be a public holiday."

Wall Charts

The Chamber has a stock of wall charts that companies should be displaying on their premises.

- Basic Conditions of Employment Act
- Occupational Health and Safety Act
- Employment Equity Act

These are available at a discounted price of R75,00 per chart (excl. VAT)

Members' News

Should you wish to have news from or about your company published in the Chamber Bulletin, please send details by fax or e-mail to the address below, or contact Helen.

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Braby's Continues

The acquisition of the jobbing department of Robinson & Hewitt (Pty) Ltd. which became known as Rockhaven Press allowed Brabys to move from a company that outsourced its printing and binding to handle it in-house. Installation of up-to-date camera, make-up and plate-making facilities enabled Brabys to manufacture its own publications in their entirety, something which was essential in those times when keeping up-to-date with technological advancement was not as costly and difficult as it is today.

It was said that Brabys was never a good fit into the Kohler Group, and no real synergistic benefit was derived from this acquisition. In an unbundling programme the company was acquired by its present owners, Associated Industries Holdings (Pty) Ltd. a specialist promotional and advertising business. The Brabys business included sub-divisions A.C. Braby, Swan Publishing, Rockhaven Press, Allan R Lawrie, Caversham Brochures, Directory Publishing and Electronic Media Services, and the respective businesses of B & T Directories and A.C. Braby in Botswana, Lesotho, Namibia and Swaziland. In keeping with Associated Industries' business plans, the Rockhaven Press was dismantled and the printing and binding was again outsourced. This being in keeping with the new approach in business where non-core activities are outsourced.

Through a reverse take-over, the Associated Industries group has been brought under the banner of the Brabys Holdings Group. Brabys is now focused on the future, with the business comprising seven divisions. Three of these focus on servicing group companies and divisions. These are Brabys Production Services, Administration Services and Information Technology, and Brabys Media Sales. The remaining four comprise Brabys Paper Directories, Brabys Paper Maps, Brabys Electronic Media, and Brabys Data Services. Included in the Electronic Products is the Ananzi search engine. Brabys spent the

last few years in Kings Road. in Pinetown , but has returned to the home that most of its staff are familiar with in Caversham Road. Pinetown. MD Tony Stagg who is based at the Caversham Rd. offices looks forward to the future. To visit Brabys, try Brabys.com where you will find South Africa's most comprehensive database of over 500 000 verified and constantly updated entries.

The Chamber congratulates Brabys on the first 100 years, and here's to many more prosperous years.

Road Deaths Cripple SA Economy

Irresponsible driving is costing the South African economy R16 million a day. Approximately 40 people are killed in road accidents daily with an estimated cost per death, including loss of earnings and funeral costs, amounting to R420 000. "South African business can no longer ignore the severity of the situation" says Moira Winslow, chairperson of Drive Alive, a non-profit organization committed to promoting road safety. "Road deaths are negatively affecting the South African economy. We have now reached a point where the carnage on our roads is so severe that the repercussions are not only felt by the families involved, but also by the larger business community as well," she adds.

"Although there appears to be an overwhelming sense of complacency in many sectors, Drive Alive is not prepared to stand on the sidelines and watch the devastation continue."

Drive Alive has been actively involved in road safety since 1989 and is committed to: educating South African youth on road safety; positively influencing the attitudes of road users; and creating a climate in which government recognizes the necessity for increased traffic law enforcement and implementation.

Educational Programmes:

Forty-seven percent of all South African road fatalities are pedestrians with more than 1100 children under the age of 19 years killed on our

roads annually. Drive Alive has implemented various educational programmes in the most affected communities.

Drive Alive's educational outreach programmes have been lauded by the international road safety community for being responsible for decreasing the number of pedestrian fatalities. In 2003 Drive Alive educated more than 15 000 learners and supplied reflective school uniforms in high-density areas, resulting in a 95 per cent decrease in pedestrian fatalities in those areas.

About Drive Alive: Formed in 1989, Drive Alive is a non-profit organization, registered with the Department of Social Welfare and Pensions. Drive Alive is a member of South African National Road Safety Board and the European Federation of Road Crash Victims, and sits on the steering committee of the Global Road Safety Partnership (GRSP) in South Africa.

For further information, call Maria Winslow on 011-7889789 or e-mail: safety@drivealive.org.za

Acknowledgements: NAFCOICCI

Proposed National Retirement Fund for all Employees

It is understood that the Taylor Commission, which is otherwise known as the "Committee of Enquiry into a Comprehensive System of Social Security", has released a report which contains a recommendation that a national retirement fund be established.

It is evident that the cash flow implications for small business's contribution to a national retirement fund and to the proposed compulsory medical aid, could be dramatic.

Perhaps the final proposals will only apply to employers with a set number of employees as is currently the case with skills development levies.

Acknowledgements: ICSA Corporate Governance Technical Newsletter

Zimbabwe Public Holiday - 2005

New Years Day	1 January	Saturday
Good Friday	25 March	Friday
Easter Saturday	26 March	Saturday
Easter Monday	28 March	Monday
Independence Day	18 April	Monday
Workers Day	1 May	Sunday
Africa Day	25 May	Wednesday
Heroes Day	8 Aug.	Monday
Defence Forces Day	9 Aug.	Tuesday
National Unity Day	22 Dec.	Thursday
Christmas Day	25 Dec.	Sunday
Boxing Day	26 Dec.	Monday

Mozambique's Public Holidays – 2005

New Year's Day	1 January
Hero's Day	3 February
Woman's Day	7 April
Workers' Day	1 May
Independence Day	25 June
Lusaka Peace Agreement	7 September
Defence Force's Day	25 September
Peace and Reconciliation	4 October
Family Day	25 December

Lesotho Public Holidays – 2005

New Year's Day	Saturday	1 Jan.
Moshoeshoe's Day	Friday	11 March
Good Friday	Friday	25 March
Easter Monday	Monday	28 March
Worker's Day	Sunday	1 May
Ascension Day	Thursday	5 May
Africa Heroes' Day	Wednesday	25 May
King's Birthday	Sunday	17 July
Independence Day	Tuesday	4 October
Christmas Day	Sunday	25 Dec.
Boxing Day	Monday	26 Dec.

Zambia Public Holidays – 2005

New Years Day	01 January
Youth's Day	12 March
Good Friday	25 March
Holy Saturday	26 March
Easter Monday	28 March
Labour Day	01 May
Public Holiday	02 May
Africa Freedom day	25 May
Heroes Day	04 1st Monday in July
Unity Day	05 1st Tuesday in July
Farmer's Day	01 1st Monday in August
Independence Day	24 October
Christmas Day	25 December
Public Holiday	26 December

Nelson Mandela

Metropolitan University - 2005

Term	1st	2nd	3rd	4th
Open	07-02	04-04	14-07	03-10
Close	24-03	26-06	23-09	23-11

University of Free State - 2005

Term	1st	2nd	3rd	4th
Open	31-01	05-04	26-07	04-10
Close	18-03	30-06	23-09	25-11

University of Stellenbosch – 2005

Term	1st	2nd	3rd	4th
Open	07-02	04-04	08-07	12-09
Close	24-03	17-06	02-09	08-12

University of the Western Cape

Term	1st	2nd	3rd	4th
Open	07-02	04-04	18-07	12-09
Close	24-03	24-06	02-09	02-12

Rhodes University – 2005

Open	14-02	11-04	05-07	19-09
Close	23-03	22-06	09-09	16-12

Tshwane University of Technology-2005

Term	1st	2nd	3rd	4th
Open	10-01	04-04	11-07	03-10
Close	18-03	24-06	23-09	02-12

Durban Institute of Technology – 2005

Term	1st	2nd	3rd	4th
Open	17-01	04-04	18-07	03-10
Close	24-03	24-06	23-06	15-12

University of Pretoria – 2005

Term	1st	2nd	3rd	4th
Open	02-02	04-04	11-07	03-10
Close	18-03	28-06	22-09	02-12

University of Witwatersrand - 2005

	1st Teaching Block	2nd Teaching Block	3rd Teaching Block	4th Teaching Block
Open	14-02	13-04	18-07	14-09
Close	01-04	23-06	02-09	24-11

Durban International - very quiet

The total number of foreign travellers who visited South Africa from mainland Africa, overseas and unspecified countries, arriving through all ports of entry during May 2004 was **502 694**. The May 2004 figure represents **an increase of 0,6%** as compared with the May 2003 figure of 499 773 (See Table 1.1.1).

During May 2004, the most common mode of travel used by foreign travellers arriving in South Africa was road, involving 356 849 (71,0%) travellers, followed by air, involving 130 011 (25,9%) travellers. Of the total number of foreign travellers arriving by air, 109 518 (84,2%) arrived through Johannesburg International Airport while 18 875 (14,5%) arrived through Cape Town International Airport, 485 (0,4%) arrived through Durban International Airport and the rest, 1 133 (0,9%), arrived through other airports.

Motor trade sales increase

Total motor trade sales for the three months up to April 2004 increased by 9,5% compared with the three months up to April 2003. However, seasonally adjusted motor trade sales for the three months up to April 2004 decreased by 3,7%, compared with the three months up to January 2004.

Motor trade sales for the first four months of 2004 increased by 10,8% compared with the first four months of 2003.

Employment equity still a battle

Only 22 percent of senior management positions in South Africa in 2002 were held by black people, with black women in particular still battling to leave the lower rungs, according to a report released by the Commission for Employment Equity on Tuesday. The report, which analysed and compared employment equity reports submitted in 2000 and 2002, found that there was "limited improvement" relating to employment practices and race. While blacks, defined as Africans, Coloureds and Indians, formed the majority of the

workforce covered in the reports, their representation in key positions in the workforce profile remained "very low", and they only accounted for 32 percent of legislators and 19 percent of top management positions.

The representation of blacks in workforce movement, which means recruitment, promotions and terminations, was also "disappointing", the report said, with the only encouraging areas in top management promotions where blacks accounted for 56 percent. Researchers found that blacks accounted for only 36 percent of top management recruits and 37 percent of all promotions at professional and middle level.

Women representation

Although the representation of women in the higher echelons of the workforce was relatively high when compared with their 37 percent representation in the total workforce, in real terms their equitable representation at all levels was "rather insignificant".

Although women were fairly represented in the professional and technical categories, they tended to be clustered on the lower rungs.

Women accounted for 19 percent of all top management recruits and 34 percent of all promotions at professional and middle level.

The poor representation of black women among the total representation of blacks and of women suggested that inadequate attention was being paid to the compounded disadvantage of race and gender, the report said.

Poor showing for people with disabilities

People with disabilities remained about one percent of the total workforce with improvement in this area "insignificant".

In "elementary" occupations, which included news vendors, garage attendants, car washers, gardeners and garbage collectors, 98 percent were black.

The only even spread was in the technical

sector, which includes computer programmers, radio and television announcers, writers, editors and pilots.

Here the split was 50/50 between blacks and whites but a further breakdown showed that Africans accounted for 32 percent of the overall black representation. Women held

40 percent of these jobs with 14 percent of them African and 18 percent white. Among the males, Africans accounted for 18 percent and whites 32 percent, with the overall figure for black women being 22 percent.

Deadline looms

Receiving the report at the launch in Sandton of the Employment Equity Roadshow, Labour Minister Membathisi Mdladlana said that while many employers embraced employment equity, many refused to comply even with its basic procedural requirements and others thought it was enough to submit glossy equity plans. "They have only a few months left as the net is closing down on them," said Mdladlana, referring to the October 1, 2004, deadline. He said government would travel to cities throughout the country to encourage all employers and employees to fully embrace employment equity at the workplace.

Sapa

Inflation and Consumer Price Index as at June 2004

Headline Inflation

The headline inflation rate at June 2004 (i.e. the Consumer Price Index for the historical metropolitan areas at June 2004 compared with that at June 2003) is 1,2%. The annual increase of 1,2% in the Consumer Price Index for the historical metropolitan areas is mainly due to annual increases in the price indices for transport (+ 1,2 percentage points), medical care and health expenses (+ 0,8 of a percentage point), household operation (+ 0,6 of a percentage point), food (+ 0,5 of a percentage point) and education (+ 0,4 of a percentage point). These annual increases were partially

counteracted by annual decreases in the price indices for housing (- 2,7 percentage points), "other" products (- 0,2 of a percentage point), recreation and entertainment (- 0,1 of a percentage point) and clothing and footwear (- 0,1 of a percentage point).

CPIX

The annual percentage change in the Consumer Price Index *excluding interest rates on mortgage bonds* (CPIX) for the historical metropolitan and other urban areas is 5,0% at June 2004 (i.e. the CPIX at June 2004 compared with that at June 2003) The annual increase of 5,0% in the CPIX for the historical metropolitan and other urban areas is mainly due to annual increases in the price indices for transport (+ 1,2 percentage points), housing, excluding interest rates on mortgage bonds (+ 0,9 of a percentage point), medical care and health expenses (+ 0,9 of a percentage point), household operation (+ 0,6 of a percentage point), food (+ 0,6 of a percentage point) and education (+ 0,4 of a percentage point). These annual increases were slightly counteracted by annual decreases in the price indices for clothing and footwear (- 0,2 of a percentage point), "other" products (- 0,2 of a percentage point) and recreation and entertainment (- 0,1 of a percentage point).

Labour Relations: Religious grounds which interfere with operational necessities

In a series of Court cases the principle seems to have been established that, provided an employer has not acted in an irrational and arbitrary manner, it may not be an unfair action to dismiss an employee, whose religious beliefs prevent him or her adapting to changing operational requirements.

The following cases appear to have relevance:

- SACCAWU v Sun International SA

- Limited (2003) 24 IL) 594 (LC)
- Freshmark (Pty) Limited v CCMA and others (2003) 24 IL) 373 (LAC)
- Food and Allied Workers Union & Others v Rainbow Chicken Farms (2000) 5 LLD 153 (LC)
- Mabasu and Others v Universal Product Network (Pty) Ltd (2003) 9 BLLR 871 (LC)

Acknowledgments: ICSA Corporate Governance Technical Newsletter

Director's Personal Liability

In the recent case of Terblanche NO and Others v Danji and Another 2003 (5) SA 489 (C), the Court considered a situation in which a sole director had dishonestly inflated the asset value of her company and paid company cheques into a trust, in which she had an interest.

The Court found, in terms of Section 424 of the Companies Act, that the director had been guilty of reckless trading with the intent of defrauding creditors.

Accordingly the director was held liable for payment of all the company's debts and her loan account was forfeited.

Acknowledgements: ICSA Corporate Governance Technical Newsletter

Constructive Dismissal

Members have increasingly contacted the Chamber concerning the dismissal of employees. Some of these have been referred to the CCMA as constructive dismissals.

A constructive dismissal may be alleged by an employee who claims that the employer has created new employment conditions, or varied the original terms and conditions of employment in such an adverse way, that continued employment under the new or varied terms and conditions of employment has been rendered intolerable for the employee.

An employee can only claim that he/she has been constructively dismissed if the employee has resigned. This resignation usually comes about because the employee claims that:

- ❑ Intolerable working conditions were brought about by the employer.
- ❑ The working conditions rendered continued employment intolerable for the employee.
- ❑ The employee was left with no option but to resign as there was no other avenue available to the employee.

The onus is on the employee to prove the above.

When addressing the proof thereof, the employee must prove that:

- It was the employer who rendered the continuance of the employment relationship intolerable
- The employee exhausted all internal procedures in an effort to rectify the situation before resorting to resignation
- The employer's conduct was unfair or unlawful or both

A typical example of where an employee may allege constructive dismissal would be where the employer made a unilateral change to an employee's terms and conditions of employment. An employee would have to support any allegation in this regard with evidence to this effect. In addition thereto, the employee's action of resignation must have been his/her only option. Where working conditions have been made to be difficult, or unpleasant for example, this would not justify resignation in this context – victimization aside.

Whilst it is often difficult for an employee to prove constructive dismissal, employers should be aware of the need to consult prior to addressing changes to terms and conditions of employment.

Contact the Chamber for assistance on disciplinary matters.

Funnies

In a restroom:

Toilet out of order. Please use floor below.

Notice in a farmer's field:

The farmer allows walkers to cross the field for free, but the bull charges.

Quote for the month

If 99% is good enough, then gravity wouldn't work for 14 minutes each day.

(Unattributed)

CHAMBER EVENTS - 2004

Event	Details	Duration	Date	Price
Screen Printing (Short Introductory Course) - (Honeydew)	<p>This is an introductory course, designed to give the delegate an introduction to the versatile process of screen printing.</p> <p><u>Course Contents</u> Introduction to the process and the design output requirements Practical demonstration of the process including coating, exposure and the process itself Cutting of a rubylith Stencil Coating a screen Exposing a screen Preparing a screen Setting up a screen printing table Printing a 2 colour poster</p>	12 hours	15-16 September and 18-19 September or 27-28 October and 30-31 October	R850.00 (excl. VAT, Tea, Lunch and Course Notes)
Basic Safety Training	<p>This is an introductory course targeted at all staff so as to give a basic understanding of the requirements of the Occupational Health and Safety Act as is required.</p> <p><u>Course Contents</u> Definitions, Lack of Control, Unsafe Acts & Unsafe Conditions, Injury & Damage, Cost, Domino Effect, Incident Ratio (Frank Bird Theory), Symbolic Safety Signs, Purpose of First Aid, Personal Protective Clothing & Personal Protective Equipment and Handling of Portable Electrical Equipment.</p>	1 Day 08h30 - 16h30	12 October 2004	R335.00 (Incl. VAT)
Chamber Golf Day	<p>Kloof Country Club Take a 4 Ball or Sponsor a hole</p>	Tee off times to be advised	19 October 2004	R800.00 per four ball Holes from R1 100.00 to R1 300.00
Health & Safety & Representative Training	<p>Health and Safety Representatives need to be trained so as to understand their role regarding Safety and Health matters in the workplace.</p> <p><u>Course Contents</u> Definitions, Origins of the Act, What does it consist of, Section 17-Section 20, Recording and investigation of incidents, Hazard identification, Inspection techniques, Investigation procedure, Checklist, Practical inspection of plant.</p>	1 Day 08h30 - 16h30	20 October 2004	R525.00 (Incl. VAT)
Annual Cocktail Function	ABSA Stadium - Bazil Medway Room	18h30 - 20h30	25 November 2004	

To book for any of the above - contact Helen at the Chamber on 031-7058744 or e-mail [kzn-chamber @pifsa.org](mailto:kzn-chamber@pifsa.org)