

## Justice more than 5 years after unfair dismissal



A dealership was ordered to pay 24 months in compensation to an employee and MISA's legal fees after the Union was forced to "fight a protracted and unnecessary legal battle" in the Labour Court.

Judge Reynaud Neil Daniels described Eastvaal Motors' (EVM) conduct in response to MISA and Helena Stoffberg's application, as "vexatious".

"The points raised regarding jurisdiction and joinder, were so void of merit that I can only infer that they were raised to frustrate and delay the process," the Judge found.

According to Daniels Motomid (MM) in Middelburg, Mpumalanga, was transferred as a going concern in terms of the Labour Relations Act (LRA) to EVM on 1 April 2019.

Therefor the dismissal of Stoffberg, the Accounts Administrator of MM, on 2 April 2019 was automatically unfair.

The Judge ordered EVM to pay Stoffberg compensation equal to 24 month's remuneration.

Stoffberg says she is very grateful and satisfied that justice has been done after her legal battle of 5 years and four months.

"It was never about the money, but about the principal. I worked for the company for 19 years. I can only thank Tiekie Mocke, Manager of MISA's Legal Department, Anna-Marie Bodenstern and Dr Gerrie Ebersöhn, MISA's Attorney, for all their amazing work in stating my case," says Stoffberg.

She was working in a half day position when EVM took over MM, a car dealership, from the Geoffrey Bernitz Family Trust.

Henry Bernitz had no appetite to continue with the business after his son, Geoffrey, the Managing Director and Dealer Principal, passed away in tragic circumstances on 14 December 2018.

He and a friend who operated car dealerships in Mpumalanga, concluded a "gentlemen's agreement" about the future of MM.

According to the "deal" Clive Blechman of EVM would take over all the employees of MM subject to full disclosure of all accrued responsibilities under section 197 of the LRA.

Stoffberg attended one of the meetings held with staff and enquired if MM would be willing to retrench her and pay her severance pay. She was firmly told that it would not be possible.

Bernitz told Stoffberg that she had to take the offer from EVM or resign. Stoffberg was offered employment on a full-time basis, at the same salary she earned on a part time basis. She rejected the offer.

In his evaluation of the evidence, the Judge referred to the decision of Adv Tinus Holiday, the representative of EVM to testify in the trial.

"Holiday was warned by the Court that he was exposing himself to an adverse credibility risk. He indicated that he was prepared to take that risk. Holiday testified about an e-mail he sent."

The just of the e-mail was that no severance pay was applicable as it was a section 197 purchase. According to Holiday his secretary typed and sent the e-mail and made an error by omitting to include the word "not".

If the word "not" was included, the sentence reads that it was not a section 197 transfer.

"This does not assist Holiday because it does not explain why his secretary would, on her own initiative, make reference to section 197 of the LRA. I must also take into consideration that the e-mail was transmitted at 20h27, when most secretaries are not at the office," the Judge found.

Daniels rejected the evidence of Holiday. "His version was highly improbable and therefor lacked credibility." The secretary was not called to confirm that she made an error.

Holiday's e-mail suggests that he believed that the transaction between EVM and MM related to a transfer of the business as a going concern.

Stoffberg testified that MM requested her to take leave while it was decided on how to deal with her issue after she declined EVM's offer to work full-time for the salary she used to earn for part-time.

After she exhausted her leave, she was informed that she did not work for EVM.

The Judge found Stoffberg's evidence, that she was dismissed as a result of the business transaction between MM and EVM, credible and reliable.

"It is significant that EVM marketed itself as MM but under new management. Effectively, it announced, publicly, that MM was the same business but in different hands," the Judge found.

According to him it is fair and equitable to award costs to MISA.



# Message from *Martlé Keyter*

MISA CEO: OPERATIONS

## MISA spreading Madiba Magic

**M**ISA had a magical Madiba Month embracing the legacy of Nelson Mandela and giving meaning to the #MadibaDay theme "it's still in our hands to combat poverty and inequality".

Following in the footsteps of Madiba, MISA takes pride in being a beacon of hope in our communities by supporting so many non-profit organisations nationwide.

MISA did not only honour Madiba with 67 minutes but spent the month distributing more than one thousand blankets to the homeless, elderly, disabled, children and rhino calves.

The Union embodies and embraces the social responsibility of its more than 66 000 members to represent change and reconciliation, contributing towards building a better South Africa for all.

MISA is not just talk. This Union is truly unique in setting the trend not only in the retail motor industry, but for unionism in general.

We respect employers and see employees as equal partners in building profitable businesses to sustain and create more jobs in our industry.

When Hermann Köstens, MISA's Chief Executive Officer: Strategy and Development, and myself took over the reigns of MISA in 2013, the membership of the Union was at a mere 27 000.

But hard work, dedication and commitment, while putting service delivery to our members first, paid off. Since last year we are the majority Union in the retail motor industry and the gap is widening.

The Union is persistently providing members and their children with training and education opportunities, while hosting career expo's and jobshadowing initiatives nationwide to expose the youth to the fourth largest industry in South Africa.

MISA is winning cases in our courts, the most recent one of Helena Stoffberg who waited



**Martlé Keyter**

more than five years, but was rewarded with compensation of 24 months in the Labour Court in Johannesburg after she was unfairly dismissed.

But all is not moonshine and roses. MISA's Legal Department was also placed on high alert after AutoZone announced it entered voluntary business rescue proceedings, affecting 317 MISA members.

This is but one of the employers bearing the brunt of the dire ongoing slump in the retail motor industry due to the 15 year record high interest rates and rapid increase in the cost of living.

New and used car sales are on the skids. Reports from Autotrader and the automotive business council Naamsa show that sales stalled in June as weak demand continued to stifle the industry.

Autotrader reported that year-on-year sales of used and new cars were down by 6.4% in June.

According to George Mienie, Chief Executive Officer of Autotrader, the 27 750 used cars sold in June realised a value of R11.3-billion. Though sales improved by the smallest of margins in comparison to May, the additional 21 units failed to move the monthly growth percentage needle.

Naamsa also reported a continued decline in new vehicle sales for June, saying the trend - observed since August 2023 - was evidenced by weak consumer and business spending over the past nine months.

Domestic new vehicle sales in June plummeted 14% compared to last year, reaching 40 072 units, a significant drop of 6 531 vehicles from the 46 603 sold in June 2023.

On a positive note, vehicle exports saw a 3.6% increase, climbing from 27 329 units in June 2023 to 28 306 units in June 2024.

MISA continues to put pressure on the Monetary Policy Committee (MPC) of the South African Reserve Bank to lower the repo rate to bring immediate relief before the ongoing situation results in more job losses.

The Union also continues to follow-up with the Department of Mineral Resources and Energy why it has failed to establish a committee to review South Africa's fuel pricing methodology for the past two years.

There is a silver lining.

MISA ended July on a high note with the first of its annual Women's Breakfasts hosted in East London. It was a phenomenal morning thanks to all our guests and singing sensation Bongki Archi.

The former Idols finalist had everyone singing and dancing, including me.

I look forward to seeing you at MISA's upcoming Annual General Meetings and breakfasts in all the regions during August, Women's Month.

## Introducing our dedicated **Member Section** on the **MIRF Website**

[Click here](#)

Designed to support MIRF members in accessing essential information and staying up to date with the latest news.

In this section you will find self-help tools, documents and resources, brochures, and videos on various important topics that impacts members.

You will also be able to login to the MIRF Member Portal from the Member page to access your Fund Credit and Benefit Statements.



# MISA helps to achieve a dream

A single mother joined MISA to help her son to achieve his dream.

Winnie Sambo (41), a Sales Executive at Hyundai Tzaneen Multi-franchise in Limpopo joined MISA in 2009 after Khehla Radebe, one of MISA's Recruitment and Liaison Officers, explained the benefits members enjoy.

She received her first claim for the Maternity benefit in 2020 and recently received the MISA Bursary Fund for her son Musa (21), a first year student at the University of Limpopo.

The MISA Bursary Fund pays up to R12 500 to help fund the tertiary studies of members' children. Claims for this benefit can only be submitted from 1 January 2025 for a period of 13 weeks on a first-come-first-served basis.

These bursaries are subject to specific criteria and the member needs to have a minimum of 5 consecutive year's membership.

Sambo says she also plans on using the MISA Study Assistance Program towards furthering her own career.

MISA provides study assistance of up to R12 500 to 150 members per annum on the Silver and Gold options, with one year consecutive membership with the Union.

"MISA gives real results, they do not sell us dreams. MISA came through for me with my son's studies and it took the load off. Tertiary



**Winnie Sambo**

education tends to be expensive with even the basic things.

"With previously receiving the Maternity

Benefit, I trust and believe MISA to always come through whenever one needs it. Thank you MISA," says Sambo.

## Why must you know your MISA benefits

MISA member Kanyane Dinah Sekgobela (43) wanted to cancel her membership with MISA after she thought there was no communication.

Natalie Da Silva, one of MISA's Recruitment and Liaison Officers, came to her dealership and explained the three different options (Gold, Silver and Bronze) available to MISA members.

Da Silva assisted Sekgobela, a Cleaner at Suzuki Montana in Pretoria, to update her contact details so that she can receive e-mails and sms-messages from the Union and showed her how to follow MISA's social media pages.

Sekgobela joined MISA in January 2023 because she wanted to enjoy the Death and Funeral Benefit. "I want the reassurance that my family is ok after I am gone."

"I am grateful that Natalie helped me after I complained. She also assisted me to claim the MISA School Support of R1 500 this year for my first born in grade 10."

"As a mother of two, it not only benefits us, but our children as well meaning we are well taken care of."

"Amandla Kuse, MISA's Senior Training Officer, explained everything I had to submit."



**Natalie da Silva**

"After realizing all the benefits available to us I plan on studying something, I believe it is important not only for myself, but for the future of my children too."

"MISA members should learn from me, I nearly cancelled my membership, but look now, with MISA you benefit a lot."

"Thank you Natalie," says Sekgobela.

# Department dragging its feet on fuel review



**Martlé Keyter**

The Department of Mineral Resources and Energy has failed to establish a committee to review South Africa's fuel pricing methodology for the past two years.

MISA, the Motor Industry Staff Association, was invited to participate in the promised committee by Mr. Raphi Maake, Senior Manager in the Department, in July 2022. Since then, nothing has happened.

Maake did not attend a meeting of the Rapid Response Task Team Cost of Living of Nedlac, the National Economic Development and Labour Council, where he was supposed to give feedback.

He said earlier, that the Department approached National Treasury for funding for the fuel pricing methodology review. This request was denied by National Treasury, who said that the Department must find the money in its existing budget.

Martlé Keyter, MISA's Chief Executive Officer: Operations, says that in the meantime, South Africans are continuing to pay sky high fuel levies and taxes, just because it is an easy source of income to collect.

From 1 May 2024, R6. 40 per litre goes towards some form of tax or levy when buying petrol.

This is predominantly made of the fuel tax (roughly 18% of current prices) and the Road Accident Fund (RAF) (around 10% of current prices).

Keyter says that government expects to make around R89 billion from the general fuel levy in the current financial year, adding to the over R730 billion it has generated in the past decade.

MISA approached the Department more than two years ago, because the Union believes the skyrocketing fuel prices contributes to the ongoing dire economic situation.

"The South African Reserve Bank (SARB) held the repo rate unchanged at a 15-year high of 8.25% since May 2023.

"This resulted in a weak economy where

households can't keep up with the increasing cost of living. Affordability is the decisive factor when customers want to buy a new vehicle," says Keyter.

The Union believes that less taxes on the fuel levy and an overall lower fuel price, will result in positive economic growth and job creation to combat the unemployment rate of 33%.

MISA fears that the merging of Departments in President Cyril Ramaphosa's Government of National Unity will cause even more delays in the review of the fuel pricing methodology.

Ramaphosa decided to merge the Ministries of Electricity and Energy. It is believed that the Department of Mineral Resources will only be responsible for mining and petroleum

resources now.

It is unclear under which Department the review of the fuel pricing methodology will fall.

"Our dire economic situation requires swift responses. We can't waste another two years. South Africans need to know if the high fuel levies and taxes can be justified. We want to be a part of the solutions to find another source of income for the Government, other than fuel. At the moment, it seems that this is the only reason why reviewing the fuel pricing methodology is not being taken seriously," says Keyter.



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# Keep up the good work MISA!!

I phoned MISA on behalf of a colleague who wanted to enquire about the Extended Family Cover Benefit.

We were transferred to Stacy Minnaar, one of MISA's Registration Admin Clerks. From the onset, she was friendly and professional.

From MISA, we received the best service, and Minnaar was truly patient with us.

I did not give my details prior to the call, and she only discovered right towards the end who I was.

That left me thinking of how it does not matter who you are and what position you hold. MISA will always give the best service to its members.

**I am not mentioning this because I am part of the Free State/Northern Cape Regional Committee, but it shows how MISA goes the extra mile for its members.**

It does not matter who you are, we are all equal.

Keep up the good work MISA.



Megan Stevens

MISA is always ready to assist and to give its members the best service ever!!!

Regards,



Stacy Minnaar

Megan Stevens of Volvo Bus and Trucks in Bloemfontein, Free State.

Megan was MISA's Woman of the Year 2021.

## School Support Benefit makes a difference

MISA member Nelson Moeketsi (56), a General Worker at Volvo Truck and Bus in Bloemfontein, thanks the Union for the MISA School Support Benefit of R1 500 for Grade 10 - 12 learners.

He claimed for this daughter (17) and used it for stationery and uniform.

"I could not have asked for a better Union."

School Support annually pays R1 500 to the first one thousand members who apply to encourage learners to complete grades 10 to 12 at a school registered with the Department of Basic Education or duly accredited by an authorised entity.

Claims can be submitted from 1 January 2025, subject to 26 consecutive weeks' contributions.

Martlé Keyter, MISA's Chief Executive Officer: Operations, says South Africa's school drop-out rate is a crisis.

Although learner drop-out are a global phenomenon, they have tremendous effects on the communities of developing countries, including South Africa.

Statistics show that the drop-out rates are the highest amongst the higher grades, with grade 11 at 24,08% and grade 10 at 14,84% respectively.

This is learners between the ages of 15 – 17 years who are no longer compelled to go to school by the South African Schools Act.



Nelson Moeketsi

# Never stop learning or growing

**T**handeka Phiri thrives on the ability to make a difference in the lives of MISA members, and despises any form of unfairness and unreasonable behaviour.

“I am honoured to give a voice to those who cannot speak for themselves,” says Phiri, MISA's National Training and HR Manager.

She serves MISA on the structures of FEDUSA (the Federation of Trade Unions of South Africa), MerSETA (Manufacturing, Engineering and Related Services Sector Education and Training Authority) and MIRF (the Motor Industry Retirement Fund).

Growing up in Umtata in the Eastern Cape, Phiri wanted to become a fashion designer. She loves colour and seeing her vision come to life.

Her mother had other plans for her only child and applied, without her knowledge, for Phiri to study B Proc at the Walter Sisulu University in Mthatha.

“I fell in love with law. After completing my B Proc, I did my postgraduate LLB at the University of KwaZulu-Natal in Durban. After six years of studying, I did my articles at a law firm in Mthatha which handled mainly criminal cases.

“Although exciting, it was a rude awakening to see how the law is practised in the field as opposed to theory. I experienced how cases were at times decided in the corridors of courts.”

After she had to do a second bail application for a man arrested for assault, while out on bail for a similar offense, she realised that criminal law was not her cup of tea.

Phiri wanted to spread her wings and prove to herself that she could make it on her own by accepting a job at NAPWA (National Association of People Living with HIV and AIDS South Africa) in Johannesburg.

From there she moved to a position as Assistant Director in Admin Support at the Gauteng Department of Housing.

Soon she was promoted to the position of Contracts Manager: Admin and Legal Support, responsible for new housing projects. This was very rewarding for Phiri, working in collaboration with first time homeowners who participated in the building projects.

Her next challenge was a position as Contracts Manager at the Department of Trade and Industry.

Phiri was headhunted by AfriSam, a leading supplier of superior quality construction materials and technical solutions, for the position of HR Compliance Professional. Her love for HR and training grew from that point on.

“This is where I was exposed to trade unions for the first time through annual



**Thandeka Phiri**

wage negotiations and drafting recognition agreements, amongst others. I had mixed feelings because I experienced some trade union representatives who were putting their own interests first, persisting with unreasonable demands.

“I also met trade unions who did thorough research and understood the landscape and the importance of good work ethics to the best interest of their members,” says Phiri.

The company was going through a restructuring process when Phiri learned about the vacancy at MISA and applied in 2016. The rest is history.

She married her husband, James, in 2007 and they have three children. “He is my calmness in the face of a storm and my belief system with God being my guiding light and my rock keeps me going.

Phiri never wants to stop learning and growing whilst remembering that the world is her oyster.

In her spare time, her priority is spending time with her family and serving her community. She loves helping those in need. Phiri also loves cooking, gardening and listening to music.

# MISA wins court battle about restraint of trade

MISA won a restraint of trade dispute on behalf of five of its members after the employer could not prove they had access to confidential information or trade secrets that had to be protected.

**“There was no evidence that advanced that repeat customers formed the backbone of the business, nor any dispute that all second-hand vehicle deals rely on the book value of the vehicle as guide for determining the value of the vehicle,”** the Labour Appeal Court found in its judgement.

According to the Court, the Labour Court in Johannesburg erred in deciding that it was reasonable to enforce a restraint of trade.

Martlé Keyter, MISA’s Chief Executive Officer: Operations, says that the restraint of trade the Labour Court imposed on MISA’s five members, prevented them from working within a 300 km radius from Ermelo for 12 months.

The employer approached the Labour Court after half of its sales team resigned in response to the employer’s unilateral implementation of an amended commission structure allowing for penalty deductions, without the prescribed 4 weeks’ notice and consultation set-out by the MIBCO, Motor Industry Bargaining Council, Main Collective Agreement.

The employees in question secured alternative employment with another dealership in town.

The Labour Court interdicted and prohibited the employees for taking up employment within 300 km from their former employer’s main business premises in Ermelo, Mpumalanga.

Tiekie Mocke, Manager of MISA’s Legal Department, says in practise the judgement interdict prohibited the MISA members from earning a living in four provinces, Gauteng, Mpumalanga, Free State and KwaZulu-Natal.

MISA appealed against the judgement and brought an urgent application to interdict the employer from enforcing the judgment.

The court found in favour of MISA and prevented the employer from enforcing the judgment whilst awaiting a date from the Labour Appeal Court.

The Labour Appeal Court found the confidential information, know-how, technology or a method, must be objectively worthy of protection concerning matters such as business opportunities, customer information, proposals, marketing, price or pricing arrangements, product specifications, know-how technology, or manufacturing details which are unique to the business, not generally available to third parties.



**Tiekie Mocke**

“It must have actual economic value to the party seeking to protect it, in circumstances which the employee is obliged contractually to keep it confidential.”

“The respondent only sought enforcement of the restraint agreement in respect of its second-hand vehicle business and not its new vehicle business. The facts advanced did not, however, prove that the respondent held a protectable interest in respect of its second-hand vehicle business.

“It proved no evidence of confidential information, trade secrets or trade connections held by the former employees that warranted protection. There was also no evidence advanced that repeat customers

formed the backbone of the business or any dispute that all second-hand vehicle deals rely on the “book value” of a vehicle as a guide to determining its value,” the Labour Appeal Court found.”

According to the judgement the information that the employer sought to protect, was far from being unique and the knowledge was widely available in the industry.

The Labour Appeal Court dismissed the judgement of the Labour Court with costs.

SAFM, one of South Africa’s biggest national radio stations, invited Mocke to explain the restraint of trade principal on its programme, Legal Matters.



# Beware of social media

Think twice before you tweet or post. It can cost you your job.

There are several cases which confirm the fairness of dismissals of employees who made disparaging comments about their employers or colleagues on social media, or made inappropriate remarks on social media even if not related to work.

Emma Sadleir, South Africa's leading expert on social media law and founder of the Digital Law Company, explains that any company that knows a thing or two about reputation management, will not want to be associated with an employee who posts offensive, racist, inciteful or objectionable content online, whether directly related to the company or not.

"A response we frequently receive from employees who find themselves in hot water on social media is *"but it was outside of work hours and had nothing to do with my job"*.

"This is, quite frankly, irrelevant. In the digital age, it is increasingly easy to associate an employee with the company he/she works for, even if this is not specifically stated on LinkedIn or similar profile. It takes just minutes to find out who you are and where you fit in," says Sadleir.

So how must you conduct yourself on social media?

- What you share on your social media platforms always leaves an impression, and it should never be a bad one.
- Doubt means don't. If you find yourself thinking twice whether or not to post or upload that particular photo, then rather don't.
- Do not put your career in jeopardy because of social media and trends.
- Feel like being free by sharing your night out in a club? Don't do it. Even though you do have fun on weekends, you are better off not to share it on your social media.
- Don't share revealing or nude photos whatsoever.
- Do not discriminate. Discrimination is the process of making unfair or prejudicial distinctions between people based on the groups, classes, or other categories to which they belong or are perceived to belong, such as race, gender, age, religion, physical attractiveness or sexual orientation.
- You might write in any indigenous language thinking that you are safe expressing yourself but be aware that you will be burying yourself alive if the post is still offensive or discriminatory.
- It is essential to be mindful of the kind of information you share on social media. Personal identification-, financial-,



private-, sensitive-, confidential work information and false or misleading information, should not be shared on these platforms or you will land in hot water.

- Do not insult anyone or comment on such content.
- Avoid sharing info that could be against company policies.

Be mindful with the usage of social media:

- Take responsibility of what you share on social media.
- Be mindful of who you follow and the type of content they share. Although you might not have full control of what they share, you do have full control of whom you associate yourself with.
- Be honest, however, not everything should be on social media.

The use of social media is good; however, if not careful you will lose out on what's important to you due to content.

Always be mindful of what you share on your social media platforms.

"A comprehensive social media policy will clearly articulate the types of content which employees should refrain from posting and ensure that employees think twice before posting online", says Sadleir

## SOCIAL MEDIA TIPS

- Follow basic social media policy
- Be respectful.
- Learn the social media do's and don'ts
- Don't exaggerate
- Don't be rude (Hate speech, etc.): Not being rude is a basic social media etiquette everyone should follow. It's more important when you're applying for a job.
- Your social media is an extension of who you are so be careful what you post.
- Don't speak ill of previous/current employers: Your recruiter may see it as a major red flag if you badmouth your previous employers on social media. They may think that you can also do such with the company. As a result, this may lower your chances of getting hired.
- Social Media Etiquette in Employment: It can affect the hiring and termination process.
- Consider your social profile/s an extension of the employer and behave accordingly.

# Blankets donated to orphaned rhino calves



**M**ISA, the Motor Industry Staff Association, donated fifty blankets to keep orphaned rhino calves warm this winter and to comfort them while honouring the wish of President Nelson Mandela to protect our environment.

“If we don’t join the fight to protect our rhinos from poaching now, our children will only know them from pictures one day. At least one rhino is killed per day. Last year almost 500 rhinos were killed for their horns,” says Martlé Keyter, MISA’s Chief Executive Officer: Operations.

According to Keyter, South Africans must also be reminded this #MadibaDay of his wish that we protect our environment, which amongst others include our fresh water resources, the climate and all endangered animals and plants.

Madiba said: **“I dream of our vast deserts, of our forests, of all our great wildernesses. We must never forget that it is our duty to protect this environment.”**

MISA donated fifty blankets to Rhino Connect, a non-profit organisation in the battle for rhino conservation, assisting the private rhino owners with dehorning, security including K9 dog units, education on how to care for orphaned rhino calves and training for veterinarian students across the globe.



“This donation is the highlight of MISA’s blankets roll-out during Madiba month. More than 1 000 blankets were donated to members and non-profit organisations nationwide caring for the homeless, elderly, disabled and children.”

Keyter says MISA also acknowledges all the stakeholders risking their lives trying to prevent poaching. Anti-poaching units are underfunded and urgently requires support.

Tersia Jooste, Founder of Rhino Connect, says the organisation will distribute the blankets to traumatised orphaned calves to snuggle up against a warm blanket and who’s temperature needs to be maintained.

“People don’t realise that rhino calves are only weaned at about two and a half years but may remain with the mother for up to five years.”

Jonathan, the calf in the photo, is only six weeks old and suffered from malnutrition.

Rhino Connect also cares for David, a three month old calf left orphaned after its mother was poached in the Thabazimbi area a few months ago.

“Just because we don’t read about rhino poaching that often, does not mean it is not happening. The sad reality is that we have become accustomed to it while there should be an outcry with every incident,” says Jooste.

# #MadibaDay Winter Warmth Drive



Prabashni Naicker, Accountant: MISA and Martlé Keyter, MISA's Chief Executive Officer: Operations, handing over blankets to Glynnis Mcfarlane, Secretary of the Johannesburg Care Foundation.



Org Robbertse, Dealer Principal at CMH Silver Lakes Multi-Franchise, Charlene Meyer of Suzuki Silver Lakes and Gerhard Lourens, President of MISA and Sales Manager of CMH Silver Lakes.



Blanket hand over at Kungwini Welfare Organisation with Gerhard Lourens, President of MISA and Sales Manager of CMH Silver Lakes, Sonja Carstens, Manager of MISA's Media and Communication Department and the staff and members of Kungwini Welfare Organisation



MISA and CMH Silver Lakes Multi-Franchise donated blankets to Mamelodi Hospice, a non-profit organisation. Isaac Baloyi (right), Driver of Mamelodi Hospice and Jack Makaune, General Assistant (left), received the donation from Gerhard Lourens, President of MISA and Sales Manager of CMH Silver Lakes.



Gerhard Lourens, President of MISA and Sales Manager of CMH Silver Lakes (right), handing over the donated blankets to Chris Kotze of ELEOS (left), a non-profit organisation in Pretoria West.



Gerhard Lourens, President of MISA and Sales Manager of CMH Silver Lakes (right), handing over the donated blankets to Tania Hoon of Solidaritet Helpende Hand, Pretoria East (left).

# Soft Skills Competition

## 1 – 30 September 2024



[Training@ms.org.za](mailto:Training@ms.org.za)



“Wisdom is not a product of schooling but of the lifelong attempt to acquire it.” - Albert Einstein

**M**ISA believes in empowering its more than 60 000 members to change their lives by giving them ways to continue learning. Martlé Keyter, MISA’s Chief Executive Officer, Operations, says MISA decided to run the Soft Skills Training Competition during Heritage Month, to focus on the legacy we leave behind.

The competition will allow five members per week to win two of the six most popular soft skills training courses, without taking the required three month break between courses.

Participating members must have 13 weeks’ continuous membership. You can enter the competition by sending an e-mail to [training@ms.org.za](mailto:training@ms.org.za).

According to Keyter MISA identified the need to make more training opportunities available to its members after the increase in applications over the past two years.

“The retail motor industry is in a prolonged new car sales slump June saw a 14% decline, a direct result of the 15 year record high interest rate and rapid increase in the cost of living.

“MISA can’t control the dire economic

situation, but the trade union can equip our members to enhance their skills to remain relevant. With MISA’s Study Assistance Benefit members can apply for up to R12 500 to study at a tertiary institution. To date MISA has helped 58 members for 2024. Last year the Union assisted 87 members,” says Keyter.

In most cases members needs to equip themselves with several soft skills to prepare them for the challenges that comes with studying at tertiary institutions.

**“That is where the MISA Soft Skills Training comes in. Last year MISA assisted 353 members with various soft skills training. This year the Union assisted 40 members to date.”**

**“Don’t miss out on this opportunity to improve yourself while we are building and strengthening the retail motor industry,”** says Keyter.

Keyter says for the Competition, MISA will only focus on the six most popular soft skills courses.

The soft skills courses being offered are:

- **Basic Firefighting,**
- **First Aid:**  
Levels I, II or III,
- **Health and Safety Rep**
- **Introduction to Computers:**  
Basic Computer Skills
- **MS Word:**  
Introduction,  
Intermediate or  
Advanced
- **MS Excel:**  
Introduction,  
Intermediate or  
Advanced.

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# Resignation without alternative employment is Risky



Article by Thandeka Phiri: MISA National Training and HR Manager

When faced with mounting work pressure, a toxic work environment, health issues, or burn out, resignation with immediate effect or without alternative employment may seem like a great idea...that is until reality sinks in and the idea doesn't seem that great anymore.

Although there is nothing wrong with making needed changes in one's life or career, ideally such transitions should be well planned with secured alternative employment or career development prospects.

If the intention is not for a permanent exit from the job market, resignation without an alternative job can have several disadvantages, especially taking into account the current economic crisis facing the country and the ever increasing unemployment rate in our country currently pegged at 32.9%.

Understanding some of these potential drawbacks can help one to pause, think things through and prepare better especially when faced with the urge to stop working. The risks range from:

## Financial Instability

Loss of income from unemployment is usually accompanied by a loss of benefits. Removal from the employer's payroll brings with it the loss of the employer's contributions to retirement and/or medical aid funding.

Furthermore, when the regular income dries up while the expenses continue to pile up, one might struggle to meet their financial obligations such as rent/mortgage, and other living expenses. The depletion of savings can affect overall financial security and long-term plans.

## Emotional and Psychological Risks

Although mental and emotional health may have spurred the decision to quit work, the reality of being out of employment, especially for prolonged periods can place increased strain on one's physical, mental and emotional health.

Financial instability and uncertainty often results in stress and anxiety. The idea of having full control of one's time and not being accountable to an employer may seem very attractive at first, in time though it could lead to feelings of loss and lack of purpose which may also diminish one's self-esteem.

## Career and Reputational Risks

Employment gaps on a CV, some of which may be prolonged, raise questions about an employee's overall commitment and may be viewed negatively by potential employers. The extended time out of the workforce can result in a decline in relevant skills or lack of familiarity with industry developments.

Resignation under these circumstances could result in one being considered as undependable thus resulting in degradation of one's professional network and industry contacts.

These employment gaps can also result in a loss of the competitive edge within the job market. Without the security of a current job, one might feel pressured to accept the first offer received, which may not align with career goals, or offer satisfactory compensation, thus leading to a weakened negotiation position in relation to salary and benefit negotiations.

Leaving employment means missing out on opportunities for professional development, mentorship and career growth available through one's current job.

## Job Search Pressure

Once the dust settles after the resignation, the uncertainty of finding a new job can cause significant stress and anxiety. A challenging job market could lead to a longer than expected job search. This can be especially aggravated when employers perceive the applicant as overqualified for certain roles either due to highly specialised skills, or prolonged periods out of the job market.

As many derive a sense of identity and purpose from their work, being unemployed can lead to feelings of loss of identity and decreased self-esteem.

The risks highlighted above can however be mitigated through:

- Properly evaluating the decision to quit one's job and reflecting on the reasons for leaving in order to ensure that it is not a decision made in haste. This process could necessitate discussing concerns with the current employer in order to establish whether there might be ways to improve the situation without the need to resign.
- Carefully planning and exploring alternative employment opportunities thoroughly and securing an alternative offer before leaving the current job.
- Careful consideration of one's financial situation and savings before resigning. This may entail planning for the possible financial instability through meticulous budgeting and ensuring the availability of adequate savings to cover living expenses a longer period prior to taking the leap.
- Networking and maintaining relationships with former colleagues and industry contacts especially while planning for the next career move.
- Despite adequate planning, stress and anxiety might be unavoidable, therefore, it is important to not ignore stress and anxiety but rather work at managing it and even seeking professional support and counselling where necessary.
- Prior to taking the plunge, reflecting on long-term career goals will aide in making the right decision. This reflection may entail enhancing skills or qualifications to ensure greater competitiveness in the job market.

While resigning without another job can provide relief from a stressful work environment or offer a necessary break; it is important to also weigh the disadvantages that come with such a move. Planning, saving and considering all possible outcomes can help mitigate some of these uncertainties and risks.



MISA WOMEN'S FORUM

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# Women's Breakfast

## Let's celebrate women together!

Great prizes up for grabs!

Dress : Smart Casual / Office Wear

Enquiries : [Karen.Gouws@ms.org.za](mailto:Karen.Gouws@ms.org.za) / 041 - 364 0102

RSVP's will be treated on a "first-come-first-serve" basis as space is limited.

Dietary requirements / special requests : To be indicated when confirming attendance.

### Eastern Cape - East London

**Date** : Friday, 19 July 2024  
**Time** : 08:00 - 11:00 (to be seated at 08:00)  
**Venue** : East London, 22 Gleneagles, Bunkers Hill, East London  
**RSVP** : By 12 July 2024 to [Karen.Gouws@ms.org.za](mailto:Karen.Gouws@ms.org.za)  
**Entrance fee** : Voluntary donation of non-perishable products (rice, samp, etc.) towards our projects.

**FULLY BOOKED**

### KwaZulu-Natal

**Date** : Friday, 02 August 2024  
**Time** : 08:00 - 11:00 (to be seated at 08:00)  
**Venue** : Snell, 63 Snell, Maharani & Maharani, 63 Snell  
**RSVP** : By 26 July 2024 to [Karen.Gouws@ms.org.za](mailto:Karen.Gouws@ms.org.za)  
**Entrance fee** : Voluntary donation of non-perishable products (rice, samp, etc.) towards our projects.

**FULLY BOOKED**

### Western Province

**Date** : Wednesday, 07 August 2024  
**Time** : 08:00 - 11:00 (to be seated at 08:00)  
**Venue** : 7c, Langverwacht Road, Langverwacht, Western Cape  
**RSVP** : By 31 July 2024 to [Karen.Gouws@ms.org.za](mailto:Karen.Gouws@ms.org.za)  
**Entrance fee** : Voluntary donation of single bed blankets and toiletries for girls aged 5 - 18 towards our projects.

**FULLY BOOKED**

### Eastern Cape - Gqeberha

**Date** : Wednesday, 14 August 2024  
**Time** : 08:00 - 11:00 (to be seated at 08:00)  
**Venue** : The Milestone (Running Waters), Plot 6, Kragga Kamma Road, Gqeberha  
**RSVP** : By 6 August 2024 to [Karen.Gouws@ms.org.za](mailto:Karen.Gouws@ms.org.za)  
**Entrance fee** : Voluntary donation of cat food towards our animal projects.

### Northern / Highveld

**Date** : Friday, 16 August 2024  
**Time** : 08:00 - 11:00 (to be seated at 08:00)  
**Venue** : The Banquet Hall, Avianto, Plot 69, R114 Driefontein Road, Muldersdrift, Krugersdorp  
**RSVP** : By 7 August 2024 to [Felicity.Hansel@ms.org.za](mailto:Felicity.Hansel@ms.org.za)  
**Entrance fee** : Voluntary donation of books for children grades R to 7 (ages 5 -13) towards our library project.

### Free State / Northern Cape

**Date** : Friday, 23 August 2024  
**Time** : 08:00 - 11:00 (to be seated at 08:00)  
**Venue** : Tuscan Rose, 6 Maluti Avenue, Bainsvlei, Bloemfontein  
**RSVP** : By 14 August 2024 to [Karen.Gouws@ms.org.za](mailto:Karen.Gouws@ms.org.za)  
**Entrance fee** : Voluntary donation of food for dogs and cats as well as empty tins towards our animal protection projects.

# 2024 ANNUAL GENERAL MEETING



**You can win this MISA branded Puff Jacket if you attend the AGM with 5 MISA Members**

Take note that there is limited space available for attendees. Please make an effort to attend, as valuable information is shared at the MISA AGM that you, as a member, need to be aware of. The Annual General Meeting will also be streamed Live via Teams Webinar. There will be a limited number of lucky draw prizes per Region. To enter the competition email MyMISA@ms.org.za

**KwaZulu-Natal Region**

Town : Durban  
 Date : 01 August 2024  
 Time : 18:30 for 19:00  
 Venue : Royal Durban Golf Club  
 Address : Gate 16, Gladys Manzi Rd, Greyville, Durban, 4001  
 RSVP : To confirm your attendance ([click here](#)) by (22/7/2024)  
 To RSVP Your Virtual Attendance, [Click Here](#).

**Election/re-election of Office Bearers:**

1. Mrs. Nava Annamalay
2. Mr. Anand Annamalay
3. Ms. Reneé Ntshingila

Dinner and drinks

**Western Province Region**

Town : Cape Town  
 Date : 6 August 2024  
 Time : 18:30 for 19:00  
 Venue : Bellville Golf Club  
 Address : Jip De Jager Dr, Welgemoed, Cape Town, 7538  
 RSVP : To confirm your attendance ([click here](#)) by (31/7/2024)  
 To RSVP Your Virtual Attendance, [Click Here](#).

**Election/re-election of Office Bearers:**

1. Mrs. Dilu Abrahams

Dinner and drinks

**Eastern Cape Region**

Town : Gqeberha  
 Date : 13 August 2024  
 Time : 18:30 for 19:00  
 Venue : Walmer Golf Club  
 Address : 90 River Rd, Walmer, Gqeberha, 6065  
 RSVP : To confirm your attendance ([click here](#)) by (22/7/2024)  
 To RSVP Your Virtual Attendance, [Click Here](#).

**Election/re-election of Office Bearers:**

1. Ms. Michelle Marx
2. Mrs. Fadiyah Maarman
3. Ms. Samantha Cornelius

Drinks and snacks

**Northern / Highveld Region – Johannesburg**

Date : 15 August 2024  
 Time : 18:30 for 19:00  
 Venue : Randpark Golf Club  
 Address : Setperk Rd, Randpark, Randburg, 2194  
 RSVP : To confirm your attendance ([click here](#)) by (1/8/2024)  
 To RSVP Your Virtual Attendance, [Click Here](#).

**Election/re-election of Office Bearers:**

1. Mr. Gerhard Lourens
2. Mr. Chad Joseph
3. Mr. Jeandre Bronkhorst
4. Mrs. Ennie Rabalao
5. Mrs. Leonie Olivier
6. Mrs. Manda Martins

Drinks and snacks

**Free State / Northern Cape Region**

Town : Bloemfontein  
 Date : 22 August 2024  
 Time : 18:30 for 19:00  
 Venue : Tuscan Rose  
 Address : 6 Maluti Ave, Bloemfontein, 9300  
 RSVP : To confirm your attendance ([click here](#)) by (1/8/2024)  
 To RSVP Your Virtual Attendance, [Click Here](#).

**Election/re-election of Office Bearers:**

1. Mr. Pieter Ackermann
2. Mr. Nashim Maharaj

Dinner and drinks

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# 2024 Benefits



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