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## Basic Guide to Closed Shop Agreements

A type of collective agreement, a closed shop agreement requires non-union workers to join the union or face dismissal.

### Application

The Labour Relations Act applies to all employers, workers, trade unions and employers' organisations, but does not apply to -

- members of the:
  - National Defence Force;
  - National Intelligence Agency; or
  - South African Secret Service.

### See

- [Labour Relations Act](#)

Applies to all workers and employers and aims to advance economic development, social justice, labour peace and the democracy of the workplace.

### What is a Closed Shop Agreement?

A closed shop agreement is a type of collective agreement that requires non-union workers to join the union.

### Parties

A closed shop agreement is a type of collective agreement concluded by -

- a majority trade union (1 or more trade unions whose members are a majority of the workers employed), and
- an employer or employers' organisation.

### Dismissal

Under a closed shop agreement, non-union workers must join the union or face dismissal.

If a union expels a member or refuses to allow a new worker to become a union member, and if this expulsion or refusal is in accordance with the union's constitution or is for a fair reason, then the employer will have to dismiss the worker. This dismissal is not considered unfair.

### Conscientious Objectors

Conscientious objectors (workers who refuse to belong to a union on the grounds of conscience) may not be dismissed for refusing to join the union.

### Legal Force

A closed shop agreement is legally binding only if -

- 2 thirds of the workers have voted in favour of the agreement;
- workers are not required to be trade union members prior to employment; and
- subscriptions and levies are only used to advance or protect the socio-economic interests of workers.

### Related Links

- [Basic Guide to Agency Shop Agreements](#)  
The Labour Relations Act allows for an agreement requiring the deduction of fees from non-union workers
- [Basic Guide to Collective Agreements](#)  
The Labour Relations Act provides for agreements that alter conditions of employment
- [Basic Guide to Employers' Organisations](#)  
Under the Labour Relations Act, employers may form or join groups that represent employers in collective bargaining
- [Basic Guide to Trade Unions](#)  
Trade unions are necessary for bargaining for workers' rights and benefits and they regulate industrial relations.