

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Regulation Gazette

No. 5429

Regulasiekoerant

Vol. 353

PRETORIA, 18 NOVEMBER 1994

No. 16094

GOVERNMENT NOTICE

GOEWERMENTSKENNISGEWING

DEPARTMENT OF LABOUR

DEPARTEMENT VAN ARBEID

No. R. 1991

18 November 1994

No. R. 1991

18 November 1994

LABOUR RELATIONS ACT, 1956

WET OP ARBEIDSVERHOUDINGE, 1956

BUILDING INDUSTRY, WESTERN PROVINCE:
AMENDMENT OF AGREEMENT FOR THE BOLAND

BOUNYWERHEID, WESTELIKE PROVINSIE:
WYSIGING VAN OOREENKOMS VIR DIE BOLAND

I, Tito Titus Mboweni, Minister of Labour, hereby—

Ek, Tito Titus Mboweni, Minister van Arbeid, verklaar hierby—

- (a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from 21 November 1994 and for the period ending 31 October 1996, upon the employers' organisation and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or unions; and
- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clauses 1 (1) (a) and 6 shall be binding, with effect from 21 November 1994 and for the period ending 31 October 1996 upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van 21 November 1994 en vir die tydperk wat op 31 Oktober 1996 eindig, bindend is vir die werkgewersorganisasie en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of verenigings is; en
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousules 1 (1) (a) en 6 met ingang van 21 November 1994 en vir die tydperk wat op 31 Oktober 1996 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

T. T. MBOWENI,
Minister of Labour.

T. T. MBOWENI,
Minister van Arbeid.

SCHEDULE**INDUSTRIAL COUNCIL FOR THE BUILDING INDUSTRY
(WESTERN PROVINCE)****AGREEMENT**

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

Boland Meesterbouers en Verwante Bedrywe Vereniging
(hereinafter referred to as the "employers" or the "employers' organisation"), of the one part, and the

Amalgamated Society of Woodworkers of South Africa

Amalgamated Union of Building Trade Workers of South Africa

Building Workers' Union

South African Operative Masons' Society

South African Woodworkers' Union

Construction and Allied Workers' Union

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being the parties to the Industrial Council for the Building Industry (Western Province),

to amend the Agreement published under Government Notice No. R. 2002 of 22 October 1993.

1. SCOPE OF APPLICATION

(1) The terms of this Agreement shall be observed in the Building Industry—

- (a) by all employers who are members of the employers' organisation and by all employees who are members of the trade unions;
- (b) in the Magisterial Districts of Paarl, Wellington, Stellenbosch, Kuils River (excluding any portions of the last-mentioned two districts which, prior to the publication of Government Notice No. 283 of 2 March 1962, fell within the Magisterial District of Bellville), Somerset West [excluding that portion which, prior to 9 March 1973 (Government Notice No. 173 of 9 February 1973), fell within the Magisterial District of Wynberg], Strand and Malmesbury (excluding that portion which, prior to the publication of Government Notice No. 171 of 8 February 1957, fell within the Magisterial District of Bellville).
- (2) Notwithstanding the provisions of subclause (1) (a), the terms of this Agreement shall—
 - (a) apply only to those classes of employees for whom wages are prescribed in this Agreement and to learner artisans;
 - (b) apply to apprentices only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any conditions fixed thereunder;
 - (c) apply to trainees only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any conditions fixed thereunder;
 - (d) apply to labour-only contractors, working partners and working directors;
 - (e) not apply to university students and graduates in building science and construction supervisors and other such persons doing practical work as a part of their academic training;
 - (f) apply to foremen;
 - (g) not apply to employees in the electrical trades and to administrative staff.

BYLAE**NYWERHEIDSRAAD VIR DIE BOUNYWERHEID
(WESTELIKE PROVINSIE)****OOREENKOMS**

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

Boland Meesterbouers en Verwante Bedrywe Vereniging
(hierna die "werkgewers" of die "werkgewersorganisasie" genoem), aan die een kant, en die

Amalgamated Society of Woodworkers of South Africa

Amalgamated Union of Building Trade Workers of South Africa

Building Workers' Union

South African Operative Masons' Society

South African Woodworkers' Union

Construction and Allied Workers' Union

(hierna die "werknemers" of die "vakverenigings" genoem), aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Bounywerheid (Westelike Provinsie),

tot wysiging van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 2002 van 22 Oktober 1993.

1. TOEPASSINGSBESTEK

(1) Hierdie Ooreenkoms moet in die Bounywerheid nagekom word—

- (a) deur alle werkgewers wat lede van die werkgewers-organisasie is en deur alle werknemers wat lede van die vakverenigings is;
- (b) in die landdrostdistrikte Paarl, Wellington, Stellenbosch, Kuilsrivier (uitgesonderd enige gedeeltes van laasgenoemde twee distrikte wat voor die publikasie van Goewermentskennisgewing No. 283 van 2 Maart 1962 binne die landdrostdistrik Bellville geval het), Somerset-Wes [uitgesonderd die gedeelte wat voor 9 Maart 1973 (Goewermentskennisgewing No. 173 van 9 Februarie 1973) binne die landdrostdistrik Wynberg geval het], Strand en Malmesbury (uitgesonderd die gedeelte wat voor die publikasie van Goewermentskennisgewing No. 171 van 8 Februarie 1957 binne die landdrostdistrik Bellville geval het).
- (2) Ondanks subklousule (1) (a) is hierdie Ooreenkoms—
 - (a) van toepassing op slegs die klasse werknemers vir wie lone in hierdie Ooreenkoms voorgeskryf word en op leerlingambagsmanne;
 - (b) van toepassing op vakleerlinge slegs vir sover dit nie onbestaanbaar is nie met die Wet op Mannekragopleiding, 1981, of met 'n kontrak wat daarkragtens aangegaan of met voorwaardes wat daarkragtens bepaal is;
 - (c) van toepassing op kwekelinge slegs vir sover dit nie onbestaanbaar is nie met die Wet op Mannekragopleiding, 1981, of voorwaardes wat daarkragtens bepaal is;
 - (d) van toepassing op slegs-arbeid-kontrakteurs, werkende vennote en werkende direkteurs;
 - (e) nie van toepassing nie op universiteitstudente en gegraduateerdes in die bouwetenskap en konstruksietoetsighouers en ander sodanige persone wat praktiese werk doen as deel van hul akademiese opleiding;
 - (f) van toepassing op voormanne;
 - (g) nie van toepassing nie op werknemers in die elektrotegniese ambagte en op administratiewe personeel.

2. CLAUSE 16: WAGES

Substitute the following for the table in subclause (1):

	"Area A Cents per hour	Area B Cents per hour
(a) (i) Probationary general worker ...	392	332
(ii) General worker	460	392
(b) Hoist operator	480	408
(c) Power crane driver, floor sander, stone polisher and terrazzo worker ..	502	426
(d) Learner artisan:		
(i) Learner, Class 3 and learners in the second year registered under the former agreement	552	470
(ii) Learner, Class 2 and learners in the third year registered under the former agreement	643	548
(iii) Learner, Class 1 and learners in the fourth year registered under the former agreement	827	704
(e) Artisan's assistant/blocklayer	827	704
(f) Artisan	1 071	912
(g) Craftsman and foreman	1 205	1 026
	<i>R per week</i>	<i>R per week</i>
(h) Driver:		
(i) Over 6 m tons	R263,50	R223,99
(ii) 3-6 m tons	R224,20	R190,58
(iii) Other vehicles	R194,82	R165,61
(i) Security guard	R190,13	R161,61
	<i>Cents per hour</i>	<i>Cents per hour</i>
(j) Cleaner	322	274
(k) Apprentice:		
(i) First year	552	470
(ii) Second year	643	548
(iii) Third year	827	704
(l) Painter	n/a	821"

3. CLAUSE 28: HOLIDAY FUND, LEAVE PAY AND STABILISATION FUND

Substitute the following for the table in subclause (1) (a):

"Class of employee	Area A Per week R	Area B Per week R
Employees for whom wages are prescribed in—		
(i) clause 16 (1) (a) (ii), (h) (iii) and (i)	11,60	9,90
(ii) clause 16 (1) (a) (i)	9,90	8,40
(iii) clause 16 (1) (b)	12,10	10,30
(iv) clause 16 (1) (c)	12,60	10,70
(v) clause 16 (1) (d) (i) and (k) (i)	13,90	11,80
(vi) clause 16 (1) (d) (ii) and (k) (ii)	16,20	13,80
(vii) clause 16 (1) (d) (iii), (e) and (k) (iii)	20,80	17,70
(viii) clause 16 (1) (f)	26,90	22,90
(ix) clause 16 (1) (g)	30,30	25,80
(x) clause 16 (1) (h) (i)	15,10	12,80
(xi) clause 16 (1) (h) (ii)	12,80	10,90
(xii) clause 16 (1) (j)	8,10	6,90
(xiii) clause 16 (1) (l)	n/a	20,60"

2. KLOUSULE 16: LONE

Vervang die tabel in subklousule (1) deur die volgende:

	"Gebied A Sent per uur	Gebied B Sent per uur
(a) (i) Proef algemene werker	392	332
(ii) Algemene werker	460	392
(b) Hyserbediener	480	408
(c) Kraghyskraandrywer, vloerskuurder, klippoleerder en terrazzo- werker	502	426
(d) Leerlingambagsman:		
(i) Leerling klas 3 en leerlinge in die tweede jaar, geregistreer kragtens die vorige ooreen- koms	552	470
(ii) Leerling klas 2 en leerlinge in die derde jaar, geregistreer kragtens die vorige ooreen- koms	643	548
(iii) Leerling klas 1 en leerlinge in die vierde jaar, geregistreer kragtens die vorige ooreen- koms	827	704
(e) Ambagsman se assistent/bloklêer ...	827	704
(f) Ambagsman	1 071	912
(g) Vakman en voorman	1 205	1 026
	<i>R per week</i>	<i>R per week</i>
(h) Drywer:		
(i) Meer as 6 metrieke ton	R263,50	R223,99
(ii) 3-6 metrieke ton	R224,20	R190,58
(iii) Ander voertuie	R194,82	R165,61
(i) Veiligheidswag	R190,13	R161,61
	<i>Sent per uur</i>	<i>Sent per uur</i>
(j) Skoonmaker	322	274
(k) Vakleerling:		
(i) Eerste jaar	552	470
(ii) Tweede jaar	643	548
(iii) Derde jaar	827	704
(l) Verwer	Nvt	821"

3. KLOUSULE 28: VAKANSIEFONDS, VERLOFBETALING EN STABILISASIEFONDS

Vervang die tabel in subklousule (1) (a) deur die volgende:

"Klas werknemer	Gebied A Per week R	Gebied B Per week R
Werknemers vir wie lone voorgeskryf word by—		
(i) klousule 16 (1) (a) (ii), (h) (iii) en (i)	11,60	9,90
(ii) klousule 16 (1) (a) (i)	9,90	8,40
(iii) klousule 16 (1) (b)	12,10	10,30
(iv) klousule 16 (1) (c)	12,60	10,70
(v) klousule 16 (1) (d) (i) en (k) (i)	13,90	11,80
(vi) klousule 16 (1) (d) (ii) en (k) (ii) ...	16,20	13,80
(vii) klousule 16 (1) (d) (iii), (e) en (k) (iii)	20,80	17,70
(viii) klousule 16 (1) (f)	26,90	22,90
(ix) klousule 16 (1) (g)	30,30	25,80
(x) klousule 16 (1) (h) (i)	15,10	12,80
(xi) klousule 16 (1) (h) (ii)	12,80	10,90
(xii) klousule 16 (1) (j)	8,10	6,90
(xiii) klousule 16 (1) (l)	Nvt	20,60"

4. CLAUSE 29: PENSIOEN FUND

Substitute the following for the table in subclause (1) (a):

"Class of employee"	Area A	Area B
	Per week R	Per week R
Employees for whom wages are prescribed in—		
(i) clause 16 (1) (a) (ii), (h) (iii) and (i).....	29,40	25,00
(ii) clause 16 (1) (b).....	30,60	26,00
(iii) clause 16 (1) (c).....	32,00	27,20
(iv) clause 16 (1) (d) (i) and (k) (i).....	35,20	30,00
(v) clause 16 (1) (d) (ii) and (k) (ii).....	41,00	35,00
(vi) clause 16 (1) (d) (iii), (e) and (k) (iii).....	52,80	44,90
(vii) clause 16 (1) (f).....	68,30	58,20
(viii) clause 16 (1) (g).....	76,90	65,50
(ix) clause 16 (1) (h) (i).....	38,20	32,50
(x) clause 16 (1) (h) (ii).....	32,80	27,60
(xi) clause 16 (1) (l).....	n/a	52,40"

5. CLAUSE 31: SICK PAY FUND FOR THE BUILDING INDUSTRY

Substitute the following for the table in subclause (2) (a):

"Class of employee"	Per week R
Employees for whom wages are prescribed in—	
(i) clause 16 (1) (a) (i) and (ii), (b), (c) (h) (ii) and (iii), (i) and (j).....	2,40
(ii) clause 16 (1) (d) (i), (h) (i) and (k) (i).....	2,64
(iii) clause 16 (1) (d) (ii) and (k) (ii).....	4,93
(iv) clause 16 (1) (d) (iii), (e) and (k) (iii).....	6,36
(v) clause 16 (1) (f), (g) and (l).....	8,11"

6. CLAUSE 32: TRADE UNION SUBSCRIPTIONS

In subclause (1), substitute the expressions "R2,25", "R1,02" and "R1,68" for the expressions "R2,13", "96 cents" and "R1,62", respectively.

Signed at Cape Town this 26th day of October 1994.

H. MCCARTHY,
Chairman.

E. R. KAPP,
Vice-Chairman.

J. J. KITSHOFF,
Secretary.

4. KLOUSULE 29: PENSIOENFONDS

Vervang die tabel in subklausule (1) (a) deur die volgende:

"Klas werknemer"	Gebied A	Gebied B
	Per week R	Per week R
Werknemers vir wie lone voorgeskryf word by—		
(i) klousule 16 (1) (a) (ii), (h) (iii) en (i).....	29,40	25,00
(ii) klousule 16 (1) (b).....	30,60	26,00
(iii) klousule 16 (1) (c).....	32,00	27,20
(iv) klousule 16 (1) (d) (i) en (k) (i).....	35,20	30,00
(v) klousule 16 (1) (d) (ii) en (k) (ii) ...	41,00	35,00
(vi) klousule 16 (1) (d) (iii), (e) en (k) (iii).....	52,80	44,90
(vii) klousule 16 (1) (f).....	68,30	58,20
(viii) klousule 16 (1) (g).....	76,90	65,50
(ix) klousule 16 (1) (h) (i).....	38,20	32,50
(x) klousule 16 (1) (h) (ii).....	32,80	27,60
(xi) klousule 16 (1) (l).....	Nvt	52,40"

5. KLOUSULE 31: SIEKEFONDS VIR DIE BOUNYWERHEID

Vervang die tabel in subklausule (2) (a) deur die volgende:

"Klas werknemer"	Per week R
Werknemers vir wie lone voorgeskryf word by—	
(i) klousule 16 (1) (a) (i) en (ii), (b), (c) (h) (ii) en (iii), (i) en (j).....	2,40
(ii) klousule 16 (1) (d) (i), (h) (i) en (k) (i).....	2,64
(iii) klousule 16 (1) (d) (ii) en (k) (ii).....	4,93
(iv) klousule 16 (1) (d) (iii), (e) en (k) (iii).....	6,36
(v) klousule 16 (1) (f), (g) en (l).....	8,11"

6. KLOUSULE 32: LEDEGELD VIR VAKVERENIGINGS

In subklausule (1), vervang die uitdrukkings "R2,13", "96 sent" en "R1,62" deur onderskeidelik die uitdrukkings "R2,25", "R1,02" en "R1,68".

Op hede die 26ste dag van Oktober 1994 te Kaapstad onderteken.

H. MCCARTHY,
Voorsitter.

E. R. KAPP,
Ondervoorsitter.

J. J. KITSHOFF,
Sekretaris.

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