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GOVERNMENT NOTICE GOEWERMENSKENNISGEWING

DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

No. R. 241

1 March 2002

LABOUR RELATIONS ACT, 1995

CONTRACT CLEANING INDUSTRY (NATAL): EXTENSION OF RE-ENACTMENT AND AMENDMENT OF MAIN AND PROVIDENT FUND COLLECTIVE AGREEMENT TO NON-PARTIES

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby in terms of section 32 (2) of the Labour Relations Act, 1995, declare that the collective agreement which appears in the Schedule hereto, which was concluded in the Bargaining Council for the Contract Cleaning Industry (Natal), and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the agreement, shall be binding on the other employers and employees in that Industry, with effect from 1 March 2002 and for the period ending 28 February 2003.

M. M. S. MDLADLANA
Minister of Labour

No. R. 241

1 Maart 2002

WET OP ARBEIDSVERHOUDINGE, 1995

KONTRAKSKOONMAAKBEDRYF (NATAL): UITBREIDING VAN HERBEKRAGTIGING EN WYSIGING VAN HOOF EN VOORSORGFONDS KOLLEKTIEWE OOREENKOMS NA NIE-PARTYE

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby, kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995, dat die kollektiewe ooreenkoms wat in die Engelse Bylae hiervan verskyn en wat in die Bedingingsraad vir die Kontrakskoonmaakbedryf (Natal) aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die ooreenkoms aangegaan het, bindend is vir die ander werkgewers en werknemers in daardie bedryf, met ingang van 1 Maart 2002 en vir die tydperk wat op 28 Februarie 2003 eindig.

M. M. S. MDLADLANA
Minister van Arbeid

SCHEDULE

BARGAINING COUNCIL FOR THE CONTRACT CLEANING INDUSTRY (NATAL)

RE-ENACTMENT AND AMENDMENT OF MAIN AND PROVIDENT FUND COLLECTIVE AGREEMENT

In accordance with the provisions of the Labour Relations Act, 1995, made and entered into by and between the

National Contract Cleaners' Association (Natal Branch)

(hereinafter referred to as the "employers" or the "employers organisation"), of the one part, and the

National General Workers' Union (NAGEWU)

South African Transport and Allied Workers' Union (SATAWU)

(hereinafter referred to as the "employees" or the "trade unions"), of the other part, being the parties to the Bargaining Council for the Contract Cleaning Industry (Natal).

1. SCOPE OF APPLICATION OF AGREEMENT

- (1) The terms of this Agreement shall be observed in the Contract Cleaning Industry in the Province of Natal as it existed immediately prior to the date of commencement of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993)—
 - (a) by all employers who are members of the employers' organisation and by all employees who are members of the trade unions; and
 - (b) by all employers and employees, other than those referred to in paragraph (a), who are engaged or employed in the Contract Cleaning Industry in the area specified.
- (2) The provisions of this Agreement do not apply to non-parties in respect of clauses 1 (1) (a), 2 and 3.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on 1 March 2002 or on such date as may be fixed by the Minister of Labour in terms of section 32 of the Act, whichever is the later, and shall remain in force until 28 February 2003.

3. SPECIAL PROVISIONS

The provisions of clauses 6, 11.3, 17.2 and 19 of the Agreement published under Government Notice No. R. 251 of 26 February 1999, as amended, re-enacted by Government Notices Nos. R. 48 of 28 January 2000, R. 180 of 25 February 2000 and R. 392 of 18 May 2001 (hereinafter referred to as the "Former Agreement") as further re-enacted, extended and amended from time to time, shall apply to employers and employees.

These documents were not submitted, even after the NLS requested it.

4. GENERAL PROVISIONS

The provisions of clauses 3 to 5, 7 to 11.2, 11.4 to 16, 17.1, 18 and 20 to 32 of the Former Agreement (as further extended, renewed, amended and re-enacted from time to time), shall apply to employers and employees.

5. CLAUSE 3: DEFINITIONS

In the definition of "night work", substitute the expression "18:00 and 06:00" for the expression "20:00 and 06:00".

6. CLAUSE 4: REMUNERATION

1. Substitute the following for clause 4 (1):

"(1) An employer shall pay his employees for ordinary hours worked in the regions concerned as the following rates:

(a) Magisterial Districts of Durban, Pinetown, Inanda and Chatsworth: R7,00 per hour (or part thereof), calculated on a pro rata basis for all employees.

(b) The rest of Natal: R6,00 per hour (or part thereof) calculated on a pro rata basis for all employees."

(2) Substitute the following for clause 4 (5):

"(5) An annual incentive bonus will be paid between 30 November and 15 December each year. The bonus will be as follows:

(a) An amount equivalent to twice the employee's weekly wage as at 30 November each year;

(b) in the year 2002 the bonus will be pro rata from the date of coming into operation to 30 November, calculated on the number of full calendar months' service divided by 12 and multiplied by twice his weekly wage as at 30 November;

(c) should an employee be employed after 1 December each year, the bonus will be pro rata calculated on the number of full calendar months' service divided by 12 and multiplied by twice his weekly wage as at 30 November;

(d) should an employee resign or be dismissed for misconduct, no bonus pro rata or otherwise will be payable."

Signed at Durban on this 21st day of November 2001.

A. GIBB

For the National Contract Cleaners Association (Natal Branch)

S. M. NTSHAKALA

for SATAWU

Z. K. DLUCLA

for NAGEWU

As witness: Secretary of the Bargaining Council

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