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GOVERNMENT NOTICES GOEWERMENSKENNISGEWINGS

DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

No. R. 541**30 April 2004**

LABOUR RELATIONS ACT, 1995

CANCELLATION OF GOVERNMENT NOTICE

METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL: MAIN COLLECTIVE AGREEMENT

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby, in terms of section 32 (7) of the Labour Relations Act, 1995, cancel Government Notice No. R. 1374 of 3 October 2003 with effect from 30 April 2004.

M. M. S. MDLADLANA
Minister of Labour

No. R. 541**30 April 2004**

WET OP ARBEIDSVERHOUDINGE, 1995

INTREKING VAN GOEWERMENSKENNISGEWING

METAAL- EN INGENIEURSNYWERHEDE BEDINGINGSRAAD: HOOF KOLLEKTIEWE OOREENKOMS

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, trek hierby kragtens artikel 32 (7) van die Wet op Arbeidsverhoudinge, 1995, Goewermenskenning No. R. 1374 van 3 Oktober 2003 in, met ingang van 30 April 2004.

M. M. S. MDLADLANA
Minister van Arbeid

No. R. 542**30 April 2004**

LABOUR RELATIONS ACT, 1995

METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL: EXTENSION OF RE-ENACTING AND AMENDING MAIN 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 Metal and Engineering Industries Bargaining Council 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 30 April 2004 and for the period ending 30 June 2005.

M. M. S. MDLADLANA
Minister of Labour

No. R. 542**30 April 2004**

WET OP ARBEIDSVERHOUDINGE, 1995

METAAL- EN INGENIEURSNYWERHEDE BEDINGINGSRAAD: UITBREIDING VAN KOLLEKTIEWE HERBEKRAGTIGINGS- EN WYSIGINGSOOREENKOMS 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 Bylae hiervan verskyn en wat in die Nasionale Metaal- en Ingenieursnywerhede Bedingingsraad 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 Nywerheid, met ingang van 30 April 2004, en vir die tydperk wat op 30 Junie 2005 eindig.

M. M. S. MDLADLANA
Minister van Arbeid

SCHEDULE**METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL
COLLECTIVE RE-ENACTING AND AMENDING MAIN AGREEMENT**

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

Association of Electrical Cable Manufacturers of South Africa
Association of Metal Service Centres of South Africa
Border Industrial Employers' Association
Babelegi Metal Industries Association
Bright Bar Association
Cape Engineers' and Founders' Association
Consolidated Association of Employers of South Africa (CAESAR)
Constructional Engineering Association (South Africa)
Covered Conductor Manufacturers' Association
Electrical Engineering and Allied Industries Association
Electrical Manufacturers' Association of South Africa (EMASA)
Electronics and Telecommunications Industries Association
Federated Employers' Organisation of South Africa (FEOSA)
Gate and Fence Association
Hand Tool Manufacturers' Association (HATMA)
KwaZulu-Natal Engineering Industries Association
Lift Engineering Association of South Africa
Light Engineering Industries Association of South Africa
Materials Handling Association
Non-ferrous Metal Industries Association of South Africa
Plastics Convertors' Association of South Africa
Port Elizabeth Engineers' Association
Pressure Vessel Manufacturers' Association of South Africa
Radio, Appliance and Television Association of South Africa (RATA)
Refrigeration and Air-Conditioning Manufacturers' and Suppliers' Association
Sheetmetal Industries' Association of South Africa
Small Enterprise Employers of South Africa (SEESA)
SA Electro-Plating Industries Association
SA Engineers' and Founders' Association
SA Fasteners Manufacturers' Association (SAFMA)
SA Refrigeration and Air-conditioning Contractors' Association (SARACCA)
SA Post Tensioning Association (SAPTA)
SA Pump Manufacturers' Association
SA Reinforced Concrete Engineers' Association (SARCEA)
SA Tube Makers' Association
SA Valve and Actuator Manufacturers' Association (SAVAMA)
SA Wire and Wire Rope Manufacturers' Association

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

Chemical, Energy, Paper, Printing, Wood and Allied Workers' Union (CEPPWAWU)
Metal and Electrical Workers' Union of South Africa
Solidariteit/MWU-Solidarity/MWU
United Association of SA (UASA)
National Union of Metalworkers of South Africa (NUMSA)
SA Equity Workers' Association (SAEWA)

(hereinafter referred to as the "employees" or the "trade unions"), of the other part, being the parties to the Metal and Engineering Industries Bargaining Council.

PART 1

CONDITIONS OF EMPLOYMENT

1. SCOPE OF APPLICATION OF AGREEMENT

- (1) The terms of this Agreement shall be observed—
 - (a) in the Iron, Steel, Engineering and Metallurgical Industry throughout the Republic of South Africa;
 - (b) in the Provinces of the Transvaal and Natal by the section in the Industry concerned with the installation, repair and servicing of radios, refrigerators and domestic electrical appliances;
 - (c) in the Magisterial Districts of Durban, East London, Johannesburg, Pietersburg, Pinetown and The Cape by the section of the Industry concerned with radio manufacture;
 - (d) by all employers who are members of the employers' organisations and by all employees who are members of the trade unions.
- (2) Notwithstanding the provisions of clauses 1 (1) (d), 2 and 3, and the terms of this Agreement shall not apply to employers and employees who are not members of the employers' organisations and trade unions, respectively.
- (3) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall not apply to the following:
 - (a) The installation, repair and servicing of radios and domestic electrical appliances in the Provinces of the Cape of Good Hope and the Orange Free State;
 - (b) the manufacture, for sale, of standard high-speed cutting tools made from high-speed steel by means of plant and/or equipment and/or methods specifically adapted and/or designed for production by repetitive processes, in the Magisterial Districts of Boksburg, Johannesburg, Pietermaritzburg and Vereeniging;
 - (c) the manufacture of aluminium sheet and/or foil, and interrelated operations;
 - (d) the installation and/or repair and/or maintenance of electrical lifts and escalators;
 - (e) the production of iron and/or steel and/or ferro-alloys;
 - (f) the installation, maintenance and repair of electrical equipment referred to in paragraph (b) of the definition "Electrical Engineering Industry" in clause 3 of Part 1 of the Agreement published under Government Notice No. R. 404 of 31 March 1998 in the Provinces of the Cape of Good Hope and the Orange Free State;
 - (g) the manufacture of tungsten carbide (hard metal);
 - (h) the assembling servicing, installation, maintenance and/or repair of appliances, equipment, machines, devices and apparatus, whether utilising manual, photographic, mechanical, electrical, electrostatic or electronic principles or any combination of such principles, that are primarily intended for use in accounting and/or business and/or calculation and/or office and/or educational procedures;
 - (i) the Venetian Blind and Allied Products Manufacturing Industry in the Province of the Transvaal;
 - (j) the installation and/or repair of burglar and/or other similar alarm systems in the Provinces of the Cape of Good Hope of the Orange Free State;
 - (k) the manufacture of plumbers' and/or engineers' brassware by means of gravity die-casting and/or pressure die-casting and/or hot pressing and/or machining;
 - (l) the undertaking of Union Steel Corporation of South Africa (Pty) Limited in the Magisterial District of Vereeniging, Transvaal;
 - (m) the Locksmithing Trade in the Magisterial Districts of Benoni, Boksburg, Durban, Germiston, Johannesburg, Krugersdorp, Lower Umfolozi, Pinetown, Port Elizabeth, Pretoria, Randburg, Roodepoort, Springs and The Cape;
 - (n) the production, for sale, of welding electrodes by means of plant and/or equipment and/or methods specifically adapted and/or designed for production by repetitive processes, in the Magisterial Districts of Brits, Germiston, Kempton Park and Pretoria;
 - (o) the undertaking of Billiton Aluminium SA (Pty) Ltd, in the Magisterial District of Lower Umfolozi;
 - (p)
 - (i) the manufacture by mass-production methods for sheetmetal of a gauge not exceeding 2,108 mm of—
 - (aa) commercial, plain or lithographed containers for packaging of general merchandise, but excluding the manufacture of such containers by any person for the packaging of his own products;
 - (ab) bottle, jar and other container closures;
 - (ac) plain or lithographed metal toys;
 - (ad) plain or lithographed display tablets;
 - (ii) the manufacture of plain or lithographed rigid and/or collapsible tubes from non-ferrous metal slugs; and for the purposes of this paragraph, "rigid tube" means a container and "container" means a plain or lithographed article designed for the packing for transport or sale of products, and capable of being closed by means of a lid or cap or any other type of closure;

- (q) the manufacture from tinplate of a gauge not exceeding 0,416 mm of trunks and other containers designed to hold personal effects, sporting kit, tools and documents, and other lines manufactured principally from such tinplate;
 - (r) the erecting, on site, of products referred to in the preamble to Division D/7 of Part II of the Agreement published under Government Notice No. R. 404 of 31 March 1998;
 - (s) the servicing and/or maintenance and/or repairing of lawn-mowing machines, cultivators, sickle-cutters, grass-cutters, edge-trimmers, chainsaws and/or parts and/or components thereof.
- (4) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to—
- (a) apprentices only to the extent to which the terms are not inconsistent with the provisions of the Manpower Training Act, 1981, and learners in terms of Chapters IV of the Skills Development Act No. 97 of 1998, or any contract entered into or any conditions fixed thereunder; and
 - (b) trainees under training in terms of section 30 of the Manpower Training Act, 1981, only in so far as the terms are not inconsistent with the provisions of the Act or any conditions fixed thereunder.
- (5) Notwithstanding the limitation of the Agreement to the operations therein scheduled—
- (a) the provisions of the clause relating to leave pay, additional pay and leave enhancement pay or Part I of the Agreement published under Government Notice No. R. 404 of 31 March 1998 shall apply to all employees employed in operative processes receiving a rate of pay equivalent to or more than that prescribed from time to time in the Agreement for Rate D employees, whether paid weekly or monthly, but excluding payment for overtime;
 - (b) no person directly employed in a manufacturing or production process shall be paid a wage less than Rate H as prescribed from time to time in Part II of this Agreement.

For the purposes of this paragraph, “employed in a manufacturing or production process” shall apply to those employees whose rate of pay is not scheduled in this Agreement but whose activities are directly concerned with the creation of the engineering goods and/or services as covered by the scope of application of this Agreement. This provision shall not apply to the work carried out by administrative staff and/or those employees employed in non-production operations.

- (6) The conditions of employment of watchmen shall be regulated by the provisions of this Agreement, except in respect of ordinary working hours, which shall be a maximum of 44 hours per week.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 32 of the Labour Relations Act, 1995, and shall remain in force until 30 June 2005.

3. SPECIAL PROVISIONS

The provisions contained in clause 28 of the Agreement published under Government Notice No. R. 404 of 31 March 1998, as re-enacted and amended under Government Notices Nos. R. 1491 of 27 November 1998, R. 941 of 6 August 1999, R. 1128 of 17 November 2000, R. 1051 of 26 October 2001, R. 138 of 8 February 2002, R. 1082 of 16 August 2002, R. 570 of 2 May 2003 and R. 1374 of 3 October 2003 (hereinafter referred to as the “Former Agreement”), shall apply to employers and employees.

4. GENERAL PROVISIONS

The provisions contained in clauses 3 to 27 and 29 to 46 of Part I and Part II of the former Agreement, shall apply to employers and employees.

PART II

5. CLAUSE 1: WAGES AND/OR EARNINGS

Insert the following new subclause:

- “(f) Wage rates prescribed in wage table (f) apply only to the operations listed in Division D/7.”.

6. CLAUSE 3: WAGE TABLES

Insert the following new wage table as subclause (f):

“(f) WAGE RATES APPLICABLE TO OPERATIONS IN DIVISION D/7 ONLY

Class of Work	GUARANTEED PERSONAL INCREASE (To be the greater of the amounts calculated in terms of Column A or reflected in Column B)		
	A	B	New
	Percentage Increase on actual hourly rate of pay, excluding allowances, of which the employee was in receipt on 30 June 2003	Amount per hour	Minimum hourly wage rates
Class of Work	%	CPH	R
B.....	9,83	127	14,17
C.....	9,92	122	13,53
D.....	10,10	121	13,19
DDD.....	10,10	120	13,09
E.....	10,10	120	13,08
F.....	10,33	116	12,41
G.....	10,41	110	11,69
H.....	10,50	98	10,34”

7. DIVISION D/23: ELECTRONIC, RADIO COMMUNICATIONS AND/OR TELECOMMUNICATION MANUFACTURING DIVISION (INCLUDING ASSEMBLY AND/OR ERECTION)

Insert the following new section at the end of this division:

“Surface Mount Technology Operations

1. Rate B

Surface mount technology supervisor, supervising surface mount technology operators and surface mount technology inspectors.

2. Rate AA

Surface mount technology production assistants, engaged in the following types of activities:

- Programming, setting, servicing and maintenance of surface mount technology machines (including printers, ovens, and pick and place machines and inspection equipment);
- Supervision of the machine operations done by surface mount technology operators; and
- File handling and back up of product data.

3. Rate DDD

Surface mount technology inspectors, engaged in the following types of activities:

- Visual inspection and verification of “first-off” printed circuit boards using parts lists and printed circuit board layout drawing and microscope; and
- Repetitive visual inspection of assembled printed circuit boards according to pre-defined standards (using microscopes or automatic inspection equipment).

4. Rate F

Surface mount technology operators, engaged in the following types of activities:

- Printing of solder paste onto printed circuit boards (manual and automated printing);
- loading of printed circuit boards in pick and place machines;
- loading and monitoring of component feeders on pick and place machines;
- loading and unloading of magazines;
- basic operation of various production machines;

- placing components on printed circuit boards;
- touch-up of printed circuit boards, including single-component hand soldering;
- counting of printed circuit boards and components; and
- de-panelising of printed circuit boards.

Signed at Johannesburg for and on behalf of the parties this 28th day of November 2003.

D. CARSON

Member

I. MTHIYANE

Member

A. SMITH

Council Secretary

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