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# GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

# DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

No. R. 1175

7 November 2008

**LABOUR RELATIONS ACT, 1995** 

# NATIONAL BARGAINING COUNCIL OF THE LEATHER INDUSTRY OF SOUTH AFRICA: EXTENSION TO NON-PARTIES OF THE FOOTWEAR SECTION COLLECTIVE AMENDING AGREEMENT

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 National Bargaining Council of the Leather Industry of South Africa, 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 17 November 2008 and for the period ending 30 June 2009.

M M S MDLADLANA

MINISTER OF LABOUR

No. R. 1175 7 November 2008

# WET OP ARBEIDSVERHOUDINGE, 1995

# NASIONALE BEDINGINGSRAAD VAN DIE LEERNYWERHEID VAN SUID-AFRIKA: UITBREIDING NA NIE-PARTYE VAN SKOEISELSEKSIE KOLLEKTIEWE WYSIGINGSOOREENKOMS

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 Bedingingsraad van die Leernywerheid van Suid-Afrika 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 17 November 2008 en vir die tydperk wat op 30 Junie 2009 eindig.

M M S MDLADLANA

MINISTER VAN ARBEID

# NATIONAL BARGAINING COUNCIL OF THE LEATHER INDUSTRY OF SOUTH AFRICA

### FOOTWEAR SECTOR COLLECTIVE AGREEMENT

In accordance with the provisions of the Labour Relations Act No 66 of 1995, made and entered into by and between the

# Southern African Footwear and Leather Industries Association (SAFLIA)

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

# National Union of Leather and Allied Workers' Union (NULAW) and

# Southern African Clothing and Textile Workers' Union

(hereinafter referred to as the "employees" or the "trade unions") of the other part, being parties to the National Bargaining Council of the Leather Industry of South Africa, to amend the agreement published under Government Notice No R.906 of 16 September 2005, R.849 of 25 August 2006, R.63 of 2 February 2007, R.512 of 22 June 2007 and R.1070 of 16 November 2007.

# 1. SCOPE OF APPLICATION

- (1) The terms of this Agreement shall be observed in the *Footwear Section* of the Leather *Industry*:
  - (a) by all employers who are members of the employers' organisation and by all employees who are members of the trade unions and who are engaged or employed in the said section of the *Industry*;
  - (b) in the Republic of South Africa, which includes the former Republic of Transkei, the former Republic of Bophuthatswana, the former Republic of Venda and the former Republic of Ciskei, as well as the former self-governing territories of KwaZulu, Qwa-Qwa, Lebowa, Gazankulu, Ka Ngwane and Kwa Ndebele:

- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall;
  - apply only to all employees for whom wages are prescribed in the Annexures to this Agreement;
  - (b) not apply to employers and employees in Informal sector establishments, save in respect of clause 4.
- (3) The terms of this agreement will not apply to non-parties in respect of clauses 1 (1)(a), and 2.

# 2. DATE AND PERIOD OF OPERATION

- (1) This Agreement will come into operation for the parties on 1 July 2008 and remain in force for the period ending 30 June 2009.
- (2) This agreement shall come into operation for non-parties on such date as the Minister of Labour extends the agreement to them, and remain in force for the period ending 30 June 2009.

# 3. CLAUSE 7 - LEAVE

Add the following new sub clauses 7.5, Family Responsibility Leave, and 7.6, Sick leave:

# "7.5 Family Responsibility Leave

- (1) This sub clause applies to an employee -
  - (a) who has been in employment with an employer for longer than four months; and
  - (b) who works for at least four days a week for that employer.

- (2) An employer must grant an employee, during each annual leave cycle, at the request of the employee, three days' paid leave, which the employee is entitled to take —
  - (a) when the employee's child is born;
  - (b) when the employee's child is sick; or
  - (c) in the event of the death of -
    - (i) the employee's spouse or life partner; or
    - (II) the employee's parent, adoptive parent, grandparent, child, adopted child, grandchild or sibling.
- (3) subject to sub-clause (2), an employer must pay an employee for a day's family responsibility leave –
  - (a) the wage the employee would ordinarily have received for work on that day; and
  - (b) on the employee's usual pay day.
- (4) An employee may take family responsibility leave in respect of the whole or part of a day.
- (5) Before paying an employee for leave in terms of this section, an employer may require reasonable proof of an event contemplated in sub clause (2) for which the leave was required.
- (6) An employee's unused entitlement to leave in terms of this provision lapses at the end of the annual leave cycle in which it accrues.

### 7.6 Sick Leave

- (1) During every 36 month sick leave cycle, an employee's entitlement to paid sick leave will be limited to ten (10) days in each 12 months. This limitation shall not apply to employees whose incapacitation owing to illness or hospitalisation exceeds a period of ten (10) days. In such event, the provisions of the Basic Conditions of Employment Act shall apply.
- (2) The sick leave cycle runs from 1 January to 31December. For July 2008 to December 2008 there will be a capping of 10 days.

- (3) Despite sub-clause (1) above, during the first six months of employment, an employee is entitled to one day's paid sick leave for every 26 days worked.
- (4) Employers shall not be required to pay employees in terms of the provision in sub clause (1), if, on request by the employer, the employee does not produce a medical certificate stating that the employee was unable to work for the duration of the employee's absence on account of sickness or injury.

### 4. CLAUSE 12 - GENERAL EMPLOYER OBLIGATIONS

# 12.2 - Guarantee: Leave Pay and Contributions

- 1. Substitute the following for sub clause (2):
- "(2) An employer shall provide such guarantee within fourteen (14) days of the Council's request to do so."
- 2. Add the following new sub clause (6):
- "(6) Employers who are not in arrear with any of the levies, contributions and trade union subscriptions as mentioned in sub-clause (1)(b) for a period of less than sixty (60) days, and provide a written undertaking by no later than 31 October of the calendar year that they will honour their leave pay and bonus obligations, will not be required to submit a leave pay guarantee in terms of sub clauses (1) and (2)."

# 5. AGENCY SHOP AGREEMENT

Insert the following new clause 18, Agency Shop Agreement:

# **"18. AGENCY SHOP AGREEMENT**

(1) An agency shop agreement is hereby introduced in terms of section 25 of the Labour Relations Act, 1995. The object of this agreement is to ensure that all employees who receive the benefits of collective bargaining contribute towards its costs.

- (2) Subject to the provisions of this clause, a levy to be known as an "Agency Fee" will be deducted from the wages of all employees who are employed in positions for which wages are prescribed in the Footwear Section collective agreement, and who are not members of the trade unions who are parties to the National Bargaining Council of the Leather Industry of South Africa.
- (3) Despite the provisions of this agreement, all prescribed employees who are not members of the trade unions remain eligible for membership of the trade unions.
- (4) In the event of any non-member electing to join either of the trade unions, such employee will be exempted from the agency fee, and will be transferred to the applicable trade union membership. Trade union membership fee deductions will then commence against the wages of such employee.
- (5) No employee who is covered by the Footwear Section collective agreement will be compelled to become a member of the trade unions.
- (6) The agency fee shall be equal to 1% (one percent) but not exceeding R10,50 of the employee's basic weekly wage.
- (7) (a) The agency fee so calculated and deducted from the employee's basic wage will be paid monthly to the General Secretary of the National Bargaining Council of the Leather Industry of South Africa, P O Box 3959, North End, Port Elizabeth 6056, or at any other such address the Council may decide from time to time, by not later than the fifteenth (15<sup>th</sup>) day of the following month.
  - (b) The General Secretary (or any other duly designated Council employee) will deposit monies received in terms of sub clause 7(a) into a banking account administered by the Council.
  - (c) The General Secretary will, at the end of each month, transmit to the trade unions which are parties to the Council, the agency monies received for the preceding month in proportion to their representation in the Footwear Section. A conscientious objector may request an employer to pay the agency fee deducted from his wages into a fund administered by the Department of Labour.

- (d) The trade unions will, on receipt of the agency fees from the Council, deposit such amounts into separate accounts and administer same.
- (8) When transmitting payments in terms of sub clause 7(a), the employer will submit a list of the employees from whose wages the agency fee has been deducted.
- (9) The list submitted in terms of sub clause (8) must reflect the following:
  - (i) Name, surname and work number of contributor;
  - (ii) Weekly wage of contributor;
  - (iii) Agency fee deducted.
- (10) No agency fee deducted may be -
  - (a) paid to a political party as an affiliation fee;
  - (b) paid as a contribution in cash or kind to a political party or a person standing for election to any political office; or
  - (c) used for any expenditure that does not advance or protect the socio-economic interests of employees.
- (11) This agreement will terminate if the trade unions are no longer representative within the Footwear Section. In the event of this occurring, the employer's organisation must give the trade unions written notice of their lack of representation, and allow them 90 days from the date of notification to establish that they are representative. If the trade unions fail to establish their representation within the 90 day period, the employer must give the trade union and the employees covered by the agency shop agreement 30 days' notice of termination, after which period the agreement will terminate.
- (12) In the event of this agency shop agreement being terminated, the provisions of section 98, 100(b) and (c) of the labour Relations Act 1995 will apply in terms of subclauses 7(c) and 10.

#### 6. ANNEXURE D

Substitute the following for Annexure D:

# **ANNEXURE D**

# WAGES: GENERAL

		Column A Per <del>wee</del> k	Column B Per week
A.	Watchman	699.41	769.35
B.	Storeman and or warehouseman, despatch clerk	718.36	790.20
C.	Boiler attendant	699.41	769.35
D.	Motor vehicle driver driving a vehicle authorized to carry or haul a payload of-		
	(i) under 2722 kg	708.88	779.77
	(ii) 2722 kg	718.36	790.20
	(iv) over 4546 kg but not exceeding 4546 kg	764.63	841.09
	(W) Over 4040 kg but not exceeding 0000 kg	907.98	998.78
E.	Minors employed in occupations for which rates have not been prescribed in this Agreement:		
	First six months	448.76	493.64
	Second six months	501.31	<b>5</b> 51.44
	Third six months Thereafter	556.21	611.83
	The caller	699.41	769.35
Pro	ovided that an adult employee who has had less than 12 months experience shall vertheless be deemed to have had 12 months experience		
F.	Cardboard box-making operations:  (i) Guillotine and/or rotary cutting machine and/or scoring machine operated by-		
	(a) power(b) hand	1037.50	1141.25
	(ii) Cardboard box-makers	836.39	920.02
	(iii) Making cardboard boxes, according to experience: First six months.	699.41	769.35
	Second six months	497.29	547.02
	Thereafter	501.31 699.41	551.44
Pro	ovided that an adult employee who has had less than 12 months' experience shall vertheless be deemed to have had 12 months' experience.	099.41	769.35
G.	Employees employed on hand typesetting and printing labels on a printing machine	939.02	1032.92
Н.	Employees employed on welt-making:		
	(i) Splitting, skiving, cutting, grooving and bevelling	699.41	769.35
	(ii) All other operators.	699.41	769.35
١.	Packers	699.41	769.35
J.	Employees employed on currying	809.35	890.29
K.	Employees employed on spraying of leather	937.19	1030.91
L.	Employees employed on knife-making		
	(i) Welding and/or brazing and/or silver soldering	1128.80	1241.68
	(ii) Finishing of joints after welding	734.06	807.47
	(iii) Tack and/or spot welding	699.41	769.35
	(iv) Bending to templet and/or patterns, hand punching of size onto knife, marking and cutting of bracing steel, oxidising of finished articles and grinding	699.41	769.35
	ote: For the purpose of par L, welding means continuous drawing of weld on seams or hts but excludes track and/or spot welding)		

WAGES: FOOTWEAR NOT ELSEWHERE SPECIFIED

WAGES. POOTWEAR NOT LEGEWHERE GFEC	Column A Per week	Column B Per week
(A) PATTERN DEPARTMENT		
(i) Qualified employees employed as pattern cutters producing original standards and hand grading to restrictions, and/or shoe draughtsman	1175.07	1292.58
(ii) Qualified employees-  (a) (a) employed on hand grading but not restrictions and not producing original standards		
(b) employed on grading machines(c) employed on making original lining patterns from upper patterns, where no last	993.07 993.07	1092.38 1092.38
copies or original standards are produced	993.07 785.98	1092.38 864.58
(B) CLICKING DEPARTMENT  Qualified employees on:		
(i) Clicking and cutting uppers by hand or machine: (c) Vegetable or chrome split, vegetable or semi-chrome kip, suede chrome kip and		
vegetable tanned sheepskins and goatskins	1164.40 1164.40	1280.84 1280.84
Children's work, any material, all sizes up to and including size 1 1/2, and all leather slippers (men's, women's and children's)	1164.40	1280.84
[Ratio: for every four or part of four qualified clickers there may be employed not more than one learner. Part of four means a remainder of not less than one after the total number of qualified clickers has been divided by four.]		
(c) Upper leather sorter grading and/or sorting for quality for issue to clickers	1175.07 1175.07	1292.58 1292.58
(ii) Lining, sock and fitting cutting and/or small trimmings and/or cut-outs died out by clicking press, revolution press, eccentric press or mallet	809.35	890.29
Cutting from offal of inside tongues and narrow backstraps from children's, youth's and maids' stitchdowns or Oxford and Derby patterns	809.35	890.29
Strap cutting to length from continuous rolls or hanks of pre-prepared material	809.35	890.29
(iii) Cut-outs died out by a Western type cut-out machine and automatic multipunch/slashing machine/gang strap punching	718.36 785.98	790.20
Operating splitting machine (v) Size stamping and/or painting Applying acme backing	785.98 699.41 699.41	864.58 864.58 769.35 769.35

		Column A Per week	Column B Per week
	(C) CLOSING DEPARTMENT		
	alified employees on:		
	Puritan machining		947.42
(iv)	Stitching aprons on uppers on out-sole stitching machines	861.29	
(v)	Pilot machining	814.62	896.08
(vi)	Other machining:		
	(a) All closing operations on vegetable and chrome split, vegetable and semi-chrome kip,	1	
	suede and chrome kip lining machining		774.07
	White full chrome kip for the production only of the whole-cuts, bluchers and veldschoen		774.07
	excluding miners' and miners' type footwear (all in South African tannage)		774.07
	(b) Operations on leathers other than those specified in (a):  Vamping		
	Flat binding by machine		812.72
	Machining additional rows of stitching on the vamp, parallel to the vamp stitching.	/38.84	812.72
	Golosh machining (whole goloshes)	1 (30.04	812.72 812.72
	Fancy shoes on the held-together system, machined through (all classes)		012.72
	Fancy machining on the held-together system, including collars, cut-outs, overlays	738.84	812.72
	and fancy pattern stitching without markers)	700.04	240.70
	Running round on any operation on post-trimming machine, excluding Oxford and [	1 .00.01	812.72
	pattern Derby-sides	'	
	Vamping shoes with quarters over vamps	738.84	
	· - · · · · · · · · · · · · · · · · · ·	7 30.04	812.72
	Conveyor belt console operator feeding individual operators	738.84	812.72
	(c) Operations other than those specified in (a) and (b) above, including attaching binding	ng for	
	French binding on flat or post machine and including handlacing of two upper compone	nts to	
	form a seam, and including examining for quality	738.84	812.72
	(d) All operations on children's work up to size 1½	703,70	774.07
	All leather slippers (men's, women's and children's)	703.70	774.07
	All operations on box hide and willow hide (excluding goloshing, fancy work and m	iners'	
	and/or miners' type)	703.70	774.07
(v)	Eyeletting, riveting, perforating, skiving, folding and burnishing by machine or hand and pleati	ing by	
	machine	738.84	812.72
(vi)	Bagging	500.11	769.35
	Turning of binding	600.41	769.35
	Button fastening	699,41	769.35
	Buttonholding	033.71	769.35
	Lacing	600.44	769.35
	Handpunching	I 699.41	769.35
	Portuguese seaming		100.00
	Staying and taping		769.35
	Seam rubbing.		769.35
	Seam hammering	699.41	769.35
	Sewing on bows and buckles by hand or machine		769.35
	Silk screen printing		700 6-
	Table-hands	699.41 699.41	769.35 769.35
	Loading other closing conveyors, but excluding a conveyor belt console operator (fe	eding 099.41	709.35
	individual operators)	699.41	769.35

	Column A Per week	Column B Per week
(D) ROUGH STUFF DEPARTMENT		
Class I Operations		
Qualified employees: (i) On cutting sole from leather	1118.47 1118.47 1118.47 983.99	1230.32 1230.32 1230.32 1082.39
[Ratio: See subclause P]	983.99	1082.39
Class II Operations		
Qualified employees on: (i) Channelling:	809.35 809.35 832.19 785.98 785.98 785.98 785.98 785.98 785.98 785.98 785.98 785.98	890.29 890.29 915.41 864.58 864.58 864.58 864.58 864.58 864.58 864.58
Class III Operations		
Qualified employees on:     Channel opening     Edge covering     Edge reducing     Automatic edge preparation machine operating for soles prior to attachment. Flexing     Insole feathering     Insole grooving     Insole slotting     Insole marking     Lift and/or rand tacking     Lip turning     Press room scouring operations     Shank assembling     Shank moulding     Skiving     Size stamping     Sole, insole and stiffener moulding     Sole and insole splitting     Sole grading machine operating	699.41 699.41 699.41 699.41 699.41 699.41 699.41 699.41 699.41 699.41 699.41 699.41 699.41 699.41 699.41 699.41	769.35 769.35 769.35 769.35 769.35 769.35 769.35 769.35 769.35 769.35 769.35 769.35 769.35 769.35

	Column A Per week	Column B Per week
(E) MAKING DEPARTMENT		
Class   Operations		
Pulling over,Consol lasting and/or Littleway lasting	1	
(a) Welted work, other than staple welted work	1118.47	1230.3
(d) Riveted and/or riveted and stitched work, excluding miners' and miners' type and army boots(e) Combined pulling over and forepart lasting	983.99	1082.3
(f) All other grades	1118.47 1118.47	1230.3 1230.3
) Bed lasting (toes only):	1110.11	1200.
(a) Welted work, other than staple welted work	1449.47	4000
(b) Other work	1118.47 1118.47	1230. 1230.
ii) Lasting of seats and sides by machine		1200.
(a) Welted work, other than staple welted work	892.12	004
(b) Other worklote: If a lasting machine operator is required to last boots or toes through (i.e. seats and or sides and	892.12	981. 981.
pes), he shall be paid at the highest rate and no differential rates may be applied. If a pullover and/or consol lasting machine operator is required on any one day to work on pulling over and lasting toes, eats and/or sides, he shall be paid at the highest rate and no differential rate shall be applied.	002.12	, , ,
r) Complete sole attaching by staple machine Staple welt attaching	801.95	882.
) Welt sewing	801.95	882.
y vveit sewing	1118.47	1230.
i) Rough rounding: (a) Moltad work, other than steple walted work	1118.47	1230
(a) Welted work, other than staple welted work	1118.47	1230
(c) Other work	1118.47	1230
ii) Sole sewing by any machine	1118.47	1230
iii) Sole stitching:	1	
(a) Welted work, other than staple welted work	1118.47	1230
(b) Stitching outer soles to runners on Indian sandals on a No.6 harness stitching machine and stitching runners or throughs to uppers of the moccasin type of footwear	983.99	1082
(c) Other work	1118.47	1230
x) (a) Stitchdown staple lasting		
(b) Stitchdown thread lasting	801.95	882
(c) Stitchdown toe forming	801.95 801.95	882
(e) Lasting operations on a Kamborian machine	801.95	882 882
(f) String-lasting by hand	801.95	882
) Pounding:	801.95	882
(a) Welted work, other than stapeled welted work	938.06	1021
(b) Miners' and miners' type and army type boots (Army type boots means the heavy type of boot	1028.07	1031
involving the same strenuous pounding as contract army boots)	938.06	1031
Note: No employee under the age of 18 may be employed on pounding	1118.47	1220
i) Examining	1110.47	1230
Ratios - Class I Operations : Marketing Department		
(a) For every three or part of three qualified employees in pulling over, machine and/or bed lasting (excluding seat and side lasting), welt and/or sole sewing, stitching and rough		
rounding, there may be employed not more than one learner.  (b) For every three or part of three qualified employees on operations, other than those referred		
to in (a), one learner may be employed.		
(c) "Part of three" referred to in (a) and (b) means a remainder of not less than two after the total number of qualified employees have been divided by three.		

	Column A Per week	Column B Per week
Class III Operations		
alified employees on:		
Beating	699.41	769.3
Application by machine of hardening resins to puffs	699.41	769.3
Bottom filling	699.41	769.3
Channel closing and edge raising		
Feeding nails to heeling machines.		769.3
Hand levelling of stitchdowns	699.41	769.
Heel covering	699.41	769.
Inserting stiffeners and puffs	699.41 699.41	769.3
Louis heel flap clamping, Louis heel slicking	033.41	769.3 769.3
Louis heel flap trimming by machine	033.41	769.
Reverse seat moulding for stitchdowns	000.11	769.
Seat nailing and/or pegging		769.
Seat rounding	600.44	769.
•	600.41	769.
Shank attaching	600 //1	769.
Sole tacking at seat for stuck-on process	699.41	769.
Solutioning, damping and pasting	699.41	769.
Sorting hobs	099.41	769.
Sole laying welted work and/or rubber soles		
Sole tacking or sole fitting throughs and runners	1	769.
Took pulling	600.41	769.
Tack pulling  Tacking bottom stock to last  Tacking over backs before pulling over on closed back shoes, task being placed not further than 25 mm fro	699.41 699.41	1
·	699.41	769.
Tacking bottom stock to last  Tacking over backs before pulling over on closed back shoes, task being placed not further than 25 mm from	699.41 699.41	769.3 769.3
Tacking over backs before pulling over on closed back shoes, task being placed not further than 25 mm from middle of back of heel seat.  Tacking over backs  Tacking over backs  Tacking over backs	699.41 699.41 699.41 699.41	769.: 769.: 769. 769.
Tacking over backs before pulling over on closed back shoes, task being placed not further than 25 mm from middle of back of heel seat.  Tacking over backs  Tacking over backs  Tacking over backs  Tacking over sandal backs where no stiffener is inserted.  Tacking top pieces on stitchdowns and sandals.  All other wire grip tacking.	699.41 699.41 699.41 699.41 699.41	769.: 769.: 769. 769. 769. 769.
Tacking over backs before pulling over on closed back shoes, task being placed not further than 25 mm from middle of back of heel seat.  Tacking over backs  Tacking over backs  Tacking over backs	699.41 699.41 699.41 699.41 699.41 699.41	769.: 769.: 769. 769.

	Column A Per week	Column B Per week
HAND-LASTING OPERATIONS		
Qualified employees on:		
(i) Pulling over by hand and/or hand-lasting miners' or miners' type footwear	993.07	1092.38
(ii) Other pulling over by hand and/or hand-lasting, including forced lasting of moccasins  Hand-lasting seats of stitchdowns	785.98	864.58
Hand-lasting in the manufacture of clogs	785.98	864.5
Bench work such as riveting, putting on soles and/or heels by hand, including rubber quartertip Tacking leather straps to wooden soles	785.98 785.98	864.56 864.56
[Ratio: There may be employed not more than one leamer to each qualified employee on operations specified in (i) and (ii).]		
(F) FINISHING DEPARTMENT		
Class I Operations		
Qualified employees on:		
(ii) Edge trimming:		
(a) (a) Riveted and/or riveted and stitched work, but excluding miners' and miners' type and		4000 0
army boots	983.99	1082.3 1082.3
Rubber and rubber composition soles	983.99	1082.3
Children's footwear, all sizes up to and including size 1½	983.99 983.99	1082.3
All slippers (men's, women's and children's)	983.99	1082.3
Stitchdown footwear produced from box hide and willow hide	1118.47	1230.3
(ii) Edge setting:		
(a) Riveted and/or riveted and stitched work, but excluding miners' and miners' type and army		ļ
boots	801.95	882.1
Through runners	801.95	882.1 882.1
Waist and/or top pieces	801.95 801.95	882.1
Children's footwear, all sizes up to and including size 11/2	801.95	882.1
All slippers (men's, women's and children's)	801.95	882.1
Stitchdown footwear produced from box hide and willow hide	004.05	882.1
(b) Automatic edge-setting machine, all grades	801.95	
(c) All other work	983.99	1082.3
(iii) Heel trimming	801.95	882.1
pii/ neer triintriing		
(vii) Examining	1118.47	1230.3

Column B

Per week

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809.35

# (I) HIGH FREQUENCY WELDING

Qualified employees on:
-------------------------

(i)	High-frequency welding, embossing pre-cut uppers	734.06	807.47
(ii)	High-frequency welding, embossing combined with cutting of uppers (cut welding)	1164.40	1280.84
(iii)	High-frequency welding, embossing of socks and other components	000 44	700.05
١.,	the first of the state of the s	699.41	769.35

[Ratio: For every two qualified employees employed in this section not more than one learner may be employed]

(iv) High-frequency welding, combined with cutting of socks and other components.....

		Column A Per week	Column B Per week
	(J) FLOW MOULDING		
Qua	tlified employees on:		
(i)	Flow moulding pre-cut uppers	734.06	   807.47
(ii)	Flow moulding pre-cut socks	734.06	807.47
(iii)	Flow moulding where eventual upper is presented in liquid form		007.4
(iv)	Colour application to moulds prior to flow moulding	734.06	807.47 807.47
(v)	Mould making of moulds for flow moulding out of silicone rubber or any other suitable materials	734.06 734.06	807.47
(Rat	tio: For every two qualified employees employed in this section not more than one learner may be employed]		
	(K) INJECTION MOULDING OR POURING OF ANY		
	MATERIAL USED FOR SOLING AND UNIT CONVERTING		
Qua	alified employees on:	1	
Inje	ction moulding units to lasted uppers or string-lasted uppers or sole units:		
	(a) Where one employee is employed on an injection moulding machine	785.98	864.5
	(b) Where two employees are employed on an injection moulding machine each shall be paid	785.98	864.5
	(c) Every employee in excess of two employed on an injection moulding machine shall be paid	699.41	769.3
[Ra	tio: For every two qualified employees employed in this section not more than one learner may be employed.]		
	(L) STRINGLASTING OF LINED OR UNLINED FOOTWEAR		
	BY HAND PULLING OF WITH THE ASSISTANCE OF ANY OTHER DEVICE		
Qu	alified employees on:		
(i)	String-lasting of fabric uppers	785.98	864.5
(ii)	String-lasting of synthetic uppers	785.98	864.5
	[Ratio: For every two qualified employees employed in this section not more than one learner may be employed.]0		

	Column A Per week	Column B Per week
(M) WOODEN UNIT MANUFACTURING		
perations not provided for in any other section in clause 1 of this Annexure:		
Manufacture of covered or uncovered wooden heels (including the processing of laminated layered covers	):	
nalified employees on:		
Machine setting to ensure the automatic or semi-automatic operation of any machine contained in the section	ì	
Cutting of blanks prior to laminating in the preparation of layered heel covers	832.19 832.19	915 915
covers	033.41	769
Cutting or guillotining of laminated blanks to produce heel covering material	022.10	915
Cutting of heel covers to a pattern from layered heel covering material	832 19	91
(aa) Cross cutting of timber into lengths		769 769
(ac) Cutting or scouring for pitching of heels, using templets and/or jigs and/or guides		
(ad) Cupping of heels to fit heel seats	1	76
) Cementing heels and heel covers	1 600 41	76
ii) Spotting of heel covers to heels and pressing		76
Trimming of heel covers	699.41 699.41	769 769
Top piece attaching		864
allified employees on:		
Selecting and/or planning of raw timber	055.41	769
Measuring, marking and cutting timber into required lengths		76
Marking top and side elevation for profile cutting of unit     Cutting and shaping from wood of a combined unit forming a foot shaped base and cutting of fancy cut-outs	on 099.41	76
the base  Cutting or routing of a margin partly or right round a wooden unit to countersink lasting margin	/85.98	86-
Cementing or solutioning and laminating of two or more pieces of wood to increase final substance	000.44	76
i) Positioning and pressing of pre-trimmed or untrimmed soles to wooden units	I	86
ii) Solutioning or cementing and attaching heel pieces to soles prior to attaching to wooden units, provided su	7 00.00	
pieces do not exceed the substance of the soles	699.41	76
Attaching top pieces to heels	705.00	86
(aa) Scouring units by automatic machines prior to or after sole attaching	699.41	76
(ab) Scouring units by hand prior to or after sole attaching	705.00	86
these operations	01	76
i) Examining for quality	946.84	104
ii) Repairing of units		
v) Size stamping	099.41	769 769
Varnishing, painting, spraying or dipping units	600.41	76
(i) Attaching of decorative studs and/or nails and/or rivets and/or tacks to units after lasting		769

		Column A Per week	Column B Per week
	(N) LEARNERS		
(i)	Learners employed on the operations referred to in Clause 4, according to experience:		
	First six months	587.05	645.76
	Second six months	648.46	713.31
	Third six months	713.07	784.37
	Fourth six months	766.63	843.29
	Fifth six months	860.22	946.24
	Thereafter, the prescribed rate	l	İ
(xvi			
	according to experience:		Į
	First six months	448.93	493.82 551.49
	Second six months	501.35 556.21	611.83
	Third six months	330.21	011.03
	Thereafter, the prescribed rate.		
(xv	iii) Learners employed on the operations referred to in subclause (H), according to		
•	experience:		
	First six months	448.93	493.82
	Second six months	501.35	551.49
	Thereafter, the prescribed rate		
(xix)	Other learners, according to experience:		
	First six months	448.93	493.82
	Second six months	501.35	551.49
	Third six months	556.21	611.83
	Fourth six months	617.51 694.48	679.26 763.93
	Fifth six months	094.40	703.93
	Thereafter, the prescribed rate.		1
	vided that -	1	
(i)	an adult employee who has had less than 12 months' experience shall nevertheless be deemed to have had 12 months' experience;		
(ii)	A learner who, during the currency of this Agreement, is engaged at a higher rate than that prescribed for one of his experience, shall be paid increments as though he has been, by experience, entitled to be paid at the rate on which he is engaged;		
(iii)	(aa) after the third six months of experience become entitled to a wage of R632.95 per week if		
	employed on operations for which this rate is prescribed;  (ab) after the fourth six months of experience become entitled to a wage of R668.63 per week or R737.21 per week or R779.45 if employed on operations for which these rates are prescribed;		
(xx)	learners in the Clicking Department shall, on size stamping and/or planing and/or applying acme backing, after the third six months of experience, become entitled to a wage of R632.95.  Recruitment of any learner for an operation in Class I or Class II shall be by promotion from the class next below at a wage of not less than that which the employee was receiving on the date of promotion:  Provided that if no employee is available or if an available employee is unfit for promotion, an employee may be introduced from another class of operations or a new learner may be engaged for the operation		

	Column A Per week	Column B Per week
(O) GENERAL WORKERS		
General Workers	699.41	769.35
(P) RATIOS		
(v) Class I Operations in the Rough Stuff and Finishing Departments		
For every three or part of three qualified employees on Class I operations collectively in the		
Rough Stuff and Finishing Departments, there may be employed not more than one learner.  "Part of three" means a remainder of not less than two less after the number of qualified  employees have been divided by three.		
(vi) Class II Operations in the Rough Stuff and Finishing Departments		
On these operations all taken collectively there may be employed not more than one learner to three or part of three qualified employees.  "Part of three" for this purpose means a remainder of not less than two after the number of qualified employees have been divided by three.		
(vii) Class III Operations in the Rough Stuff and Finishing Departments		
On these operations all taken collectively there may be employed not more than two learners to each qualified employee.		
(Q) MILK		
All employees in the mill room and on press cutting operations shall be supplied with half a litre of milk per day.		

# WAGES: FOOTWEAR AS SPECIFIED BELOW

[For applicable definitions, see subclause (5) hereunder]

Group 1: Footwear designed for active participation in sport made with an upper of canvas fabric in conjunction if necessary with edging, moulding, guards or toecaps manufactured only from rubber, all of one colour, the binding of which shall be no greater than the binding depicted in the line drawings in illustration 1(a) and (b) and substantially similar in colour to the canvas uppers. Provided that where there is a difference in depth between the shade of the uppers and that of a binding it shall not exceed the difference represented by Grade 3 of the Grey Scale for assessing Change in Colour (Society of Dyers and Colourists Standard methods, Third Edition, page 10, British Standard BS 2662: 1961 International Standards Organisation R105 / Part 2) Provided further that -

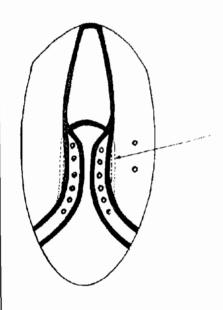
- (i) the sole shall be of rubber which is either vulcanised in an autoclave or is directly moulded;
- (ii) the footwear as defined may be retained on the foot by means of lacing up through metal or non-metal eyelets located on the top of the upper generally as depicted in illustration 1(a) and (b);
- (iii) where studs and/or bars are provided, these shall not protrude more than six millimetres from the soles;
- (iv) where a heel is provided, it shall not protrude more than six millimetres, measured from the surface of the sole at the waist:
- (v) the said bindings shall be made of canvass fabric but that its mass may be less than 400 grammes per square metre.

Group 2: Rubber footwear, either unlined or lined with fabrics.

Group 3: Wholly moulded footwear

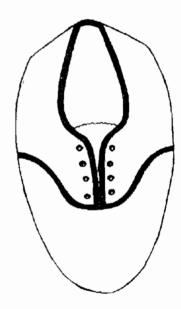
Group 4: Canvas fabric sandals.

# **ILLUSTRATION 1**



(a)

Tongue completely bound down to leather edge



(b)

· _	Column A Per week	Column B Per week
B. OTHER FOOTWEAR IN	THIS SECTION	
Qualified employees on:		
(i) Upper cutting Department:		
Group 1:		
Marking and/or cutting (from canvas or fabric)	1037 86	5 1141.6
Group 2:		
Assisting clicker	699.4	769.3
Marking and/or cutting gumboots (from rubber	r and/or canvas impregnated with rubber) 699.4	
Gum boots		
Size marking	699.4	769,
ii) Closing Department: Group 3:		
Attaching stays		
Size stamping on linings	699.4	
Tread trimming		
All other closing room operations, including ey	yeletting, perforating and skiving	
iii) Bottom stock Department:		
Group 4: Sole cutting from rubber by press or by hand.	003.03	4000
Group 5:	300.01	
Cutting or extruding blanks for the moulding o	f soles and/or heels	769.
Group 6:  All other press cutting operations	699.4	769.
iv) Making Department: Group 7: Applying insole filler		
Size stamping insole	1 9994	
Hand-lasting, rubber sole attaching by hand		
Vulcanising soles to uppers		
Solutioning by hand or machine		769.
Assembling		700
Direct moulding of soles to canvas uppers		
Injection moulding of units to lasted uppers or		,   007.
	in injection moulding machine	864.
(b) Where two employees are employed or	n an injection moulding machine, each	
(c) Where more than two employees are e	mployed on an injection moulding	864.
	705.00	
String-lasting		
Lasting operations on a Kamborian machine.	809.3	
Lasting seats or sides by machine	900.40	990.
Combined pulling over and forepart lasting		1241.
v) Group 8:		
v) Group 8:  Hobnailing by hand or machine	785.98	864.
Hobnailing by hand or machinevi) Group 9:	785,98	864.
Hobnailing by hand or machinevi)  Group 9:  Attaching back strip		769.
Hobnailing by hand or machinevi) Group 9:		769. 769.
Hobnailing by hand or machinevi) Group 9: Attaching back strip		769. 769.
Hobnailing by hand or machineivi) Group 9: Attaching back strip	785.98 699.4 699.4 699.4	769. 769.
Hobnailing by hand or machine		769. 769. 769.

	Column A Per week	Column B Per week
Cutting foxing	699.41	769.35
Feeding conveyer	699.41	769.35
Inserting the puffs.	070.44	700.05
Rolling uppers	699, <b>4</b> 1 699,41	769.35 769.35
Slipping lasts	699.41	769.35
Sole rolling	699.41	769.35
Supplying lasts	699.41 699.41	769.35 769.35
Trimming uppers	699.41	769.35
Mass-measuring pellets for direct moulding	699,41	769.35
Wheeling	699.41	769.35
Checking and repairing	699.41	769.35
Edge scouring	699.41	769.35
Silk screen printing	699.41	769.35
(vii) Any operations not specified in (i) to (vi) above	000.44	769,35
(viii) General Workers	699.41 699.41	769.35
(2) LEARNERS EMPLOYED ON OPERATIONS REFERRED TO IN SUBCLAUSE (1) A AND B (EXCLUDING GENERAL WORKERS)		
According to experience:	440.70	400.04
First six months	448.76 501.35	493.64 551.49
Second six months  Thereafter, the prescribed rate:		301.40
Provided that an adult employee who has had less than 12 months' experience shall nevertheless be deemed to have had 12 months' experience.		
(3) RATIOS		
(a) Before a learner may be employed on any of the operations referred to in subclause (1) A, one qualified employee shall be employed and for every one qualified employee so employed, not more than two learners may be employed.	·	
(b) Before a learner may be employed in any of the nine groups of operations referred to in subclause (1) B, one qualified employee shall be employed in that group, and for every one qualified employee so employed, not more than two learners may be employed.		
(4) DIFFERENTIAL WORKING		
A qualified employee who is employed in any one week on two or more operations specified in this section of this Annexure shall be paid the wages which he would earn if employed for the whole time worked during that week solely on the higher or highest rated of those operations.		
(5) DEFINITIONS		
For the purposes of this clause -	1	
"Rubber" includes natural and synthetic rubber and any thermoplastic organic substance or compound thereof; "canvas fabric" means a fabric woven from yarns made from cotton and/or man-made fibres which in appearance is similar to cotton fabric and which fabric, whether bonded or not, is not more than 1,36 millimetres at 1 kilopascals or 1,32 millimetres at 5 kilopascals and its mass shall be not less than 400 grammes per square metre, the characteristics of which are strength and firmness; "one colour" is an entirely natural or bleached colour of one solid shade or tone.		
	1	1

		Column A Per week	Column B Per week
(iv) Vulc	anising soles to lasted uppers	785.98	864.58
(v) Slug		699.41	769.35
	nnelling	699.41	769.35
	d-levelling	699.41	769.35
	l attaching	699.41	769.35
	king backs	699.41	769.35
	per turning	699.41	769.35
	hing and putting away lasts	699.41	769.35
1	rting heel pads	699,41	769.35
	veyor operating	699.41	769.35
, ,	ct injection moulding or pouring of any materials used for soiling and unit converting:	<b>\</b>	
	ct injection moulding of units to lasted uppers or string-lasted uppers or uppers with stitched-in socks:		
(a)	Where one employee is employed on an injection moulding machine	785.98	064.50
(b)	Where two employees are employed on an injection moulding machine each shall be paid	785.98	864.58 864.58
(c)	Where more than two employees are employed on injection moulding machine each shall be paid	785.98	864.58
	ing Department	703.90	004.50
Edg	e trimming		
Edg	e setting	993.07	1092.38
Hee	l trimming	810.25	891.28
Sco	uring operations	699.41	769.35
Inkir	ng, staining and brushing	699.41 699.41	769.35 769.35
Stip	ping uppers	699.41	769.35
Exa	Room Department mining other Shoe Room operations	699.41	769.35
	(2) LEARNERS		
According	to experience:		
Firs	t six months	448.76	493.64
Sec	ond six months	501.31	551.44
Thir	d six months	556.21	611.83
Fou	rth six months	617.52	679.27
Fifth	n six months	694.48	763.93
Provided t	hat a learner shall not be entitled to a wage higher than that prescribed for a qualified employee on the ration on which such learner is engaged:		
	further that learners on operations for which a wage rate of R632.95 prescribed shall, after the third six of experience, become entitled to this wage rate;	:	
	urther that an adult employee who has had less than 12 months' experience shall nevertheless be med to have had 12 months' experience.		
	(3) GENERAL WORKERS		
General w	orkers	699.41	769.35
	(4) RATIO		
employed subclause	one qualified employee engaged on the operations specified in subclause (1) hereof there may be not more than two learners at the wages in accordance with the scale laid down for learners under (2) hereof: Provided that one employee in receipt of the wage prescribed for a qualified employee inployed in each department before a learner may be employed.		

	Column A Per week	Column B Per week
(5) DIFFERENTIAL WORKING		
A qualified employee who is employed in any one week on two or more operations specified in this section of this Annexure shall be paid the wage which he would earn if employed for the whole time worked during that week solely on the higher or highest rated of those operations.		
CLAUSE 4: "PLATNATE" AND "DOPPERS"		
Note: "Platnate" and "doppers" mean footwear wholly or mainly stitched by hand with riempies or pitch thread.		
Qualified employees on:		
(i) Clicking (ii) Machining by power	784.77 703.70	863.25 774.07
Machining other than by power  Other Closing Department operations  (iii) Sole cutting by power	703.70 703.70	774.07 774.07
Sole cutting other than by power  (iv) Pulling over by hand and/or hand-lasting Stitching by hand	928.55 699.41 699.41 699.41	1021.41 769.35 769.35 769.35
(v) Edge trimming by power  Edge trimming other than by power  (vi) Pairing and/or size marking  (vii) Any operation other than those specified in (i) to (vi) hereof	792.03 699.41 699.41 699.41	871.23 769.35 769.35 769.35
(2) LEARNERS		
According to experience:		
First six months  Second six months	448.76 501.31	493.64 551.44
Provided that a learner shall not be entitled to a wage higher than that prescribed for a qualified employee on the operation on which such learner is engaged;		
Provided further that an adult employee who has had less than 12 months' experience shall nevertheless be deemed to have had 12 months' experience.		
(3) GENERAL WORKERS General workers		
(4) RATIO	699.41	769.35
For every three employees receiving not less than R632.95 per week there may be employed not more than one employee at a wage of less than R632.95 per week.  (5) DIFFERENTIAL WORKING		
A qualified employee who is employed in any one week on two or more operations specified in this section of this Annexure shall be paid the wage which he would earn if employed for the whole time during that week solely on the higher or highest rated of those operations.		

SIGNED BY THE PARTIES AT CAPE TOWN O	ON THE 28th AUGUST 2008.
D J F LINDE, Member of the Council	
A BENJAMIN, Member of the Council	
W VAN DER RHEEDE, Member of the Council	
S NAIDOO, General Secretary of the Council	

No. R. 1176 7 November 2008

# LABOUR RELATIONS ACT, 1995 (ACT NO. 66 OF 1995) COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION RULES FOR THE CONDUCT OF PROCEEDINGS BEFORE THE CCMA

# **AMENDMENT NOTICE**

(1) Government Notice No. R. 97 published in *Government Gazette* No. 29587 (*Regulation Gazette* No. 8626) of 9 February 2007 is hereby amended as follows:

By substituting pages 11 – 15 with the attached annexure A

AND

(2) Government Notice No. R. 1442 published in *Government Gazette* No. 25515 (*Regulation Gazette* No. 7781) of 10 October 2003 is hereby amended as follows:

By substitution pages 111(LRA3.23); 114(LRA4.1); 133(LRA5.1); 136(LRA5.2); 176(LRA7.11); 185(LRA7.13); 187(LRA7.14); 189(LRA7.15); 192(LRA7.17); 205(LRA7.19); 206(LRA7.20) and 210(LRA7.21 with the attached annexure A

Annexure A

# **SCHEDULE ONE**

# ADDRESSES OF THE COMMISSION

The address of the head office of the Commission is as follows:

### CCMA NATIONAL OFFICE

Physical address:

28 Harrison Street

Johannesburg

2001

Postal address:

Private Bag X94

Marshalltown

2107

Tel:

(011) 377-6650

Fax:

(011) 834-7351 ho@ccma.org.za

E-mail: h

The addresses of the provincial offices of the Commission are as follows:

# **CCMA EASTERN CAPE**

# **EAST LONDON**

Physical address:

Rennies Building, Ground Floor

Cnr Church & Oxford Streets

East London 5201

Postal address:

Private Bag X9068

East London

5200

Tel:

(043) 743-0826

Fax:

(043) 743-0810

E-mail:

pe@ccma.org.za

# PORT ELIZABETH

Physical address:

107 Govan Mbeki Avenue

Port Elizabeth

6001

Postal address:

Private Bag X22500

Port Elizabeth

6000

Tel: Fax: (041) 505-4300

-ax:

(041) 586-4585/4410

E-mail:

pe@ccma.org.za

### **CCMA FREE STATE**

Physical address: NBS Building

Cnr. Elizabeth & West Burger Streets

Bloemfontein

9301

Postal address: Private Bag X20705

Bloemfontein

9300

 Tel:
 (051) 505-4400

 Fax:
 (051) 448-4468/9

 E-mail:
 blm@ccma.org.za

# **CCMA GAUTENG**

# **JOHANNESBURG**

Physical address: Johannesburg Regional Office

127 Fox Street Johannesburg

2001

Postal address: Private Bag X96

Marshalltown

2107

Tel: (011) 220-5000

Fax: (011) 220-5101/02/03/04/05/ 0861 392 262

E-mail: johannesburg@ccma.org.za

# **TSHWANE (PRETORIA)**

Physical address: Metro Park Building

351 Schoeman Street (Cnr Prinsloo)

Pretoria 0002

Postal address: Private Bag X176

Pretoria 0001

 Tel:
 (012) 392-9700

 Fax:
 (012) 392-9701/2

 E-mail:
 pretoria@ccma.org.za

# **CCMA KWAZULU NATAL**

# **DURBAN**

Physical address: Embassy Building, 6th & 7th Floors

199 Smith Street (Cnr Aliwal)

Durban

4001

Postal address: Private Bag X54363

Durban

4000

Tel: (031) 362-2300

Fax: (031) 368-7387/ 7407 E-mail: kzn@ccma.org.za

# **PIETERMARTIZBURG**

Physical address: Gallwey House, 3rd Floor

Gallwey Lane Pietermaritzburg

3201

Postal address: P O Box 72

Pietermaritzburg

3200

 Tel:
 (033) 345-9249/71

 Fax:
 (033) 345-9790

 E-mail:
 kzn@ccma.org.za

# **RICHARDSBAY**

Physical address: Promenade Building, Suite 15, 1st Floor

Cnr. Tassel Berry & Lira Link Streets

Richards Bay

3901

Postal address: Private Bag X1026

Richards Bay

3900

 Tel:
 (035) 789-0357/1415

 Fax:
 (035) 789-7148

 E-mail:
 kzn@ccma.org.za

# **CCMA LIMPOPO**

Physical address: CCMA House

104 Hans Van Rensburg Street

Polokwane

0699

Postal address: Private Bag X9512

Polokwane

0700

 Tel:
 (015) 297-5010

 Fax:
 (015) 297-1649/7343

 E-mail:
 ptb@ccma.org.za

# **CCMA MPUMALANGA**

Physical address: CCMA House

**Diedericks Street** 

Witbank 1035

Postal address:

Private Bag X7290

Witbank 1035

 Tel:
 (013) 656-2800

 Fax:
 (013) 656-2885/6

 E-mail:
 wtb@ccma.org.za

# **CCMA NORTHERN CAPE**

Physical address: CCMA House

5-13 Compound Street

Kimberley

8301

Postal address: Private Bag X6100

Kimberley 8300

 Tel:
 (053) 831-6780

 Fax:
 (053) 831-5947/8

 E-mail:
 kmb@ccma.org.za

# **CCMA NORTH WEST**

# **KLERKSDORP**

Physical address: CCMA House

47 Siddle Street Klerksdorp

2570

Postal address: Private Bag X5004

Klerksdorp

2571

Tel: (018) 464-0700

Fax: (018) 462-4126/4053 / (018) 474 0752

E-mail: kdp@ccma.org.za

# **RUSTENBURG**

Physical address: Shop SG7 11B

Rustenburg Sanlam Centre

43-45 Boom Street RUSTENBURG

0299

Postal address: Private Bag X82104

Rustenburg

0300

Tel: To be confirmed Fax: (014) 538 2167 E-mail: to be confirmed

# **CCMA WESTERN CAPE**

Physical address: CCMA House

78 Darling Street Cape Town

8001

Postal address: Private Bag X9167

Cape Town

8000

Tel: (021) 469-0111

Fax: (021) 465 7193/97/87/462 5006

E-mail: ctn@ccma.org.za