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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

No. R. 519

26 April 2002

LABOUR RELATIONS ACT, 1995

CANCELLATION OF GOVERNMENT NOTICE

RESTAURANT, CATERING AND ALLIED TRADES: 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. 170 of 23 February 2001, with effect from 6 May 2002.

M. M. S. MDLADLANA

Minister of Labour

No. R. 519

26 April 2002

WET OP ARBEIDSVERHOUDINGE, 1995

INTREKKING VAN GOEWERMENTSKENNISGEWING

RESTAURANT-, SPYSENIERS- EN VERWANTE BEDRYWE: HOOF KOLLEKTIEWE OOREENKOMS

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, trek hierby, kragtens artikel 32 (7) van die Wet op Arbeidsverhoudinge, 1995, Goewermentskennisgewing No. R. 170 van 23 Februarie 2001 in, met ingang van 6 Mei 2002.

M. M. S. MDLADLANA

Minister van Arbeid

No. R. 520

26 April 2002

LABOUR RELATIONS ACT, 1995

**RESTAURANT, CATERING AND ALLIED TRADES: EXTENSION OF RE-ENACTMENT AND AMENDMENT
OF 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 Bargaining Council for the Restaurant, Catering and Allied Trades 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 those Trades, with effect from 6 May 2002, and for the period ending 29 February 2004.

M. M. S. MDLADLANA

Minister of Labour

No. R. 520

26 April 2002

WET OP ARBEIDSVERHOUDINGE, 1995

**RESTAURANT-, SPYSENIERS- EN VERWANTE BEDRYWE: UITBREIDING VAN HERBEKRAKTIGING EN WYSIGING
VAN HOOF 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 Restourant-, Spyseniers- en Verwante Bedrywe 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 Bedrywe, met ingang van 6 Mei 2002, en vir die tydperk wat op 29 Februarie 2004 eindig.

M. M. S. MDLADLANA

Minister van Arbeid

SCHEDULE**BARGAINING COUNCIL FOR THE RESTAURANT, CATERING AND ALLIED TRADES****COLLECTIVE AGREEMENT**

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

CATRA—the Restaurant and Food Services Association of South Africa

(hereinafter referred to as “the employer” or “the employers” organisation), of the one part, and the

CEU—the Catering Employees’ Union

DICHAUW—the Distributive, Catering, Hotels and Allied Workers’ Union

SACCAWU—South African Commercial Catering and Allied Workers’ Union

(hereinafter referred to as the “trade unions” of the other part), being the parties to the Bargaining Council for the Restaurant, Catering and Allied Trades.

1. SCOPE OF APPLICATION

- (1) The terms of this agreement shall be observed in the Tearoom, Restaurant and Catering Trades—
 - (a) by all employers who are members of the employer’s organisation and by all employees who are members of the trade unions;
 - (b) in the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Delmas, Germiston, Johannesburg, Kempton Park, Krugersdorp, Randburg, Randfontein, Roodepoort, Springs and Westonaria.
- (2) The terms of this Agreement shall not apply to non-parties in respect of clauses 1.1 (a), 2 and 3 of this Agreement.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on the date fixed by the Minister of Labour to be the effective date from which the Agreement shall be extended to become binding on non-parties, or the date on which the Minister of Labour declines to extend the Agreement to non-parties, and the Agreement shall remain in force for the period ending 29 February 2004.

3. SPECIAL PROVISIONS

The provisions contained in clauses 22 (2) and 22 (3) of the Collective Agreement published under Government Notice No. R. 707 of the 22 May 1998, as re-enacted and amended by Government Notice Nos. R. 78 of 4 February 2000 and R. 170 of 23 February 2001 (hereinafter referred to as the “Former Agreement”), shall apply to employers and employees.

4. GENERAL PROVISIONS

The provisions contained in clauses 3 to 21, 22 (1), 22 (2) (b), 22 (4) and 23 up to and including 29 of the Former Agreement shall apply to employers and employees.

5. CLAUSE 21: EXPENSES OF THE COUNCIL

Substitute the existing clause 21 (1) (a), 21 (1) (b), 21 (2) (a), 21 (2) (b) and 21 (3) with the following:

- (1) (a) For the purpose of meeting the expenses of the Council, every employer shall deduct from the wages of each employee, R5,00 per month in the case of all employees who have worked in that month: Provided that, for the purposes of this paragraph, an employee shall be deemed to have worked during any period in which he is absent from work on paid leave or sick leave as provided in this Agreement.
- (b) For the purpose of meeting the expenses of the Council in the administration of a fund to be used for the resolving of disputes, every employer shall deduct from the wages of each employee R2,00 per month in the case of all employees who have worked in that month: Provided that, for the purposes of this paragraph, an employee shall be deemed to have worked during any period in which he is absent from work on paid leave or sick leave as provided in this Agreement. A separate account shall be kept by the Council for this fund.
- (2) (a) an amount equal to that deducted from the employees as prescribed in subclause (1);
- (b) an amount of R20,00 in respect of each establishment each month, or part thereof, during which deductions were made or were required to be made in terms of subclause (1), which shall be contributed by employer himself.
- (3) The total amounts deducted, or required to be deducted, in terms of subclause (1), from the wages of employees, together with the amounts required to be contributed by the employer in terms of subclause (2), shall be forwarded by the latter to the Secretary of the Council monthly not later than the 15th day of the month succeeding that during which the deductions and contributions were made or were required to be made, together with a completed statement in the form of Annexure F showing the number of employees from whom the deductions were made or were required to be made.
- (4) The amounts owing shall either be forward to: P.O. Box 30822, Braamfontein, 2017, or delivered to the offices of the Council at 87 Juta Street, Braamfontein.

- (5) Notwithstanding anything to the contrary contained in this Agreement, the Council shall be entitled to a 5% collection fee on all funds administered by the Council or collected on behalf of any third party or fund, which said amounts shall accrue to the general funds of the Council. The Council, in its sole discretion, may waive the right to such entitlement.
- (6) The owner of the establishment shall deduct an amount of R15,00 per month from a contract waiter(s) contract price, and shall forward/pay this latter mentioned amount to the Secretary of the Council monthly, not later than the 15th day of the month succeeding that during which the deductions were made or were required to be made, together with a completed statement in the form of Annexure "F", showing the number of contracts waiter(s) from whom the deductions were made or were required to be made.

Signed at Braamfontein, Johannesburg, on behalf of the parties on this 22nd day of May 2001.

J. MICHAELIDES

CATRA

B. MAGQAZA

Union(s)

K. MAROUDAS

Secretary

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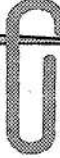
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