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CONTENTS**INHOUD**

<i>No.</i>	<i>Page No.</i>	<i>Gazette No.</i>	<i>No.</i>	<i>Bladsy No.</i>	<i>Koerant No.</i>
GOVERNMENT NOTICE			GOEWERMENTSKENNISGEWING		
Labour, Department of			Arbeid, Departement van		
<i>Government Notice</i>			<i>Goewermentskennisgewing</i>		
R. 280			R. 280		
Labour Relations Act (66/1995): National Bargaining Council for the Electrical Industry of South Africa: Extension of Main Collective Amending Agreement to Non-parties.....	3	27418	Wet op Arbeidsverhoudinge (66/1995): Nasionale Bedingingsraad vir die Elektrotegniese Nywerheid van Suid-Afrika: Uitbreiding van Hoof Kollektiewe Wysigingsooreenkoms na Nie-partye	3	27418

GOVERNMENT NOTICE
GOEWERMENTSKENNISGEWING

DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID

No. R. 280

01 April 2005

LABOUR RELATIONS ACT, 1995

NATIONAL BARGAINING COUNCIL FOR THE ELECTRICAL INDUSTRY OF SOUTH AFRICA: EXTENSION OF MAIN COLLECTIVE AMENDING 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 Main Collective Amending Agreement which appears in the Schedule hereto, which was concluded in the National Bargaining Council for the Electrical Industry of South Africa and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Collective Agreement, shall be binding on the other employers and employees in that industry, with effect from 04 April 2005, and for the period ending 31 January 2006.

M. M. S. MDLADLANA

Minister of Labour

No. R. 280

01 April 2005

WET OP ARBEIDSVERHOUDINGE, 1995

NASIONALE BEDINGINGSRAAD VIR DIE ELEKTROTEGNIÛSE NYWERHEID VAN SUID-AFRIKA: UITBREIDING VAN HOOF KOLLEKTIEWE WYSIGINGSOOREENKOMS NA NIE-PARTYÛ

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995, dat die Hoof Kollektiewe Wysigingsooreenkoms wat in die Engelse Bylae hierby verskyn, en wat in die Nasionale Bedingingsraad vir die Elektrotegniese Nywerheid van Suid-Afrika aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die Kollektiewe Ooreenkoms aangegaan het, bindend is vir die ander werkgewers en werknemers in daardie Nywerheid met ingang van 04 April 2005, en vir die tydperk wat op 31 Januarie 2006 eindig.

M. M. S. MDLADLANA

Minister van Arbeid

SCHEDULE

NATIONAL BARGAINING COUNCIL FOR THE ELECTRICAL INDUSTRY OF SOUTH AFRICA

MAIN COLLECTIVE AMENDING AGREEMENT

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

Electrical Contractors' Association (South Africa)

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

the South African Equity Workers' Association

and the

Metal and Electrical Workers' Union of South Africa,

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

being the parties to the National Bargaining Council for the Electrical Industry of South Africa.

PART 1

1. SCOPE OF APPLICATION

(1) The terms of this Agreement shall be observed—

- (a) by all employers and employees in the Electrical Industry who are members of the employers' organisation and trade unions, respectively, who are engaged or employed in the Industry.

(b) In the following areas:

- (i) In the Province of the Transvaal and the Magisterial Districts of Sasolburg and Bloemfontein, as they existed at 19 June 1985;
- (ii) in the Magisterial Districts of Barkly West, Gordonia, Hartswater, Kuruman and Postmasburg, as they existed at 18 October 1989;
- (iii) in the Province of the Free State (excluding the Magisterial Districts of Sasolburg and Bloemfontein), as they existed at 19 June 1985;
- (iv) in the Magisterial Districts of Aberdeen, Adelaide, Albert, Aliwal North, Barkly East, Bedford, Britstown, Carnarvon, Cathcart, Colesberg, Cradock, De Aar, Elliot, Fort Beaufort, Fraserburg, Graaff-Reinet, Hankey, Hanover, Hofmeyr, Indwe, Jansenville, King William's Town, Kirkwood, Komga, Lady Grey, Maclear, Middelburg (Eastern Cape), Molteno, Murraysburg, Noupoort, Pearston, Phillipstown, Pince Albert, Richmond (Northern Cape), Somerset East, Sterkstroom, Steynsburg, Steytlerville, Stutterheim, Tarka, Venterstad, Victoria West, Williston, Willowmore and Wodehouse, as they existed at 13 April 1995;
- (v) in the Magisterial Districts of Albany, Alexandria, Bathurst, Beaufort West, Calitzdorp, George, Humansdorp, Joubertina, Knysna, Ladismith, Mossel Bay, Oudtshoorn, Port Elizabeth, Queenstown, Riversdale, Uitenhage and Uniondale, as they existed at 24 November 1995;
- (vi) the Magisterial Districts of Cape, Wynberg (including that portion of the Magisterial District of Somerset West which, prior to 9 March 1973, Government Notice No. 193 of 9 February 1973, fell within the Magisterial District of Wynberg), Simonstown, Goodwood and Bellville; in those portions of the Magisterial Districts of Malmesbury and Stellenbosch which, prior to the publication of Government Notices Nos. 171 of 8 February 1957 and 283 of 2 March 1962, respectively, fell within the Magisterial District of Bellville and in that portion of the Magisterial District of Kuils River which, prior to the publication of Government Notice No. 661 of 19 April 1974, fell within the Magisterial District of Stellenbosch, but which, prior to 2 March 1962, fell within the Magisterial District of Bellville and in that portion of the Magisterial District of Kuils River which, prior to the publication of Government Notice No. 1683 of 7 August 1987, fell within the Magisterial District of Bellville;
- (vii) in the Province of KwaZulu-Natal, excluding any portions of that area falling within the former self-governing territory of KwaZulu-Natal as it existed prior to the coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993);
- (viii) in the Magisterial District of East London.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to apprentices and learners only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 56 of 1981, or the Skills Development Act, 97 of 1998, shall be taken to be the weekly wage of such employees, and the "hourly rate" shall be the weekly wage calculated as above, divided by the number of ordinary hours worked in the establishment concerned.

(3) For the purposes of this Agreement the "rate of remuneration" of learners prescribed under the Skills Development Act, 97 of 1998, shall be taken to be the weekly wage of such employees, and the "hourly rate" shall be the weekly wage calculated as above, divided by the number of ordinary hours worked in the establishment concerned.

2. PERIOD OF OPERATION

This Agreement shall come into operation on the date fixed by the Minister of Labour in terms of section 32 of the Labour Relations Act, 1995, and shall remain in force 31 January 2006.

3. EXCLUSIONS

The provisions of this Agreement shall not apply to non-parties in respect of clauses 1 (1) (a), 2 and 4.

4. SPECIAL PROVISIONS

The provisions of clauses 20, 25 (1) (d), 27 (3), 30, 30B, 39 (12), 50 and 51 of Part 1 of the Agreement published under Government Notice No. R. 90 of 26 January 2001, as re-enacted and amended under Government Notice No. R. 795 of 14 June 2002, Government Notice No. R. 1245 of 5 September 2003, and Government Notice R. 53 of 23 January 2004 (hereinafter referred to as the "former agreement") shall apply to employers and employees.

5. GENERAL PROVISIONS

The provisions of clauses 4 to 19, 21 to 25 (1) (c), 25 (1) (e) to 27 (2), 27 (4) to 29, 30 (a), 31 to 39 (11), 40 to 49, 52 to 56 of Part 1 and Part II of the Former Agreement (as further extended, amended and re-enacted from time to time), shall apply to employers and employees.

PART II

6. CLAUSE 4 OF THE FORMER AGREEMENT: SCHEDULE OF WAGES AND/OR EARNINGS

Substitute the following for the categories listed below:

AREAS 'A', 'B', 'C', 'D', 'E'

Category	AREA A Rand per hour	AREA B Rand per hour	AREA C Rand per hour	AREA D Rand per hour	AREA E Rand per hour
Master installation electrician	45,59	38,70	36,49	27,36	26,62
Installation electrician	41,97	35,65	33,55	25,18	24,48
Electrical tester for single phase	38,30	32,54	31,40	22,98	22,36
Electrician, artisan and DAM	36,45	30,96	29,17	21,90	21,32
Domestic electrical installer	30,53	25,94	24,37	18,26	17,78
Elconop 3	26,55	22,55	21,19	15,89	15,47
Elconop 2	22,49	19,13	17,98	13,47	13,13
Elconop 1	13,86	11,79	11,12	8,62	8,13
Driver of a vehicle, the unladen Mass of which is—					
(a) Up to 3 500 kg	15,26	12,94	12,22	9,17	8,93
(b) from 3 501 kg to 9 000 kg	18,05	15,32	14,42	10,83	10,53
(c) 9 001 kg and over	20,06	17,02	16,01	12,02	11,68
Electrical assistant	11,99	10,14	9,56	7,18	6,99
General worker	8,36	7,09	6,70	5,04	4,89

AREAS "F", "G", "H"

Category	AREA F Rand per hour	AREA G Rand per hour	AREA H Rand per hour
Master installation electrician	31,64	26,90	25,33
Installation electrician	29,11	24,75	23,31
Electrical tester for single phase	25,78	22,60	21,28
Electrician, artisan and DAM	25,78	21,52	20,26
Domestic electrical installer	21,55	18,33	18,33
Elconop 3	18,74	15,92	15,92
Elconop 2	16,45	13,98	13,18
Elconop 1	10,56	8,85	8,29
Driver of a vehicle, the unladen Mass of which is—			
(a) Up to 3 500 kg	10,22	8,70	8,19
(b) from 3 501 kg to 9 000 kg	12,14	10,31	9,70
(c) 9 001 kg and over	13,47	11,45	10,78
Electrical assistant	10,40	8,71	8,22
General worker	7,29	6,11	5,76

AREAS "I", "J", "K", "L"

Category	AREA I Rand per hour	AREA J Rand per hour	AREA K Rand per hour	AREA L Rand per hour
Master installation electrician	42,83	45,59	38,70	34,09
Installation electrician	41,76	41,97	35,65	31,34
Electrical tester for single phase	35,98	38,30	32,54	28,64
Electrician, artisan and DAM	34,28	36,45	30,96	27,25
Domestic electrical installer	—	30,53	26,07	—
Emerging electrical installer	29,44	—	—	—
Elconop 3	25,61	26,55	22,55	19,80
Elconop 2	24,23	22,49	19,13	16,80
Elconop 1	16,40	13,86	11,79	10,40
Domestic appliance repairer	—	17,12	14,56	—

Category	AREA I Rand per hour	AREA J Rand per hour	AREA K Rand per hour	AREA L Rand per hour
Driver of a vehicle, the unladen Mass of which is—				
(a) Up to 3 500 kg.....	14,37	15,26	12,94	8,64
(b) from 3 501 kg to 9 000 kg	16,22	18,04	15,32	13,47
(c) 9 001 kg and over	18,50	20,06	17,02	14,98
Electrical assistant.....	13,42	11,99	10,14	8,94
General worker	9,40	8,36	7,09	6,25

7. CLAUSE 5 OF THE FORMER AGREEMENT: GUARANTEED MINIMUM INCREASES AND OFF-SET

- (1) Substitute the following for subclause (1):

“Every employee for whom wages are prescribed in this Agreement and who, on the date on which this Agreement comes into operation, is employed by an employer in the Industry, shall while in the employ of the same employer and whether or not his actual rate of pay immediately prior to the said date was in excess of the rate prescribed for him in this Agreement, receive a wage increase of not less than 5% of the actual wage rate he was receiving immediately prior to the said date.”.

- (2) In subclause (2) substitute with the following:

“The guaranteed minimum increase referred to above shall be subject to the provision that any increase granted on or after 1 January 2005 may be off-set by the employer when calculating the guaranteed minimum increase and any increase granted on or after date of publication may be off-set by the employer when calculating the guaranteed minimum increase.”.

Signed at Johannesburg as authorised for and on behalf of the parties to the Council on this 29th day of October 2004.

M. MFIKOE

Chairman

R. MCALPINE

Vice Chairman

J.R. PAULSEN (MRS)

General Secretary