

REGULASIEKOERANT  
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*Regulation Gazette*

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*Regulasiekoerant*

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**No. 39824**







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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

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DEPARTMENT OF LABOUR

NO. R. 276

18 MARCH 2016

LABOUR RELATIONS ACT, 1995

CANCELLATION OF REGISTRATION OF AN EMPLOYERS ORGANISATION

I, **Malixole Ntleki**, Acting Registrar of Labour Relations, hereby notify, in terms of section 109(2) of the Labour Relations Act, 1995, that I have cancelled the registration of **South Coast Rock Lobster Employers Organisation (SCRLIEO) (LR 2/6/3/912)** with effect from

..... 04/03/2016 .....



ACTING REGISTRAR OF LABOUR RELATIONS

04/03/2016

## DEPARTMENT OF LABOUR

NO. R. 277

18 MARCH 2016

## LABOUR RELATIONS ACT, 1995

## INVITATION TO MAKE REPRESENTATIONS

## NOTICE IN TERMS OF SECTION 32(2) READ WITH SECTION 32(5)(c) OF THE LABOUR RELATIONS ACT, 1995: THE PROVIDENT FUND COLLECTIVE AGREEMENT OF THE METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL

- 1 I, **Mildred Nelisiwe Oliphant**, Minister of Labour, do hereby in terms of section 32(2) read with section 32(5)(c) of the Labour Relations Act, 1995, publish a notice in accordance with the provisions of subsection 32(5)(c) inviting representations from the public in response to the Metal and Engineering Bargaining Council's application for extension to non parties regarding its Provident Fund Collective Agreement which was submitted to the Department of Labour on **21 January 2016**.
- 2 Representations must reach the Department of Labour not later than 21 days from the date of publication of this Notice.
- 3 A copy of this Application may be inspected or obtained c/o the Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA
- 4 Representations should be submitted to the following addresses:

**By Post or Fax:**

Department of Labour  
Directorate: Collective Bargaining  
Attention: Ms MM Ngwetjana  
Postal Address: Private Bag X117  
PRETORIA, 0001  
Fax: 012 309 4156/4848

**Hand Deliveries:**

Department of Labour  
Laboria House  
Room 122/124  
215 Francis Baard Street  
PRETORIA

**By e-mail:**

[mary.ngwetjana@labour.gov.za](mailto:mary.ngwetjana@labour.gov.za)  
[alfred.katane@labour.gov.za](mailto:alfred.katane@labour.gov.za)



.....  
MN OLIPHANT, MP  
MINISTER OF LABOUR

02/03/2016

**UMNYANGO WEZABASEBENZI****UMTHETHO WEZOBUDLELWANO KWEZABASEBENZI, 1995****ISIMEMO SOKULETHWA KWEZIKHALO****ISAZISO NGOKWESIGABA 32(2) SIFUNDWA NESIGABA 32(5)(c) SOMTHETHO WEZOBUDLELWANO KWEZABASEBENZI KA 1995: ISIVUMELWANO SEPROVIDENT FUND SABAQASHI NABASEBENZI EMKHANDLWINI WOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI EMBONINI YENSIMBI NEYOBUNJINIYELA**

- 1 Mina, **MILDRED NELISIWE OLIPHANT**, uNgqongqoshe Wezabasebenzi, lapha lapha ngokwesigaba-32(2) sifundwa nesigaba 32(5)(c) soMthetho Wezobudlelwano Kwezabasebenzi, ka 1995, ngikhipha isaziso ngokwezihlinzeko zesigatshana 32(5)(c) sokumema izikhalo zomphakathi mayelana nesicelo soMkhandlu Wokuxoxisana Phakathi Kwabaqashi Nabasebenzi Embonini Yensimbi Neyobunjiniyela sokwelulwa kwesiVumelwano Sabaqashi Nabasebenzi seProvident Fund selulelwa kulabo abangeyona ingxenye yaso esalethwa eMnyangweni Wezabasebenzi mhlaka 21 kuMasingana 2015.
- 2 Izikhalo kumele zifike eMnyangweni Wezabasebenzi zingakapheli izinsuku ezingu 21 kusukela osukwini lokukhiswa kwalesiSaziso.
- 3 Ikhophi yalesisicelo ingahlolwa noma itholakale ku c/o Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA
- 4 Izikhalo kumele zilethwe kulelikheli elilandelayo:

**Ngeposi noma ngefeksi:**

Umnyango Wezabasebenzi

Ihhovisi Lomqondisi Wezokuxoxisana Kwabaqashi Nabasebenzi 215 Francis Baard Street

Iqondiswe ku: Mary Ngwetjana

Postal address: Private Bag X117

PRETORIA, 0001

Fax 012 309 4156/4848

[mary.ngwetjana@labour.gov.za](mailto:mary.ngwetjana@labour.gov.za)

[alfred.katane@labour.gov.za](mailto:alfred.katane@labour.gov.za)

**Okulethwa ngezandla:**

Ihhovisi 122/124

Laboria House

PRETORIA

  
.....  
**MN OLIPHANT, MP**  
**UNGOQONGOSHE WEZABASEBENZI**  
*02/03/2016*

## DEPARTMENT OF LABOUR

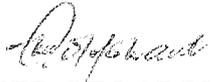
NO. R. 278

18 MARCH 2016

## LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR CIVIL ENGINEERING INDUSTRY:  
EXTENSION OF WAGE AND TASK GRADE COLLECTIVE AMENDING  
AGREEMENT TO NON-PARTIES**

I, NELISIWE MILDRED OLIPHANT, Minister of Labour hereby in terms of section 32(2) of the Labour Relations Act, 1995, declare that the Wage Task Grade Collective Amending Agreement which appears in the Schedule hereto, which was concluded in the **Bargaining Council for Civil Engineering Industry** and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Wage Task Grade Collective Amending Agreement, shall be binding on the other employers and employees in that Industry, with effect from the second Monday after date of publication of this notice and for the period ending 31 August 2018.

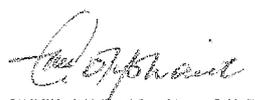
  
MINISTER OF LABOUR  
02/03/2016

## UMNYANGO WEZABASEBENZI

## UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995

UMKHANDLU WOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI  
EM BONINI EPHATHELENE NEZOKWAKHA IMIGWAQO NAMABHULOHO:  
UKWELULWA KWESIVUMELWANO SEMIHOLO KANYE NESIGABA SEMISEBENZI  
YEZABASEBENZI, SELULELWA KULABO ABANGEYONA INGXE NYE  
YESIVUMELWANO

Mina, MILDRED NELISIWE OLIPHANT, onguNgqongqoshe Wezabasebenzi, ngokwesigaba-32(2) soMthetho Wobudlelwano Kwezabasebenzi, ka-1995, ngazisa ukuthi isivumelwano sabaqashi nabasebenzi esitholakala kwiSheduli yesiNgisi exhunywe lapha, esenziwa uMkhandlu Wokuxoxisana phakathi Kwabaqashi Nabasebenzi Embonini ephathelene nezokwakha Imigwaqo Namabhuloho, futhi ngokwesigaba 31 soMthetho Wobudlelwano Kwezabasebenzi, ka-1995 esibopha labo abasenzayo, sizobopha bonke abanye abaqashi nabasebenzi keleyomboni, kusukela ngomSombuluko wesibili emva kokushicilelwa kwalesisaziso kuze kube mhlaka 31 kuNcwaba 2018.

  
UNGQONGQOSHE WEZABASEBENZI

02/03/2016

## SCHEDULE

## BARGAINING COUNCIL FOR THE CIVIL ENGINEERING INDUSTRY

## WAGE AND TASK GRADE COLLECTIVE AGREEMENT

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

Employer Organisation

*South African Forum of Civil Engineering Contractors (SAFCEC)*

(Hereinafter referred to as the “employer” or the “employers’ organisation”) of the one part and the –

Trade Unions

*National Union of Mine Workers (NUM)*

*Building, Construction and Allied Workers’ Union (BCAWU)*

(Hereinafter referred to as the “employees” or the “trade unions”) of the other part, being the parties to the Bargaining Council for the Civil Engineering Industry)

**1. Scope of the Civil Engineering Industry**

1.1 The Civil Engineering Industry means the industry in which employers (other than local authorities) and employees that are associated for the purposes of carrying out work of a civil engineering character normally associated with the Civil Engineering industry and includes such work in connection with any one or more of the following activities:

- 1.1.1 The construction of aerodrome runways or aprons; aqueducts; bins or bunkers; bridges; cable ducts; caissons; rafts or other marine structures; canals; cooling, water or other towers; dams; docks; harbors; quays or wharves; earthworks; encasements; housing or supports for plant, machinery or equipment; factory or works chimneys; filter beds; land or sea defense works; mine headgear; pipelines; piers; railways; reservoirs; river works; roads or streets; sewerage works; sewers; shafts or tunnels; silos; sports fields or grounds; swimming baths; viaducts or water treatment plants’ and/or
- 1.1.2 Excavation and bulk earthworks; bush clearing and de-stumping; topsoil stripping; drilling and blasting; preparation of bench areas, drilling pre-split holes and blast holes, blasting and/or cast blasting ; secondary blasting; loading, hauling and dumping of mineralized and/or waste material to waste dumps or processing plant feed (ROM Pad) stockpiles; production dozing of top soil, inter burden or waste material; pumping and dewatering of storm and/or contaminated water, construction and maintenance of; access and haul roads; ramps; waste and processing plant feed (ROM Pad) areas; safety beams; high walls; benches; storm water systems, catch drains, bund walls, surge dams, trimming, scaling or chain dragging of batters, heap-leach pads, tailings dams; dust suppression of loading areas, haul roads and dumping areas; rehabilitation of earth work areas or waste dumps; topsoil spreading, hydro-seeding and watering; and/or
- 1.1.3 Excavation work or the construction of foundations, lift shafts, piling, retaining walls, stairwells, underground parking garages or other underground structures; and/or
- 1.1.4 The asphaltting, concreting, gravelling, leveling or paving of parking areas, pavements, roads, streets, aerodrome runways or aprons, premises or sites; and further includes –
  - (i) Any work of a similar nature or work incidental to or consequent on any of the aforesaid activities; and
  - (ii) The making, repairing, checking or overhauling of tools, vehicles, plant, machinery or equipment in workshops which are conducted by employers engaged in any of the activities referred to in sub clauses 2.1.1 to 2.1.4(i) and (ii) inclusive;

S. C.  
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Excluding the following:

- a) Work in connection with any one or more of the activities specified in sub-clause 2.1.3 where such work, when undertaken in connection with the erection of structures having the general character of buildings and irrespective of whether or not such work involves problems of a civil engineering character, is carried out by the employers erecting such structures;
- b) Work in connection with any one or more of the activities specified in sub-clause 2.1.3 when undertaken as an incidental operation in connection with the erection of structures having the general character of buildings or when undertaken by the employers erecting such structures;
- c) Any work falling within the scope of any other industry, and
- d) The Mining Industry which is defined as the industry where employers and employees are associated for the purpose, directly or indirectly, for the winning, extracting, processing and refining of a mineral in, on or under the earth or water or from any residue stockpile or residue deposit.

## 2. Period of operation of agreement

- (i) This agreement becomes binding on the employers and employees - refer to sub-clause (1.1), once it is extended by the Honourable Minister of Labour, in terms of Section 32 of the act 66 of 1995, from a date determined by the Honourable Minister of Labour.
- (ii) This agreement shall remain in force until: 31 August 2018

## 3. CHAPTER IV

### APPENDIX F – INDEPENDENT EXEMPTIONS APPEAL BOARD POLICY

#### Chapter 1

#### Clause 3: Application of the Policy

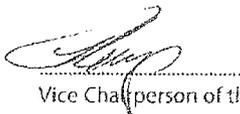
- (1) The amendment to Clause 3 that shall now read as follows:

This policy applies to all exemption appeals except to the extent that a collective agreement sets out a different procedure for the hearing of exemption appeals in respect of an application to be exempt from any provision of that particular collective agreement. Exemption appeals shall be dealt with within 30 days of receipt thereof.



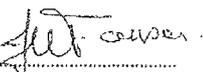
Chairperson of the BCCEI – Strike Makutu

Date: 3 November 2015



Vice Chairperson of the BCCEI – Muller Uys

Date: 3 November 2015



General Secretary of the BCCEI – JN Faasen

Date: 3 November 2015

## DEPARTMENT OF LABOUR

NO. R. 279

18 MARCH 2016

## LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR CIVIL ENGINEERING INDUSTRY:  
EXTENSION OF CONDITIONS OF EMPLOYMENT AMENDING  
COLLECTIVE AGREEMENT TO NON-PARTIES**

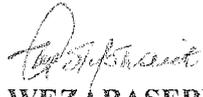
I, **NELISIWE MILDRED OLIPHANT**, Minister of Labour hereby in terms of section 32(2) of the Labour Relations Act, 1995, declare that the Conditions of Employment Amending Collective Agreement which appears in the Schedule hereto, which was concluded in the **Bargaining Council for Civil Engineering Industry** and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Condition of Employment Collective Agreement, shall be binding on the other employers and employees in that Industry, with effect from the second Monday after date of publication of this notice and for the period ending 28 February 2019.

  
MINISTER OF LABOUR  
02/03/2016

**UMNYANGO WEZABASEBENZI****UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995**

**UMKHANDLU WOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI  
EMBONINI YONJINIYELA BEZOKWAKHIWA KWEMIGWAQO NAMABHULOHO:  
UKWELULWA KWESIVUMELWANO SEZIMO ZEMISEBENZI, SELULELWA KULABO  
ABANGEYONA INGXENYE YESIVUMELWANO**

Mina, **MILDRED NELISIWE OLIPHANT**, onguNgqongqoshe Wezabasebenzi, ngokwesigaba-32(2) soMthetho Wobudlelwano Kwezabasebenzi, ka-1995, ngazisa ukuthi isivumelwano sabaqashi nabasebenzi esichibiyelayo esitholakala kwiSheduli yesiNgisi exhunywe lapha, esenziwa **uMkhandlu Wokuxoxisana phakathi Kwabaqashi Nabasebenzi Embonini Yonjiniyela Bezokwaxhiwa Kwemigwaqo Namabhuloho**, futhi ngokwesigaba 31 soMthetho Wobudlelwano Kwezabasebenzi, ka-1995 esibopha labo abasenzayo, sizobopha bonke abanye abaqashi nabasebenzi kuleyomboni, kusukela ngomSombuluko wesibili emva kokushicilelwa kwalesisaziso kuze kube mhlaka 28 kuNhlolanja 2019.

  
**UNGQONGQOSHE WEZABASEBENZI**

*03/03/2016*

SCHEDULE  
BARGAINING COUNCIL FOR THE CIVIL ENGINEERING INDUSTRY  
CONDITIONS OF EMPLOYMENT COLLECTIVE AGREEMENT

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

Employer Organisation

*South African Forum of Civil Engineering Contractors (SAFCEC)*

(Hereinafter referred to as the “employer” or the “employers’ organisation”) of the one part and the –

Trade Unions

*National Union of Mine Workers (NUM)*

*Building, Construction and Allied Workers’ Union (BCAWU)*

(Hereinafter referred to as the “employees” or the “trade unions”) of the other part, being the parties to the Bargaining Council for the Civil Engineering Industry)

**1. Scope of the Civil Engineering Industry**

- 1.1 The Civil Engineering Industry means the industry in which employers (other than local authorities) and employees that are associated for the purposes of carrying out work of a civil engineering character normally associated with the Civil Engineering industry and includes such work in connection with any one or more of the following activities:
- 1.1.1 The construction of aerodrome runways or aprons; aqueducts; bins or bunkers; bridges; cable ducts; caissons; rafts or other marine structures; canals; cooling, water or other towers; dams; docks; harbors; quays or wharves; earthworks; encasements; housing or supports for plant, machinery or equipment; factory or works chimneys; filter beds; land or sea defense works; mine headgear; pipelines; piers; railways; reservoirs; river works; roads or streets; sewerage works; sewers; shafts or tunnels; silos; sports fields or grounds; swimming baths; viaducts or water treatment plants’ and/or
  - 1.1.2 Excavation and bulk earthworks; bush clearing and de-stumping; topsoil stripping; drilling and blasting; preparation of bench areas, drilling pre-split holes and blast holes, blasting and/or cast blasting ; secondary blasting; loading, hauling and dumping of mineralized and/or waste material to waste dumps or processing plant feed (ROM Pad) stockpiles; production dozing of top soil, inter burden or waste material; pumping and dewatering of storm and/or contaminated water, construction and maintenance of; access and haul roads; ramps; waste and processing plant feed (ROM Pad) areas; safety beams; high walls; benches; storm water systems, catch drains, bund walls, surge dams, trimming, scaling or chain dragging of batters, heap-leach pads, tailings dams; dust suppression of loading areas, haul roads and dumping areas; rehabilitation of earth work areas or waste dumps; topsoil spreading, hydro-seeding and watering; and/or
  - 1.1.3 Excavation work or the construction of foundations, lift shafts, piling, retaining walls, stairwells, underground parking garages or other underground structures; and/or
  - 1.1.4 The asphaltting, concreting, gravelling, leveling or paving of parking areas, pavements, roads, streets, aerodrome runways or aprons, premises or sites; and further includes –

*S. C.*  


- (i) Any work of a similar nature or work incidental to or consequent on any of the aforesaid activities; and
- (ii) The making, repairing, checking or overhauling of tools, vehicles, plant, machinery or equipment in workshops which are conducted by employers engaged in any of the activities referred to in sub clauses 2.1.1 to 2.1.4(i) and (ii) inclusive;

Excluding the following:

- a) Work in connection with any one or more of the activities specified in sub-clause 2.1.3 where such work, when undertaken in connection with the erection of structures having the general character of buildings and irrespective of whether or not such work involves problems of a civil engineering character, is carried out by the employers erecting such structures;
- b) Work in connection with any one or more of the activities specified in sub-clause 2.1.3 when undertaken as an incidental operation in connection with the erection of structures having the general character of buildings or when undertaken by the employers erecting such structures;
- c) Any work falling within the scope of any other industry, and
- d) The Mining Industry which is defined as the industry where employers and employees are associated for the purpose, directly or indirectly, for the winning, extracting, processing and refining of a mineral in, on or under the earth or water or from any residue stockpile or residue deposit.

## 2. Period of operation of agreement

- (i) This agreement becomes binding on the employers and employees - refer to sub-clause (1.1), once it is extended by the Honourable Minister of Labour, in terms of Section 32 of the act 66 of 1995, from a date determined by the Honourable Minister of Labour.
- (ii) This agreement shall remain in force until: 28 February 2019

## 3. CHAPTER VII – APPENDICES TO THE AGREEMENT

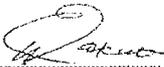
### INDEPENDENT EXEMPTIONS APPEAL POLICY - APPENDIX F

#### Chapter I – Introductory Provisions

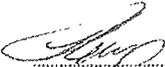
#### Clause 3: Application of the Policy

- (1) The amendment to Clause 3 that shall now read as follows:

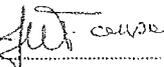
This policy applies to all exemption appeals except to the extent that a collective agreement sets out a different procedure for the hearing of exemption appeals in respect of an application to be exempt from any provision of that particular collective agreement. Exemption appeals shall be dealt with within 30 days of receipt thereof.

  
Chairperson of the BCCEI – Strike Makutu

Date: 3 November 2015

  
Vice Chairperson of the BCCEI – Muller Uys

Date: 3 November 2015

  
General Secretary of the BCCEI – JN Faasen

Date: 3 November 2015

## DEPARTMENT OF LABOUR

NO. R. 280

18 MARCH 2016

## LABOUR RELATIONS ACT, 1995

## CHANGE OF NAME OF AN EMPLOYERS' ORGANISATION

I, Malixole Ntleki, the Acting Registrar of Labour Relations, hereby notify, in terms of section 109(2) of the Labour Relations Act, 1995, that Cape Clothing Association (LR2/6/3/14) resolved to change its name.

With effect from.....08/03/2016.....the employers' organisation is registered as **South African Apparel Association (SAAA)**.

The name of the association is entered into the register of employers' organisations.



Acting Registrar of Labour Relations

08/03/2016

## DEPARTMENT OF LABOUR

NO. R. 281

18 MARCH 2016

## LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR CIVIL ENGINEERING INDUSTRY:  
EXTENSION OF REGISTRATION AND ADMINISTRATION EXPENSES  
COLLECTIVE AMENDING AGREEMENT TO NON-PARTIES**

I, **NELISIWE MILDRED OLIPHANT**, 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 Civil Engineering Industry** 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 the second Monday after date of publication of this notice and for the period ending 28 February 2019.

  
**MINISTER OF LABOUR**  
02/03/2016

**UMNYANGO WEZABASEBENZI****UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995**

**UMKHANDLU WOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI  
EMBONINI EPHATHELENE NEZOKWAKHA IMIGWAQO NAMABHULOHO:  
UKWELULWA KWESIVUMELWANO SOKUBHALISA NEZINDLEKO ZOKUPHATHA  
UMSEBENZI, SELULELWA KULABO ABANGEYONA INGXYENYE YESIVUMELWANO**

Mina, **MILDRED NELISIWE OLIPHANT**, onguNgqongqoshe Wezabasebenzi, ngokwesigaba-32(2) soMthetho Wobudlelwano Kwezabasebenzi, ka-1995, ngazisa ukuthi isivumelwano sabaqashi nabasebenzi esitholakala kwiSheduli yesiNgisi exhunywe lapha, esenziwa **uMkhandlu Wokuxoxisana phakathi Kwabaqashi Nabasebenzi Embonini Yonjiniyela Bezokwakhiwa Kwemigwaqo Namabhuloho**, futhi ngokwesigaba 31 soMthetho Wobudlelwano Kwezabasebenzi, ka-1995 esibopha labo abasenzayo, sizobopha bonke abanye abaqashi nabasebenzi keleyomboni, kusukela ngomSombuluko wesibili emva kokushicilelwa kwalesisaziso kuze kube mhlaka 28 kuNhlolanja 2019.

  
**UNGQONGQOSHE WEZABASEBENZI**  
03/03/2016

## SCHEDULE

**BARGAINING COUNCIL FOR THE CIVIL ENGINEERING INDUSTRY  
REGISTRATION AND ADMINISTRATION EXPENSES COLLECTIVE AGREEMENT**

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

**Employer Organisation**

*South African Forum of Civil Engineering Contractors (SAFCEC)*

(Hereinafter referred to as the “employer” or the “employers’ organisation”) of the one part and the –

**Trade Unions**

*National Union of Mine Workers (NUM)*

*Building, Construction and Allied Workers’ Union (BCAWU)*

(Hereinafter referred to as the “employees” or the “trade unions”) of the other part, being the parties to the Bargaining Council for the Civil Engineering Industry)

**1. Scope of the Civil Engineering Industry**

1.1 The Civil Engineering Industry means the industry in which employers (other than local authorities) and employees that are associated for the purposes of carrying out work of a civil engineering character normally associated with the Civil Engineering industry and includes such work in connection with any one or more of the following activities:

- 1.1.1 The construction of aerodrome runways or aprons; aqueducts; bins or bunkers; bridges; cable ducts; caissons; rafts or other marine structures; canals; cooling, water or other towers; dams; docks; harbors; quays or wharves; earthworks; encasements; housing or supports for plant, machinery or equipment; factory or works chimneys; filter beds; land or sea defense works; mine headgear; pipelines; piers; railways; reservoirs; river works; roads or streets; sewerage works; sewers; shafts or tunnels; silos; sports fields or grounds; swimming baths; viaducts or water treatment plants’ and/or
- 1.1.2 Excavation and bulk earthworks; bush clearing and de-stumping; topsoil stripping; drilling and blasting; preparation of bench areas, drilling pre-split holes and blast holes, blasting and/or cast blasting ; secondary blasting; loading, hauling and dumping of mineralized and/or waste material to waste dumps or processing plant feed (ROM Pad) stockpiles; production dozing of top soil, inter burden or waste material; pumping and dewatering of storm and/or contaminated water, construction and maintenance of; access and haul roads; ramps; waste and processing plant feed (ROM Pad) areas; safety beams; high walls; benches; storm water systems, catch drains, bund walls, surge dams, trimming, scaling or chain dragging of batters, heap-leach pads, tailings dams; dust suppression of loading areas, haul roads and dumping areas; rehabilitation of earth work areas or waste dumps; topsoil spreading, hydro- seeding and watering; and/or
- 1.1.3 Excavation work or the construction of foundations, lift shafts, piling, retaining walls, stairwells, underground parking garages or other underground structures; and/or
- 1.1.4 The asphaltting, concreting, gravelling, leveling or paving of parking areas, pavements, roads, streets, aerodrome runways or aprons, premises or sites; and further includes –
  - (i) Any work of a similar nature or work incidental to or consequent on any of the aforesaid activities; and
  - (ii) The making, repairing, checking or overhauling of tools, vehicles, plant, machinery or equipment in workshops which are conducted by employers engaged in any of the activities referred to in sub clauses 2.1.1 to 2.1.4(i) and (ii) inclusive;

Excluding the following:

S. C.  


- a) Work in connection with any one or more of the activities specified in sub-clause 2.1.3 where such work, when undertaken in connection with the erection of structures having the general character of buildings and irrespective of whether or not such work involves problems of a civil engineering character, is carried out by the employers erecting such structures;
- b) Work in connection with any one or more of the activities specified in sub-clause 2.1.3 when undertaken as an incidental operation in connection with the erection of structures having the general character of buildings or when undertaken by the employers erecting such structures;
- c) Any work falling within the scope of any other industry, and
- d) The Mining Industry which is defined as the industry where employers and employees are associated for the purpose, directly or indirectly, for the winning, extracting, processing and refining of a mineral in, on or under the earth or water or from any residue stockpile or residue deposit.

## 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 **28 February 2019**.

## 3. APPENDIX C - Independent Exemptions Appeal Policy

### Chapter 1 – Application of the Policy

#### Clause 3:-

- (1) Application of The Policy

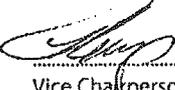
#### Clause 3:

The amendment to Clause 3 that shall now read as follows:

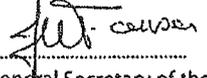
This policy applies to all exemption appeals except to the extent that a collective agreement sets out a different procedure for the hearing of exemption appeals in respect of an application to be exempt from any provision of that particular collective agreement. Exemption appeals shall be dealt with within 30 days of receipt thereof.

  
 .....  
 Chairperson of the BCCEI – Strike Makutu

Date: 3 November 2015

  
 .....  
 Vice Chairperson of the BCCEI – Muller Uys

Date: 3 November 2015

  
 .....  
 General Secretary of the BCCEI – JN Faasen

Date: 3 November 2015

## DEPARTMENT OF LABOUR

NO. R. 282

18 MARCH 2016

## LABOUR RELATIONS ACT, 1995

## INVITATION TO MAKE REPRESENTATIONS

## NOTICE IN TERMS OF SECTION 32(2) READ WITH SECTION 32(5)(c) OF THE LABOUR RELATIONS ACT, 1995: THE PENSION FUND COLLECTIVE AGREEMENT OF THE METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL

- 1 I, **Mildred Nelisiwe Oliphant**, Minister of Labour, do hereby in terms of section 32(2) read with section 32(5)(c) of the Labour Relations Act, 1995, publish a notice in accordance with the provisions of subsection 32(5)(c) inviting representations from the public in response to the Metal and Engineering Industries Bargaining Council's application for extension to non parties regarding its Pension Fund Collective Agreement which was submitted to the Department of Labour on **21 January 2016**.
- 2 Representations must reach the Department of Labour not later than 21 days from the date of publication of this Notice.
- 3 A copy of this Application may be inspected or obtained c/o the Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA
- 4 Representations should be submitted to the following addresses:

**By Post or Fax:**

Department of Labour  
Directorate: Collective Bargaining  
Attention: Ms MM Ngwetjiana  
Postal Address: Private Bag X117  
PRETORIA, 0001  
Fax: 012 309 4156/4848

**Hand Deliveries:**

Department of Labour  
Laboria House  
Room 122/124  
215 Francis Baard Street  
PRETORIA

**By e-mail:**

[mary.ngwetjiana@labour.gov.za](mailto:mary.ngwetjiana@labour.gov.za)

[alfred.katane@labour.gov.za](mailto:alfred.katane@labour.gov.za)

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MN OLIPHANT, MP  
MINISTER OF LABOUR

02/03/2016

**UMNYANGO WEZABASEBENZI****UMTHETHO WEZOBUDLELWANO KWEZABASEBENZI , 1995****ISIMEMO SOKULETHWA KWEZIKHALO****ISAZISO NGOKWESIGABA 32(2) SIFUNDWA NESIGABA 32(5)(c) SOMTHETHO WEZOBUDLELWANO KWEZABASEBENZI KA 1995: ISIVUMELWANO SEPENSION FUND SABAQASHI NABASEBENZI EMKHANDLWINI WOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI EMBONINI YENSIMBI NEYOBUNJINIYELA**

- 1 Mina, **MILDRED NELISIWE OLIPHANT**, uNgqongqoshe WezabaSebenzi, lapha lapha ngokwesigaba-32(2) sifundwa nesigaba 32(5)(c) soMthetho Wezobudlelwano Kwezabasebenzi, ka 1995, ngikhipha isaziso ngokwezihlinzeko zesigatshana 32(5)(c) sokumema izikhalo zomphakathi mayelana nesicelo soMkhandlu Wokuxoxisana Phakathi Kwabaqashi Nabasebenzi Embonini Yensimbi Neyobunjiniyela sokwelulwa kwesiVumelwano Sabaqashi Nabasebenzi sePension Fund selulelwa kulabo abangeyona ingxenye yaso esalethwa eMnyangweni Wezabasebenzi mhlaka **21 kuMasingana 2016**.
- 2 Izikhalo kumele zifike eMnyangweni Wezabasebenzi zingakapheli izinsuku ezingu 21 kusukela osukwini lokukhiswa kwalesiSaziso.
- 3 Ikhophi yalesisicelo ingahlolwa noma itholakale ku c/o Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA
- 4 Izikhalo kumele zilethwe kulelikheli elilandelayo:

**Ngeposi noma ngefeksi:**

Umnyango Wezabasebenzi

Umqondisi: Wezokuxoxisana kwabaqashi nabasebenzi

Iqondiswe ku: Mary Ngwetjana

Postal address: Private Bag X117

PRETORIA, 0001

Fax 012 309 4156/4848

**Okulethwa ngezandla:**

Ihhovisi 122/124

Latoria House

215 Francis Baard Street

PRETORIA

[mary.ngwetjana@labour.gov.za](mailto:mary.ngwetjana@labour.gov.za)[alfred.katane@labour.gov.za](mailto:alfred.katane@labour.gov.za)

.....  
MN OLIPHANT, MP  
UNGQONGOSHE WEZABASEBENZI

02/03/2016