

REGULASI  
REVISI

REVISI  
REVISI



**Regulation Gazette**

**No. 10634**

**Regulasiekoerant**

**Vol. 615**

**2**

**September  
September**

**2016**

**No. 40244**



## Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
<b>GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS</b>			
<b>Labour, Department of/ Arbeid, Departement van</b>			
R. 980	Labour Relations Act, 1995: Bargaining Council for the Building Industry, Bloemfontein: Extension of Amendment of Collective Agreement to Non-Parties .....	40244	11
R. 981	Labour Relations Act, 1995: Building Industry Bargaining Council (Bloemfontein): Extension of Period of Operation of Main Collective Agreement .....	40244	20

















---

**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

---

**DEPARTMENT OF LABOUR**

NO. R. 980

02 SEPTEMBER 2016

**LABOUR RELATIONS ACT, 1995****BARGAINING COUNCIL FOR THE BUILDING INDUSTRY,  
BLOEMFONTEIN: EXTENSION OF AMENDMENT OF COLLECTIVE  
AGREEMENT TO NON-PARTIES**

I, **MILDRED NELISIWE 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 the Building Industry, Bloemfontein**, 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 the second Monday after the date of publication and for the period ending 31 December 2017.

  
**M N OLIPHANT****MINISTER OF LABOUR**

11/08/2016

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

**UMKHANDLU WOKUXOXISANA PHAKATHI KWABAQASHI  
NABASEBENZI EMBONINI YEZOKWAKHA (BLOEMFONTEIN):  
UKWELULWA KWESIVUMELWANO SABAQASHI NABASEBENZI  
ESICHIBIYELAYO SELULELWA KULABO ABANGEYANO INGXYENYE  
YASO**

Mina, **MILDRED NELISIWE OLIPHANT**, uNgqongqoshe Wezabasebenzi, lapha ngokwesigaba 32(2) soMthetho Wobudlelwano kwezabasebenzi ka 1995, ngazisa ukuthi isiVumelwano sabaqashi nabasebenzi esitholakal kwiSheduli yesiNgisi exhunywe lapha, esenziwa **uMkhandlu Wokuxoxisana Phakathi Kwabaqashi Nabasebenzi Embonini Yezokwakha (Bloemfontein)**, futhi ngokwesigaba 31 soMthetho Wobudlelwano kwezabasebenzi, ka 1995, esibopha labo abasenzayo, sizobopha abanye abaqashi nabasebenzi kuleyomboni kusukela mhlaka ..... kuze kube mhlaka 31 kuZibandlela 2017.



**M N OLIPHANT**

**UNGQONGQOSHE WEZABASEBENZI**

11/08/2016

**SCHEDULE****BARGAINING COUNCIL FOR THE BUILDING INDUSTRY (BLOEMFONTEIN)****AMENDMENT OF COLLECTIVE AGREEMENT**

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

**Master Builders' and Allied Trades Association (Free State) (MBA (FS))**

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

**Amalgamated Union of Building Trade Workers of South Africa (AUBTW)****Noordelike Bouwerkersvakbond (NBV), and****National Union of Mine Workers (NUM)**

(hereinafter referred to as the "employees" or the "trade unions"), of the other part, being parties to the Bargaining Council for the Building Industry (Bloemfontein), to amend the Agreement published under Government Notice No. R. 221 of 29 February 2008 as amended by Government Notice No. R. 1324 of 12 December 2008, R. 1124 and R. 1125 of 04 December 2009 and R. 1163 of 10 December 2010, R. 985 of 2 December 2011, 24 February 2012, R.264 of 12 April 2013, R.172 of 14 March 2014 and R.1109 of 13 November 2015.

**1: SCOPE OF APPLICATION**

- (1) The terms and conditions of the Agreement shall be observed-
- (a) in the Magisterial District of Bloemfontein;
  - (b) by all employers who are members of the employers' organisation and by all employees who are members of the trade union(s);
  - (c) by all employers and employees to whom the Minister of Labour may extend this Agreement;
  - (d) by all employers and employees who are directly or indirectly involved in the Building Industry.



- (2) Notwithstanding the provisions of sub-clause (1) the terms of this Agreement shall apply to-
- (a) apprentices only in so far as the terms are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any conditions fixed thereunder;
  - (b) trainees under the Manpower Training Act, 1981 and the Skills Development Act, 1998, in so far as the terms are not inconsistent with the provisions of that Act or any conditions fixed thereunder;
  - (c) working partners, directors and owners of a building-related business.
- (3) Notwithstanding the provisions of sub-clause (1), the terms of this Agreement shall not apply to-
- (a) clerical and administrative employees;
  - (b) university students and graduates in Building Science and to construction supervisors, construction surveyors, architects and other persons doing practical work in the completion of their academic training;
  - (c) casual employees as defined in clause 3;
  - (d) non-parties in respect of clause 1 (1) (b) and 2.

## 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 31 December 2017.



**3. CLAUSE 8: REMUNERATION**

Substitute Clause (1), (2)(a), (b) and (c) for the following:-

- (1) **Wages:** (a) General: No employer shall pay and no employee shall accept wages at rates lower than the following:

	<b>Cents</b>
	<b>per hour</b>
(i) Artisans .....	R44.44 <i>Skilled</i>
(ii) General workers .....	R22.21 <i>S/Skilled</i>

**Calculation of wages:** The weekly wage of an employee shall be his hourly wage multiplied by 40, in the case of artisans and all other categories of employees.

- (a) The increase for all category workers shall be 9% of the actual wage
- (b) (2) **Supplementary remuneration and contributions:** (a) Except in respect of a casual employee, every employer shall pay each week to the Secretary of the Council in respect of each category of employee, as stipulated below, the total sum prescribed in Column G hereunder: Provided that such sum shall be allocated as set out hereunder:

- (i) Holiday Fund ..... Column A
- (ii) Provident Fund ..... Column B
- (iii) Contributions to Bargaining Council expenses ..... Column C
- (iv) Trade Union subscriptions ..... Column D
- (v) Wage Guarantee Fund ..... Column E
- (vi) Funeral Benefit ..... Column F
- (vii) TOTAL SUM ..... Column G



Employers	Per week						
	A	B	C	D	E	F	G
	R	R	R	R	R	R	R
All employees earning R22.21 up to and including R25.22 ph .....	109.60	176.80	2.40	-	0.45	0.49	289.74
All employees earning R25.23 up to and including R30.84 ph .....	119.90	201.40	2.40	-	0.45	0.49	324.64
All employees earning R30.85 up to and including R36.33 ph .....	146.00	246.80	2.40	-	0.45	0.49	396.14
All employees earning R36.34 up to and including R44.43 ph .....	177.40	290.40	2.40	-	0.45	0.49	471.14
All employees earning R44.44 up to and including R49.79 ph .....	214.00	354.90	2.40	5.00	0.45	0.49	577.24
All employees earning R49.80 and more ph .....	240.20	398.50	2.40	5.00	0.45	0.49	647.04

(b) Except in respect of a casual employee who works for an employer for less than four weeks, every employer shall deduct each week from the remuneration due to each employee, as stipulated below, the amount prescribed in Column E hereunder: Provided that such sum shall be allocated as set out hereunder:

- (i) Holiday Fund ..... Column A
- (ii) Provident Fund ..... Column B
- (iii) Contributions to Bargaining Council ..... Column C
- (iv) Trade Unions ..... Column D
- (iii) TOTAL SUM ..... Column E





Employers	Per week				
	A	B	C	D	E
	R	R	R	R	R
All employees earning R22.21 up to and including R25.22 ph .....	109.60	176.80	0.20	-	286.60
All employees earning R25.23 up to and including R30.84 ph .....	119.90	201.40	0.20	-	321.50
All employees earning R30.85 up to and including R36.33 ph .....	146.00	246.80	0.20	-	393.00
All employees earning R36.34 up to and including R44.43 ph .....	177.40	290.40	0.20	-	468.00
All employees earning R44.44 up to and including R49.79 ph .....	214.00	354.90	0.20	5.00	574.10
All employees earning R49.80 and more ph .....	240.20	398.50	0.20	5.00	643.90

(c) Every employer shall, in addition to any remuneration to which an employee may be entitled in terms of clause 8 (1), pay such employee the total sum prescribed in Column C hereunder:

- (i) Holiday Fund ..... Column A
- (ii) Provident Fund Contributions ..... Column B
- (iii) TOTAL SUM ..... Column C

*aw*  


Employers	Per hour		
	A	B	C
	C	C	C
All employees earning R22.21 up to and including R25.22 ph .....	2.74	2.21	4.95
All employees earning R25.23 up to and including R30.84 ph .....	3.00	2.52	5.52
All employees earning R30.85 up to and including R36.33 ph .....	3.65	3.08	6.73
All employees earning R36.34 up to and including R44.43 ph .....	4.44	3.63	8.07
All employees earning R44.44 up to and including R49.79 ph .....	5.35	4.44	9.79
All employees earning R49.80 and more .....	6.01	4.98	10.99

#### 4. CLAUSE 8 : REMUNERATION

Substitute Clause (5)(a) and insert a sub-clause (b):

5. Allowances : (a) An employee who is required to work away from his/her residence and who cannot return home after each working day, shall be paid a living away allowance of R60.00 per day in respect of each night spent away from his residence.

(b) Employees who are unable to work due to inclement weather must be paid for at least four (4) hours per day.



Thus done and signed at Bloemfontein on this 10<sup>th</sup> February 2016 for and on behalf of the Bargaining Council for the Building Industry (Bloemfontein).



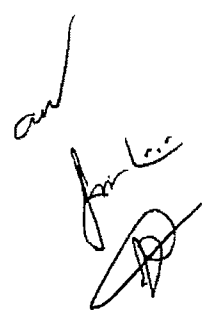
.....  
**G P NELL**  
**CHAIRPERSON OF THE COUNCIL**



.....  
**L HLAELE**  
**VICE-CHAIRPERSON OF THE COUNCIL**



.....  
**A C M VAN VUUREN**  
**SECRETARY**



## DEPARTMENT OF LABOUR

NO. R. 981

02 SEPTEMBER 2016

## LABOUR RELATIONS ACT, 1995

**BUILDING INDUSTRY BARGAINING COUNCIL (BLOEMFONTEIN):  
EXTENSION OF PERIOD OF OPERATION OF MAIN COLLECTIVE  
AGREEMENT**

I, **MILDRED NELISIWE OLIPHANT**, Minister of Labour, hereby, in terms of section 32(6)(a)(i) of the Labour Relations Act, 1995, extend the period fixed in Government Notice No. R. 221 of 29 February 2008, R. 172 of 14 March 2014 and R. 1109 of 13 November 2015, by a further period ending 31 December 2017.

  
M N OLIPHANT

MINISTER OF LABOUR

11/08/2016

## UMNYANGO WEZABASEBENZI

## UMTHETHO WEZOBUDLELWANE KWEZABASEBENZI, KA 1995

**UMKHANDLU WOKUZOXISANA PHAKATHI KWABAQASHI  
NABASEBENZI EMBONINI YOKWAKHA (BLOEMFONTEIN): UKWELULWA  
KWESIKHATHI SOKUSEBENZA KWESIVUMELWANO SABAQASHI  
NABASEBENZI**

Mina, **MILDRED NELISIWE OLIPHANT**, uNgqonqoshe Wezabasebenzi, lapha ngokwesigaba 32(6)(a)(i) soMthetho Wezobudlelwane Kwezabasebenzi, ka 1995, ngelula isikhathi sokusebenza kwesivumelwano esinqunywe kwiZaziso zikaHulumeni ezinguNombolo R. 221 somhlaka 29 kuNhlojanja 2008, R172 somhlaka 14 kuNdasa 2014 kanye nesingu R. 1109 somhlaka 13 kuLwezi 2015 ngesikhathi esengeziwe esiphela mhlaka 31 kuZibandlela 2017.

  
M N OLIPHANT

UNGQONGQOSHE WEZABASEBENZI

11/08/2016