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Regulation Gazette

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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

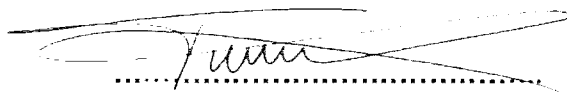
DEPARTMENT OF LABOUR

NO. R. 1393

30 OCTOBER 2019

LABOUR RELATIONS ACT, 1995**NATIONAL BARGAINING COUNCIL OF THE LEATHER INDUSTRY OF SOUTH
AFRICA: EXTENSION TO NON-PARTIES OF THE TANNING SECTION
COLLECTIVE AMENDING AGREEMENT**

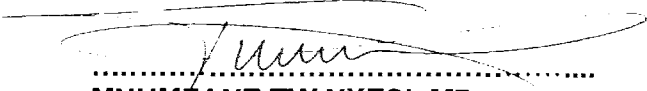
I, **THEMBELANI WALTERMADE NXESI**, Minister of Labour, hereby in terms of section 32(2) of the Labour Relations Act, 1995, declare that the Collective Agreement which appears in the Schedule hereto, which was concluded in the **National Bargaining Council of the Leather Industry of South Africa** and 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 the second Monday after date of publication of this notice and for the period ending 30 June 2021.

**MR TW NXESI, MP****MINISTER OF EMPLOYMENT AND LABOUR**

DATE: 14/10/2019

UMNYANGO WEZEMISEBENZI NEZABASEBENZI**UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA 1995****UMKHANDLU KAZWELONKE WOKUXOXISANA PHAKATHI KWABAQASHI
NABASEBENZI BEMBONI YEZIKHUMBA: UKWELULELWA KWESIVUMELWANO
SABAQASHI NABASEBENZI BESIGABA SOKUSHUKWA KWEZIKHUMBA
SELULELWA KULABO ABANGEYONA INGXEENYE YESIVUMELWANO**

Mina, **MILDRED NELISIWE OLIPHANT**, onguNgqongqoshe Wezabasebenzi ngokwesigaba 32(2) soMthetho Wobudlelwano Kwezabasebenzi, ka-1995, ngazisa ukuthi isiVumelwano sabaqashi nabasebenzi esitholakala kuSheduli yesiNgisi exhanywe lapha, esenziwa umkhandlu Wokuxoxisana phakathi Kwabaqashi Nabasebenzi Embonini Yezikhumba, 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 30 kuNhlanguvana 2021.



.....
MNUMZANE TW NXESI, MP

UNGQONGQOSHE WEZEMISEBENZI NEZABASEBENZI

USUKU: 14/10/2019

SCHEDULE
NATIONAL BARGAINING COUNCIL OF THE LEATHER
INDUSTRY OF SOUTH AFRICA

COLLECTIVE AGREEMENT: TANNING SECTION

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

South African Tanning Employers' Organisation (SATEO)

(hereafter referred to as the "employers" or the "employers' organisation")

and the

Southern African Clothing and Textile Workers' Union

And

National Union of Leather and Allied Workers (N.U.L.A.W)

(hereafter referred to as the "employees" or the "trade unions")

being parties to the National Bargaining Council of the Leather Industry of South Africa, to extend and amend the Agreement published under Government Notices No R.1318 of 6 November 1998 as further amended, renewed and re-enacted under Government Notices Nos. R287 of 12 March 1999, R.1017 of 27 August 1999, R.47 of 28 January 2000, R.555 of 9 June 2000, R.128 of 9 February 2001, R.389 of 18 May 2001, R823 of 7 September 2001, R.1230 of 30 November 2001, R.693 of 17 May 2002, R.1531 of 13 December 2002, R.714 of 6 June 2003, R.1357 of 3 October

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2003, R.748 of 25 June 2004, R.592 of 24 June 2005, R.593 of 24 June 2005, R.335 of 13 April 2006, R.631 of 30 June 2006, R.1269 of 15 December 2006, R.513 of 22 June 2007, R.1068 of 16 November 2007, R.1038 of 3 October 2008, R.474 of 8 May 2009, R.1184 of 18 December 2009, R.1191 of 17 December 2010, R.523 of 24 June 2011, R.886 of 28 October 2011, R.886 of 2 November 2012, R.770 of 18 October 2013, R.789 of 17 October 2014, R.1045 of 30 October 2015, R.764 of 24 June 2016, R.1281 of 21 October 2016, R.757 of 29 September 2017 and R.1229 of 16 November 2018.

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1. SCOPE OF APPLICATION OF AGREEMENT

- (1) The terms of this agreement will be observed in the tanning section of the leather industry -
 - (a) in the Republic of South Africa,
 - (b) 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.
- (2) The terms of this Agreement will apply only to employees for whom wages are prescribed in terms of this agreement, and to employers of such employees.
- (3) The terms of this agreement will not apply to non parties in respect of clauses 1 (1)(b) and 2 (1).

2. DATE AND PERIOD OF OPERATION

- 1) This Agreement will come into operation for the parties on 1 July 2019 and remain in force for the period ending 30 June 2021.
- 2) This Agreement will come into operation for non-parties on such date as the Minister of Labour extends the agreement to them, and will remain in force for the period ending 30 June 2021.

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3. CLAUSE 3 - DEFINITIONS

3.1 Amend the below definition as follows:

“**general worker**” means an employee employed on unskilled, manual work including all types of cleaning, carrying, loading or unloading of vehicles, making of beverages, assisting on delivery vehicles, collection/delivery of mail and messages, marking of packages and bales, effluent disposal, feeding hides or skins on to conveyors or transporters, and the physical handling of hides and skins in all departments.

3.2 Delete the below definition:

“**general worker entry level**” means a person who was employed after 1 July 2006 in a position of a general worker as defined.

4. CLAUSE 9: TERMINATION OF EMPLOYMENT


Subclause 9.1 Notice

Delete subclause 9.1(6) which reads as follows:

“By notifying the employee and the Council in writing, an employer will be entitled to summarily terminate the contract of employment without notice where an employee has been absent from work due to illness for periods in excess of

- (a) 45 consecutive days in the case of employees with up to 3 years' service;
- (b) 60 consecutive days in the case of employees with between 3 and 5 years' experience;

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- (c) 90 consecutive days in the case of employees with more than 5 years' experience;

Provided that an employee will only qualify for these lengthy periods of absence where a valid medical certificate was produced to the employer within the first five working days of illness. An employer will furthermore be entitled to temporarily replace the services of an employee who is absent due to illness and to terminate the services of such temporary employee by giving notice in terms of subclause (1) above".

5. CLAUSE 7: REMUNERATION

5.1 Subclause 7.1(9): Premium wage rate

Substitute the following for subclause 7.1(9)

- (1) A premium is an amount, being the difference between an employee's actual hourly rate (excluding overtime, incentives and shift allowances) and the prescribed hourly rate. An employee will be entitled to continue receiving the premium while he is employed on the same operation with the same employer, and such premium may not be offset against any increases granted in terms of any amendments to this Agreement.
- (2) Should there be any General Workers who at 30 June 2019 were employed in Band D earning the applicable prescribed rate, he/she shall continue earning that rate and any future increases shall be calculated accordingly.

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5.2 Clause 7.1 Wages and Wage Rates

Substitute the following for subclause (1):

An employer will pay an employee at least the wages prescribed in terms of Schedule 1 for the operation performed by the employee.

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**SCHEDULE 1
WAGES AND WAGE RATES**

		Rate Per Hour
1	Lime/Tan Yard, Shaving, Splitting, Dyeing, Drying and Finishing Section Rates:	
	Band A1 employees engaged in:	
	ROUNDING	48.31
	SPLITTING	59.77
	Band A2 employees engaged in:	
	SHAVING	51.21
	Band B employees engaged in:	
	COLOUR MATCHING	45.14
	GLAZING	45.14
	HAND SPRAYING	47.69
	HAND TIPPING	45.14
	PILOT PLANT OPERATING	47.69
	POLISHING	45.14
	Band C employees engaged in:	
	ASSISTING SPLITTER	44.49
	BRUSHING	44.49
	BUFFING	44.49
	CHEMICAL WEIGHING	44.49
	COLOUR MIXING	44.49
	CURTAIN COATING	44.49
	CONDITIONING	41.57
	DRUM OPERATING	41.57
	DRY CLEANING MACHINE	41.57
	EMBOSSING/PRINTING	44.49
	FLESHING (HAND OR MACHINE)	44.49
	HIDE STAMPING	42.04
	HYDRAULIC PRESS	44.49
	MEASURING	44.49
	PADDING	44.49
	PASTING	44.49
	ROLLER COATING	44.49
	ROTOR PRESS	44.49
	ROTOR SPRAYING	44.49
	SAMMYING	44.49
	SETTING	44.49
	SOLE ROLLING	44.49
	STAKING	44.49
	TRIMMING AFTER SHAVING	41.57
	VACUUM DRYING	44.49

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[Handwritten signatures and initials]

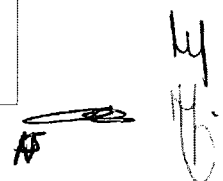
	Band D employees engaged in:	
	EFFLUENT PLANT OPERATOR	40.99
	FLESH TRIMMING	40.99
	HANG DRYING	40.99
	MILLING	40.99
	SUBSTANCE CHECKING	40.99
	TOGGLING	40.99
	Band E Employees	
	General Workers on operations as defined in the Definition Of "General Worker"	34.63
	Learners employed on operations specified in Bands A1, A2, B and C will be paid on the following basis:	
	First six months of experience	80% of prescribed wage
	Second six months of experience	90% of prescribed wage
2	Quality examining and/or Sorting rates:	
	Band A1 employees engaged as a:	
	FINAL SORTER.....	48.31
	WET BLUE SORTER.....	48.31
	Band B employees engaged as a:	
	CRUST SORTER.....	45.14
	Band C employees engaged as a:	
	SPLIT SORTER.....	44.49
3	Fellmongering Section Rates:	
	Band B Employees engaged in –	
	PICKLE SORTING	45.14
	Band C Employees engaged in –	
	BREAK FLESHING	44.49
	FINAL FLESHING	44.49
	PICKLE DRUM OPERATING	41.57
	SULPHIDE PAINTING	41.57
	Band D Employees engaged in –	
	BREAK FLESHING ASSISTANT	40.99
	COUNTING AND PACKING	40.99
	DRUM CLOSING	40.99
	HAND WOOL PULLING	40.99
	MACHINE WOOL PULLING	40.99
	PADDLE OPERATING	40.99
	WOOL BALING / PACKING	40.99
	WOOL DRYING	40.99
	WOOL PICKING	40.99
	WOOL WASHING	40.99

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	Band E Employees General Workers on operations as defined in the Definition Of "General Worker"	34.63
	Learners employed on operations as specified in Bands B and C will be paid on the following basis:	
	First six months of experience	80% of prescribed wage
	Second six months of experience	90% of prescribed wage
4	Wool-Skin Processing and Operations not elsewhere Specified rates:	
	Band C employees engaged in –	
	CARDING	42.55
	COMBING	42.55
	CUTTING TO PATTERNS	41.86
	IRONING	42.55
	SHEARING	42.55
	STITCHING BY MACHINE.....	43.33
5	Cutting Section Rates:	
	Band A1 employees engaged in:	
	CUTTER 1	52.00
	FINAL INSPECTING	48.31
	Band A2 employees engaged in:	
	HAND CUTTING	48.31
	Band B employees engaged in:	
	COMPONENT SPLITTING	43.94
	CUTTER 2	47.69
	HIDE MARKING	47.69
	Band C employees engaged in:	
	COMPONENT PACKING	42.04
	LAMINATING	42.04
	LAYING OUT	42.04
	PERFORATING	42.04
	STAMPING (PIECE MARKING)	42.04
	TEMPLATE CONTROL	42.04




		Rate Per Hour
	Learners employed on operations as specified in Bands A1, A2, B and C will be paid on the following basis:	
	First six months of experience	80% of prescribed wage
	Second six months of experience	90% of prescribed wage
	Band E Employees	
	General Workers on operations as defined in the Definition Of "General Worker"	34.63
6	The following wage rates will be paid to employees other than those referred to in 1, 2, 3, 4 and 5:	
	Band A2 employees engaged as a:	
	Motor Vehicle Delivery Driver..... (Code C Licence or higher)	47.64
	Band B employees engaged as a:	
	Despatch Clerk	43.60
	Handyman	42.76
	Motor Vehicle General Driver	44.55
	(Code C1 Licence or lower)	
	Spray Gun Mechanic	47.69
	Storeman and/or Warehouseman	43.60
	Tractor Driver	44.55
	Band C employees engaged as a:	
	Boiler Attendant	42.04
	Forklift Driver	44.49
	Security Guard	42.04
	Store Assistant and/or Warehouseman Assistant	42.04
	Band D employees engaged as a:	
	Nylon Replacer	40.99

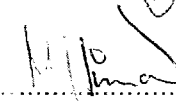
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SIGNED BY THE PARTIES IN **DURBAN** ON THIS **23rd** DAY OF **JULY 2019**


M OOSTHUIZEN, Member of the Council

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V MEMBINKOSI, Member of the Council

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A BENJAMIN, Member of the Council

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S NAIDOO, General Secretary of the Council

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