

No. R. 1184

18 December 2009

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, 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 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 21 December 2009 and for the period ending 30 June 2011.

M M S MDLADLANA
MINISTER OF LABOUR

SCHEDULE**NATIONAL BARGAINING COUNCIL OF THE LEATHER INDUSTRY OF SOUTH AFRICA****COLLECTIVE AGREEMENT: TANNING SECTION**

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

South African Tanning Employers' Organisation (SATEO)

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

and

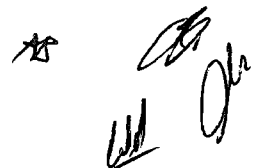
Southern African Clothing and Textile Workers' Union (SACTWU)

and

National Union of Leather and Allied Workers (NULAW)

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

being parties to the National Bargaining Council of the Leather Industry of South Africa, who hereby agree to extend and amend the Agreement published under Government Notices Nos R.823 of 7 September 2001, as re-enacted, amended and renewed by Government Notices Nos 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 2003, R.748 of 25 June 2004, R.592 and 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 and R.474 of 8 May 2009.



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, which includes the former Republic of Transkei, the former Republic of Bophuthatswana, the former Republic of Venda and the former Republic of Ciskei, as well as the former self-governing territories of KwaZulu, Qwa-Qwa, Lebowa, Gazankulu, Ka Ngwana and Kwa Ndebele;
 - (b) by all employers who are members of the employers' organisation, and by all employees who are members of the trade union, 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) Clauses 1(1)(b) and 2(1) of this agreement will not apply to non parties.

2. DATE AND PERIOD OF OPERATION

- (1) This Agreement will come into operation for the parties on 1 July 2009 and remain in force for the period ending 30 June 2011.
- (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 thereafter remain in force for the period ending 30 June 2011.

3. CLAUSE 3 – DEFINITIONS

Insert the following definition after "**Assistant Splitter**":

"Automotive Tanning Industry" means that part of the leather industry in which employers and employees are associated with the process of tanning and dressing of hides and/or skins and cutting of upholstery panels for the automotive industry.

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Insert the following definition after "**Night Worker**:"

"Non-Automotive Industry" means that part of the leather industry in which employers and employees are associated with the process of tanning, dressing and fellmongering of hides and skins.

4. **CLAUSE 7 – REMUNERATION**

1. 7.1 Wages and Wage Rates

Substitute the following for subclause (1):

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

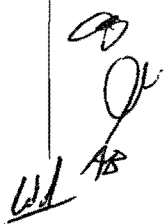
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WAGES AND WAGE RATES
SCHEDULE 1

	<u>Rate Per Hour</u>
1	
Lime/Tan Yard, Shaving, Splitting, Dyeing, Drying and Finishing Section Rates:	
Band A1 employees engaged in:	
ROUNDING	23.89
SPLITTING	29.55
Band A2 employees engaged in:	
SHAVING	25.32
Band B employees engaged in:	
COLOUR MATCHING	22.32
GLAZING	22.32
HAND SPRAYING	23.57
HAND TIPPING	22.32
PILOT PLANT OPERATING	23.57
POLISHING	22.32
Band C employees engaged in:	
ASSISTING SPLITTER	21.99
BRUSHING	21.99
BUFFING	21.99
CHEMICAL WEIGHING	21.99
COLOUR MIXING	21.99
CURTAIN COATING	21.99
CONDITIONING	20.55
DRUM OPERATING	20.55
DRY CLEANING MACHINE	20.55
EMBOSSING/PRINTING	21.99
FLESHING (HAND OR MACHINE)	21.99
HIDE STAMPING	20.78
HYDRAULIC PRESS	21.99
MEASURING	21.99
PADDING	21.99
PASTING	21.99
ROLLER COATING	21.99
ROTOR PRESS	21.99
ROTOR SPRAYING	21.99
SAMMYING	21.99
SETTING	21.99
SOLE ROLLING	21.99
STAKING	21.99
TRIMMING AFTER SHAVING	20.55
VACUUM DRYING	21.99

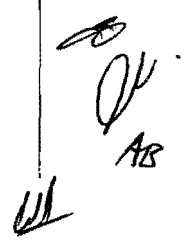
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	Band D Employees engaged in :	
	FLESH TRIMMING	20.26
	GENERAL WORKERS..... (on operations as defined in definition of General Worker)	20.26
	HANG DRYING	20.26
	MILLING	20.26
	SUBSTANCE CHECKING	20.26
	TOGGLING	20.26
	Band E Employees	
	General Worker Entry Level as defined in Definition of General Worker, Entry Level	16.46
	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.....	23.89
	WET BLUE SORTER.....	23.89
	Band B employees engaged as a:	
	CRUST SORTER.....	22.32
	Band C employees engaged as a:	
	SPLIT SORTER.....	21.99
3	Fellmongering Section Rates:	
	Band B Employees engaged in –	
	PICKLE SORTING	22.32
	Band C Employees engaged in –	
	BREAK FLESHING	21.99
	FINAL FLESHING	21.99
	PICKLE DRUM OPERATING	20.55
	SULPHIDE PAINTING	20.55
	Band D Employees engaged in –	
	BREAK FLESHING ASSISTANT	20.26
	COUNTING AND PACKING	20.26
	DRUM CLOSING	20.26
	HAND WOOL PULLING	20.26
	MACHINE WOOL PULLING	20.26
	PADDLE OPERATING	20.26
	WOOL BALING / PACKING	20.26
	WOOL DRYING	20.26
	WOOL PICKING	20.26
	WOOL WASHING	20.26



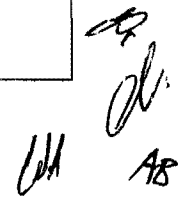
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	Band E Employees	
	General Workers entry level as defined in Definition of General Worker, entry level	16.46
	Learners employed on operations as specified in Bands B and C will be paid on the following basis:	
	First six months of experience	80% of 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	21.03
	COMBING	21.03
	CUTTING TO PATTERNS	20.69
	IRONING	21.03
	SHEARING	21.03
	STITCHING BY MACHINE.....	21.42
5	Cutting Section Rates:	
	Band A1 employees engaged in:	
	CUTTER 1	25.70
	FINAL INSPECTING	23.89
	Band A2 employees engaged in:	
	HAND CUTTING	23.89
	Band B employees engaged in:	
	COMPONENT SPLITTING	21.72
	CUTTER 2	23.57
	HIDE MARKING	23.57
	Band C employees engaged in:	
	COMPONENT PACKING	20.78
	LAMINATING	20.78
	LAYING OUT	20.78
	PERFORATING	20.78
	STAMPING (PIECE MARKING)	20.78
	TEMPLATE CONTROL	20.78



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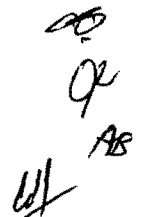
	<u>Rate Per Hour</u>
Band D employees engaged in –	
General Workers on operations as defined in the Definition Of "General Worker"	20.26
Learners employed on operations as specified in Bands A1, A2, B and C will be paid on the following basis:	
First six months of experience	80% of prescribed wage
Second six months of experience	90% of prescribed wage
Band E Employees	
General Workers Entry Level as defined in Definition of General Worker, entry level	16.46
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)	23.55
Band B employees engaged as a:	
Despatch Clerk	21.54
Handyman	21.15
Motor Vehicle General Driver	22.02
(Code C1 Licence or lower)	
Spray Gun Mechanic	23.57
Storeman and/or Warehouseman	21.54
Tractor Driver	22.02
Band C employees engaged as a:	
Boiler Attendant	20.78
Forklift Driver	21.99
Security Guard	20.78
Store Assistant and/or Warehouseman Assistant	20.78
Band D employees engaged as a:	
Nylon Replacer	20.26



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SCHEDULE 2
AUTO TANNING INDUSTRY ALLOWANCE

	<u>Rate Per Hour</u>
1	
Lime/Tan Yard, Shaving, Splitting, Dyeing, Drying and Finishing Section Rates:	
Band A1 employees engaged in:	
ROUNDING	0.11
SPLITTING	0.14
Band A2 employees engaged in:	
SHAVING	0.12
Band B employees engaged in:	
COLOUR MATCHING	0.10
GLAZING	0.10
HAND SPRAYING	0.11
HAND TIPPING	0.10
PILOT PLANT OPERATING	0.11
POLISHING	0.10
Band C employees engaged in:	
ASSISTING SPLITTER	0.10
BRUSHING	0.10
BUFFING	0.10
CHEMICAL WEIGHING	0.10
COLOUR MIXING	0.10
CURTAIN COATING	0.10
CONDITIONING	0.10
DRUM OPERATING	0.10
DRY CLEANING MACHINE	0.10
EMBOSSING/PRINTING	0.10
FLESHING (HAND OR MACHINE)	0.10
HIDE STAMPING	0.10
HYDRAULIC PRESS	0.10
MEASURING	0.10
PADDING	0.10
PASTING	0.10
ROLLER COATING	0.10
ROTOR PRESS	0.10
ROTOR SPRAYING	0.10
SAMMYING	0.10
SETTING	0.10
SOLE ROLLING	0.10
STAKING	0.10
TRIMMING AFTER SHAVING	0.10
VACUUM DRYING	0.10



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	Band D Employees engaged in :	
	FLESH TRIMMING	0.09
	GENERAL WORKERS..... (on operations as defined in definition of General Worker)	0.09
	HANG DRYING	0.09
	MILLING	0.09
	SUBSTANCE CHECKING	0.09
	TOGGLING	0.09
	Band E Employees	
	General Worker Entry Level as defined in Definition of General Worker, Entry Level	0.08
	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.....	0.11
	WET BLUE SORTER.....	0.11
	Band B employees engaged as a:	
	CRUST SORTER.....	0.10
	Band C employees engaged as a:	
	SPLIT SORTER.....	0.10
3	Fellmongering Section Rates:	
	Band B Employees engaged in –	
	PICKLE SORTING	0.10
	Band C Employees engaged in –	
	BREAK FLESHING	0.10
	FINAL FLESHING	0.10
	PICKLE DRUM OPERATING	0.10
	SULPHIDE PAINTING	0.10
	Band D Employees engaged in –	
	BREAK FLESHING ASSISTANT	0.09
	COUNTING AND PACKING	0.09
	DRUM CLOSING	0.09
	HAND WOOL PULLING	0.09
	MACHINE WOOL PULLING	0.09
	PADDLE OPERATING	0.09
	WOOL BALING / PACKING	0.09
	WOOL DRYING	0.09
	WOOL PICKING	0.09
	WOOL WASHING	0.09

	Band E Employees	
	General Workers entry level as defined in Definition of General Worker, entry level	0.08
	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	0.10
	COMBING	0.10
	CUTTING TO PATTERNS	0.10
	IRONING	0.10
	SHEARING	0.10
	STITCHING BY MACHINE.....	0.10
5	Cutting Section Rates:	
	Band A1 employees engaged in:	
	CUTTER 1	0.12
	FINAL INSPECTING	0.11
	Band A2 employees engaged in:	
	HAND CUTTING	0.11
	Band B employees engaged in:	
	COMPONENT SPLITTING	0.10
	CUTTER 2	0.11
	HIDE MARKING	0.11
	Band C employees engaged in:	
	COMPONENT PACKING	0.10
	LAMINATING	0.10
	LAYING OUT	0.10
	PERFORATING	0.10
	STAMPING (PIECE MARKING)	0.10
	TEMPLATE CONTROL	0.10

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		Rate Per Hour
	Band D employees engaged in –	
	General Workers on operations as defined in the Definition Of "General Worker"	0.09
	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 Entry Level as defined in Definition of General Worker, entry level	0.08
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)	0.11
	Band B employees engaged as a:	
	Despatch Clerk	0.10
	Handyman	0.10
	Motor Vehicle General Driver	0.10
	(Code C1 Licence or lower)	
	Spray Gun Mechanic	0.11
	Storeman and/or Warehouseman	0.10
	Tractor Driver	0.10
	Band C employees engaged as a:	
	Boiler Attendant	0.10
	Forklift Driver	0.10
	Security Guard	0.10
	Store Assistant and/or Warehouseman Assistant	0.10
	Band D employees engaged as a:	
	Nylon Replacer	0.09

2. **7.3 Holiday Bonus**

Substitute the following for subclause (1):

"(1) An employer will pay every employee who has completed 12 (twelve) months employment a holiday bonus. Employees employed in the automotive tanning industry will be paid a holiday bonus equal to 15 (fifteen) days basic wage. Employees employed in the non automotive tanning industry will be paid a holiday bonus equal to 11 (eleven) days basic wage." In the event of an employee not utilising his/her sick leave entitlement in terms of clause 6.5(2), he/she will be entitled to an additional bonus calculated as follows:

(a) An additional 2 (two) days wages in respect of 5 (five) days of sick leave not taken; and

(b) A further 3 (three) days in the event of an employee not utilising the balance of his/her sick leave entitlement (5 (five) days).

3. Add the following new subclause 7.4:

"7.4 Auto Tanning Industry Allowance:

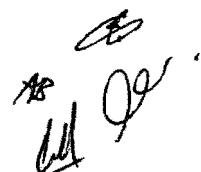
Employers in the automotive tanning industry will pay every employee a fixed allowance as prescribed in Schedule 2.

5. **CLAUSE 10 – GENERAL**

Add the following new subclause 10.4, HIV/AIDS:

"10.4 HIV/AIDS

Employees will be granted a paid thirty (30) minute break preceding or following upon their meal break on 1 December (World Aids Day) for the purpose of commemorating this event."

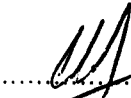
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SIGNED BY THE PARTIES IN CAPE TOWN ON THIS THE 26th DAY OF AUGUST 2009.


A HISCOCK, Member of the Council

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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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