

No. 908

29 August 2008

LABOUR RELATIONS ACT, 1995**BARGAINING COUNCIL FOR THE TEAROOM, RESTAURANT AND CATERING TRADE,
PRETORIA: EXTENSION OF AMENDMENT OF MAIN COLLECTIVE 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 Collective Agreement which appears in the schedule hereto, which was concluded in the Bargaining Council for the Tearoom, Restaurant and Catering Trade, Pretoria 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 Trade, with effect from9 September 2008..... and for the period ending 29 February 2012.

**MMS MDLADLANA
MINISTER OF LABOUR**

SCHEDULE**BARGAINING COUNCIL FOR THE TEAROOM, RESTAURANT
AND CATERING TRADE, PRETORIA****AMENDMENT OF MAIN COLLECTIVE AGREEMENT**

in accordance with the provisions of the Labour Relations Act, No. 66 of 1995,
made and entered into by and between the

Professional Caterers Association (PCA)

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

South African Commercial, Catering and Allied Workers' Union**(SACCAWU)**

and the

Care Centre, Catering, Retail and Allied Workers' Union of South Africa**(CCRAWUSA)**

(hereinafter referred to as the "employees" or the "trade unions"), of the other
part, being the parties to the Bargaining Council for the Tearoom, Restaurant and

Catering Trade, Pretoria, to amend the Agreement published under Government Notice No. R. 768 of 24 August 2007.

1. SCOPE OF APPLICATION OF AGREEMENT

The terms of this Agreement shall be observed in the Tearoom, Restaurant and Catering Trade –

- (1) (a) by all employers and employees who are members of the employers' organisation and the trade unions, respectively;
 - (b) in the Magisterial Districts of Brits, Bronkhorstspuit, Cullinan, Pretoria, Rustenburg, Warmbaths, Witbank and Wonderboom.
- (2) Clauses 1(1)(a) and 1A of this Agreement shall not apply to employers and employees who are not members of the employers' organisation and trade unions, respectively.

2. CLAUSE 5: REMUNERATION: WAGES

(B) MINIMUM WAGES

Substitute the following for the existing subclause (B)(1):

- "(1) Employees that are paid above the minimum wage as determined in this Agreement shall be entitled to a minimum increase of "-

1A. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on the date fixed by the Minister of Labour to be the effective date from which the Agreement shall be extended to become binding on non-parties, or the date on which the Minister of Labour declines to extend the Agreement to non-parties, and the Agreement shall remain in force until 29 February 2012.

3. CLAUSE 33: PROVIDENT FUND

Substitute the following for the existing clause 33:

- "(a) The employer shall deduct from the earnings of his or her employees 4,5% of the employee's monthly wage with effect from the date of coming into operation of this Agreement to 28 February 2011. To the amounts so deducted the employer shall, in respect of each employee, add the same amount.
- (b) The employer shall then forward the total amount not later than the 7th day of the following month to the Chief Administrative Officer of the Council, P.O. Box 1256, Pretoria, 0001, or pay the total amount directly into the account of the Bargaining Council Provident Fund, Standard

Bank, account number 010331484, and submit proof to the Council with details in respect of each employee for whom the total amount was paid.

- (c) The Council shall then forward the amount so received to the Administrators of the Fund.
- (d) This clause is subject to the rules of the Provident Fund."

Signed in Pretoria this 11th day of July 2008.

EMPLOYERS' ORGANISATION

D.C. GRAHAM
PCA

TRADE UNIONS

R. MATJILA
SACCAWU

I. MOSWEU
CCRAWUSA

**BARGAINING COUNCIL FOR THE TEAROOM, RESTAURANT AND
CATERING TRADE, PRETORIA**

R. MATJILA
CHAIRPERSON

D.C. GRAHAM
VICE-CHAIRPERSON

M. BASILIO
SECRETARY