

No. R. 419

17 April 2009

LABOUR RELATIONS ACT, 1995**HAIRDRESSING TRADE, CAPE PENINSULA : EXTENSION TO NON-
PARTIES OF MAIN 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 Bargaining Council for the Hairdressing Trade, Cape Peninsula, 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 20 April 2009, and for the period ending 31 December 2010.

M M S MDLADLANA

MINISTER OF LABOUR

SCHEDULE

BARGAINING COUNCIL FOR THE HAIRDRESSING TRADE CAPE PENINSULA

MAIN COLLECTIVE AGREEMENT: AMENDMENT

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

EMPLOYERS' ORGANISATION FOR HAIRDRESSING, COSMETOLOGY AND BEAUTY

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

UNITED ASSOCIATION OF SOUTH AFRICA (UASA) [PERSONAL CARE SECTOR]

(hereinafter referred to as the "employees" or the "trade union"), of the other part, being the parties to the Bargaining Council for the Hairdressing Trade, Cape Peninsula, to amend the Agreement published under Government Notices Nos R. 1532 of 13 December 2002, R. 939 and R. 940 of 13 August 2004, R. 915 and R. 916 of 15 September 2006 and R. 1175 and R. 1176 of 14 December 2007.

1. SCOPE OF APPLICATION

1.1 The terms of this Agreement shall be observed in the Hairdressing Trade –

1.1.1 by all employers who are members of the employers' organisation and by all employees who are members of the trade union;

1.1.2 in the Magisterial Districts of The Cape, Wynberg, Simon's Town, Goodwood and Bellville, in those portions of the Magisterial Districts of Malmesbury and Stellenbosch which, prior to the publication of Government Notices Nos 171 of 8 February 1957 and 283 of 2 March 1962, respectively, fell within the Magisterial District of Bellville, in that portion of the Magisterial District of Kuils River which, prior to the publication of

2. CLAUSE 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 Act and shall remain in force until 31 December 2010.

3. EXCEPTIONS

The provisions of this agreement do not apply to non-parties in respect of clauses 1(1)(a), 2, 6 and 7

Government Notice No. 661 of 19 April 1974, fell within the Magisterial District of Stellenbosch but which, prior to 2 March 1962, fell within the Magisterial District of Bellville, in that portion of the Magisterial District of Kuils River which, prior to the publication of Government Notice No. 1683 of 7 August 1987, fell within the Magisterial District of Bellville and in that portion of the Magisterial District of Somerset West which, prior to 9 March 1973 (Government Notice No. 173 of 9 February 1973), fell within the Magisterial District of Wynberg.

- 1.2 Notwithstanding the provisions of clause 1.1, the terms of this Agreement shall –
 - 1.2.1 apply only to employees for whom wages are specified in this Agreement and to the employers of such employees;
 - 1.2.2 apply to learners only in so far as the provisions are not inconsistent with the provisions of the Skills Development Act, 1998, or any contract entered into or any condition fixed thereunder.

4. **CLAUSE 4: WAGES**

2.1 Substitute the following new clause 4.1 for the existing clause 4.1:
"Subject to the provisions of clause 4.2, every employer shall pay each employee a wage that is not less than the minimum wage specified for that employee's relevant job category and experience.

WAGE SCHEDULE			
	JOB CATEGORY	RAND PER WEEK	RAND PER MONTH
(a)	Hairdresser, qualified, experienced	935,00	4 048,00

(b)	Hairdresser, qualified, first year	657,00	2 847,00
(c)	Hairdresser, non-qualified	582,00	2 519,00
(d)	Operator	639,00	2 759,00
(e)	Cleaner	459,00	1 988,00
(f)	Receptionist, first year	565,00	2 446,00
	Receptionist, experienced	742,00	3 213,00
(g)	Learner	386,00	1 674,00".

5. CLAUSE 25: COUNCIL LEVIES

3.1 Substitute the following for clause 25.1:

"For the purpose of meeting the expenses of the Council, every employer shall deduct per month R39,00 from the wages of each employee and add to the total amount so deducted a like amount.".

6. CLAUSE 35: SICK BENEFIT FUND

4.1 Substitute the following for the Sick Benefit Fund Contribution Schedule:

"SICK BENEFIT FUND CONTRIBUTION SCHEDULE		
JOB CATEGORY	EMPLOYEE CONTRIBUTION RAND PER MONTH	EMPLOYER CONTRIBUTION RAND PER MONTH
Qualified hairdresser	200,00	200,00
Non-qualified hairdresser, operator and experienced receptionist	160,00	160,00

Cleaner, first-year receptionist and learner	120,00	120,00".
--	--------	----------

7. CLAUSE 36: SICK PAY FUND

5.1 Substitute the following for the Sick Pay Fund Contribution Schedule:

"SICK PAY FUND CONTRIBUTION SCHEDULE		
WAGE BAND	EMPLOYEE CONTRIBUTION RAND PER MONTH	EMPLOYER CONTRIBUTION RAND PER MONTH
0 – 2 000	40,00	40,00
2 001 – 3 000	50,00	50,00
3 001 – 4 000	60,00	60,00
4 001 – 5 000	70,00	70,00
5 001 and more	80,00	80,00".

Signed at Cape Town for and behalf of the parties, this 2nd day of December 2008.

M. ARDIEL ADAMS
Chairperson of the Council

SANDRA DEERS
Vice-Chairperson of the Council

N DAVIDS
Secretary of the Council
