

No. R. 1183

18 December 2009

LABOUR RELATIONS ACT, 1995**METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL:
EXTENSION TO NON-PARTIES OF THE REGISTRATION AND
ADMINISTRATION EXPENSES COLLECTIVE RE-ENACTING AND
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 Metal and Engineering Industries Bargaining Council, 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 from28 December 2009..... and for the period ending 31 March 2010.

**MMS MDLADLANA
MINISTER OF LABOUR**

SCHEDULE**METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL RE-ENACTING AND
AMENDING REGISTRATION AND ADMINISTRATION EXPENSES AGREEMENT**

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

Association of Electric Cable Manufacturers' of South Africa

Bright Bar Association

Cape Engineers' and Founders' Association

Consolidated Association of Employers of S.A. (CAESAR)

Constructional Engineering Association (South Africa)

Covered Conductor Manufacturers' Association

Electrical Engineering and Allied Industries' Association

Electronics and Telecommunications Industries' Association

Federated Employers Organisation of S.A. (FEOSA)

Ferro Alloy Producers' Association

Gate and Fence Association

Hand Tool Manufacturers' Association (HATMA)

Iron and Steel Producers' Association of South Africa

Kwa-Zulu Natal Engineering Industries' Association

Lift Engineering Association of South Africa

Light Engineering industries' Association of South Africa

National Employers Association of S.A. (NEASA)

Non-Ferrous Metal Industries' Association of South Africa

Plastics Convertors' Association of S.A.

Plumbers, and Engineers, Brassware Manufacturers' Association

Port Elizabeth Engineers' Association

Pressure Vessel Manufacturers' Association of South Africa

Radio, Appliance and Television Association of South Africa (RATA)

Refrigeration and Air-Conditioning Manufacturers' and Suppliers' Association

Sheetmetal Industries' Association of South Africa

S.A. Electro-Plating Industries' Association

S.A. Engineers and Founders' Association

S.A. Fasteners Manufacturers' Association (SAFMA)

S.A. Refrigeration and Air-Conditioning Contractors' Association (SARACCA)

S.A. Pump Manufacturers' Association

S.A. Reinforced Concrete Engineers' Association (SARCEA)

S.A. Valve and Actuator Manufacturers' Association (SAVAMA)

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

Metal and Electrical Workers Union of S.A.

Solidariteit / MWU – Solidarity / MWU

United Association of S.A. (UASA)

National Union of Metalworkers of South Africa (NUMSA)

S.A. Equity Workers' Association

(hereinafter referred to as the "employees" or the "trade unions"), of the other part, being the parties to the Metal and Engineering Industries Bargaining Council.

PART I: GENERAL

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed:-

- (a) throughout the Republic of South Africa; and
- (b) by all the employers and employees in the iron, Steel, Engineering and Metallurgical Industries who are members of the employers' organisations and the trade unions, respectively.
- (c) for purposes of subclause 5(3)(c) and item (vi) of the definition of "employee" in terms of clause 3, the employers and employees therein referred to.

- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall not apply to-
- (a) the manufacture, for sale, of standard high-speed cutting tools made from high-speed steel by means of plant and/or equipment and/or methods specifically adapted and/or designed for production by repetitive processes, in the Magisterial Districts of Johannesburg, Boksburg, Vereeniging and Pietermaritzburg;
 - (b) the installation, maintenance and repair of electrical equipment referred to in paragraph (b) of the definition of 'Electrical Engineering Industry' in clause 3 of Part I of the Main Agreement published under Government Notice No. R. 404 of 31 March 1998, in the Provinces of the Cape of Good Hope and the Orange Free State;
 - (c) assembling, servicing, installation, maintenance and/or repair of appliances, equipment, machines, devices and apparatus, whether utilising manual, photographic, mechanical, electrical, electrostatic or electronic principles, or any combination of such principles, which are primarily intended for use in accounting and/or business and/or calculating and/or office and/or educational procedures;
 - (d) the Venetian Blind and Allied Products' Manufacturing Industry in the Province of the Transvaal;
 - (e) the installation and/or repair of burglar and/or other similar alarm systems in the Provinces of the Cape of Good Hope and the Orange Free State;
 - (f) the Locksmithing Trade in the Magisterial Districts of Benoni, Boksburg, Durban, Germiston, Johannesburg, Krugersdorp, Lower Umfolozi, Pinetown, Port Elizabeth, Pretoria, Randburg, Roodepoort, Springs and The Cape;
 - (g) the production, for sale, of welding electrodes by means of plant and/or equipment and/or methods specifically adapted and/or designed for production by repetitive processes, in the Magisterial Districts of Brits, Germiston, Kempton Park and Pretoria;
 - (h) the installation and/or repair and/or servicing of radios and/or refrigerators and/or domestic electrical appliances in the Provinces of the Cape of Good Hope and the Orange Free State;

(3) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to-

(a) apprentices only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any conditions fixed thereunder; and

(b) trainees under training in terms of section 30 of the Manpower Training Act, 1981, only in so far as they are not inconsistent with the provisions of that Act or any conditions fixed thereunder.

(4) Clauses 1(1) (b) 2 and 3 of this Agreement shall not apply to employers and employees who are not members of the employer's organisations and trade unions, respectively.

2. SPECIAL PROVISIONS

The provisions contained in clause 8 of the Agreement published under Government Notice No. R.416 of 17 April 2009, (hereinafter referred to as the "Former Agreement") shall apply to employers and employees.

3. GENERAL PROVISIONS

The provisions contained in clauses 3 to 7 and 9 to 10 of Parts I to IV of the Former Agreement shall apply to employers and employees.

4. CLAUSE 2: PERIOD OF OPERATION OF THE 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 March 2010.

5. CLAUSE 3: DEFINITIONS

Insert the following above "Region A"

Note:

The magisterial districts demarcation of Regions is only for purposes of determination of the borders of Regional Councils.

Thus signed at Johannesburg for and on behalf of the parties this 9th Day of November 2009 ,

L. Trentini
Member

V Mabho
Member

A Smith
Chief Executive Officer