

No. R. 1193

17 Desember 2010

LABOUR RELATIONS ACT, 1995**NATIONAL BARGAINING COUNCIL OF THE LEATHER INDUSTRY OF
SOUTH AFRICA: EXTENSION TO NON-PARTIES OF THE GENERAL
GOODS AND HANDBAG SECTION COLLECTIVE RE-ENACTING AND
AMENDING AGREEMENT**

I, **NELISIWE MILDRED OLIPHANT**, 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 20 December 2010 and for the period ending 30 June 2011.

N.M. OLIPHANT
MINISTER OF LABOUR

SCHEDULE**NATIONAL BARGAINING COUNCIL OF THE
LEATHER INDUSTRY OF SOUTH AFRICA****GENERAL GOODS AND HANDBAG SECTION
COLLECTIVE AGREEMENT**

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

**Association of South African Manufacturers of
Luggage, Handbags and General Goods**

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

**National Union of Leather and Allied Workers
(NULAW),**

and

**Southern African Clothing and Textile Workers'
Union**

(hereinafter referred to as the "employees" or the "trade
unions") of the other part,

being the parties to the National Bargaining Council of
the Leather Industry of South Africa.

1. CLAUSE 1 - SCOPE OF APPLICATION

- (1) The terms of this Agreement shall be observed in the
*General Goods and Handbag 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 who are

engaged or employed in the General Goods and Handbag Section of the Leather Industry respectively.

- (2) Notwithstanding the provisions of sub-clause (1)(b), the terms of this Agreement shall apply only to employees for whom wages are prescribed in Annexure C to the Agreement, and to the employers of such employees.
- (3) Notwithstanding the provisions of sub clause (1)(b), the terms of this Agreement shall not apply to non-parties in respect of clauses 1(1)(b), 2 and 3.

2. PERIOD OF OPERATION

This Agreement shall come into operation on such date as the Minister of Labour extends the Agreement to non-parties, and shall remain in force for the period ending 30 June 2011.

3. SPECIAL PROVISIONS

The provisions contained in clauses 13 and 25 of the Agreement published under Government Notice No. R.1316 of 6 November 1998, as amended, re-enacted and renewed by Government Notices Nos. R. 288 of 12 March 1999, R. 1273 of 29 October 1999, R. 46 of 28 January 2000, R. 647 of 30 June 2000, R. 1173 of 24 November 2000, R. 388 of 18 May 2001, R. 1223 of 30 November 2001, R. 692 of 17 May 2002, R. 1216 of 4 October 2002, R. 713 of 6 June 2003, R. 1358 of 3 October 2003, R. 660 of 28 May 2004, R.

206 of 18 March 2005, R. 569 of 17 June 2005, R. 867 of 9 September 2005, R. 547 of 15 June 2006, R. 850 of 25 August 2006, R. 511 of 22 June 2007, R. 1067 of 16 November 2007, R. 1039 of 3 October 2008R. 525 of 15 May 2009 and R. 1150 of 11 December 2009 (hereinafter referred to as the "Former Agreement"), as further amended, renewed, extended or re-enacted from time to time, shall apply to employers and employees who are members of the parties to the collective agreement.

4. GENERAL PROVISIONS

The provisions contained in clauses 4 to 12 and 14 to 24 of the Former Agreement (as further amended, extended, renewed or re-enacted from time to time), shall apply to employers and employees.

5. CLAUSE 3: DEFINITIONS

(1). Substitute the following for the definition of "General Goods and Handbag Section":

"General Goods and Handbag Section" of the Leather Industry means that part of the industry in which employers and employees are associated for the manufacture and/or partial manufacture, and/or finishing of partially manufactured, and/or of components, and/or assembling of components of:

- (a) travel goods and requisites, including suitcases, trunks, travelling, folding, sling, shopping, knitting and school bags, satchels, rucksacks, attache, brief and vanity cases, and other similar containers;
- (b) harnesses, saddlery, bridles, saddle bags, girths, leggings, stirrup straps and other similar equipment, wallets, purses, tobacco pouches, cases and boxes for jewellery, musical instruments, binoculars, arms, footwear, bottles, cigarettes, cigars and pipes, dog collars and leads, watch straps, rug straps, belts, braces, suspenders, garters, armlets excluding belts, braces, suspenders, garters, armlets manufactured from cloth and other similar articles designed as substitutes;
- (c) handbags and other bags, and containers designed to hold ladies and gentlemen's personal effects;
- (d) footballs, punchballs, netball balls and boxing gloves;
- (e) hockey and cricket balls; provided that the activities listed under sub-paragraphs (a) and (b) shall not include-
 - (aa) the manufacture of metal components and/or attachments;
 - (bb) the manufacture of canvas bank bags, canvas kitbags, canvas rucksacks, canvas haversacks, canvas sampling bags and canvas explosive bags;
 - (cc) the manufacture of any article from rubber;
 - (dd) the manufacture of any article or the practice of any trade or occupation

- covered by the "Printing Industry" which, without in any way limiting the generally accepted meaning of the term, means the industry or undertaking in which employers and employees are associated for the production of printed matter of any nature whatsoever;
- (ee) the manufacture of any article from metal or any kind of container (with or without metal parts) from fibre and/or cardboard (corrugated or otherwise) and/or paper or any compound of paper and/or any like material a constituent part of which is fibre and/or cardboard and/or paper and/or any constituent of paper and/or plastic, but excluding the manufacture wholly or mainly from fibre or plastic sheeting material of trunks, attache cases, bags and all similar containers designed to hold personal effects, musical instruments and sporting kit.

The word "plastic" in the paragraph directly above means any of the group of materials which consists of or contain as an essential ingredient an organic substance of a large molecular mass, and which, while solid in the finished state, at some stage in its manufacture has been or can be forced, i.e. cast, calendered, extruded or moulded into various shapes by flow, usually though the application singly or together of heat and pressure.

(2). Substitute the following for the definition of "Leather Industry":

“Leather Industry” means the industry in which employers and employees are associated for one or more of the following:

- (1) The manufacture and/or partial manufacture, and/or finishing of partially manufactured and/or components, and/or assembling of components of-**
 - (a) footwear, excluding bespoke made footwear;**
 - (b) travel goods and requisites, including suitcases, trunks, travelling, folding, sling, shopping, knitting and school bags, satchels, rucksacks, attache, brief and vanity cases, and other similar containers;**
 - (c) harnesses, saddlery, bridles, saddle bags, girths, leggings, stirrup straps and other similar equipment, wallets, purses, tobacco pouches, cases and boxes for jewellery, musical instruments, binoculars, arms, footwear, bottles, cigarettes, cigars and pipes, dog collars and leads, watch straps, rug straps, belts, braces, suspenders, garters, armlets excluding belts, braces, suspenders, garters, armlets manufactured from cloth and other similar articles designed as substitutes;**
 - (d) handbags and other bags, and containers designed to hold ladies' and gentlemen's personal effects;**
 - (e) footballs, punchballs, netball balls and boxing gloves;**
 - (f) hockey and cricket balls.**
- 2. (a) For the tanning, dressing and fellmongering of hides and skins;**
 - (b) (i) preparation of cured or uncured hides**

and/or skins for tanning: for this purpose "preparation of hides and/or skins for tanning" without detracting from its ordinary or technical meaning, includes the following: Washing, soaking, fleshing, deburring, liming, unhairing, dewooling, the removal of scales, deliming, bating and pickling; and

- (ii) tanning of the cured or uncured hides and/or skins; and or
- (iii) retanning and/or dyeing and/or drying and/or softening and/or buffing and/or dressing and/or finishing and/or laminating of leather and/or the combing and/or shearing and/or ironing of hides and/or skins with the wool or hair on; and
- (iv) cutting of upholstery panels from leather: Provided that, for the purposes of sub-paragraphs (i) to (iii) "Hides and Skins" includes the following:

Pelts with or without the fur on; sheepskins with or without the wool on; game and goat skins with or without the hair on; all types of reptile skins, and bird skins with or without the feathers attached: Provided that the activities listed under sub-paragraph (1) (b) and (c) shall not include:-

- (aa) the manufacture of metal components and/or attachments;
- (bb) the manufacture of canvas bank bags, canvas kitbags, canvas rucksacks, canvas haversacks, canvas sampling

- bags and canvas explosive bags;
- (cc) the manufacture of any article from rubber;
 - (dd) the manufacture of any article or the practice of any trade or occupation covered by the Printing Industry which, without in any way limiting the generally accepted meaning of the term, means the industry or undertaking in which employers and employees are associated for the production of printed matter of any nature whatsoever;
 - (ee) the manufacture of any article from metal or any kind of container (with or without metal parts) from fibre and/or cardboard (corrugated or otherwise) and/or paper or any compound of paper and/or any like material a constituent part of which is fibre and/or cardboard and/or paper and/or any constituent of paper and/or plastic, but excluding the manufacture wholly or mainly from fibre or plastic sheeting material of trunks, attache cases, bags and all similar containers designed to hold personal effects, musical instruments and sporting kit.

The word "plastic" in the paragraph directly above means any of the group of materials which consist of or contain as an essential ingredient an organic substance of a large molecular mass, and which, while solid in the finished state, at some stage in its manufacture has been or can be forced, i.e. cast, calendered, extruded or moulded into various shapes by flow, usually through the application singly or

together of heat and pressure.

6. CLAUSE 7: SHORT-TIME

Substitute the following for sub-clause 7(2):

“(2) Notification”

At least 48 hours notification of *short-time* shall be given prior to implementation, unless otherwise agreed to by the representative trade union(s) or where there is no representative trade union, with the employees”.

7. CLAUSE 8: PUBLIC HOLIDAYS, ANNUAL HOLIDAYS AND MATERNITY LEAVE

Substitute the following for sub-clause 8(6):

“(6) Public Holidays

- (i) Public holidays and payment of public holidays shall be in accordance with the provisions of the Public Holidays Act, 1994.
- (ii) In the event of a public holiday falling on a Saturday during the period of annual leave, the holiday shall be a paid holiday.

8. CLAUSE 10. TERMINATION OF EMPLOYMENT

Add the following new sub-clause (7):

“(7) Retirement

- (i) Employees shall retire upon reaching the age of 60 years.
- (ii) The retiring employee and the employer shall be entitled to enter into a limited duration

contract immediately following retirement for a period not exceeding one year.

- (iii) Sub-clauses (i) and (ii) above shall not apply to persons who are 59 years or older and are already in employment at 30 June 2010, who shall retire on 30 June 2011 unless they choose to retire upon reaching the retirement age on a date earlier than 30 June 2011 and give the employer the prescribed notice of termination".

9. ANNEXURE C

Substitute the following for Annexure "C":

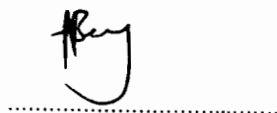
"Nothing in this Agreement shall operate to reduce any time wage at present being paid which is more favourable to an employee than that laid down in this Agreement for such employee while he remains in the service of the same employer.

SIGNED BY THE PARTIES AT DURBAN ON THE 28th DAY OF JULY 2010

S ESSON, Member of the Council



A BENJAMIN, Member of the Council



W VAN DER RHEEDE, Member of the Council



S NAIDOO, General Secretary of the
Bargaining Council

ANNEXURE 'C'**1. WAGE RATES**

	Column A Per Week	Column B Per Week
(A) The following wage rates shall be paid to employees engaged in the General Goods and Handbag Section of the Industry:		
(i) Foreman (Grade C1)	1142.25	1256.48
(ii) Chargehand (Grade B2)	867.88	954.67
(iii) Despatch Clerk (Grade A3)	730.84	803.92
(iv) Driver of a motor vehicle authorised to carry or haul a payload of:		
(a) Under 2722 Kg (Grade B1)	757.48	833.23
(b) Over 2722 Kg (Grade B2)	867.88	954.67
(v) General Worker (Grade A1)	565.27	621.80
(vi) Night Watchman (Grade A2)	614.93	676.42
(vii) Packer (Grade A1)	565.27	621.80
(viii) Storeman (Grade A3)	730.84	803.92
(B) The following wage rates shall be paid to qualified employees engaged in the manufacture of Travelling Requisites, Saddlery, Harnesses, Braces, Personal Goods and Handbags:		
(i) Grade A1	565.27	621.80
(ii) Grade A2	614.93	676.42
(iii) Grade A3	730.84	803.92
(iv) Grade B1	757.48	833.23
(v) Grade B2	867.88	954.67
(vi) Grade B3	950.30	1045.33

	Column A Per Week	Column B Per Week
(C) The following wage rates shall be paid to qualified employees engaged in the manufacture of balls in the Magisterial Districts of Bellville, Goodwood and Durban and Cricket and Hockey Balls in the Magisterial District of Wynberg:		
(i) Grade A1	565.27	621.80
(ii) Grade A2	614.93	676.42
(iii) Grade A3	730.84	803.92
(iv) Grade B1	757.48	833.23
(v) Grade B2	867.88	954.67
(vi) Grade B3	950.30	1045.33
(D) The following wage rates shall be paid to Learners, other than those referred to in subclause (A):		
During the first six months of experience	458.24	504.06
During the second six months of experience	547.04	601.74

2. PROPORTION AND RATIO OF EMPLOYEES

(1) Travelling requisites -

- (a) Not less than one foreman shall be employed in every establishment.
- (b) In each of the wage categories listed in paragraphs (i), (ii), (iii), (iv), (v) and (vi) of subclause (c) not more than one learner may be employed for every qualified employee employed in that category.

(2) Saddlery -

- (a) not less than one foreman shall be employed in every establishment.
- (b) In each of the wage categories listed in paragraphs (ii), (iii), (iv), (v), and (vi) of subclause (C), not more than one learner may be employed for every qualified employee employed in that category.

(3) Harness -

- (a) Not less than one foreman shall be employed in each establishment.
- (b) For each employee receiving a wage of not less than R621.80 per week during the period ending 30 June 2010, not more than one employee may be employed at a wage less than R621.80 per week during the period ending 30 June 2010: Provided that general workers shall not be taken into consideration when determining the number of such employees that may be employed.

(4) Braces -

For each employee receiving a wage of not less than R 621.80 per week during the period ending 30 June 2010, not more than one employee may be employed at a

wage of less than R621.80 per week during the period ending 30 June 2010: Provided that general workers shall not be taken into consideration when determining the number of such employees that may be employed.

(5) Personal Goods -

For each employee receiving a wage of not less than R 621.80 per week during the period ending 30 June 2010, not more than one employee may be employed at a wage of less than R621.80 per week during the period ending 30 June 2010: Provided that general workers shall not be taken into consideration when determining the number of such employees that may be employed.

(6) Handbags -

(a) Not less than one foreman shall be employed in each *establishment*.

(b) The number of learners employed in each *establishment* shall not exceed three such employees to every two qualified employees employed in such *establishment*.

(c) Notwithstanding the provisions of subclause (1), the following departmental ratios shall be observed.

(i) Cutting Department - Not more than three learner cutters shall be employed to every two qualified cutters employed in each *establishment*.

(ii) Machining Department - Not more than three learner machinists shall be employed to every two qualified machinists employed in each *establishment*.

(iii) Handbag framing department - Not more than three learner handbag framers shall be employed to every two qualified handbag framers employed in each *establishment*.