

No. R. 134

24 February 2012

**LABOUR RELATIONS ACT, 1995****BARGAINING COUNCIL FOR THE BUILDING INDUSTRY,  
BLOEMFONTEIN:****EXTENSION OF AMENDMENT OF COLLECTIVE AGREEMENT TO NON-  
PARTIES**

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 Bargaining Council for the Building Industry, Bloemfontein 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 .....5 March 2012..... and for the period ending 31 December 2013.

**MINISTER OF LABOUR**

**SCHEDULE****BARGAINING COUNCIL FOR THE BUILDING INDUSTRY (BLOEMFONTEIN)****COLLECTIVE AGREEMENT**

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

**Master Builders' and Allied Trades Association (Free State) (MBA (FS))**

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

**Amalgamated Union of Building Trade Workers of South Africa (AUBTW)**

**Noordelike Bouwerkersvakbond (NBV), and**

**National Union of Mine Workers (NUM)**

(hereinafter referred to as the "employees" or the "trade unions"), of the other part, being parties to the Bargaining Council for the Building Industry (Bloemfontein), to amend the Agreement published under Government Notice No. R. 221 of 29 February 2008 as amended and renewed by Government Notices Nos. R. 1324 of 12 December 2008, R. 1124 and R. 1125 of 04 December 2009, R. 1163 and R. 1164 of 10 December 2010 and R. 985 of 2 December 2011.

**1: SCOPE OF APPLICATION**

- (1) The terms and conditions of the Agreement shall be observed-
- (a) in the Magisterial District of Bloemfontein;
  - (b) by all employers who are members of the employers' organisation and by all employees who are members of the trade union(s);
  - (c) by all employers and employees to whom the Minister of Labour may extend this Agreement;
  - (d) by all employers and employees who are directly or indirectly involved in the Building Industry.

- (2) Notwithstanding the provisions of sub-clause (1) the terms of this Agreement shall apply to-
- (a) apprentices only in so far as the terms are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any conditions fixed thereunder;
  - (b) trainees under the Manpower Training Act, 1981 and the Skills Development Act, 1998, in so far as the terms are not inconsistent with the provisions of that Act or any conditions fixed thereunder;
  - (c) working partners, directors and owners of a building-related business.
- (3) Notwithstanding the provisions of sub-clause (1), the terms of this Agreement shall not apply to-
- (a) clerical and administrative employees;
  - (b) university students and graduates in Building Science and to construction supervisors, construction surveyors, architects and other persons doing practical work in the completion of their academic training;
  - (c) casual employees as defined in clause 3;
  - (d) non-parties in respect of clause 1(1)(b) and 2.

## **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 Labour Relations Act, 1995, and shall remain in force until 31 December 2013.

**3. CLAUSE 8: REMUNERATION**

Substitute Clause (1), (2)(a), (b) and (c) for the following:-

- (1) **Wages:** (a) General: No employer shall pay and no employee shall accept wages at rates lower than the following:

	<b>R / Cents</b>
	<b>per hour</b>
(i) Artisans .....	R30,99
(ii) General workers .....	R15,49

**Calculation of wages:** The weekly wage of an employee shall be his hourly wage multiplied by 40, in the case of artisans and all other categories of employees.

- (a) The increase for all category workers shall be 9% of the actual wage

- (b) (2) **Supplementary remuneration and contributions:** (a) Except in respect of a casual employee, every employer shall pay each week to the Secretary of the Council in respect of each category of employee, as stipulated below, the total sum prescribed in Column G hereunder: Provided that such sum shall be allocated as set out hereunder:

(i) Holiday Fund .....	Column A
(ii) Provident Fund .....	Column B
(iii) Contributions to Bargaining Council expenses .....	Column C
(iv) Trade Union subscriptions .....	Column D
(v) Wage Guarantee Fund .....	Column E
(vi) Funeral Benefit .....	Column F
(vii) TOTAL SUM .....	Column G

Employers	Per week						
	A	B	C	D	E	F	G
	R	R	R	R	R	R	R
All employees earning R15.49 up to and including R17.59 ph .....	76.40	124.00	2.40	-	0.45	0.49	203.74
All employees earning R17.60 up to and including R21.46 ph .....	86.40	141.60	2.40	-	0.45	0.49	231.34
All employees earning R21.47 up to and including R25.28 ph .....	105.20	172.00	2.40	-	0.45	0.49	280.54
All employees earning R25.29 up to and including R30.98 ph .....	124.00	202.40	2.40	-	0.45	0.49	329.74
All employees earning R30.99 up to and including R34.68 ph .....	152.00	248.00	2.40	5.00	0.45	0.49	408.34
All employees earning R34.69 and more ph .....	170.00	277.60	2.40	5.00	0.45	0.49	455.94

(b) Except in respect of a casual employee who works for an employer for less than four weeks, every employer shall deduct each week from the remuneration due to each employee, as stipulated below, the amount prescribed in Column E hereunder: Provided that such sum shall be allocated as set out hereunder:

- (i) Holiday Fund ..... Column A
- (ii) Provident Fund ..... Column B
- (iii) Contributions to Bargaining Council ..... Column C
- (iv) Trade Unions ..... Column D
- (iii) TOTAL SUM ..... Column E

Employers	Per week				
	A	B	C	D	E
	R	R	R	R	R
All employees earning R15.49 up to and including R17.59 ph .....	76.40	124.00	0.20	-	200.60
All employees earning R17.60 up to and including R21.46 ph .....	86.40	141.60	0.20	-	228.20
All employees earning R21.47 up to and including R25.28 ph .....	105.20	172.00	0.20	-	277.40
All employees earning R25.29 up to and including R30.98 ph .....	124.00	202.40	0.20	-	326.60
All employees earning R30.99 up to and including R34.68 ph .....	152.00	248.00	0.20	5.00	405.20
All employees earning R34.69 and more ph .....	170.00	277.60	0.20	5.00	452.80

(c) Every employer shall, in addition to any remuneration to which an employee may be entitled in terms of clause 8 (1), pay such employee the total sum prescribed in Column C hereunder:

- (i) Holiday Fund ..... Column A
- (ii) Provident Fund Contributions ..... Column B
- (iii) TOTAL SUM ..... Column C

Employers	Per hour		
	A	B	C
	C	C	C
All employees earning R15.49 up to and including R17.59 ph .....	1.91	1.55	3.46
All employees earning R17.60 up to and including R21.46 ph .....	2.16	1.77	3.93
All employees earning R21.47 up to and including R25.28 ph .....	2.63	2.15	4.78
All employees earning R25.29 up to and including R30.98 ph .....	3.10	2.53	5.63
All employees earning R30.99 up to and including R34.68 ph .....	3.80	3.10	6.90
All employees earning R34.69 and more .....	4.25	3.47	7.72

Thus done and signed at Bloemfontein on this 9<sup>th</sup> November 2011 for and on behalf of the Bargaining Council for the Building Industry (Bloemfontein).

.....  
**G P NELL**  
**CHAIR PERSON OF THE COUNCIL**

.....  
**L HLAELE**  
**VICE-CHAIRPERSON OF THE COUNCIL**

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**A C M VAN VUUREN**  
**SECRETARY**