

LABOUR RELATIONS ACT, 1995**SOUTH AFRICAN ROAD PASSENGER BARGAINING COUNCIL:
EXTENSION TO NON-PARTIES OF THE MAIN COLLECTIVE RE-ENACTING
AND AMENDING AGREEMENT**

I, MILDRED NELISIWE 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 South African Road Passenger 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 from9 July 2012..... and for the period ending 31 March 2013.

MN OLIPHANT**MINISTER OF LABOUR**

SCHEDULE**THE SOUTH AFRICAN ROAD PASSENGER BARGAINING COUNCIL
(SARPBAC)****RE-ENACTMENT AND AMENDMENT OF MAIN COLLECTIVE
AGREEMENT**

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

SOUTH AFRICAN BUS EMPLOYERS' ASSOCIATION

(hereinafter referred to as the "Employers" or the "Employers' Association"), of
the one part, and the

SOUTH AFRICAN TRANSPORT AND ALLIED WORKERS UNION

And

TRANSPORT AND OMNIBUS WORKERS UNION

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

being the parties to the South African Road Passenger Bargaining Council
(SARPBAC)

(hereinafter referred to as the "Bargaining Council")

1. SCOPE OF APPLICATION AND PERIOD OF AGREEMENT

1.1. SCOPE OF APPLICATION

The terms of this agreement shall be observed in the Road Passenger Transport Trade:

- 1.1.1. by all Employers who are members of the Employers' Association and by all Eligible Employees who are members of the trade unions.
- 1.1.2. by all Employers and Eligible Employees within the Road Passenger Transport Trade in the Republic of South Africa,
- 1.1.3. The agreement shall also apply and be binding upon all Parties and/or Individuals to whom the operation of the collective agreement is extended in terms of Section 32 of the Labour Relations Act (LRA) of 1995.
- 1.1.4. Clauses 1.1.1., 1.2, and 36.1 of this Agreement shall not apply to Employers and Employees who are not members of the Employers' Association and trade unions respectively.

1.2 PERIOD OF AGREEMENT

This Agreement shall come into operation for the parties to this Agreement on 1 April 2012 and for non parties on such date as may be decided upon by the Minister of Labour in terms of section 32 of the Labour Relations Act, 1995 and shall remain in force until 31 March 2013 and shall be applicable to all Eligible Employees.

2. SPECIAL PROVISIONS

The provisions of clause 36.1 of the Agreement published under Government Notice R.272 of 5 April 2012, hereinafter referred to as the "Former Agreement" (as extended, renewed, re-enacted and amended from time to time) shall only apply to employers and employees who are members of the employers' association and the trade unions respectively.

3. GENERAL PROVISIONS

The provisions of clauses 2 to 35 and clauses 36.2 to 41 and Annexure 1 to 3 of the Former Agreement shall apply to employers and employees.

4. CLAUSE 2: DEFINITIONS

Substitute the following for the definition of "Road Passenger Transport Trade"

"Road Passenger Transport Trade" or "Trade" means the trade in which employers (other than employers exclusively conveying schools children between their places of residence and the schools they attend) and their employees are associated for the purpose of conveying for reward on any public road any person by means of a power-driven vehicle (other than a vehicle in the possession and under the control of Transnet or a local authority) intended to carry more than 16 persons simultaneously including the driver of the vehicle and includes all operations or consequent thereto;

5. CLAUSE 3: ACROSS THE BOARD INCREASE

Substitute the following for sub-clause 3.2:

"3.2 An across the board increase of 8.5% on the base rate of pay will become due from the period of operation of the Agreement"

6. CLAUSE 4: MINIMUM BASIC WAGE

Substitute the following for clause 4:

“4. MINIMUM BASIC WAGE

- 4.1 The minimum hourly wage for Employees will not be less than R20.14 per hour.
- 4.2 An 8.5% increase on all minimum wages will be applicable.”

7. CLAUSE 6: ORDINARY HOURS OF WORK AND OVERTIME

Insert the following clause 6.11

- “6.11 Employees working overtime will be compensated at a rate of 1.3 times their normal hourly rate on an ordinary day and double their normal hourly rate on a working day off.

8. CLAUSE 8: TRAINING

Number the first paragraph in this clause “8.1”.

Insert the following clause 8.2:

- “8.2 Council to arrange training on the Consumer Protection Act for all Central Committee members”

9. CLAUSE 9: SUBSISTENCE & TRAVEL ALLOWANCE

Substitute the following for clause 9.1:

- 9.1 An Employee, who is away from his Employer’s establishment on special hire/charter duties or on instructions from his Employer and is, as a consequence thereof and at the instruction of the Employer, required to sleep out, will be paid an allowance of R380.00 for each night and R5.30 per hour that he is required to sleep out to cover the costs of meals and accommodation.”

10. CLAUSE 11: TOOL ALLOWANCE

Substitute the following for clause 11

- "11. An allowance of R30.00 per week will apply to Employees who, as a requirement of the Employer, are in possession of the applicable tool-kit complying with the Employer's specifications."

11. CLAUSE 21: FAMILY RESPONSIBILITY LEAVE

Substitute the following for clause 21. 2

- "21.2 A maximum of 3 days leave may be granted to an employee whose child is born or sick; or to a spouse for the care of a mother who is ill relating to the confinement within a period of a year. "

12. CLAUSE 23: RETIREMENT FUND CONTRIBUTION RATE

Insert the following clause 23.3

- "23.3 The employee's contribution to such fund shall not be less than 7.5% of the employee's basic wage."

13. CLAUSE 25. CONTRACT PENALTIES

Substitute the following for clause 25:

"25. CONTRACT PENALTIES

25. Where an Employee is found to be directly responsible for a penalty being imposed on the Employer because of the non-compliance with the terms and conditions of a subsidised contract, the Employee will be required to reimburse the Employer to the extent of the penalty incurred, up to a maximum of R200.00 per incident. Such reimbursement shall be deducted from the basic wage of the Employee."

14. CLAUSE 39. LEVIES

Substitute the following for clause 39.1 and 39.2:

- "39.1 Employees for whom minimum basic wages are prescribed an amount of R 2.54 per week or R 11.00 per month of an Employee's normal basic wage shall be deducted by an Employer from the basic wage of every Employee.
- 39.2 Other employees in the bargaining unit for which minimum basic wages are not prescribed, but who qualify for the across the board increases as per clause 3.2, an amount of R 2.54 per week or R 11.00 per month of an Employee's normal basic wage shall be deducted from the basic wage of every Employee, in his or its employ who works one or more days a week. "

- 15.** Insert the following clause 41 after clause 40:

"41. INDUSTRIAL ACTION

No employer which is bound by the terms of this Agreement shall be compelled by industrial action, litigation or otherwise to negotiate on matters contained in such Collective Agreement at any other level during the operation of this Agreement".

16. ANNEXURE A

Substitute Annexure A with the following"

Job Title	Purpose Statement	Occupations Included	Range of Grades	Minimum Rate Per Hour
Artisan	Qualified artisan who holds the relevant trade papers. Artisan could include Diesel Mechanic, Auto Electrician, Body Builder, Painter, Welder and Spray Painter. Typical work would include the service, repair, maintenance, upgrade of vehicles/components, inspections. Conducts road tests, recovers breakdowns, and identifies / diagnoses faults/defects. Artisans may supervise and assist in training unqualified staff.	Artisan, Artisan Auto Electrician, Artisan Body Builder, Auto Electrician, Body Builder, Mechanic, Diesel Mechanic, Painter, Spray Painter, Welder.	P13-P10	R 40.42
Bus Driver	Drives a bus to transport passengers on scheduled services over established routes. Controls lighting, heating and ventilation for the passengers. Observes prescribed speeds, traffic, travelling conditions and signals to ensure the safe arrival of passengers. Ensures passengers arrive at destinations on time. Holds the appropriate licence and a PrDP. This category is restricted to commercial contracts which are not subsidized by government.	Bus Driver	P15-P14	R 23.70
Cabin Attendant	Provides assistance to passengers on a Luxury Coach. Tasks include serving of refreshments and ensuring passengers experience a comfortable journey.	Cabin Attendant	P14	R 35.66
Canteen Attendant	Maintains the cleanliness of the canteen and assists in the preparation and serving of food and beverages. Keeps the canteen clean and tidy.	Canteen Assistant Meals, Canteen Assistant Tea, Canteen Attendant	P18-P17	R 20.14
Cashier	Receives cash from drivers and/or ticket sellers and banks all cash received.	Cashier, Cashier - Ex DC.	P14-P12	R 27.33

Cleaner	Cleans and maintains office / yard / workshop / buses / vehicle parts / bellows, utilising the appropriate cleaning agents and cleaning tools.	Bellow Cleaner, Bus Cleaner, Bus Washer, Office Cleaner, Steam Cleaner, Steam Jenny Cleaner, Workshop Cleaner, Yard Cleaner.	P19-P18	R 20.14
Clerk	Performs administrative / clerical / stores / technical duties. Tasks may include filing, recording of data, copying, typing, handling petty cash, ordering of stationery/groceries, reporting, receiving and issuing of stock/parts or stock-taking. Additional duties may include attending to client queries/complaints, supervising and/or coordinating the workload of subordinates and/or operating on a senior administrative level.	Clerk, Assistant Contract Clerk, Receiving and Recon Clerk, Tyre Clerk, Taco Clerk, Operations Clerk, Planning Clerk, Terminal Clerk, Private Hire Clerk, Reservations Clerk, Scheduling Clerk, Technical Clerk, Waybill Clerk, Contract Clerk, Revenue Office Assistant, Special Hire Clerk, Stores Clerk, Engineering Clerk, Senior Clerk, Senior Store Clerk, Systems Clerk, Data Capturer.	P15 - P11	R 24.96
Cook	Prepares and serves meals to staff members. Compiles a weekly menu and assists in canteen administration. Supervises Canteen Attendants.	Chef	P15	R 28.52
Despatcher	Books and despatches drivers on allocated routes to ensure buses depart on schedule and executes administrative-related functions. Duties may include signing on/off shifts for Bus Drivers, reporting of any incidents and analysing the AM and PM operation.	Depot Despatcher, Despatcher, Sub Depot Despatcher.	P13 - P12	R 30.90
Driver / Conductor	Drives a bus or luxury coach to transport passengers on the scheduled services over established routes. May issue tickets and collect fares. Controls lighting, heating and ventilation for the passengers. Observes prescribed speeds, traffic, travelling conditions and signals to ensure safe arrival of passengers. Ensures that passengers arrive at destinations on time. Holds the appropriate licence and a PrDP. Includes all BRT operations.	Driver / Conductor, Duty Bus Driver, Luxury Coach Driver, Coach Driver, OMO.	P14-P12	R 30.90
Driver Instructor	Provides training to drivers and conducts evaluations on drivers.	Driver Instructor, Driver Training Instructor.	P12 - P11	R 35.66
ETM Technician	Services, repairs and maintains Electronic Ticket Machines.	ETM Repairer, ETM Technician, Wayfarer Mechanic, Setright Mechanic, Senior Setright Mechanic.	P14 - P10	R 26.16
Forklift Driver	Operates a forklift to move equipment within the premises.	Forklift Driver	P18	R 26.16

Fuel Attendant	Refuels buses /company vehicles.	Fuel Attendant, Diesel/Fuel Attendant.	P17-P16	R 20.14
Gardener	Maintains gardens, lawns, shrubs and trees. Loads and unloads goods and materials. May provide assistance in the washing of company cars and cleaning of windows.	Gardener, Garden Labourer, General Worker.	P18	R 20.14
Handyman	Performs general building maintenance and repair work for plumbing, electrical, building and paving activities.	Handyman, Handyman Building Maintenance, Handyman Electrical	P16-P11	R 27.33
Help Desk Administrator	Handles passenger complaints, issues refund-vouchers to passengers, issues trip vouchers, assists passengers with dead tags, records customer complaints, visits head office and provides feedback.	Help Desk Administrator	P14	R 34.59
Hospitality Representative	Meets and greets clients at airports and ensures that the correct vehicles are boarded.	Hospitality Representative	P13	R 24.86
Inspector	Executes and carries out inspection duties to investigate irregularities and ensure compliance to company policy - performs physical vehicle checks, evaluates driver compliance, monitors scheduled trips and audits the issuing of tickets and the collection of revenue.	Inspector	P13 - P11	R 31.00
Maintenance Assistant	Assists a qualified Artisan and has sufficient relevant experience to perform the work required.	Semi-skilled Body Builder, Semi-skilled Electrician, Semi-skilled Mechanic, Semi-skilled Shift Mechanic; Junior Body Builder, Junior Electrician, Junior Glazier, Junior Mechanic, Junior Body Builder, Junior Spray Painter, Operative B.	P14-P13	R 28.52
Maintenance Technician	Unqualified Artisan who is able to perform all technical duties not performed by an Artisan (auto electrician/body builder/diesel mechanic), but does not have the qualification (i.e. trade certificate).	B Artisan (Auto Electrician, Body Builder, Diesel Mechanic), Workshop Operative, Honorary Artisan, Auto Elec Operative, Body Shop Operative, Operative A.	P13-P12	R 31.00
Messenger	Delivers and collects mail / documents and runs errands as required by the operation. May be required to drive a motorcycle or vehicle and hold the applicable license.	Messenger	P18-P15	R 20.20
Mobile Driver	Drives a light motor vehicle to transport personnel to and from the required location. Holds a code 08 (EB) license.	Mobile Driver	P18-P15	R 20.20

Porter	Loads and off loads luggage at major centres in an intercity environment.	Porter	P19	R 20.14
Receptionist	Performs front desk duties, operates the switchboard to attend to incoming calls, receives visitors to the organisation and responds to general enquiries. Performs clerical duties when required e.g. photocopying, handling mail, handling faxes.	Receptionist, Receptionist/Switchboard Operator, Switchboard Operator.	P14	R 26.16
Regulator	Records arrival and departure times of buses at terminal points to ensure buses keep to routes and schedules. Liaises with passengers on the service provided.	Regulator, Point Controller.	P14-P12	R 22.58
Route Controller	Ensures that specific routes are covered for passengers to arrive on time at destinations.	Route Controller	P12 - P11	R 57.04
Security Guard	Patrols and guards company assets and personnel and provides secure access control to the property.	Security Guard, Gatekeeper.	P17 - P16	R 21.41
Senior Cashier	Supervises Cashiers in the receipt and banking of cash received. Tasks include reconciling cash to ticket sales, liaising with customers, controlling safes, ensuring the smooth running of equipment at depots and conducting periodic depot spot checks.	Senior Cashier, Chief Cashier, Senior Cashier T/Seller	P13-P12	R 31.00
Senior Inspector	Supervisors a team of inspectors, works according to a pre-determined schedule and performs adhoc investigations. Liaises with passengers and driver conductors. Carries out a census.	Senior Inspector	P12-P11	R 35.66
Senior Regulator	Supervises operational duties of Regulators, maintains an effective passenger information system and monitors passengers at platforms.	Senior Regulator, Senior Point Controller.	P12-P13	R 31.00
Shunter Driver	Moves buses on company premises and between sections for maintenance activities. Road test buses as and when required by Artisans and workshop supervisors. Parks buses in stipulated areas. Drives buses through bus wash machines. Drives vehicles onto and off pits. Requires the applicable license.	Shunter Driver, Shunter Driver- Maintenance.	P16-P15	R 21.41
Stores Driver	Performs driving duties for stores e.g. collection of parts and other store items. Requires the applicable license.	Stores Driver	P15	R 20.20

Storeman	Establishes and maintains minimum and maximum stock levels, controls and checks the delivery of stock, issuing of parts and spares, keeps stock cards up to date, receives and books out spares, performs stock take, conducts spot checks on stocks, etc.	Storeman, Storeman Buyer, Storeman / Counterhand.	P15 - P12	R 26.16
Stores Assistant	Assists the Storeman with the issuing and receiving of parts in the store, physically moves stock (packing, unpacking) and drives a forklift to load and unload spares from delivery vehicles. Requires the applicable licence.	Stores Assistant	P16-P14	R 25.07
Tea Person	Make tea and coffee and wash dishes	Tea Person	P18	R 20.14
Technical Driver	Performs driving duties for the Technical Department inclusive of shunting vehicles from the wash bay to check pits and to the workshop, fuelling of vehicles, taking vehicles for COF and towing busses in for repairs. Requires the applicable licence.	Technical Driver	P15	R 20.20
Terrain Controller	Supervises the dispensing of diesel, oil and water. Supervises, shunting, parking and despatching of buses. Supervises the cleaning and washing of the exterior and interior of buses. Supervises the cleaning of the yard, offices, buildings, equipment and premises.	Terrain Controller, Yard Supervisor.	P13 - P12	R 40.00
Ticket Admin Clerk	Performs cashier and ticket selling duties, inclusive of selling trips and tags to passengers and the maintenance of stock. Handles cash, cashes up drivers' modules, drivers' tickets and standby waybills, pays in at a Cashier, cashes up daily sales. Is responsible for the banking of money, assisting customers with complaints, checking that ETM's are working and reporting defaults, requesting stock, stationery and float, and rotating between depots.	Ticket Admin Clerk, Ticket Office Clerk, Admin Clerks (Tickets).	P14-P13	R 27.33
Ticket Seller	Sells tickets to passengers from a mobile vehicle or at a point identified by the company. May require the applicable license.	Ticket Seller, Pre Seller, Season Ticket Seller.	P14-P12	R 27.33
Transport Officer	Signs Bus Drivers/ Driver Conductors On & Off. Reports any incidents that have a negative effect on the smooth running of the operation in the occurrence book. Analyses the AM and PM Operation.	Transport Officer	P11	R 31.00

	Types documents and performs clerical duties for a department, e.g. Operations.	Typist, Typist Clerk.	P15-P13	R 27.33
Tyre Attendant	Removes and replaces tyres on vehicles. Checks tyres for defects, damage and pressures. Removes and inspects rims for damage and replaces rims.	Tyre Attendant, Tyre Operator.	P17-P14	R 20.14
Tyre Controller	Supervises tyre attendants and ensures optimal work output.	Tyre Supervisor	P13	R 40.00
Workshop Assistant	Assists a qualified artisan in the trade (Body Builder, Auto Electrician, Vehicle Checker, Greaser, Diesel Mechanic and Spray Painter) through supplying the correct tools, cleaning of components, and assisting with the service, repair, maintenance and upgrade of vehicles/components. Performs general housekeeping in keeping the work area safe and clean. Not an apprentice. Reports into an Artisan.	Trade Worker P15 & P16. Trade Assistant: Auto Electrician, Trade Assistant Diesel Mechanic, Handyman Assistant, Mechanical Shop Assistant, Assistant Electrician, Assistant Glazier, Workshop Assistant, Workshop Operator Assistant, Builder Assistant, Assistant Mechanic, Assistant Spray Painter, Auto Electrical Assistant, Grade C and D Operatives, Electrical Shop Assistant, Body Shop Assistant, Artisan Assistant, Greaser, General Worker, Labourer, Tyre Shop Assistant, Upholstery Assistant, Vehicle Checker.	P19-P15	R 20.14

SIGNED AT ...Cape Town..... ON THIS THE14.....DAY OF MAY 2012.

SABEA:

Name: Klaus Heimes.

SATAWU:

Name: Assaria Mataboge

TOWU

Name: Nizaam Davids:

SARPBAC:

Name: Gary Wilson.