

No. R. 883

2 November 2012

LABOUR RELATIONS ACT, 1995**SOUTH AFRICAN ROAD PASSENGER BARGAINING COUNCIL:
EXTENSION TO NON-PARTIES OF THE MAIN COLLECTIVE 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 from**12 November 2012**..... and for the period ending 31 March 2013.

MN OLIPHANT**MINISTER OF LABOUR**

SCHEDULE

THE SOUTH AFRICAN ROAD PASSENGER BARGAINING COUNCIL (SARPBAC)

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")

To amend the Agreement published under Government Notice R.482 dated 9 June 2012.

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, 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.
- 1.1.3. Clauses 1.1.1. and 1.2, 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 2011 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. CLAUSE 9. SUBSISTENCE & TRAVEL ALLOWANCE

Substitute the following for clause 9:

"9. SUBSISTENCE & TRAVEL ALLOWANCE

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 that he is required to sleep out to cover the costs of meals and accommodation.

9.2 An Employee, who is away from his Employer's establishment, for more than 12 hours, on special hire/charter duties or on the instruction of the Employer, but is not required/instructed by the Employer to sleep out, will be paid a meal allowance of R5.30 per hour for each completed hour of such special hire/charter or absence.

9.3 The above allowances will not be paid where, in terms of the Employer procedures, the Employer or a third party provides accommodation and/or food, pays for such expenses directly or where accommodation and/or food are made available at no cost to the Employee."

We the undersigned, as the official representatives of our respective organisations, do hereby, on behalf of the organisations, its members and all Employees, agree to the terms of this agreement and bind our organisations, members and all Employees thereto.

SIGNED BY
DATE

ON BEHALF OF

SIGNED AT

_____ South African Bus Employers Association
Klaus Heimes

JOHANNESBURG
17/09/2012

_____ Transport & Omnibus Workers Union
Nezaam Davids

JOHANNESBURG
17/09/2012

_____ South African Transport & Allied Workers Union
Assaria Mataboge

JOHANNESBURG
17/09/2012