

**NOTICE 709 OF 2013****DEPARTMENT OF LABOUR****LABOUR RELATIONS ACT, 1995****APPLICATION FOR REGISTRATION OF AN AMALGAMATING BARGAINING  
COUNCIL**

I, Johannes Theodorus Crouse, Registrar of Labour Relations, hereby, in terms of section 34(2) of the Labour Relations Act, 1995, give notice that an application for the registration of an amalgamating bargaining council has been received from the **National Bargaining Council for the Hairdressing, Cosmetology, Beauty and Skincare Industry**

Particulars of the application are reflected in the subjoined table.

Any person may object to the application on any or all of the following grounds:

- (a) The applicant has not complied with the provisions of section 29 of the Act, read with the changes required by the context;
- (b) the sector and area in respect of which application is made is not appropriate; and
- (c) the applicant is not sufficiently representative in the sector and area in respect of which application is made.

Any person who objects must lodge his/her written objection with me, c/o the Department of Labour, Laboria House, 215 Schoeman Street, Pretoria (postal address: Private Bag X117, Pretoria, 0001), within 30 days of the date of this notice. A copy of the objection must be served on the applicant within the said period and I must be satisfied that a copy of the objection has been served on the applicant.

The applicant may respond to the objection within 14 days of the expiry of the 30-day period mentioned above and must satisfy me that a copy of the response has been served on the person who objected within the 14-day period.

Form Letters1

TABLE**Name of bargaining council:**

National Bargaining Council for the Hairdressing, Cosmetology, Beauty and Skincare Industry

**Address bargaining council:** National Bargaining Council for the Hairdressing,  
Cosmetology, Beauty and Skincare Industry  
No.15 Edward Street  
**ROODEPOORT, 1725**

P.O. Box 1936  
**ROODEPOORT, 1725**

Tel (011) 760 1685  
Fax no: (011) 760-1274

**Date on which application was lodged:** 1 July 2013

**Sector and areas in respect of which application is made:**

**A. Hairdressing and Cosmetology Trade** as defined hereunder in the following areas:

Province of Gauteng **excluding** the Magisterial Districts of Bronkhorstspuit,  
Cullinan, Pretoria and Wonderboom;  
Province of Free State; and  
The Magisterial Districts of Klerksdorp, Potchefstroom, Kimberley, East London,  
Humansdorp, Port Alfred, Port Elizabeth; and Uitenhage.

For the purpose of paragraph A

**“Hairdressing and Cosmetology Trade”** means the trade in which employers and their employees are associated for the purpose of rendering hairdressing and cosmetology services in any establishment;

**“Cosmetology services”** means any one or more or a combination of the operations generally and usually performed by and known as the profession of beauty culturists or cosmeticians or cosmetologists or hairdressers, and includes but is not limited to the following operations:

**“Cosmetologist”** means a person who performs any one or more of the services usually performed by a manicurist or beauty culturist, including a cosmetologist or cosmetician who performs any one or more of the services referred to in the definition of the “cosmetology” below:

**“Cosmetology”** means any one or more of the services usually performed by a manicurist or beauty culturist, or cosmetologist in an establishment and includes, but is not limited to-

- (a) manicure, pedicure, nail technology, or the application of artificial nails or nail extensions, whatever the substance used including acrylic, fibre glass or gel;
  - (b) eyebrow shaping and plucking including the application of false or artificial eyebrow and eyelashes;
  - (c) cosmetic and camouflage makeup of the face and its features, whether by permanent, semi-permanent or temporary means;
  - (d) facial skin care;
  - (e) removal of unwanted or superfluous hair from the head or face, by whatever means, other than shaving, but including waxing, chemical depilatories, electrical or mechanical means,
  - (f) massage services in manicures, pedicures, facial treatment and back and neck, whole body or holistic treatment or any other form of massaging,
- whether or not any apparatus, appliance, preparation or substance is used in any of these operation;

**“Hairdressing”** means any one or more of the hairdressing services usually performed by a hairdresser in an establishment, and includes, but is limited to –

- (a) any service to the scalp or the hair of the head or face, including the following:
  - (i) shampooing, cleansing, conditioning and treating;
  - (ii) chemical reformation of the hair including permanent waving, relaxing and straightening of the hair;
  - (iii) hair colouring, including tinting, dyeing and colouring by means of permanent, semi-permanent or temporary processes, including the use of colour rinses, shampoos, gels or mousses; and lightening by means of tints, bleaches, highlights or high lifting tints or toners;
  - (iv) hair cutting and shaping;

- (v) barbering services including shaving and singeing of hair;
  - (vi) hair styling, designing, shaping, curling, waving, including blow drying, styling, tonging, crimping, straightening and silking; and
  - (vii) dreadlocks; weaving and braiding,
- whether or not any apparatus, appliance, heat, preparation or substance is used in any of these operations;
- (b) massage or stimulative treatment of the face, scalp or neck;
  - (c) adding hair, either natural or artificial, including hair extensions, board work, pastiche, wig making, or performing any of the above operations on any wig or hairpiece to be worn by any person; and
  - (d) trichology and trichological treatment, including the treatment of abnormalities and disorders of the hair and scalp.

**“hairstylist”** means any person who, in return for payment, in money and/or in kind, on his own account, or in partnership, or as an employee, performs, or directly or indirectly advertises that he performs, any one or more of the hairstyling and cosmetology services usually performed by a hairstylist;

**“establishment”** means any premises or workplace in which hairstylists and/ or cosmetology services are normally rendered to members of the public for gain and includes the informal sector and private homes.

**B. The Hairstyling, Cosmetology, Beauty and Skincare Trade in the Magisterial Districts of Cullinan, Pretoria, Wonderboom and Bronkhorstspuit.**

For the purpose of paragraph B, Hairstyling, Cosmetology, Beauty and Skincare Trade is defined as follows:

**“Hairstyling Trade”** means the trade in which employers and employees are associated for the purpose of rendering salon services in any establishment where such services are normally rendered to members of the public:-

**“Salon services”** means any one or more of a combination of the operations generally and usually performed by and known as the profession of nail technicians, beauty culturist, cosmeticians, cosmetologists or hairstylists, and includes, but is not limited to the following operations:

- (a) The arranging, dressing, cutting, highlighting, shaving, curling, cleaning, singeing, shampooing, bleaching, dyeing, colouring, tinting, straightening, styling, waving (permanent, Marcel or water) of hair, or any other treatment of the hair of the head or the face;
- (b) the performance of any manicure; pedicure, nail technology or the application of artificial nails or nail extensions, whatever the substance used is acrylic, fibre glass or gel or any other substance;
- (c) the shaping and plucking of eyebrows, including the application of false or artificial eyebrows and eyelashes;
- (d) the performance of any cosmetic and camouflage make-up of the face and its features, whether by permanent, semi-permanent or temporary means;
- (e) the performance of any facial skin care operations;
- (f) the removing of unwanted or superfluous hair from the head and face by whatever means, including waxing, chemical depilatories, electrical or mechanical means, but excluding shaving;
- (g) the performance of any beauty treatment;
- (h) the performance of any beauty therapy or the massaging or stimulating treatment or exercising of the face, scalp or neck; whether or not any apparatus, appliance, preparation or substance is used in any of these operations;
- (i) the performance of any operation referred to in (a) on any wig or hairpieces to be worn by any person, whether or not any apparatus, appliance, preparation or substance is used in any of these operations.

**“Skincare Trade”** means the trade in which employers and employees are associated for the purpose of rendering “salon services” and including but not limited to cosmetic, camouflage, spa treatment, tattooing and or painting of the face or full body features, whether by permanent or semi-permanent or temporary means in any establishment where such services are normally rendered to members of the public.

**C. Hairdressing Trade in the Magisterial Districts of Durban, Inanda and Pinetown.**

For the purpose of paragraph C—

“Hairdressing Trade” means the trade in which employers and employees are associated for the purpose of rendering cosmetological services in any hairdressing salon.

“cosmetological services” means any one or more or a combination of the practices generally and usually performed by and known as the profession of beauty culturists or cosmeticians or cosmetologists or hairdressers, and includes but is not limited to the following operations:

- (1) Hair arranging, hairdressing, haircutting, highlighting, shaving, curling, cleaning, singeing, tinting, straightening, styling, waving (permanent, Marcel or water), or any other treatment of the hair of the head or the face; or
- (2) The massage or other stimulative treatment or exercise of the face, scalp or neck; or
- (3) Manicuring of the nails, eyebrow plucking, boardwork, trichological treatment or beauty culture; or
- (4) Performing any operation referred to in (1) on any wig or hairpiece to be worn by any person, whether or not any apparatus, appliance, preparation or substance is used in any of these operations;

“hairdressing salon” means any premises in which cosmetological services are rendered to either males or females or both males and females together.

D. The Hairdressing Trade in the Magisterial Districts of The Cape, Wynberg, Simonstown and Bellville as those areas were constituted as at 24 July 1945.

**Representativeness of the council:**

Total number of employees falling within the proposed scope of the council and belong to the trade union which are party to the council. **5937**

Total number of employers falling within the proposed scope of the council and who belong to the employers' organizations which are parties to the council. **1530**

The total number of employees employed within the proposed scope of the council by members of the employers' organization which are parties to the Council. **5426**

Total number of employers within the proposed scope of the Bargaining Council **2603**

Total number of employees employed within the proposed scope of the Bargaining Council **8365**

J. T. Crouse  
REGISTRAR OF LABOUR RELATIONS

DATE: ..... 4 July 2013 .....