GOVERNMENT NOTICES
GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID

No. R. 550   **8 August 2013**

LABOUR RELATIONS ACT, 1995

BARGAINING COUNCIL FOR HAIRDRESSING TRADE, CAPE PENINSULA:

EXTENSION OF MAIN COLLECTIVE AMENDING AGREEMENT TO NON-PARTIES

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 **Bargaining Council for Hairdressing Trade, Cape Peninsula** 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 Trade, with effect from ....**2013 -08- 1 9**............ and for the period ending 31 December 2013.

MINISTER OF LABOUR

29/07/2013

SCHEDULE

BARGAINING COUNCIL FOR THE HAIRDRESSING TRADE CAPE PENINSULA

AMENDMENT OF COLLECTIVE AGREEMENT

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

EMPLOYERS' ORGANISATION FOR HAIRDRESSING, COSMETOLOGY AND BEAUTY

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

UASA THE UNION

(hereinafter referred to as the "employees" or the "trade union"), of the other part, being the parties to the Bargaining Council for the Hairdressing Trade, Cape Peninsula, to amend the Agreement published under Government Notice No. R.1532 of 12 December 2002, as amended and renewed by Government Notices R.939 and R.940 of 13 August 2004; R.915 and R.916 of 15 September 2006, R. 1175 and R.1176 of 14 December 2007, R.419 of 17 April 2009, R.320 and R.321 of 23 April 2010, R.261 and R.283 of 1 April 2011, R.612 of 29 July 2011, R.383 of 18 May 2012 and R.56 and R.57 of 1 February 2013 .

1. SCOPE OF APPLICATION

1.1 The terms of this agreement shall be observed in the Hairdressing Trade –

1.1.1 by all employers who are members of the employers' organisation and by all employees who are members of the trade union;

1.1.2 in the Magisterial Districts of The Cape, Wynberg, Simon's Town, Goodwood and Bellville, in those portions of the Magisterial Districts of Malmesbury and Stellenbosch which, prior to the publication of Government Notices 171 of 8 February 1957 and 283 of 2 March 1962, respectively, fell within the Magisterial District of Bellville, in that portion of the Magisterial District of Kuilsriver which, prior to the publication of Government Notice 661 of 19 April 1974,

fell within the Magisterial District of Stellenbosch but which, prior to 2 March 1962, fell within the Magisterial District of Bellville in that portion of the Magisterial District of Kuils River which prior to the publication of Government Notice 1683 of 7 August 1987, fell within the Magisterial District of Bellville and in that portion of the Magisterial District of Somerset West which, prior to 9 March 1973 (Government Notice 173 of 9 February 1973), fell within the Magisterial District of Wynberg.

1.2   Notwithstanding the provisions of subclause (1), the terms of this agreement shall –

1.2.1   apply only to employees for whom wages are specified in this agreement and to the employers of such employees;

1.2.2   apply to learners only in so far as they are not inconsistent with the provisions of the Skills Development Act, 1998 or any contract entered into or any condition fixed there under.

1.2.3   not apply to non-parties in respect of clauses 1.1.1 and 2.

2.   PERIOD OF OPERATION

This agreement shall come into operation –

(a)   in respect of the parties on 1 March 2013

(b)   in respect of non-parties, on such date as determined by the Minister.

The Agreement shall remain in force until 31 December 2013.

3. CLAUSE 25: COUNCIL LEVIES

(1) Substitute the following for sub-clause 25.1:

"25.1 For the purpose of meeting the expenses of the Council every employer must deduct per month R52.00 from the wages of each employee and add to the total amount so deducted a like amount."

(2) Substitute the following for sub-clause 25.4:

"25.4 Every employer must deduct per month R27.00 from the wages of each learner and add to the total amount so deducted a like amount.

(3) Substitute the following for sub-clause 25.5:

"25.5 Every hairdresser who works independently from their own, rented or subleased premises and has no employees must pay a basic salon charge of R70.00 per month. The basic salon charge must be paid to the Council before the seventh day of the next month".

.4. CLAUSE 35: SICK BENEFIT FUND

(1) Substitute the following for Clause 35.4(c) and (d):

"(c) Every working employer who is a member of the Fund must pay R504.00 per month to receive benefits;

(d) A child dependant under the age of 18 years must pay R90.00
per month and a spouse, life partner and adult dependants must pay R190.00 per month. No employer contribution is payable in respect of dependants;"

(2) Substitute the following for sub-clause 35.5:

"35.5 A member of the Fund who has paid contributions for a continuous period of 12 months and takes maternity leave for a period not exceeding four months is exempt from paying her contributions for the duration of the period of maternity leave. Contributions for dependants must be paid for dependants to continue to be eligible to claim benefits

Sick Benefit Fund Contribution Schedule		
Job Category	Employee Contribution Rand Per Month	Employer Contribution Rand Per Month
Hairdresser, Qualified, First Year, Senior Barber, Stylist Manager and Manager.	252.00	252.00
Non-Qualified Hairdresser, Operator, Experienced Receptionist, Entrance Hairdressing Assistant, Training Barber, and Junior Barber.	190.00	190.00
Cleaner, First Year Receptionist, Learner and Starting Barber.	150.00	150.00"

(3) Substitute the following for sub-clause 35.7:

"35.7 A member's right to claim benefits will be ceased if no contributions are received".

CLAUSE 36: SICK PAY FUND

Substitute the following for Clause 36.3(d):

"(d) Every employer must pay the amounts referred to in sub clauses 36.3(a), 36.3(b) and 36.3(c) to the Council before the seventh day of the next month.
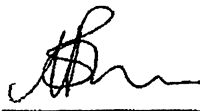
Sick Pay Fund Contribution Schedule		
Wage Band	Employee Contribution Rand Per Month	Employer Contribution Rand Per Month
0 – 2000	46.00	46.00
2001- 3000	58.00	58.00
3001- 4000	70.00	70.00
4001- 5000	81.00	81.00
5001- 10000	92.00	92.00

10001- 15000	114.00	114.00"

SIGNED AT CAPE TOWN FOR AND BEHALF OF THE PARTIES

THIS 14ᵗʰ DAY OF MARCH 2013

MR S DELPORT

Chairman of the Council

MS M BOTES

Vice-Chairman of the Council