


No. R. 664

5 September 2014

**LABOUR RELATIONS ACT, 1995****NATIONAL BARGAINING COUNCIL FOR THE ROAD FREIGHT AND  
LOGISTICS INDUSTRY: EXTENSION TO NON-PARTIES OF THE MAIN RE-  
ENACTMENT AND AMENDING COLLECTIVE AGREEMENT**

I, **MILDRED NELISIWE OLIPHANT**, Minister of Labour, hereby in terms of section 32(2) read with section 32(5) of the Labour Relations Act, 1995, declare that the collective agreement which appears in the Schedule hereto, which was concluded in the National Bargaining Council for the Road Freight and Logistics Industry 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 2014-09-15 ..... and for the period ending 29 February 2016.

  
**MINISTER OF LABOUR**  
20/8/2014

**SCHEDULE****NATIONAL BARGAINING COUNCIL FOR THE ROAD FREIGHT AND LOGISTICS INDUSTRY****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 -

**ROAD FREIGHT ASSOCIATION (RFA)****NATIONAL EMPLOYERS' ASSOCIATION OF SOUTH AFRICA (NEASA)**

(hereinafter referred to in this Agreement as the "employers" or the "employers' organisations"),  
of the one part,  
and the

**SOUTH AFRICAN TRANSPORT AND ALLIED WORKERS' UNION (SATAWU)****MOTOR TRANSPORT WORKERS' UNION OF SOUTH AFRICA (MTWU)****TRANSPORT AND ALLIED WORKERS' UNION OF SOUTH AFRICA (TAWU)****PROFESSIONAL TRANSPORT AND ALLIED WORKERS' UNION OF SOUTH AFRICA (PTAWU)  
(ACTING JOINTLY WITH TRANSPORT AND ALLIED WORKERS' UNION OF SOUTH AFRICA IN  
TERMS OF CLAUSE 6.14 OF THE NBCRFLI CONSTITUTION)**

(hereinafter referred to in this Agreement as the "employees" or the "trade unions"), of the other part,  
being the parties to the National Bargaining Council for the Road Freight and Logistics Industry.  
(hereinafter referred to in this Agreement as the "Bargaining Council")

**1. SCOPE OF APPLICATION**

- (1) The terms of this Agreement shall be observed in the Road Freight and Logistics Industry:
- (a) by all the employers who are members of the employers' organisations and by all employees who are members of the trade unions, and who are engaged and employed in the said Industry, respectively.

- (b) In the Republic of South Africa.
- (2) Notwithstanding the provisions of sub-clause (1), this Agreement shall apply to -
- (a) employees for whom minimum wages are prescribed in this Agreement and to the employers of such employees;
  - (b) other categories of employees, for whom minimum wages are not prescribed, but qualify for the across the board increases and to the employers of such employees; and
  - (c) owner-drivers and their employees only insofar hours of work and limitations on hours of work and registration with the Council is concerned.
- (3) The provisions of clause 1 (1) (a) and 1.A of this Agreement shall not apply to employers and employees who are not members of the employers' organisations and the trade unions, respectively, who entered into this Agreement.

## **2. CLAUSE 1A: PERIOD OF OPERATION OF AGREEMENT**

This Agreement shall come into operation on such a date as determined by the Minister of Labour in terms of Section 32 of the Labour Relations Act, 1995, and shall remain in force until 29 February 2016.

## **3. GENERAL PROVISIONS**

The provisions contained in clauses 3 to 72 (2), and 73 (2) to 75, and Schedule 1 to 6 of the Agreement published under Government Notice No.4 of 6 January 2012, as amended, corrected and extended by Government Notices No's R. 884 of 2 November 2012, R. 1101 and R. 1102 of 28 December 2012, R. 31 of 25 January 2013 and R. 48 of 31 January 2014 (hereinafter referred to as the "Former Agreement"), as further amended, extended, renewed and re-enacted from time to time, shall apply to employers and employees.

## **4. SPECIAL PROVISIONS**

The provisions contained in clause 73 (1) of the Former Agreement (as further amended, extended, renewed and re-enacted from time to time), shall apply to employers and employees who are members of the parties to the collective agreement.


**5. SCHEDULE 5: REMUNERATION AND OTHER MONETARY BENEFITS**

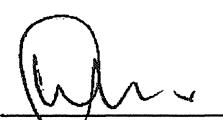
(1) Insert a new sub-item 7:


“7 Membership: Provident/Pension Fund

- (a) Every employee for whom minimum wages are prescribed in Schedule 5 of this Collective Agreement shall at all times be a member of a provident or pension fund which is registered in terms of the provisions of the Pension Funds Act, 24 of 1956 as amended.
- (b) The non-payment of provident/pension fund contributions deducted by employers is a criminal offence in terms of the Financial Services Laws Amendment Act, 45 of 2013.”

Signed at Johannesburg for and on behalf of the parties to the Council on this 2<sup>nd</sup> day of June 2014.

  
J Dube  
Chairperson of the Council

  
F Meier  
Deputy Chairperson of the Council

  
T Ströh  
Acting National Secretary  
of the Council