
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF LABOUR

NO. R. 720

14 AUGUST 2015

LABOUR RELATIONS ACT, 1995**METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL:
EXTENSION TO NON-PARTIES OF THE DISPUTE RESOLUTION
COLLECTIVE AMENDING AGREEMENT**

I, **MILDRED NELISIWE OLIPHANT**, Minister of Labour, hereby in terms of section 32(2) read with section 32(5) and section 32(8) of the Labour Relations Act, 1995, declare that the collective agreement which appears in the Schedule hereto, which was concluded in the **Metal and Engineering Industries 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 the second Monday after the date of publication of this Notice and for the period ending on 30 June 2017.


MINISTER OF LABOUR
30/7/2015

SCHEDULE**METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL
DISPUTE RESOLUTION AGREEMENT**

In accordance with the provisions of the Labour Relations Act, No. 66 of 1995, made and entered into by and between the-

Association of Electrical Cable Manufactures of South Africa

Association of Metal Service Centres of South Africa

Cape Engineer's and Founder's Association

Construction Engineering Association (South Africa)

Eastern Cape Engineering and Allied Industries Association (ECEAIA)

Electrical Engineering and Allied Industries Association

Electrical Manufacturers Association of South Africa (EMASA)

Ferro Alloy Producers Association

Gate and Fence Association

Hand Tool Manufacturers Association (HATMA)

Iron and Steel Producers Association of South Africa (ISPA)

KwaZulu Natal Engineering Industries Association

Lift Engineering Industries Association of South Africa

Light Engineering Industries Association of South Africa

Non-Ferrous Metal Industries Association of South Africa

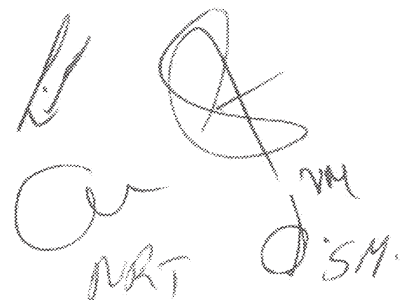
Plumbers and Engineering Brassware Manufacturer Association

Pressure Vessel Manufacturers Association of South Africa

Refrigeration and Air-conditioning Manufacturers and Suppliers Association (RAMSA)

South African Electro-Plating Industries Association

South African Engineers and Founders Association

Handwritten signatures and initials. On the left, a signature that appears to be 'C. NRT'. To its right is a large, stylized circular signature. Further right are the initials 'VM' and 'D.S.M.'.

South African Fastener's Manufactures Association

South African Refrigeration and Air-conditioning Contractors Association (SARACCA)

South African Post Tensioning Association (SAPTA)

~~South African Pump Manufacturers Association~~ 

South African Reinforced Concrete Engineers Association (SARCEA)

South African Valve and Actuators Manufacturers Association (SAVAMA)

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

Chemical, Energy, Paper, Printing, Wood and Allied Workers Union (CEPPWAWU)

Metal and Electrical Workers Union of South Africa

United Association of S.A. (UASA The Union)

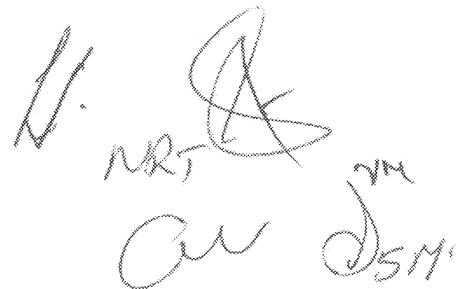
National Union of Metalworkers of South Africa (NUMSA)

S.A. Equity Workers Association (SAEWA)

(hereinafter referred as the "employees" or the trade unions") of the other part being the
parties to the Metal Engineering Industries Bargaining Council to amend the Agreement
published under G.N. R.961 of 9 October 2009)

1. CLAUSE 1: SCOPE OF APPLICATION OF AGREEMENT

- (1) The terms of this Agreement shall be observed in the Iron, Steel, Steel,
Engineering and Metallurgical Industry
- (a) by all employers who are members of the employers' organizations and
by all employees who are members of the trade unions
- (b) throughout the Republic of South Africa



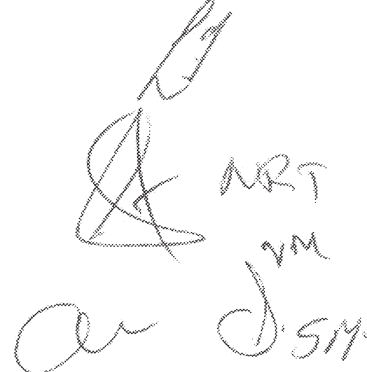
- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to-
- (a) apprentices or learners only to extent to which they are not inconsistent with the provisions of the Manpower Training Act, 1981, or the Skills Development Act, No. 97 of 1998, or any contract entered into or any conditions fixed thereunder and;
 - (b) trainees under training in terms of section 30 of the Manpower Training Act, 1981 or Section 19 of the Skills Development Act, No. 97 of 1998, only in so far as they are not inconsistent with the provisions of the Act or any conditions fixed thereunder.
- (3) "Notwithstanding the provisions of subclause 1 (1) (a) and 2 this agreement shall not apply to employers and employees who are not members of the employers organizations and trade unions respectively."

2. CLAUSE 2: PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 32 of the Labour Relations Act, 1995, and shall remain in force until 31 March 2020

3. SPECIAL PROVISIONS

The provisions contained in clause 2 of Agreement published under Government Notice No. R 961 of 9 October 2009 (hereinafter referred to as the "Former Agreement") as further amended and re-enacted from time to time, shall apply to employers and employees.



Handwritten signatures and initials, including "ART", "RM", and "J. SM.", are visible in the bottom right corner of the page.

4. GENERAL PROVISIONS

The provisions contained in clause 3 to 6 of the Agreement under Government Notice No. R. 418 of 17 April 2009 (as further amended and re-enacted from time to time), shall apply to employers and employees.

5. CLAUSE 6: EXEMPTIONS

- (1) Substitute the following for subclause 1(c):

"(c) An application for exemption will be decided upon within 30 days of receipt of an application".

- (2)(a) Insert the following as subclause 5(d):

"(d) An appeal shall be heard, if required, and decided upon within 30 days after an appeal is lodged".

- (b) Re-number the existing sub-clause (d) to read (e).

6. ANNEXURE A: RULES FOR CONCILIATING AND ARBITRATING DISPUTES IN THE METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL (ARRANGEMENT OF RULES)

- (a) Substitute the following for Part G: Pre-dismissal arbitrations

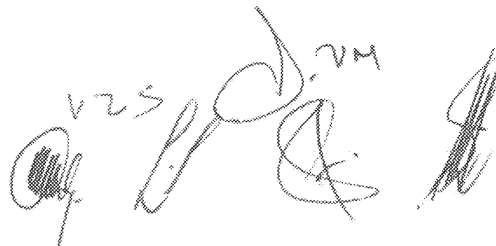
"PART G: INQUIRY BY ARBITRATOR

25. How to request an inquiry by an Arbitrator in terms of section 188A of the Act."

- (b) Insert the following new paragraph under item 7 of Part B: Conciliation of Disputes:

"(4) The Council must assist applicants administratively, that earn below the threshold as determined by the Basic Conditions of Employment Act".

- (c) Substitute the following for Part G: Pre dismissal Arbitrations":



- Constructional Engineering Association (South Africa)
- Eastern Cape Engineering and Allied Industries Association (ECEAIA)
- Electrical Engineering and Allied Industries' Association
- Electrical Manufacturers' Association of South Africa
- Ferro Alloy Producers Association
- Gate and Fence Association
- Hand Tool Manufacturers' Association (HATMA)
- Iron and Steel Producers Association of South Africa (ISPA)
- KwaZulu-Natal Engineering Industries' Association
- Lift Engineering Association of South Africa
- Light Engineering Industries' Association of South Africa
- Non-ferrous Metal Industries' Association of South Africa
- Plumbers and Engineering Brassware Manufacturers Association
- Pressure Vessel Manufacturers Association of South Africa
- Refrigeration and Air Conditioning Manufacturers' and Suppliers' Association (RAMSA)
- South African Electro-Plating Industries' Association
- South African Engineers' and Founders' Association
- South African Fasteners Manufacturers' Association
- South African Refrigeration and Air Conditioning Contractors' Association (SARACCA)
- South African Post Tensioning Association (SAPTA)
- ~~South African Pump Manufacturers' Association~~
- South African Reinforced Concrete Engineers' Association (SARRCEA)
- South African Valve and Actuator Manufacturers' Association (SAVAMA)

Numsa

Nusumzi MABHO

Mewusa

Edward Molefe

Uasa

Siba un Nkomo

Saewa

Sipho MABISO

Ceppwawu

Richard Ishabang

General Secretary

Name

Name MTHYANE

9 FEB 2015