

DEPARTMENT OF LABOUR


NO. R. 7

19 FEBRUARY 2016

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR CIVIL ENGINEERING INDUSTRY:
EXTENSION OF DISPUTE RESOLUTION COLLECTIVE AMENDING
AGREEMENT TO NON-PARTIES**

I, **NELISIWE MILDRED OLIPHANT**, Minister of Labour hereby in terms of section 32(2) of the Labour Relations Act, 1995, declare that the Dispute Resolution Collective Amending Agreement which appears in the Schedule hereto, which was concluded in the **Bargaining Council for Civil Engineering Industry** and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Dispute Resolution Collective Agreement, shall be binding on the other employers and employees in that Industry, with effect from the second Monday after date of publication of this notice and for the period ending 31 March 2020.


MINISTER OF LABOUR
04/02/2016

BARGAINING COUNCIL FOR THE CIVIL ENGINEERING INDUSTRY
DISPUTE RESOLUTION COLLECTIVE AGREEMENT

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

South African Forum of Civil Engineering Contractors (SAFCEC)

(Hereinafter referred to as the 'employer' or the "employers' organisation"), of the one part,

and the

Building Construction and Allied Workers Union (BCAWU)

National Union of Mine Workers (NUM)

(Hereinafter referred to as the 'employees' or the 'trade unions'), of the other part, being the parties to the Bargaining Council for the Civil Engineering Industry.

APPLICATION AND SCOPE OF AGREEMENT

1. Scope of Application of Agreement

1.1 This Agreement binds -

- (a) All employers in the civil engineering industry that are members of the employers organisations that are party to this agreement; and
- (b) All employees in the bargaining unit, employed in the civil engineering industry who are members of the trade union that are party to this Agreement.

1.2 Clause 1.1 shall lapse should this collective agreement be extended to non-parties in terms of section 32 of the Act.

1.3 This Agreement must be applied in the Bargaining Council for the Civil Engineering Industry throughout the Republic of South Africa.

1.4 Notwithstanding the provisions of sub-clause 1.1, the terms of this Agreement shall apply to –

- (a) apprentices or learners only to the extent to which they are not inconsistent with the provisions of the Skills Development Act, No.97 of 1998, or any contract entered into or any conditions fixed hereunder; and
- (b) trainees under training in terms of 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 there under.



1.5 The provisions of this Agreement do not apply to those employers registered as a CIDB Grade 1-3 employer, or any employee employed by an employer who is registered as a CIDB Grade 1-3.

2. Period of Operation of Agreement

2.1 This Agreement shall come into operation on such date signed by the parties to this agreement, or as fixed by the Honorable Minister of Labour in terms of section 32 of the Act, and shall remain in force until 31 March 2020.

3. CHAPTER 1


APPLICATION AND SCOPE OF AGREEMENT

Clause 1.5:

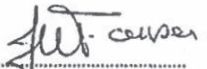
Delete Clause 1.5


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Chairperson of the BCCEI – Strike Makutu

Date: 3 November 2015


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Vice Chairperson of the BCCEI – Muller Uys

Date: 3 November 2015


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General Secretary of the BCCEI – JN Faasen

Date: 3 November 2015