

NATIONAL BARGAINING COUNCIL FOR THE CLOTHING MANUFACTURING INDUSTRY

KWAZULU-NATAL CHAMBER

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15 December 2005

TO : ALL CLOTHING AND GARMENT KNITTING ESTABLISHMENTS (other than those employers and employees who fall within the scope of the Council's "non-metro" areas) i.e. ALL Employers subject to that Part of the Council's National Main Collective Agreement applicable to the KWAZULU-NATAL Region

Dear Sir/Madam

NEW NATIONAL MAIN COLLECTIVE AGREEMENT (incorporating the provisions emanating from the 2005 round of industry negotiations)

METRO AREAS ONLY

(i.e. those establishments situated within the Magisterial Districts of Chatsworth, Durban, Inanda, Lower Tugela, Pietermaritzburg and Pinetown)

Further to this Chamber's Circular dated 13 July 2005, I advise that on 14 September 05 the Council adopted a new **NATIONAL MAIN COLLECTIVE AGREEMENT**, incorporating all 9 the Council's previous Main Collective Agreements. The **single** new Agreement is a one-page document supported by 9 Parts:

Part A	Provisions for the Eastern Cape Region
Part B	Provisions for the Free State & Northern Cape Region
Part C	Provisions for the KwaZulu-Natal Region
Part D	Provisions for the Northern Region (Clothing)
Part E	Provisions for the Northern Region (Knitting)
Part F	Provisions for the Western Cape Region (Clothing)
Part G	Provisions for the Western Cape Region (Country Areas)
Part H	Provisions for the Western Cape Region (Knitting)
Part I	Provisions for the Non-Metro Areas

This new Agreement has been extended by the Minister of Labour to non-parties by means of Government Notice No R.1154 published in Government Gazette No 28280 of 15 December 2005, to come into effect on Monday, 19 December 2005.

Part C of the new Agreement will be the same as the former Main Collective Agreement for the **KwaZulu-Natal Region**, except to the following extent:

- the preamble listing the Parties to each of the previous Agreements, has been deleted;
- reference to "this Agreement" has been amended to read "this Part of the Agreement" wherever such appeared in the previous Agreement;

Definitions clause 3 has been re-arranged into those definitions of a "General" nature, those applicable to the "Clothing Sector" only and those applicable to only the "Garment Knitting Sector".

- Clause 3 has also been extended to include the definitions for a -
 - normal shift worker, twilight shift and twilight shift worker as well as various definitions applicable to the Garment Knitting Sector;

- the old wage schedule for the **Clothing Sector** has been replaced with the new wage schedule, which was circulated by the National Council under cover of Circular NBC/2/2005 dated 27 June 2005;
- the newly introduced wage schedule for the **Garment Knitting Sector** in KZN that was circulated with this Chamber's Circular of 13 July 2005, has been inserted into the new Agreement;
- the year in "**back pay**" clause 4(6) has been amended from 2004 to 2005, which requires employees to be paid the difference between the previous gazetted wage and the new gazetted wage. "Back pay" is therefore due from 1 July 2005 and is payable to employees within six weeks from 19 December 2005 (the date from which the Minister declared the Agreement binding) i.e. by no later than Friday, 27 January 2006;
- sub-clause 7(5) relating to **Short Time** has been deleted;
- **Payment of Wages and Overtime** clause 8 has been extended to allow for a twilight shift worker in sub-clause 1(c);
- **Hours of Work and Overtime** clause 9 has been extended to include the newly negotiated provisions relating to:
 - Twilight shifts
 - Aggregation of Overtime;
- **Closed Shop and Trade Union Membership/Subscriptions** clause 27 has been substituted with the newly negotiated provisions relating to Closed Shop;
- **Trade Union Access** clause 28 has been extended to entitle the Union Party to the Council **on-site balloting facilities** in order to conduct any ballot in terms of the Labour Relations Act;
- the new **Productivity** provision referred to in Chamber Circular dated 13 July 05 has been inserted as new clause 41.

As soon as the Council's stock of the new Agreement arrives from the Government Printer, two free copies of the Notice, Agreement and **Part C only** will be sent to you. One copy will be for the employer and the second copy for the employees. Any additional copies will have to be paid for in advance at the Government Printer's charge rate of R5,00 per copy, excluding postage and packing.

The new Agreement will be added to the Council's website as soon as possible. Please refer to www.nbc.org.za for news of when this is likely to be.

Yours faithfully

P WILD
REGIONAL SECRETARY