

**NATIONAL BARGAINING COUNCIL
FOR THE
CLOTHING MANUFACTURING INDUSTRY
NORTHERN CHAMBER**

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15 December 2005

TO : ALL CLOTHING AND GARMENT KNITTING ESTABLISHMENTS IN THE REPUBLIC OF SOUTH AFRICA (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 NORTHERN Region (Clothing)

Dear Sir/Madam

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

**Province of the Transvaal as it existed prior to the coming
into operation of the Constitution of the Republic of South Africa**

Further to this Chamber's Circular No NBC/3/2005 dated 11 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:

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| 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 D of the new Agreement will be the same as the former Main Collective Agreement for the **Northern Region Clothing**, 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;
- various new **Definitions** have been inserted into clause 3. These are:
 - bartacker/beader/normal shift worker/twilight shift/twilight shift worker

The "Bartacker" job classification has also been inserted under wage category E;

- the old wage schedules for "Clothing" and "Millinery" have been replaced with the new wage schedules,

which were circulated by the National Council under cover of Circular NBC/2/2005 dated 27 June 2005;

- the wage rates in **Across-the-Board** clause 4(2)(b) have been updated. This amendment means that employees earning a wage higher than that specified for the class of work on which on which he/she is engaged, are entitled to receive the difference between the previously published (gazetted) wage rate and the newly published (gazetted) wage rate, i.e. the amounts reflected in this sub-clause;
- the year in "**back pay**" clause 4(7) 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;
- **Payment of Amounts due to employees** clause 7 has been extended to include payment for twilight shift workers;
- **Hours of Work** clause 9 has been extended to include the newly negotiated provisions relating to **Twilight shifts**;
- **Overtime and Sunday Work** clause 10 has been extended to include the newly negotiated provisions relating to **Aggregation of Overtime**;
- Clauses 11(1) and (2) have been amended to delete reference to an "annexure" and to replace such with alternative wording;
- Clauses 18(1), (2) and (4), have been amended to delete reference to an "annexures" and to replace such with alternative wording;
- **Trade Union Labour** clause 26A has been substituted with the new **Closed Shop** wording;
- **Rights of access to premises** clause 26B 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 **Trade Union Agency Shop** provision referred to in Chamber Circular dated 11 July 05 has been inserted as new clause 26D;
- the new **Productivity** provision referred to in Chamber Circular dated 11 July 05 has been inserted as new clause 29;

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 D 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

K PEDRICK
REGIONAL SECRETARY

