

NATIONAL BARGAINING COUNCIL FOR THE CLOTHING MANUFACTURING INDUSTRY

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CIRCULAR NO. NBC/11/2005

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15 December 2005

TO : ALL CLOTHING AND GARMENT KNITTING ESTABLISHMENTS (INCLUDING HOSIERY AND MILLINERY) IN THE REPUBLIC OF SOUTH AFRICA (other than those employers and employees who fall within the scope of the Council's various "metro" areas) i.e. ALL Employers subject to that Part of the Council's National Main Collective Agreement for the Non-Metro Areas

Dear Sir/Madam

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

NON-METRO AREAS

Further to the Council's Circular No NBC/8/2005 dated 8 August 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 I of the new Agreement will be the same as the former Main Collective Agreement for the **Non-Metro Areas**, 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;
- the old wage schedule has been replaced with a new wage schedule reflecting the R20,80 per week

across-the-board increase on all categories of employment;

In this regard it is pointed out that my previous circular (NBC/8/2005 of 8 August 05) **incorrectly** stated that the equivalent percentage of the R20,80 Across-the-Board increase for a Qualified Machinist (Category B employee) applied to all other job grades, whereas the **negotiated settlement was a R20,80 per week increase Across-the-Board on all categories of employment**. I transmit, herewith, a **new wage schedule** that should be regarded as a replacement schedule for the one that accompanied NBC Circular NBC/8/2005. The revised wage rates have been incorporated into published Part I.

- the **Across-the-Board** clause 4(6) has been amended by substituting Government Notice no. R.1001 of 25 July 03 with Government Notice no. R.1141 of 8 October 04. This amendment means that employees are entitled to receive the difference between the previously published (gazetted) wage rate and the newly published (gazetted) wage rate which, this year, amounts to R20,80 per week in all cases;
- Clause 4(7)(a) has been extended to cover employees who leave employment before 31 December, to be paid a **pro rata share of their Annual Bonus**;
- The year in "**back pay**" clause 4(8) 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;
- **Trade Union Access** clause 35 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 Circular NBC/8/2005 has been inserted as new clause 36(7);
- the new **Provident Fund provision** for the non-metro areas, also referred to in Circular NBC/8/2005, has been inserted as an additional clause 42. This new clause reads as follows:

"An employer shall each week, in the case of weekly paid employees, or each month, in the case of monthly paid employees, contribute an amount equal to 4,0% of the wage of each of his employees in respect of whom wages are prescribed in this Agreement and who has worked 9 ordinary hours or more during any pay week, towards a provident fund or a retirement fund administered by the Council."

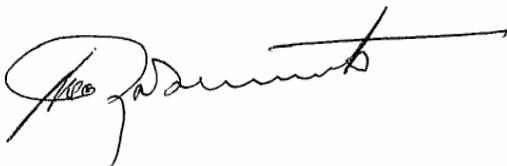
A further communication regarding the new Provident Fund provision will be circulated as soon as possible. In the meantime, these contributions should be paid to the Council together with your usual monthly remittances.

For the Scope of Application of Part I of the new National Main Collective Agreement refer to Council Circular No NBC/8/2005 dated 8 August 05.

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 I 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



GENERAL SECRETARY

**NATIONAL BARGAINING COUNCIL FOR THE CLOTHING MANUFACTURING INDUSTRY
NON-METRO COLLECTIVE AGREEMENT
NEW WAGE RATES NEGOTIATED BY THE PARTIES FOR THE PERIOD 1 JULY 2005 TO 31 AUGUST 2006**

	In the Magistral District of Camperdown, uMzinto, Paarl, Stellenbosch and Uitenhage		In all other Areas	
	90%	100%	90%	100%
Category/ Occupation	New Employer during 1st 12 months (see note at end of schedule)	All Other employees Increase R 20.80	New Employer during 1st 12 months (see note at end of schedule)	All other employees Increase R 20.80
Category A				
0 - 6 months	273.29	303.65	217.10	241.22
Thereafter	303.30	337.00	238.82	265.36
Category B			18.72	20.80
0 - 6 months	276.29	306.99	219.35	243.72
7 - 12 months	299.32	332.58	236.12	262.35
13 - 18 months	322.86	358.73	252.24	280.27
Thereafter	353.48	392.75	273.21	303.56
Category C			18.72	20.80
0 - 6 months	306.38	340.43	240.96	267.73
7 - 12 months	345.46	383.84	267.73	297.48
13 - 18 months	384.54	427.26	294.50	327.22
19 - 24 months	423.14	470.16	323.46	359.40
Thereafter	462.22	513.57	352.91	392.12
Category D		20.80	18.72	20.80
0 - 6 months	306.38	340.43	240.96	267.73
7 - 12 months	335.10	372.34	260.63	289.59
13 - 18 months	373.71	415.23	280.63	311.81
19 - 24 months	393.01	436.68	300.76	334.18
Thereafter	453.28	503.64	346.17	384.63
Category E			18.72	20.80
0 - 6 months	326.16	362.40	254.50	282.78
7 - 12 months	371.83	413.14	285.80	317.55
13 - 18 months	423.61	470.68	323.83	359.81
19 - 24 months	475.88	528.76	363.20	403.55
Thereafter	531.43	590.48	405.06	450.07
Band Knife Cutter			18.72	20.80
0 - 6 months	291.32	323.69	230.63	256.26
7 - 12 months	320.51	356.13	250.63	278.48
13 - 18 months	348.28	386.98	269.66	299.62
19 - 24 months	379.36	421.51	290.95	323.27
Thereafter	426.44	473.82	325.94	362.16
Clerical			18.72	20.80
0 - 6 months	300.74	334.15	237.08	263.42
7 - 12 months	337.46	374.96	262.25	291.39
13 - 18 months	367.11	407.90	282.57	313.97
Thereafter	433.97	482.19	331.62	368.47
Assistant Head Cutter	513.54	570.60	391.58	435.09
Head Cutter	637.36	708.18	484.89	538.77
Foreperson	562.77	625.30	444.87	494.30
Watchperson	364.77	405.30	280.95	312.17
Driver 1 (454kg)	344.05	382.28	266.76	296.40
Driver 2 (454 - 2722kg)	374.65	416.28	287.72	319.69
Driver 3 (2722 -4540kg)	433.51	481.68	331.28	368.09
Driver 4 (4540kg)	520.14	577.93	396.54	440.60

NOTE: In the case of a "new employer" (as defined) whose business has been engaged in the industry for a period of not more than 12 months, the above wage rates **may** be reduced by not more than 10 per cent during such period, whereafter the minimum wages as specified above shall become payable. A "new employer" is defined in the agreement as "a business newly established in the clothing and garment knitting sector, during the first 12 months of its existence in the sector; provided that if an existing business undergoes a change of name or ownership (including a change of directors, members or partners) while largely retaining the same employees and/or clients, it shall not be regarded as a new employer. [See also the proviso to clause 4(1)]."

(Revised Schedule)