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**GOVERNMENT NOTICE**

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**DEPARTMENT OF LABOUR**

No. R. 800

31 August 2007

**LABOUR RELATIONS ACT, 1995**

**MOTOR INDUSTRY BARGAINING COUNCIL - MIBCO: RENEWAL OF PERIOD OF OPERATION OF ADMINISTRATIVE COLLECTIVE AGREEMENT**

I, THEMBINKOSI MKALIPI, Senior Executive Manager: Labour Relations, duly authorized thereto by the Minister of Labour, hereby, in terms of section 32(6)(a)(ii) of the Labour Relations Act, 1995, declare the provisions of Government Notices Nos. R. 1034 of 20 October 2006 and R. 487 of 8 of June 2007, to be effective from the date of publication of this notice and for a period ending 31 December 2007.

T MKALIPI

**SENIOR EXECUTIVE MANAGER: LABOUR RELATIONS**

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## MOTOR INDUSTRY BARGAINING COUNCIL - MIBCO

### FORECOURT ATTENDANTS

in accordance with the provisions of the Labour Relations Act 66 of 1995, made and entered into by and between the

**Retail Motor Industry Organisation - RMI**

and the

**Fuel Retailers Association of Southern Africa - FRA**

(hereinafter referred to as the "employers' organisations"), of the one part, and

**National Union of Metalworkers of South Africa - NUMSA**

(hereinafter referred to as the "trade union"), of the other part, being the parties to the Motor Industry Bargaining Council - MIBCO.

### CLAUSE 1 - PERIOD OF OPERATION AND APPLICATION OF AGREEMENT

- (1) The provisions of this Agreement shall be incorporated into the MIBCO Main Collective Agreement, as defined, which MIBCO Main Collective Agreement shall come into operation on such a 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 August 2008 or such other duration period as may be agreed to by the parties in any new Mibco Main Collective Agreement submitted for publication and gazetting.
- (2) The employer parties to this agreement, undertake in the spirit of this agreement to do whatever is necessary to ensure implementation of this specific forecourt attendant agreement in the fuel retail industry (and not only at Employer party establishments) in line with the implementation date of 5 September 2007 of the profit margin adjustment as agreed to between the Tri-partite parties ( FRA, RMI and Department of Mineral and Energy Affairs).

Three handwritten signatures are present at the bottom right of the page. The first is a stylized signature, the second is a large, bold letter 'S', and the third is a signature with a horizontal line through it.

- (3) The Parties further agree that any other sector concessions applicable to forecourt attendants should form part of the new Industry Main Collective Agreement.

**CLAUSE 2 – PEACE CLAUSE**

- (1) The Parties agree that the Retail Fuel Industry will be protected from any form of industrial action as a result of any dispute on any wage adjustments and other conditions of employment relating to any sector or chapter in the Retail Motor Industry. Participation in any form of industrial action after the implementation of this Agreement shall be unprotected.

**CLAUSE 3 – WAGES**

(1) **Minimum Wages**

- (a) From the effective date of this Agreement to 31 August 2008 the following minimum wages shall be paid by an employer to each of the forecourt attendants specified in the Wage Schedule in the area of the Region in which his establishment is situated, and no employee shall accept a wage lower than that specified in such area.

(b) **Wage Schedule – Petrol & Diesel Outlets**

<i>Class of Employee</i>	<i>Minimum Wages</i>			
	<i>A Areas</i>		<i>Other Areas</i>	
	<i>Per week</i>	<i>Per hour</i>	<i>Per week</i>	<i>Per hour</i>
	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>
<b>Grade 1 Forecourt Attendant</b>	509	11.31	509	11.31

(b)  
 (c) **Wage Schedule – Diesel Outlets only**

<b>Class of Employee</b>	<b>Minimum Wages</b>			
	<b>A Areas</b>		<b>Other Areas</b>	
	<i>Per week</i>	<i>Per hour</i>	<i>Per week</i>	<i>Per hour</i>
	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>
<b>Grade 1 Forecourt Attendant</b>	330.11	7.34	288.71	6.42

**(NOTE:** *Forecourt Attendants' wages will be dependant on a yearly basis on the profit margin adjustment on fuel by the Department of Mineral and Energy Affairs.*

(2) **Guaranteed Wage increases**

**(a) Petrol and Diesel Outlets**

An employer shall pay his employees who are earning above the prescribed minimum wages at the time of publication of the MIBCO Main Collective Agreement, a guaranteed wage increase of (R1,02 per hour / R45,81 per week).

**(b) Diesel Outlets only**

An employer shall pay his employees who are earning above the prescribed minimum wages at the time of publication of the MIBCO Main Collective Agreement, a guaranteed wage increase of R27.26 per week (R0.61per hour).

**CLAUSE 4 – OVERTIME**

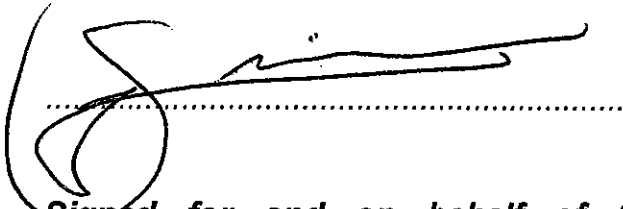
- (1) The Minimum rates at which employees shall be remunerated for overtime worked shall be -

- (a) One and a half times his ordinary rate of remuneration for overtime worked.

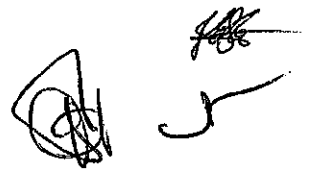
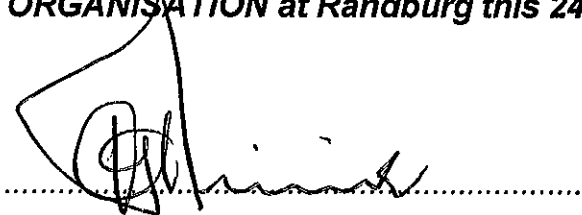
**CLAUSE 5 – SUNDAY WORK**

- (1) **The right to work on Sundays:** For all employees Sundays shall be regarded as normal working days.
- (2) **Pay for Sunday work:**
  - (a) When any forecourt attendant works his normal shift on any Sunday, his employer shall pay him not less than one-and one-half his ordinary hourly wage in respect of each hour or part of an hour thereof and double his ordinary hourly wage for each hour or part of an hour thereafter but such forecourt attendant shall not be entitled to a day's holiday in respect of such Sunday shift.

***Signed for and on behalf of the MOTOR INDUSTRY BARGAINING COUNCIL - MIBCO at Randburg this 24<sup>th</sup> day of August 2007.***



***Signed for and on behalf of the RETAIL MOTOR INDUSTRY ORGANISATION at Randburg this 24<sup>th</sup> day of August 2007.***

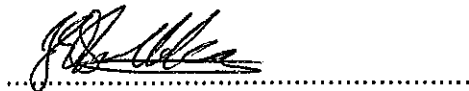


**Signed for and on behalf of the FUEL RETAILERS ASSOCIATION OF SOUTHERN AFRICA at Randburg this 24<sup>th</sup> day of August 2007.**



A handwritten signature in black ink, consisting of a stylized initial followed by a long horizontal stroke that tapers to the right. Below the signature is a dotted line.

**Signed for and on behalf of the NATIONAL UNION OF METALWORKERS OF SOUTH AFRICA at Randburg this 24<sup>th</sup> day of August 2007.**



A handwritten signature in black ink, appearing to be a name with a surname. Below the signature is a dotted line.