MEIBC
Metal and Engineering Industries Bargaining Council

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Friday, 19 September 2014

MANAGEMENT COMMITTEE MEETING 17 SEPTEMBER 2014

The MEIBC Management Committee (MANCO) Meeting held on the 17 September 2014 discussed and adopted the following resolutions that included a resolution that mandated the Office of the General Secretary of MEIBC in compliance with Section 32 of the Labour Relations Act of 1995, read with the MEIBC Constitution to take all steps necessary to request the Minister of Labour to extend the Collective Main Agreement, incorporating the provisions of the 29 July 2014 MEIBC Settlement Agreement and its annexures to non-parties that are within the scope of the MEIBC and operate within the scope of application of the agreement.

1. **RESOLUTION ONE**

To ask the Minister in writing in terms of section 32 of the Labour Relations Act 66 of 1995, for the extension to non-parties that are within the registered scope of the MEIBC of an amended Collective Main Agreement ("the Collective Main Agreement 2014/2017"), incorporating the provisions of the MEIBC Settlement Agreement: 1 July 2014 to 30 June 2017 and its annexures A, B, C, D, E dated 29 July 2014.

Notes to Resolution One:

1. *The MEIBC Settlement Agreement: 1 July 2014 to 30 June 2017 and its annexures A, B, C, D, E dated 29 July 2014 was ratified as an agreement of the Council at the MANCO of 15 August 2014 and confirmed as a resolution of the Council in a ballot concluded on 22 August 2014 in compliance with section 10 of the MEIBC Constitution.*
2. *Copies of the following are attached to this resolution:*

a. MEIBC Settlement Agreement: 1 July 2014 to 30 June 2017 and its annexures A, B, C, D, E dated 29 July 2014

b. Copy of a blank ballot form.

Cape Region
PO Box 6096
Roggebaai 8012
Tel: 021 421 6140
Fax: 086 636 8696

Border Region
PO Box 13162
Vincent 5217
Tel: 043 743 7790
Fax: 086 636 8691

KwaZulu-Natal Region
PO Box 5900
Durban 4000
Tel: 031 305 4761
Fax: 086 636 8693

Midland Region
PO Box 12848
Centrahill 6006
Tel: 041 586 1542
Fax: 086 636 8694

Gauteng Region
PO Box 3998
Johannesburg 2000
Tel: 011 639 8000
Fax: 086 636 8689

Free State & Northern Cape Region
PO Box 30095
Moreskof 9462
Tel: 057 352 4142
Fax: 086 636 8697

Centre for Dispute Resolution
PO Box 9381
Johannesburg 2000
Tel: 011 834 4660
Fax: 086 636 8699

The Metal and Engineering Industries Bargaining Council has in terms of section 29(15)(a) of the Labour Relations Act, 1995, been registered as a Bargaining Council.
Reference Number LR2/6/6/41

2. RESOLUTION TWO

The office of the General Secretary of the MEIBC in compliance with section 32 of the Labour Relations Act 66 of 1995, read with the MEIBC constitution, must take all steps necessary to request the Minister of Labour to extend the amended Collective Main Agreement, incorporating the provisions of the 29 July 2014 MEIBC Settlement Agreement: 1 July 2014 to 30 June 2017 and its annexures and known as the Collective Main Agreement 2014/2017, to non-parties that are within the scope of the MEIBC and operate within the scope of application of the agreement.

Note to Resolution Two:

The General Secretary is directly to forthwith request the Minister of Labour to extend the Collective Main Agreement 2014/2017, as amended, in order not to prejudice other employees within the scope of the MEIBC and to request the Minister to extend the agreement up and until and including 30 June 2017.

3. RESOLUTION THREE

To ask the Minister in writing in terms of section 32 of the Labour Relations Act 66 of 1995 to extend to non-parties that are within the registered scope of the MEIBC of an amended Lift Engineering Industries Agreement (known as the Lift Engineering Industries Agreement 2014/2015) incorporating the provisions of the Lift Engineering Industries Settlement Agreement dated 1 July 2014 and its annexures.

Notes to Resolution Three:

1. *The MEIBC Settlement Agreement: 1 July 2014 to 30 June 2017 and its annexures A, B, C, D, E dated 29 July 2014 was ratified as an agreement of the Council at the MANCO of 15 August 2014 and confirmed as a resolution of the Council in a ballot concluded on 22 August 2014 in compliance with section 10 of the MEIBC Constitution.*
2. *Copies of the following are attached to this resolution:*

a. The Lift Engineering Industries settlement agreement dated 1 July 2014 and its annexures
b. Copy of a blank ballot form.

4. RESOLUTION FOUR

The office of the General Secretary of the MEIBC in compliance with section 32 of the Labour Relations Act 66 of 1995, read with the MEIBC constitution, must take all steps necessary to

request the Minister of Labour to extend the amended Lift Engineering Industries Agreement, incorporating the provisions of the 1 July 2014 Lift Engineering Industries Settlement Agreement and its annexures and known as the Lift Engineering Industries Agreement 2014/2015, to non-parties that fall within the scope of the MEIBC and operate within the scope of application of the agreement.

5. **RESOLUTION FIVE**

The office of the General Secretary of the MEIBC must take all the necessary steps forthwith to ensure that the Minister extends the Collective Main Agreement 2014/2017 incorporating the provisions of the 29 July 2014 MEIBC Settlement Agreement: 1 July 2014 to 30 June 2017 and its annexures; the Lift Engineering Industries Agreement 2014/2015 incorporating the provisions of the 1 July 2014 Lift Engineering Industries Settlement Agreement and its annexure.

6. **RESOLUTION SIX**

To authorise the following representatives to sign the Amended Agreements as specified below for and on behalf of the Council.

1. ***Collective Main Agreement 2014/2017***
   a. *Thulani Mthiyane (General Secretary)*
   b. *SEIFSA on behalf of its Associations*
   c. *NUMSA*
   d. *Solidarity*
   e. *MEWUSA*
   f. *UASA*
   g. *SAEWA*
   h. *CEPPWAWU*
2. ***Lift Engineering Industries Agreement 2014/2015***
   a. *Thulani Mthiyane (General Secretary)*
   b. *Michael Lavender (LEA)*
   c. *Sipho Mayisela (SAEWA)*

The above resolutions were supported and adopted by the following Trade Unions, who are signatories of the Settlement Agreement of the 29 July 2014.

1. UASA
2. SAEWA
3. CEPPWAWU

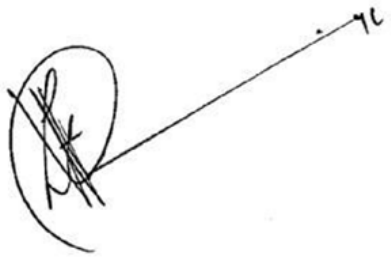
4. MEWUSA
5. NUMSA
6. Solidarity that is also a signatory to this agreement requested to be excluded from the list of Trade Unions that adopted these resolutions until their membership dispute has been resolved to their satisfaction. The Office of MEIBC is still assisting all MEIBC Parties that are bringing new information to the office regarding their members that could not be matched with both MIBFA data (Pension/ Provident Fund administrator) and records of UIF data.

On the Employers side these resolutions were supported and adopted by SEIFSA on behalf of its Associations who are also signatories of the Collective Main Agreement of 29 July 2014.
In terms of our 8 (12) of MEIBC Constitution NEASA did not participate in the voting process that adopted the six resolutions.

Clause 8 (12) of the MEIBC Constitution

"Any members or alternates representing any party on the Council which has refused to become a party to any Agreement which has been arrived at between any or all of the parties shall not be entitled to vote at any meeting of the Council, or its Committees on any matter in any way connected with or arising from any such Agreement, or to speak on any such matter without the permission of the Presiding Officer, provided that where by reason of this provision any representative or alternate is disenfranchised, the value of the votes recorded for or against any proposition shall be reduced to a common denominator on order to ascertain the result of the voting".

The office is finalizing documents to be submitted to the Department of Labour in line with its mandate and the decision of the Management Committee (MANCO) Meeting.



Thulani Mthiyane
General Secretary