

No. R. 656

12 June 2009

LABOUR RELATIONS ACT, 1995**HAIRDRESSING AND COSMETOLOGY SERVICES BARGAINING
COUNCIL (SEMI-NATIONAL):
EXTENSION TO NON-PARTIES OF MAIN COLLECTIVE RE-ENACTING
AND AMENDING AGREEMENT**

I, MEMBATHISI MPHUMZI SHEPHERD MDLADLANA, Minister of Labour, hereby in terms of section 32(2) of the Labour Relations Act, 1995, declare that the collective agreement which appears in the Schedule hereto, which was concluded in the Hairdressing and Cosmetology Services Bargaining Council, (Semi- National) and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the agreement, shall be binding on the other employers and employees in that Industry with effect from 22 June 2009 for the period ending 31 December 2010.

**M. M. S. MDLADLANA
MINISTER OF LABOUR**

**HAIRDRESSING AND
COSMETOLOGY SERVICES
BARGAINING COUNCIL**
(semi national)

AMENDING AGREEMENT

in accordance with the Labour Relations Act No. 66 of 1995, as amended

certified a true copy,



Julian Wood
General Secretary
26th March 2009

P.O. Box 1963, Roodepoort, 1725
Telephone : (011) 760-1685

**HAIRDRESSING AND COSMETOLOGY SERVICES
BARGAINING COUNCIL
(Semi National)**

MAIN COLLECTIVE AGREEMENT

in accordance with the provision of the Labour Relations Act, No 66 of 1995,
made and entered into by and between the:

Employers' Organisation for Hairdressing, Cosmetology and Beauty (EOHCB)
and

Afro Hairdressing and Beauty Employers' Association of Southern Africa
(AHBEASA)

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

and

UASA – The Union

(hereinafter referred to as the "employees" or the "trade union"), of the other part,

being the parties to the Hairdressing and Cosmetology Services Bargaining
Council (Semi National)

(hereinafter referred to as "the council" or the "HCSBC")

to amend the Agreement published under Government Notice No. R. 1282 of 29
October 2004 as amended and extended under Government Notices Nos. R. 241
of 24 March 2005, R. 817 of 11 August 2006, R.1220 of 8 December 2006, R.
1127 of 30 November 2007 and R. 1721 of 7 December 2007.

1. CLAUSE 1. SCOPE OF APPLICATION OF AGREEMENT

1.1 The terms of this Agreement shall be observed in the Industry as defined in this Agreement -

1.1.1 by all employers who are members of the employers' organisations and by all employees who are members of the trade union;

1.1.2 in the following areas:

1.1.2.1 "area 1" which means the Provincial Districts of Gauteng (excluding Pretoria, Wonderboom & Cullinan);

1.1.2.2 "area 2" which means the Magisterial Districts of Klerksdorp and Potchefstroom;

1.1.2.3 "area 3" which means the Magisterial District of East London and Port Alfred;

1.1.2.4 "area 4" which means the Magisterial Districts of Port Elizabeth and Uitenhage and Humansdorp; and

1.1.2.5 "area 5" which means the Provincial Districts of the Province of the Free State and Kimberley.

1.2 The terms of this Agreement shall apply to all employers and employees in the Industry other than those referred to in clause 1.1.1 and to all legal owners of establishments in the Industry in the Magisterial Districts referred to in clause 1.1.2 from the date fixed by the Minister of Labour in terms of section 32(2) of the Labour Relations Act, No. 66 of 1995.

1.3 Clauses 1.1.1 and 2 of this Agreement shall not apply to non-parties.

2. CLAUSE 2: PERIOD OF OPERATION OF AGREEMENT

This Agreement shall be binding on all parties in terms of section 31(a) of the Labour Relations Act, No. 66 of 1995, and shall come into operation for the parties on the date fixed by the Minister of Labour in terms of section 32(2) of the said Act for the non-parties, and shall remain in force until 31 December 2010.

3. CLAUSE 3: DEFINITIONS

3.1 In subclause 3.2, substitute the expression "afro stylist" with the expression "afro hairdresser".

3.2 Insert the following new subclause 3.14.6:

"3.14.6 massage services in manicures, pedicures, facial treatments, back and neck, whole body or holistic treatment or any other form of massaging."

3.3 Insert the following new definition of "full time employee" after the definition of "establishment" and renumber the subsequent clauses:

"3.18 'full time employee' means someone who is employed for more than 28 hours and not more than 45 hours per week."

3.4 Insert the following new definition of "first year operator" after the new definition of "full time employee" and re-number the subsequent clauses:

"3.19 'first year operator' means an employee that has never worked in the Industry as an operator;"

3.5 Delete the expression "cleaning clients' shoes" where it appears in subclause 3.18.2 and re-number the subsequent subclauses 3.18.3 to 3.18.7 to read 3.18.2 to 3.18.6 respectively.