

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID**

No. R. 1122

24 October 2008

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR THE FURNITURE MANUFACTURING
INDUSTRY, KWAZULU-NATAL: EXTENSION TO NON-PARTIES OF THE
PROVIDENT FUND AND MORTALITY BENEFIT ASSOCIATION
COLLECTIVE 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 Bargaining Council for the Furniture Manufacturing Industry, Kwazulu-Natal 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 3 November 2008 and for the period ending 31 July 2011.

**M M S MDLADLANA
MINISTER OF LABOUR**

SCHEDULE

**BARGAINING COUNCIL FOR THE FURNITURE
MANUFACTURING INDUSTRY, KWAZULU-NATAL**

**PROVIDENT FUND AND MORTALITY BENEFIT ASSOCIATION
COLLECTIVE AGREEMENT**

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

KwaZulu-Natal Furniture Manufacturers' Association

(hereinafter referred to as the "employers" or the "employers
organisation) of the one part,

and the

**National Union of Furniture and
Allied Workers' of South Africa**

and the

**Chemical Energy Paper Printing Wood
and Allied Workers' Union**

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

being the parties to the Bargaining Council for the Furniture Manufacturing
Industry, KwaZulu-Natal.

to amend the Provident Fund and Mortality Benefit Association Collective
Agreement under Government Notice R.244 dated 27 February 2004 and as
amended by R192 dated 11 March 2005 and extended for a further period by
R1281 dated 15 December 2006, and further amended by R.1172 dated 14
December 2007 and R.851 dated 15 August 2008.

1. SCOPE OF APPLICATION OF AGREEMENT

- (1)** The terms of this Agreement shall be observed in the Furniture Manufacturing Industry, KwaZulu-Natal-

 - (a)** by all employers who are members of the employer's organisation and by all employees who are members of the trade union, who are engaged or employed therein, respectively ;
 - (b)** in Area A, which consists of the Magisterial Districts of Camperdown, Chatsworth, Durban, Inanda, Pietermaritzburg, Pinetown and Mount Currie ;
 - (c)** in Area B, which consists of the Magisterial Districts of Greytown, Lions River, Port Shepstone, Richmond, Lower Tugela and Umzinto and the municipal areas of Estcourt, Ladysmith and Newcastle ; and
 - (d)** in Area C, which consists of the remainder of the Province of KwaZulu-Natal.
- (2)** Notwithstanding the provisions of sub-clause (1), the provisions of this Agreement shall-

 - (a)** only apply in respect of employees for whom minimum wages are prescribed in the Main Agreement and to working Partners, Directors or Members as defined in the Main Agreement ;
 - (b)** apply to learners in so far as they are not inconsistent with the provisions of the Skills Development Act, 92 of 1998 or any contracts entered into or any conditions fixed thereunder ;
 - (c)** not apply to any employee or working Partner, Director or Member who at the date of the coming into operation of this Agreement is, or thereafter becomes, a participant in and member of any other fund providing pension and/or provident benefits, which is in existence on the said date and in which the employer of that employee is on the said date a participant, or to the employer of such employee, during such period only as such other fund continues to operate and both employer and employee are participants therein, if in the opinion of the Council the benefits which the other fund provided are on the whole not less favourable than the benefits provided by the Council's fund ;
- (3)** Notwithstanding the provisions of this clause, employers who carry on not more than one business within the scope of application of this collective agreement and who employ less than five employees at all times in connection with such business, shall be entitled to the phasing in concessions as contained within Clause 1 (3) of the main collective agreement, provided that for the purpose of giving effect to Clause 13(1)(d) of this agreement, the contribution shall be