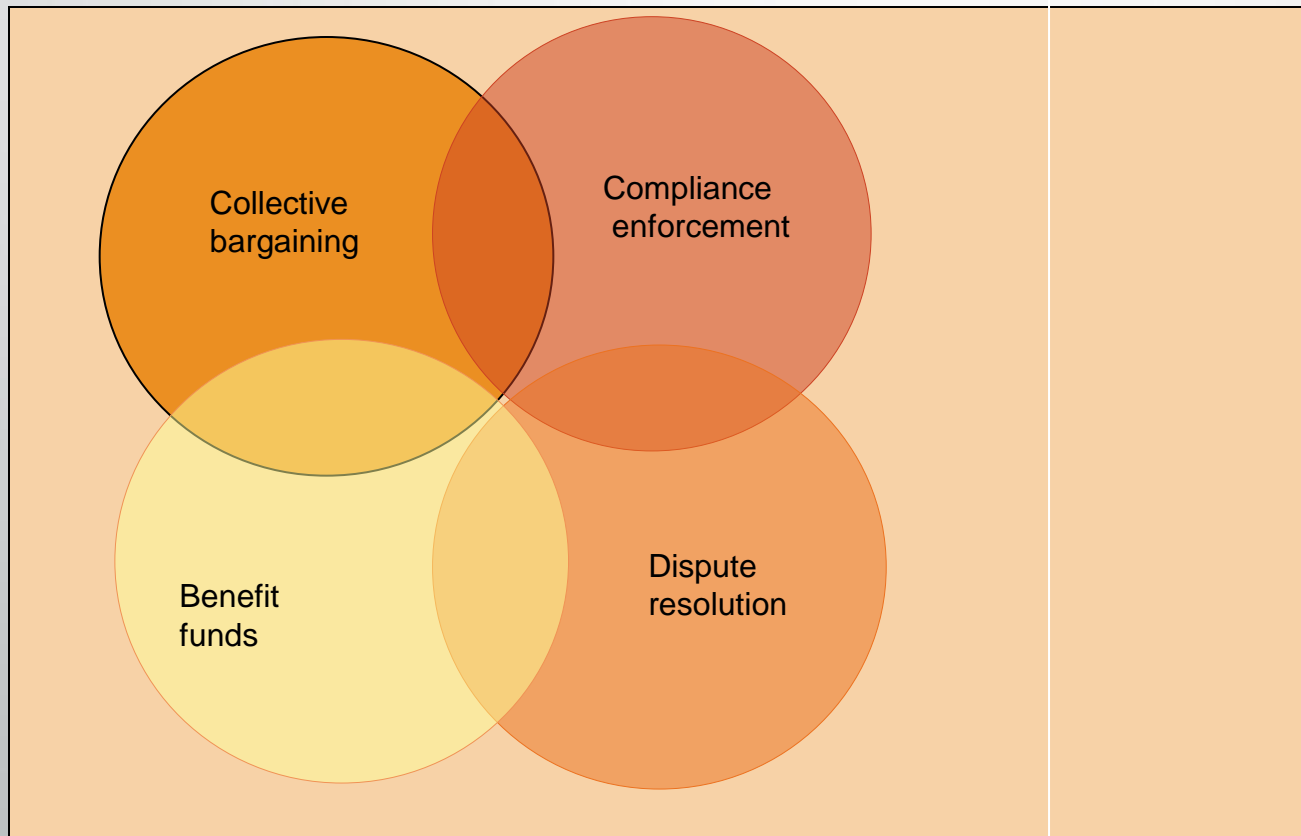


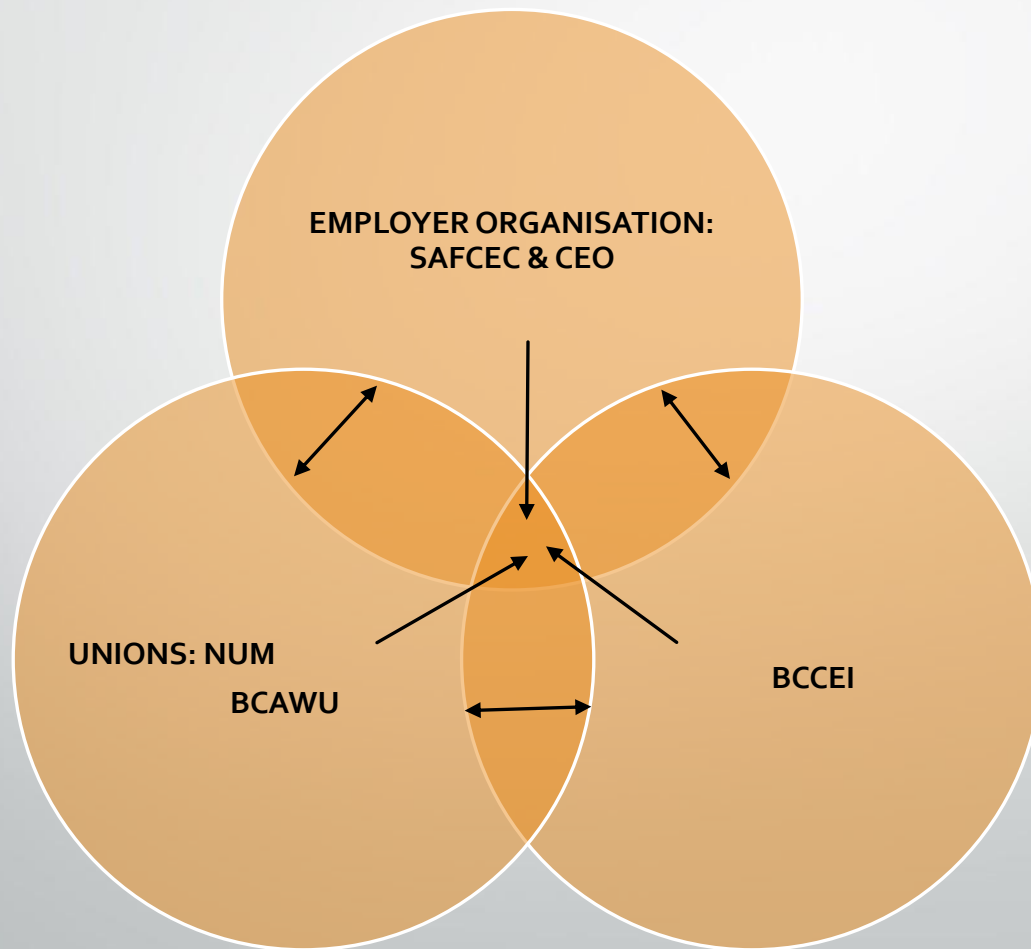
# BARGAINING COUNCIL FOR THE CIVIL ENGINEERING INDUSTRY



# FOUR PILLARS OF THE COUNCIL



# RELATIONSHIP BETWEEN COUNCIL AND PARTIES



# BCCEI BACKGROUND AND CONTEXT

The Bargaining Council for the Civil Engineering Industry (BCCEI) is a statutory body created under the Labour Relations Act (LRA) 66 of 1995 to provide for the co-regulation of stable and productive employment relations in the civil engineering industry and therefore a creature of law

The council is an industry based forum of organised business and labour, that regulates employment conditions and labour relations in the civil engineering industry.

# BCCEI BACKGROUND AND CONTEXT

Registered in December 2012.

As of end December 2016 – 689 firms registered and 80 631 employees

Non-scheduled = 14 565

Scheduled = 37 304

LDC = 28 050

Apprentice = 712

# ACTIVITIES OF THE BCCEI

- Conclude collective agreements
- Prevent and resolve labour disputes
- Facilitating negotiations
- Drafting and processing of agreements & policies
- Perform a dispute resolution function
- Carrying out site visits, register new companies and attend to requests from parties
- Dealing with the administration and implementation of collective agreements

# REGISTERED SCOPE OF THE BCCEI

- NEDLAC
- All companies falling within the registered scope must register with the BCCEI and comply with the respective collective agreements

# EXTENSION OF COLLECTIVE AGREEMENTS

- The primary objective of a Bargaining Council is to extend their collective agreements to non-parties
- Extension is done in terms of Section 32 of the LRA
- All agreements must indicate that the agreements only bind party employees and employers
- Extension of agreements to non-parties is done via publication in a government gazette.



# COUNCIL AGREEMENTS

## **The Council has 4 collective agreements, no Main Agreement**

1. Registration and Administration Expenses Collective Agreement
2. Construction Industry Retirement Benefit Fund (CIRBF) Collective Agreement
3. Wage and Task Grade Collective Agreement
4. Conditions of Employment Collective Agreement

# Registration and Administration Expenses Collective Agreement

## Task Grade levels 1-9 employees

- From the actual wages/remuneration of every employee to whom this Agreement applies, the employer shall, each week/fortnightly/monthly, including days on which the employee is absent or on paid leave, deduct a percentage of 0.45% from his basic wage.

**(This excludes overtime and bonus payments.)**

**Example:** Task grade employees paid weekly/fortnightly/monthly payment X 0.45%

- Task grade 9 employee earning R47.04 per hour X 45 hours = R 2116.80 per week
- Levy will be:  $R2116.80 \times .45\% = R9.53$  weekly (**This includes the dispute levy**)
- **Amount payable to the council:**  $R9.53 + R9.53 = R19.06$  (Per week X number of weeks per month.

# Registration and Administration Expenses Collective Agreement (Cont.)

## All other employees including directors of the company.

- BCCEI dispute levy contributions shall be made by employers in the manner specified hereunder, taking into regard that contributions are capped at earnings threshold made in terms of the Basic Conditions of Employment Act and is currently R205 433.30 per annum
- A percentage of 0.125% shall be deducted from all unscheduled employees including periods on which the employee is absent or on paid leave, in respect of a dispute resolution levy

**Example:** An employee earning R10 000.00 per month X .125% = R12.50 per month

- **Levy payable to the council:** R12.50 (Employees' contribution) + R12.50 (Employer contribution) = R25.00

# Construction Industry Retirement Benefit Fund (CIRBF) Collective Agreement

1. Each Member will contribute to the Fund at the rate of 9% of his **basic salary**
2. The Employer shall make contributions in respect of each member in its service at the rate of 9% of the member's basic salary.

# Wage and Task Grade Collective Agreement

Parties concluded a 3 year wage agreement in 2015 which have been extended to non-parties in the Industry

Wage and Task Grade Agreement expires end of August 2018, with anticipated negotiations to commence early 2018

# Conditions of employment Collective Agreement

## **CHAPTER I - REGULATION OF WORKING TIME**

1. Weekly hours of ordinary work
2. Daily hours of ordinary work
3. Overtime hours
4. Meal intervals
5. Rest period
6. Compressed working week
7. Averaging hours of work
8. Payment for overtime
9. Payment for work on Sunday
10. Payment for Public Holidays
11. Night Work
12. Short Time
13. Inclement weather

# Conditions of employment Collective Agreement cont.

## **CHAPTER II - REGULATION OF LEAVE**

1. Annual leave
2. Sick leave
3. Maternity leave
4. Family responsibility leave

## **CHAPTER III - REGULATION FOR CONTRACT OF EMPLOYMENT**

1. Termination of contract of employment
2. Certificate of service
3. Piece work
4. Prohibition of employment
5. Severance pay
6. Funeral Cover for Limited Duration Contract Employees
7. Limited duration contracts of employment
8. Medical aid

# Conditions of employment Collective Agreement cont.

## **CHAPTER VI - GENERAL**

1. Exemptions
2. Protective clothing
3. Designated Agents
4. Levels of bargaining in the industry and peace obligation
5. Administration of Agreement
6. Attendance of worker representatives on the bargaining council committee meetings
7. Resolution of Disputes

## **CHAPTER VII - APPENDICES TO THE AGREEMENT**

1. Exemption application guidelines
2. Exemption application procedure
3. Exemption application form
4. Certificate of Service form
5. National Exemptions Policy
6. Independent Exemptions Appeal Board Policy



# Dispute Resolution Function

- The council had to approach the CCMA for assistance
- As from the 01 April 2015 all disputes will be submitted to the BCCEI
- BCCEI received accreditation for another 3.5 years in September 2016, longest of any BC

# Registration of companies

- Upon registration, the council will provide companies with a letter indicating that the company has been registered with the council
- A registration certificate will be issued soon thereafter.

# Powers designated agents

- Promote, monitor and manage compliance with any collective agreements concluded in the bargaining council in terms of Section 33 read with Schedule 10 of the LRA 66 of 1995
- All BCCEI Designated Agents will be provided with an identification card which **must** be produced on request.
- Contrary to the old school of thinking regarding agents, the BCCEI agents will be subjected to intensive training with regards to mediatory skills, conflict handling and relationship building

# General

- The council's website is operative [www.bccei.co.za](http://www.bccei.co.za).
- Online registration available
- Online levies submission

# General

- Johannesburg – 1 Kramer Road, The Paragon Building, Ground Floor, Bedfordview
- Durban – Suite 102, Gateview Office Park, 2 Sugar Close Lane, Umhlanga Ridge
- Cape Town – White Oak Terraces, Old Oak Office Park, 2<sup>nd</sup> Floor, Edmar Street, Durbanville
- Port Elizabeth – 51 6<sup>th</sup> Avenue, Newton Park

# Contact

- Lindie Fourie – Operations Manager  
[Lindie.Fourie@bccei.co.za](mailto:Lindie.Fourie@bccei.co.za)
- Mhlengi Mdladla – Senior Designated Agent  
[Mhlengi.Mdladla@bccei.co.za](mailto:Mhlengi.Mdladla@bccei.co.za)
- Tel: 011 450 4966