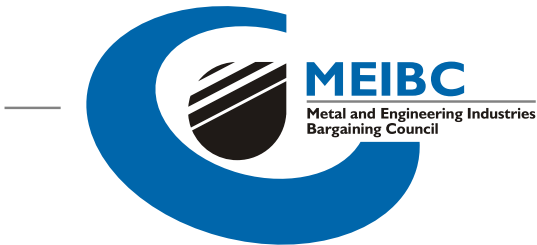


**industry information**  
**PACK**

**Metal and Engineering Industries Bargaining Council**



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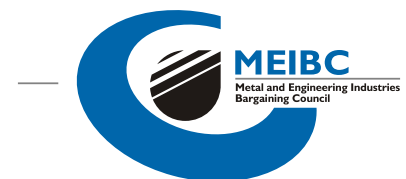


## vision

To promote growth, employment and decent work.

## mission

Our mission is to ensure stable and sound relationships between labour and business in our industry by serving all stakeholders with commitment, fairness and integrity.



# introduction to the MEIBC

The Metal and Engineering Industries Bargaining Council (MEIBC) is a statutory and neutral body created under the Labour Relations Act (LRA) to provide for the co-regulation of stable and productive

employment relations in the metal and engineering industries.

Our bargaining council is a forum of organised business and labour who are admitted as parties to the council based on their respective representation in the industry.

Under the auspices of the MEIBC, business and labour co-regulate employment conditions, wages and labour relations in the metal and engineering industry.

Co-regulation is achieved by way of agreements reached between business and labour through regular negotiations.

With the support of 150 people based in 12 offices around South Africa, our council provides the necessary administrative infrastructure and technical expertise to deliver our services impartially, efficiently and professionally to the industry.

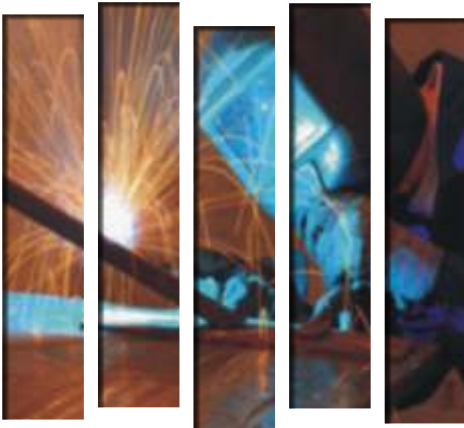
Our core services include facilitating collective bargaining for the parties to the council, ensuring industry compliance with our agreements, providing dispute resolution services and social protection services.

As one of the largest bargaining councils in South Africa, our industry comprises approximately 9000 firms and over 300 000 employees engaged in a wide spectrum of manufacturing engineering, plastics and ship building activities.

The metal and engineering industry is at the heart of the manufacturing industry and accounts for more than two thirds of the country's manufactured exports. This industry is diverse, significant and vital to South Africa's economy.

## Structure of the MEIBC

- The MEIBC constitution governs the functions of the council.
- Representatives of the MEIBC national council and management committee (MANCO) are appointed from elected representatives of the party employer organisations and party trade unions.
- Party employer organisations and party trade unions have a 50:50 representation on all council committees.
- MANCO, which meets quarterly, is the final decision making authority of the council.
- Day-to-day management of the council is overseen by its General Secretary.



# employer registration

It is a legal requirement of the Labour Relations Act that every employer, including labour brokers (or temporary employment services) active within the scope of the metal and engineering industry must register with the MEIBC.

If your firm conducts business within the scope of the sectors listed and employs scheduled employees, you should register your firm with our bargaining council.

Scheduled employees include all industry employees who are involved in direct production activities as defined in the collective agreements.

Non-scheduled employees perform indirect tasks – for example, managerial, administrative, sales and marketing or financial duties.

Non-scheduled wages and tasks are not governed by the council's collective agreements.

A designated agent from the council will assist employers with the completion of the MEIBC registration form during a visit to the firm.

Once your registration has been processed, the council will inform you of your unique firm reference number. This reference number should be quoted in all correspondence and contact with the council to assist with speedy handling of your query.

Your original registration certificate should be displayed prominently at your premises and a copy retained for future reference and record keeping.

To ensure that our records are up-to-date, you must inform the council of any changes to your firm's details immediately.

## Our scope

- Production of iron, steel and alloys.
- General and manufacturing engineering.
- Building and repair of ships and boats.
- Electrical engineering.
- Lift engineering.
- Plastics.

## Registration process

- The employer completes registration form together with an agent.
- The council captures the information onto its system.
- The council informs the employer of his/her unique firm registration number.
- The council issues a registration certificate to the employer.

## our services

### COLLECTIVE BARGAINING

The MEIBC provides a forum for party employer associations and party trade unions (the parties) to negotiate the scope of the employment relationship in the industry.

Collective bargaining is the process of negotiation that takes place between the parties. The parties are mandated by their respective employer or union members to represent their interests during talks.

This system of negotiation is preferred to plant level bargaining, a method of negotiation conducted by individual firms with the respective branch union representatives.

Plant level bargaining is often deemed to be a complex process which risks becoming protracted and confrontational and which may potentially affect the stability of labour relations at individual firms.

The outcome of the bargaining process is the conclusion of a collective agreement reached between the party employer associations and party trade unions.

The collective agreement sets out the agreed rates of pay for the various operational tasks, hours of work, benefits and numerous other conditions of employment applicable in the industry for a specified time period.

Collective bargaining is widely considered to be a more efficient and effective way of concluding wage negotiations in the industry. It allows for the expression of the collective voice of the parties and the ensuing collective agreement reduces uncertainty and instability in the workplace and industry.

### Collective agreement

- The parties conclude agreements through negotiation and dialogue to reach consensus on various issues.
- The agreement sets out uniform wages and conditions of employment applicable to the industry.
- At the discretion of the Minister of Labour, collective agreements may be extended to non-parties in the industry, as published in a government gazette.
- Once published, the collective agreement is a legally binding document.
- Collective agreements supersede all other labour legislation.

## COMPLIANCE MONITORING AND ENFORCEMENT

A main focus of our activities involves the monitoring and enforcement of the collective agreements.

The Labour Relations Act empowers our bargaining council to ensure that the industry complies with the various agreements concluded by the parties.

We employ approximately 50 designated agents nationwide, whose main role is to facilitate understanding of the collective agreements amongst employers and workers in the industry and to ensure that the collective agreements are applied correctly in the workplace.

Our agents undergo extensive training to build in-depth knowledge of the collective agreements. They are able to demonstrate skills in diplomacy in, at times, an emotionally-charged and challenging labour relations environment.

By the time our agents conclude their work with a firm, we expect that their intervention has helped to improve labour relations since they first made contact with an employer.

Our agents' credentials can be verified by their MEIBC designation card, which they carry at all times, by contacting the relevant regional office, or by visiting the website to view a list of our designated agents.



### The role of our agents

- Assistance with queries about the collective agreements.
- Registration of new firms.
- Investigation of complaints lodged by industry employees and employers.
- Routine audit of wage records, benefit fund contributions/payments and corresponding job grades.
- Collection of levies and/or fund payments which are in arrears.
- Attendance at arbitration hearings.

## our services continued

### **CENTRE FOR DISPUTE RESOLUTION**

The MEIBC is accredited to provide a dispute resolution service – called the Centre for Dispute Resolution (CDR) - similar to that offered by the Commission for Conciliation Mediation and Arbitration (CCMA).

The simple-to-use service is available to all firms within our industry, as well as to their scheduled and non-scheduled employees.

The costs of using the CDR are covered by the modest monthly dispute resolution levy paid by employers and employees. There are no additional costs for using the council's dispute resolution services.

The CDR deals mostly with dismissal cases. Once a matter is referred, the first stage is conciliation. This is a process in which an independent commissioner will assist the parties in exploring whether it is possible to settle the dispute amicably.

If no settlement can be reached, a certificate of non-resolution is issued and the case proceeds to arbitration in front of an independent commissioner appointed by the CDR. If the process is a con/arb, the matter proceeds immediately to arbitration. If the process is not a con/arb, a date for the arbitration will be sent by the CDR to the parties.

At the arbitration, the commissioner will hear the evidence of both parties and will make an award deciding whether the dismissal was procedurally and/or substantively fair. The commissioner may order the employer to reinstate the employee, with or without backpay, or to re-employ, or to pay compensation.

Another option which is available to parties, by agreement, is pre-dismissal arbitration. In such cases the parties request the council to appoint a commissioner to hear the matter and make a final and binding award that replaces the need for the internal disciplinary hearing and appeal. There is a cost involved for this process that is borne by the employer.

Some matters, such as retrenchments involving more than one employee or an automatically unfair dismissal, must be referred to the Labour Court after conciliation.

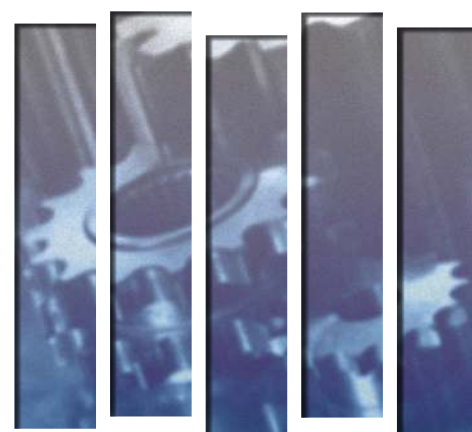
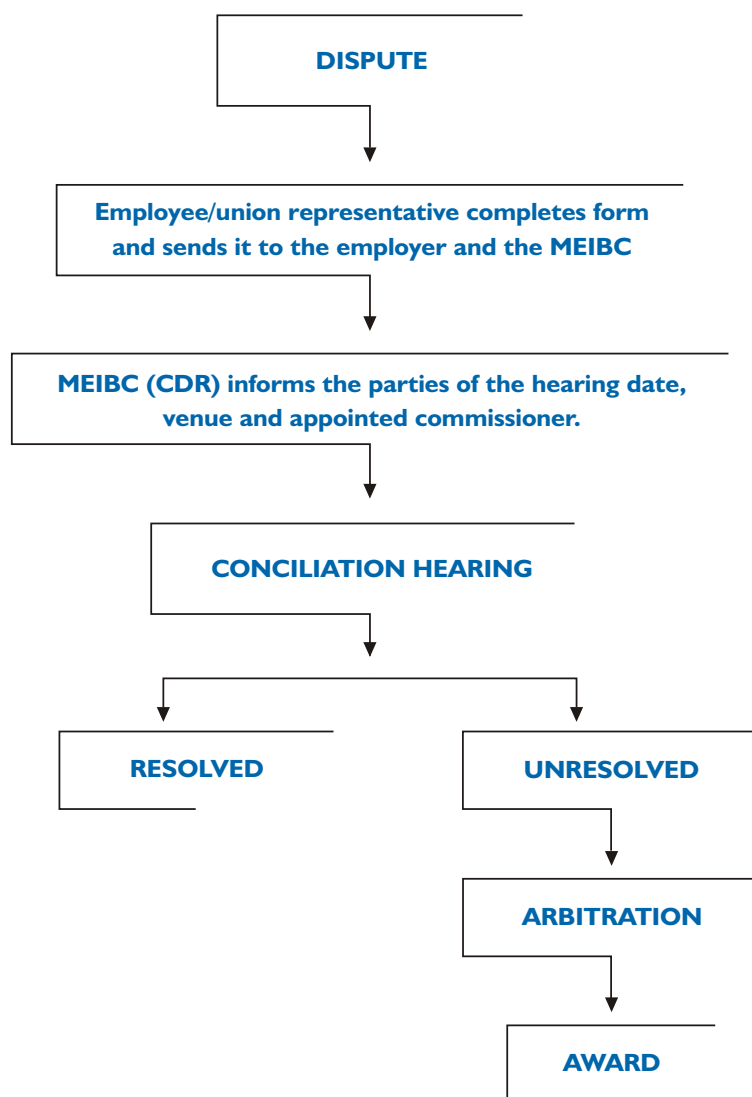


In addition to unfair dismissal disputes, the CDR is accredited to deal with disputes concerning unfair labour practices and interpretation of provisions of collective agreements (not the main agreement).

The CDR can hear disputes about the fairness of dismissals for operational reasons. However, disputes about compliance with the main agreement provisions regarding retrenchment or entitlement to severance pay should be referred to the council for enforcement.

Disputes concerning discrimination, organisational rights and refusal to bargain must be referred to the CCMA.

### Dispute resolution process



## our services continued

### **BENEFITS FUNDS**

Through the benefits funds, the MEIBC ensures the financial wellbeing of employees or their dependents in cases of sickness,

disability, retirement or death.

All the benefits funds are administered by the Metal Industries Benefits Funds Administrators (MIBFA).

Registered employers must ensure that all their scheduled employees join the Sick Pay Fund and one of the retirement funds – either the Engineering Industries Pension Fund or the Metal Industries Provident Fund.

Non-scheduled employees may voluntarily contribute to the Sick Pay Fund and the Pension or Provident Fund.

If an employer provides a pension or provident fund other than those provided by MIBFA, the employer may apply for an exemption from the council to pay contributions to the industry funds. In order to be considered for an exemption, the employer needs to show that the contributions and benefits of the private fund are better than the industry funds.

For each industry fund, the employer must make a matching payment for each employee to the fund administrators.

### **INFORMATION SERVICES**

Dealing with bargaining council processes or understanding how the agreements work may seem complicated, especially to new employers to the industry.

Help is always at hand at the regional offices if you require telephonic assistance from an agent. You may also visit a regional office with your query, although an appointment may sometimes be necessary.

Additionally, we have a comprehensive and regularly updated website at [www.meibc.co.za](http://www.meibc.co.za) containing all the information that the employers and employees may need.



### The benefits funds

- Engineering Industries Pension Fund.
- Metal Industries Provident Fund.
- Sick Pay Fund.

### The role of MIBFA

- Issuing of returns to firms.
- Collection, processing and reconciliation of benefits funds contribution payments from employers.
- Investment of benefits funds.
- Processing of members' claims.
- Disbursement of benefits to members or dependents.
- Issuing of annual benefits statements to members.

Important decisions taken by the stakeholders of the council are always communicated to the industry in the form of a circular.

Furthermore, as a registered employer of the council, we will automatically send you a copy of our quarterly industry newsletter, called FirstHand.

To receive our announcements, you must ensure that your contact details are kept up-to-date with us.

## benefits to the industry

Historically, as a result of relatively stable labour peace, the metal and engineering industry can boast one of the best production records when compared with other sectors.

Our council is proven to be an effective mechanism for the facilitation of collective bargaining between party employer organisations and party trade unions with minimal disruption to the industry.

Registered firms and their employees are encouraged to join one of the employer associations or trade unions which are party to the council.

In doing so, your views about labour matters in your industry will be discussed and considered in the bargaining council forums.

Once a collective agreement is concluded between the parties, our role is to ensure that the entire industry follows the terms of those agreements.

Our role of monitoring compliance with the agreed minimum conditions of employment can provide some degree of assurance that the majority of industry employers operate in an environment of fair competition.

### To employers (firms)

- Facilitation of collective bargaining.
- Standard conditions of employment applicable to all firms in the industry.
- Access to agents who are knowledgeable about the collective agreements.
- Inexpensive and time-efficient dispute resolution service.

### To employees

- Minimum wages, benefits and conditions of employment applicable to the entire industry.
- Confidential handling of queries and complaints.
- Access to agents who are knowledgeable about the collective agreements.
- In-expensive and easy-to-use dispute resolution service.

# employer responsibilities

## COMPLIANCE WITH AGREEMENTS

All firms under the scope of the council are required to implement the terms of the various agreements that regulate the industry.

### Council levies

- **Registration and Administration Levy**  
*Compulsory for all scheduled employees.*
- **Dispute Resolution Levy**  
*Compulsory for all scheduled and non-scheduled employees.*
- **Collective Bargaining Levy**  
*Payable by scheduled employees and employers, if they are not a member of a party trade union or party employers' organisation, respectively.*
- **Technological Fund Levy**  
*Payable only by SEIFSA affiliated firms.*
- **Voluntary Leave Enhancement Payment**  
*Payable only where employers have entered into an agreement with the council to pay the 13th cheque, pro-rata monthly in advance, into a trust fund managed by the council.*

Visit [www.meibc.co.za](http://www.meibc.co.za) for the council levies payable.

### Funds contributions

- **Engineering Industries Pension Fund Contribution**  
*Compulsory for all scheduled employees.*
- **Metal Industries Provident Fund Contribution**  
*Compulsory for all scheduled employees.*
- **Sick Pay Fund Contribution**  
*Compulsory for all scheduled employees.*

Visit [www.mibfa.co.za](http://www.mibfa.co.za) for the funds contributions payable.

All the collective agreements are available free-of-charge from the council's website.

If you, as an employer, are experiencing difficulty in meeting your obligations in accordance with the agreement, you may apply for an exemption from the relevant provision.

The process of considering and granting exemptions is carried out by the regional council where the employer is registered.

If your exemption application has been declined, you may appeal against the regional council decision to the Independent Exemption Appeal Board.

## COUNCIL LEVIES AND FUNDS CONTRIBUTIONS RETURNS

All bargaining councils are funded by various fees (levies) payable by both registered firms and their employees in the industry. These nominal charges cover the operating costs required to provide our services to the industry.

In addition, employers and employees must contribute to the benefits funds, which provide a financial safety net to industry employees in sickness and retirement.

Once registered with the council, employers are required to complete, update and submit monthly returns issued by MIBFA. MIBFA carries out the collection of all fees on behalf of the council.

Details about the employer's workforce together with the council levies and funds contributions deducted from their salary must be inserted in the returns.

Employers must also make a matching payment for council levies and funds contributions and pay all monies over to MIBFA together with the employees' portion.

## ELECTRONIC RETURNS

It is highly recommended that employers submit their monthly returns electronically, which can be done one of two ways.

The first option is via MIBFA's secure website at [www.mibfa.co.za](http://www.mibfa.co.za). Using your unique log-in and password you enter your employees' details online only once and simply update information when submitting returns in future.

Alternatively, you can use the Electronic Data Interchange (EDI). This method allows employers to submit an extract file containing employee's details, which is created by the employer's payroll system (for example:VIP, ACCSYS and Pay-Well). The extract file must then be sent to MIBFA at [edi@mibfa.co.za](mailto:edi@mibfa.co.za).

Electronic returns are easy to complete, they save you valuable time and are less likely to contain errors, thus removing the inconvenience factor of submitting manual returns.

## PAYMENTS

For speedy and secure payments, the bank accounts for the council levies and the benefits funds are pre-listed as beneficiaries with Standard Bank, First National Bank and ABSA.

By loading the bank accounts as pre-listed beneficiaries on your bank account profile, you can be certain that your payments are deposited into the correct bank account.

If you prefer to create your own beneficiaries for internet banking, please ensure that the levies and contributions are paid to the correct bank account. You must insert your firm registration number as the reference for your payments.

## Bank Accounts

### Council levies

Account name: MIBFA Central  
Funds Collection Office  
Bank Name: First National Bank  
Account No: 597 300 163 66  
Branch: FNB Corporate Bank  
Branch code: 252 555

### Engineering Industries Pension Fund Contributions

Account name: Engineering  
Industries Pension Fund  
Bank Name: First National Bank  
Account No: 506 000 606 99  
Branch: Johannesburg  
Branch code: 251 305

### Metal Industries Provident Fund Contributions

Account name: Metal Industries  
Provident Fund  
Account No: 506 000 610 43  
Bank Name: First National Bank  
Branch: Johannesburg  
Branch code: 251 305

### MEIBC Sick Pay Fund Contributions

Account name: Metal and  
Engineering Industries Bargaining  
Council Sick Pay Fund  
Account No: 506 000 384 30  
Bank Name: First National Bank  
Branch: Johannesburg  
Branch code: 251 305

# useful contacts

## Policy and programmes

### DEPARTMENT OF LABOUR

Private Bag X117, Pretoria 0001  
Latoria House  
215 Corner Schoeman and Paul Kruger Streets  
Pretoria 0001  
Tel: 012 309 4000 Fax: 012 309 4848  
[www.labour.gov.za](http://www.labour.gov.za)

## Industry benefits

### METAL INDUSTRIES BENEFITS FUNDS ADMINISTRATORS (MIBFA)

PO Box 7507, Johannesburg 2000  
Metal Industries House,  
42 Anderson Street, Johannesburg 2001  
Call centre: 0860 102 544  
Tel: 011 870 2000 Fax: 011 870 2454  
[www.mibfa.co.za](http://www.mibfa.co.za)

## Skills Training

### MANUFACTURING, ENGINEERING AND RELATED SERVICES SETA (MERSETA)

PO Box 61826, Marshalltown 2107  
MerSETA House, 95 Seventh Avenue  
Johannesburg 2109  
Tel: 010 219 3000 Fax: 086 673 0017  
[www.merseta.org.za](http://www.merseta.org.za)

## Dispute resolution body

### CENTRE FOR CONCILIATION, MEDIATION AND ARBITRATION (CCMA)

Private Bag X94, Marshalltown 2107  
28 Harrison Street, Johannesburg 2001  
Call centre: 0861 161616  
Tel: 011 377 6650 Fax: 011 834 7351  
[www.ccma.org.za](http://www.ccma.org.za)

## Employer parties to the MEIBC

### STEEL AND ENGINEERING INDUSTRIES FEDERATION OF SOUTH AFRICA (SEIFSA)

PO Box 1338, Johannesburg 2000  
6th Floor Metal Industries House  
42 Anderson Street, Johannesburg 2001  
Tel: 011 298 9400 Fax: 011 298 9500  
[www.seifsa.co.za](http://www.seifsa.co.za)

### NATIONAL EMPLOYERS ASSOCIATION OF SOUTH AFRICA (NEASA)

PO Box 31089, Waverley 0134  
1269 Cunningham Avenue, Waverley  
Pretoria 0186  
Tel: 012 332 5350 Fax: 012 332 4347  
[www.neasa.co.za](http://www.neasa.co.za)

### FEDERATED EMPLOYERS ORGANISATION OF SOUTH AFRICA (FEOSA)

Private Bag X9055, Secunda 2302  
Hiz Place, Corner Kieviets and Mosse Streets  
Secunda 2302  
Tel: 017 634 8760 Fax: 017 634 8809  
[www.feosa.co.za](http://www.feosa.co.za)

### Trade union parties to the MEIBC NATIONAL UNION OF METALWORKERS OF SOUTH AFRICA (NUMSA)

PO Box 260483, Excom 2023  
153 Bree Street, Corner Gerard Sekoto Street,  
Newtown, Johannesburg 2001  
Tel: 011 689 1700 Fax: 011 833 6330  
[www.numsa.org.za](http://www.numsa.org.za)

### SOLIDARITY

PO Box 11760, Centurion 0046  
Corner DF Malan Drive and Eendracht Street,  
Kloofsig 0046  
Tel: 012 644 4300 Fax: 012 664 6493  
[www.solidariteit.co.za](http://www.solidariteit.co.za)

### CHEMICAL ENERGY PAPER PRINTING WOOD AND ALLIED WORKERS UNION (CEPPWAWU)

PO Box 3219, Johannesburg 2000  
8th & 9th Floors, Kopano House,  
2 Melle Street  
Braamfontein 2017  
Tel: 011 712 0300 Fax: 011 403 0262  
[www.ceppwawu.org.za](http://www.ceppwawu.org.za)

### METAL AND ELECTRICAL WORKERS UNION OF SOUTH AFRICA (MEWUSA)

PO Box 3669, Johannesburg 2000  
7th Floor, Nedbank Building,  
145 Commissioner Street  
Johannesburg 2000  
Tel: 011 331 6739 Fax: 011 331 6719  
[www.mewusa.org.za](http://www.mewusa.org.za)

### UASA – THE UNION

PO Box 565, Florida, 1710  
42 Goldman Street, Florida 1709  
Call centre: 0861 00 8272  
Tel: 011 472 3600 Fax: 011 674 4057  
[www.uasa.org.za](http://www.uasa.org.za)

### SOUTH AFRICAN EQUITY WORKERS ASSOCIATION (SAEWA)

PO Box 874, Germiston 1400  
6 Cachet Street, Lambton, Germiston 1401  
Tel: 086 077 2392 Fax: 086 686 9103  
[www.saewa.co.za](http://www.saewa.co.za)

# contact us

## **NATIONAL OFFICE**

*PO Box 9381, Johannesburg 2000*  
1st Floor, Union Corporation Building  
77 Marshall Street, Johannesburg 2001  
Tel: 011 639 8000 Fax: 086 636 8690

## **GAUTENG REGION**

*PO Box 3998, Johannesburg 2000*  
1st Floor, Union Corporation Building  
77 Marshall Street, Johannesburg 2001  
Tel: 011 639 8000 Fax: 086 636 8689

## **KWAZULU-NATAL REGION**

*PO Box 5900, Durban 4000*  
Mercury House, 320 Smith Street, Durban 4001  
Tel: 031 305 4761 Fax: 086 636 8693

## **BORDER REGION**

*PO Box 13162, Vincent 5217*  
Malcomess Park, Office No 7, St Georges Road,  
Southernwood, East London 5201  
Tel: 043 743 7747 Fax: 086 636 8691

## **MIDLAND REGION**

*PO Box 12848, Centrahill 6006*  
Old Mutual Building, 6th Floor  
64 Govan Mbeki Avenue, Port Elizabeth 6001  
Tel: 041 586 1542 Fax: 086 636 8694

## **FREE STATE & NORTHERN CAPE REGION**

*PO Box 30095, Moreskof 9462*  
Wessels & Smith Building, 1st Floor  
26-28 Heeren Street, Welkom 9459  
Tel: 057 352 4142 Fax: 086 636 8697

## **CAPE REGION**

*PO Box 6096, Roggebaai 8012*  
1st Floor, Harbour Place, 7 Martin Hammerschlag Way  
Foreshore, Cape Town 8001  
Tel: 021 421 6140 Fax: 086 636 8696

## **TSHWANE OFFICE**

*PO Box 570, Pretoria 0001*  
Metro Park Building, 351 Schoeman Street  
Pretoria 0001  
Tel: 012 320 2566 Fax: 086 648 3582

## **MPUMALANGA OFFICE**

*PO Box 3787, Witbank 1035*  
1st Floor, Msele Hosken Building, 68 Arras Street  
Witbank 1035  
Tel: 013 656 6336 Fax: 086 636 8695

## **RICHARDS BAY OFFICE**

*PO Box 1563, Richards Bay 3900*  
19 Calypso Centre, 2 Kruger Rand, Richards Bay 3900  
Tel: 035 789 2084 Fax: 086 636 8698

## **GEORGE OFFICE**

*PO Box 9165, George 6530*  
22 Market Street, (Corner Merriman Street)  
George 6529  
Tel: 044 873 3200 Fax: 086 675 4454

## **CENTRE FOR DISPUTE RESOLUTION**

*PO Box 9381, Johannesburg 2000*  
1st Floor, Metal Industries House  
42 Anderson Street, Johannesburg 2001  
Tel: 011 834 4660 Fax: 086 636 8699



Email:

[info@meibc.co.za](mailto:info@meibc.co.za)

Website:

[www.meibc.co.za](http://www.meibc.co.za)