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INDUSTRY CIRCULAR

To : All Metal and Engineering Industries Employers and Employees
From : Office of the Chief Executive Officer (Council Secretary)
Date : Wednesday, 25 November 2020
Subject : Flexible Working Arrangements
Circular No : 2020/13

COVID-19 continues to have a devastating impact on the Metal and Engineering Industry. The impact has seen a sharp rise in the number of business closures and job losses, with some sectors being hit harder than others.

In acknowledging that a strong and sustainable Metal and Engineering Industry is in their best interest, parties to the Council have established a forum named, the MEIBC Covid-19 Crisis Committee to address challenges associated with this pandemic.

Noting that the Government has placed manufacturing and specifically this industry at the center of its economic recovery plan, protecting jobs and future plans are vital for this industry to survive post COVID-19 environment.

The Metal and Engineering Industry is a strategic Industry that supports supply chains for vital sectors of our economy such as the automotive, motor, construction, mining to name but a few. These and other interrelated sub-sectors are crucial to sustaining employment of thousands of employees.

In the spirit of the points made above, the MEIBC Covid-19 Crisis Committee whilst it recognises that the Bargaining Council remains the custodian of all Collective Agreements concluded between the parties and will continue to enforce compliance with the terms and conditions of those agreements - it has agreed that this should not prevent employers and workers in engaging one another in a spirit of good faith on how to mitigate the effects of Covid-19 on the shop floor, especially on jobs.

Reaching agreements on your shop floor on emergency measures in response to these unprecedented times for an agreed period of time in order to save jobs is a far greater proposition than short-time, lay-off, retrenchments and ultimately business closure.

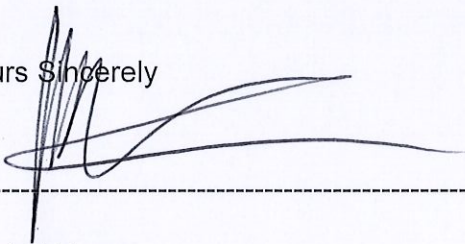
Cape Town Office 1401 14 th Floor Golden Acre Adderly Street	Dispute Resolution P.O. Box 9381 Johannesburg 2000	East London / Boarder P.O. Box 13162 Vincent, 5217	Gauteng Regional Office P.O. Box 9381 Johannesburg, 2000	George 2 nd Floor Eagles View Building 5 Progress Street	KwaZulu Natal P.O. Box 5900 Durban, 4000	Port Elizabeth/ Midlands P.O. Box 12848 Centrahill, 6006	Richards Bay P.O. Box 1563 Richards Bay, 3900	Tshwane P.O. Box 570 Pretoria, 0001	Welkom P.O. Box 30095 Moreskof, 9462	Witbank P.O. Box 3787 Witbank, 1035
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The most important aspect of this arrangement is that an agreement between the employer and employees needs to be reached before any flexible working arrangements are implemented. For example, the issues that can be agreed upon could include: working in excess of the normal 40 hour work week at normal rates of pay, working over week-ends at normal rates of pay, working a shorter work week, average working hours etc.

If such measures enjoy the support of workers and in cases where workers are unionized, their duly elected worker representatives and/or local trade union officials and the agreement is documented and signed-off by all the parties, the Bargaining Council will have no cause to interfere.

In fact, the Bargaining Council remains available through its duly appointed Agents to assist in any discussions between employers, employees and/or their duly elected employee representatives and/or local trade union officials to facilitate good faith discussions on the above.

Yours Sincerely

A handwritten signature in black ink, consisting of several vertical strokes followed by a series of loops and a long horizontal flourish.

Sicelo Nduna
Chief Executive Officer (Council Secretary)