

**National Office**

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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** : Friday, 06 November 2020  
**Subject** : Leave Qualifying Shifts during the Hard Lockdown and Covid-19  
**Circular No** : 2020/12

This circular applies only to employers who are members of the following employers' organisations and who are signatories to the Settlement Agreement dated 17 August 2020 covering wages and other conditions of employment:

ASSOCIATION OF ELECTRIC CABLE MANUFACTURERS' OF SOUTH AFRICA  
ASSOCIATION OF METAL SERVICE CENTRES OF SOUTH AFRICA  
CONSTRUCTIONAL ENGINEERING ASSOCIATION  
CAPE ENGINEERS' AND FOUNDERS' ASSOCIATION  
EASTERN CAPE ENGINEERING AND ALLIED INDUSTRIES ASSOCIATION  
ELECTRICAL ENGINEERING AND ALLIED INDUSTRIES' ASSOCIATION  
ELECTRICAL MANUFACTURERS ASSOCIATION OF SOUTH AFRICA  
GATE AND FENCE ASSOCIATION  
HANDTOOL MANUFACTURERS' ASSOCIATION  
IRON AND STEEL PRODUCERS' ASSOCIATION OF SOUTH AFRICA  
KWA-ZULU NATAL ENGINEERING INDUSTRIES' ASSOCIATION  
LIFT ENGINEERING ASSOCIATION OF SOUTH AFRICA  
LIGHT ENGINEERING INDUSTRIES' ASSOCIATION OF SOUTH AFRICA  
NON-FERROUS METAL INDUSTRIES' ASSOCIATION OF SOUTH AFRICA  
REFRIGERATION AND AIR CONDITIONING MANUFACTURERS' AND SUPPLIERS' ASSOCIATION  
SOUTH AFRICAN ELECTRO-PLATING INDUSTRIES' ASSOCIATION  
SOUTH AFRICAN PUMP MANUFACTURERS ASSOCIATION  
SOUTH AFRICAN REFRIGERATION AND AIR CONDITIONING CONTRACTORS' ASSOCIATION  
SOUTH AFRICAN VALVE AND ACTUATOR MANUFACTURERS' ASSOCIATION

<b>Cape Town</b> Office 1401 14 <sup>th</sup> Floor Golden Acre Adderly Street	<b>Dispute Resolution</b> PO Box 9381 Johannesburg 2000	<b>East London / Boarder</b> PO Box 13162 Vincent, 5217	<b>Gauteng Regional Office</b> PO Box 9381 Johannesburg, 2000	<b>George</b> 2 <sup>nd</sup> Floor Eagles View Building 5 Progress Street	<b>KwaZulu Natal</b> P.O. Box 5900 Durban, 4000	<b>Port Elizabeth/ Midlands</b> P.O. Box 12848 Centrahill, 6006	<b>Richards Bay</b> P.O. Box 1563 Richards Bay, 3900	<b>Tshwane</b> P.O. Box 570 Pretoria, 0001	<b>Welkom</b> P.O. Box 30095 Moreskof, 9462	<b>Witbank</b> P.O. Box 3787 Witbank, 1035
L: 021 421 6140 F: 086 636 8696	L: 011 834 4660 F: 086 636 8699	L: 043 743 7790 F: 086 636 8691	L: 011 639 8000 F: 086 636 8689	L: 044 873 3200 F: 044 873 3212	L: 031 305 4761 F: 086 636 8693	L: 041 586 1542 F: 086 636 8694	L: 035 789 2084 F: 086 636 8698	L: 012 407 3700 F: 086 648 3582	L: 057 352 4142 F: 057 352 5093 /086 636 8697	L: 013 658 9400 F: 086 636 8695



Please note that this circular does not apply to employers who are members of non-signatory employers' organisations as listed hereunder:

NATIONAL EMPLOYERS ASSOCIATION OF SOUTH AFRICA (NEASA)  
SOUTH AFRICAN ENGINEERS AND FOUNDERS ASSOCIATION (SAEFA)  
CONSOLIDATED EMPLOYERS ASSOCIATION (CEO)  
PLASTIC CONVERTERS ASSOCIATION OF SOUTH AFRICA (PCASA)  
FEDERATED EMPLOYERS ORGANISATION OF SA (FEOSA)  
SA UNITED COMMERCIAL AND ALLIED EMPLOYERS ORGANISATION (SAUEO)

#### **LEAVE QUALIFYING SHIFTS DURING THE HARD LOCKDOWN AND COVID-19**

	<b>5-day week worker</b>	<b>6-day week worker</b>
Periods of absence on account of hard lock-down as a result of COVID -19 i.e. 27 March to 30 April 2020.	It is recommended that employers treat this period as a <i>lay-off</i> and that employees be credited with full shifts for an ordinary week for the purpose of paid leave and leave enhancement leave pay.	
Periods of absence on account of lay-off and/or short-time implemented as a result of COVID-19.	The leave qualifying shifts provisions of the Collective Main Agreement concluded between the Parties will apply.	

This Circular refers to the first five weeks of hard lock down i.e. midnight 27 March to end April 2020 as a period where no shifts should be lost.

This is consistent with the section in the Main Agreement that refers to no shifts being lost when employees are laid-off.

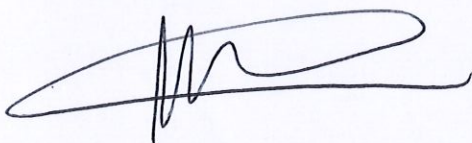
Because the first five weeks was a period where no one could work, it is considered as a period similar to a lay-off and hence no shifts should be lost.

As the industry gradually began opening up from 4 May 2020, this circular requires this period after 30 April 2020 to be treated in-line with the normal provisions of the Main Agreement when it comes to the accrual of shifts for purposes of calculating leave pay and bonus.

## Queries

Should you have any queries regarding the contents of this circular, please contact an Agent at the Regional Office in your area.

Region	Contact number
Gauteng Regional Office	011 639 8000
Tshwane Regional Office	012 320 2566
Midlands Regional Office	041 586 1542
Cape Regional Office	021 421 6140
KZN Regional Office	031 305 4761
Free State Regional Office	057 352 4142
Border Regional Office	043 743 7747



Sicelo Nduna  
**Chief Executive Officer (Council Secretary)**