



NBCEA

National Base Chemicals Employers' Association

Registered Employers' Association
Ref No: LR 2/6/3/302
c/o Novas Labour Relations Consulting (Pty) Ltd
No. 2 St. Joseph Road, Hurlyvale, Edenvale
PO Box 3549, Edenvale, 1610
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nbcea@novas.co.za

CHAIRPERSON:

Beki Nkala Bidvest Tank Terminals

EXECUTIVE COMMITTEE:

Busi Goba KAP (Vice-Chairperson)

Reginald Tshabalala Air Liquide

Victor Matsoso Safripol

Thandi Mzila NCP Chlorchem

Charles Ramaotsoa Sasol

Emmanuel Muladi Afrox

SECRETARY:

Simon Tsele Novas Labour Relations Consulting (Pty) Ltd.

CONTACT DETAILS:



P.O. Box 3549, Edenvale, 1610



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REGISTERED EMPLOYERS ASSOCIATION:

Ref. No. LR 2/6/3/302

Party to the National Bargaining Council for the Chemical Industry

Chairperson: Beki Nkala

Secretariat: Simon Tsele

SCOPE:

The manufacture and distribution of organic and inorganic chemicals such as cyclic intermediates and crude, dyes, organic pigments, master batches, non-cyclic organic chemicals, solvents, polyhydric alcohols, rubber processing chemicals, synthetic and natural tanning materials, gum and wood chemicals, esters of inorganic pigments, urea and fatty and other acids, inorganic acids; alkalis, inorganic pigments, hydrogen peroxide, carbon bisulphide, phosphorus, magnesium carbonate, bromine, iodine, sodium nitrate, potassium nitrate, dry ice (solid carbon dioxide), chemical materials for atomic fission and fusion and the products of these processes; industrial gas in compressed, liquefied and solid form; chloralkali products, associated products and derivatives such as calcium hypochlorite and ferric chloride; organic anhydrides such as phthalic and maleic anhydride; plasticers, ion exchange resins; activated carbon; mining chemicals such as froth flotation reagents; metal chemicals such as platinum group metal salts and cobalt salts; the manufacture of chemicals for use in fire extinguishers; industrial alcohol, rectified and absolute alcohol, cane oils, methylated spirits, benzene, ether and ammonia; furfural, furfuryl alcohol, diacetyl and those activities incidental to these activities. Synthetic resins, polymel emulsions, polyvinyl alcohol, cellulose esters, plastic materials and non-vulcanizable elastomers (excluded "in the form of moulding and extrusion compound") and vulcanizable elastomers, solid and liquid resins, are included (excluding "sheets, rods, tubes, gradulars and powders") while the manufacture and distribution of fertilisers and man-made fibres are excluded.

APPLICATION FOR MEMBERSHIP:

Applications for membership must be in writing on the prescribed form (available from the secretariat) and must be approved by a majority of members present at a general meeting of the Association.

MEMBERSHIP FEES:

Joining Fee (once off)	R3 500.00
Monthly Subscription	R2.75 per employee (All employees)

(Payable against invoice raised by the secretariat)

MEMBERS:

- African Amines (Pty) Ltd.
- Afrox Ltd.
- Air Products
- Air Liquide
- Associated Additives
- Bayer (Pty) Ltd.
- Bidvest Tank Terminals
- BotAsh SA (Pty) Ltd.
- DDP Speciality Products
- Dow Agrosience
- Dow South Africa
- Gold Reef Speciality Chemicals
- H & R South Africa
- Innovative Water Care South Africa (Pty) Ltd.
- Karbochem (Pty) Ltd.
- Lanxess (Pty) Ltd.

- Merck
- Masterbatch
- NCP Alcohols
- NCP Chlorchem
- NCS Resins
- Orion Engineered Carbons
- PQ Silicas
- Rohm & Haas SA (Pty) Ltd.
- Safripol
- Sasol
- Synthomer SA (Pty) Ltd.
- Vopak Terminal
- Wood Chemicals

BACKGROUND:

The establishment of registered employers associations in the chemical industry came about through the pressure exerted by the trade unions on individual employers to engage in centralised bargaining in the industry.

The process started in 1995 and has culminated in entrenching centralised bargaining and the eventual registration of the National Bargaining Council for the Chemical Industry (NBCCI) on 3 December 2001.

According to the constitution of the NBCCI the industry is divided up into the following sectors and sub-sectors.

- 1. Industrial Chemicals**
 - 1.1 *Base Chemicals*
 - 1.2 *Explosives*
 - 1.3 *Fertilizers*
 - 1.4 *Speciality Chemicals*
 - 1.5 *Surface Coatings*
- 2. Petroleum**
- 3. Glass**
- 4. Fast Moving Consumer Goods**
- 5. Pharmaceuticals**

Each of these sectors has a registered (in terms of the Labour Relations Act) Employers Association.

Simon Tsele, is the appointed secretary of the following three Employers Associations, who are parties to the NBCCI.

- National Base Chemical Employers Association (NBCEA)
- National Speciality Chemicals Employers Association (NaSCEA)
- National Fast Moving Consumer Goods Employers Association (NFMCGEA)
- The Glass Industry Employers Association. (GIEA)

The party trade unions to the NBCCI are:

- CEPPWAWU (Chemical, Printing, Paper, Wood and Allied Workers Union)
- GIWUSA (General Industries Workers Union)
- SACWU (South African Chemical Workers Union)
- Solidarity

Although membership of the employers associations was originally very strongly union driven we now find that employers who are members of the employers association are very positive about the whole process of centralised bargaining.

This stems from the fact that these employers have the assurance (and have experienced it) that in any dealings with the trade unions (including the annual wage bargaining) their interests are being represented by a group of well qualified, experienced and skilled negotiators. Particular attention is given to the needs of small employers.

SERVICES OFFERED:

Novas Labour Relations Consulting provides the Associations with a full secretarial and administrative service. Simon Tsele as the appointed secretary represents the

employers in direct negotiations with the trade unions as well as in the structures of the NBCCI. Simon Tsele and Diana van Niekerk also, on request, represents employers in disputes referred to the NBCCI and CCMA (conciliation as well as arbitration).

Apart from providing members of the Associations with, within reason, free telephone advice on all aspects of labour relations or human resources, the full spectrum of consulting and training services provided by Novas is available to members at discounted rates.

Members are regularly kept up to date regarding developments in employment law and other legislation affecting business, through newsletters and news flashes. (During Wage Negotiations daily progress reports are distributed to all members).

Members of the Association meet on a regular basis where labour relations and related issues are discussed. During these meetings representatives in various structures of the Chemical Industry (e.g. the CHIETA Governing Board and Chambers, Bargaining Council Task Teams and Committees) will report back on developments and activities.

Members also have the advantage of being part of the broader chemical industry group structure. Gerrie Bezuidenhout as Employer Administrator co-ordinates the activities of the nine employer associations. As such he represents the employers in structures like BUSA (Business Unity South Africa) and Nedlac as well as in meetings with Government. He also maintains close contact with employer associations in other industries.

As far as skills development is concerned the Associations are represented in the various bodies of the CHIETA (the SETA for the Chemical Industry) and as such members interests are served there.

MEMBERSHIP OF THE NBCCI:

Members of the employers association automatically become members of the NBCCI where they are represented in the various structures by elected representatives from amongst themselves.

Although members are not compelled to be part of the bargaining process a prime aim of the NBCCI is the extension of agreements to cover non-parties who fall within the scope of the Council.

Members of the NBCCI pay a monthly levy to the Council in respect of all their employees as follows:

	<i>Employees Contribution</i>	<i>Employers Contribution</i>	<i>Total</i>
Employees inside the Bargaining Unit	R12.18	R12.18	R24.36
Employees outside the Bargaining Unit	R10.36	R10.36	R20.72

Employees inside the bargaining unit (i.e. those who are covered by the scope of the substantive agreements) pay a dispute levy as well as a bargaining levy. Those outside the bargaining unit pay only the dispute levy.

All disputes arising in companies falling within the scope of the chemical industry previously dealt with by the CCMA are now dealt with by the NBCCI i.e. the CCMA no longer has jurisdiction to deal with these disputes. (An application by the Council to have its accreditation changed to where it will deal with party disputes, i.e. those involving members of the employer associations and party unions, only is under

consideration by the Department of Labour. If granted it will mean that non-party disputes will revert to the CCMA).