



**GOVERNMENT GAZETTE**  
OF THE  
**REPUBLIC OF NAMIBIA**

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R0,30

WINDHOEK — 5 February 1992

No. 352

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**Government Notice**

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**MINISTRY OF LABOUR AND  
MANPOWER DEVELOPMENT**

No. 18

1992

**WAGE AND INDUSTRIAL CONCILIATION  
ORDINANCE, 1952: CONSTRUCTION INDUSTRY —  
CONCILIATION BOARD AGREEMENT**

Under the powers vested in me by -

- (a) section 46(2)(a) of the Wage and Industrial Conciliation Ordinance, 1952 (Ordinance 35 of 1952), I hereby declare that the provisions of the Agreement which appears in the Schedule hereto and which relates to the

Construction Industry, shall, with effect from the date of publication of this notice and for the period ending 30 April 1992, be binding upon the employers' organisation and the trade unions which entered into the said Agreement and upon the employers and employees who are members of the said organisation or unions; and

- (b) section 46(2)(b) of the said Ordinance, I hereby further declare that the provisions of the Agreement mentioned in paragraph (a) shall, with effect from the date of publication of this notice and for the period ending 30 April 1992, be binding upon all other employers and employees engaged in the Construction Industry in Namibia.

Given under my Hand and the Seal of the Republic of Namibia, at Windhoek this 21st day of January, One Thousand Nine Hundred and Ninety-two.

Sam Nujoma

President

BY ORDER OF THE PRESIDENT-IN-CABINET

## SCHEDULE

### AGREEMENT

In accordance with the provisions of the Wage and Industrial Conciliation Ordinance No. 35 of 1952 made and entered into between

MASTER BUILDERS AND ALLIED TRADES  
ASSOCIATION OF NAMIBIA

and

NAMIBIA BUILDING WORKERS UNION

and

METAL AND ALLIED NAMIBIAN WORKERS UNION

being parties to the Conciliation Board, the establishment of which was approved by the President on 29 January 1991.

AND WHEREAS a Conciliation Board was duly constituted on 11 March 1991 at Windhoek to consider and determine the said dispute;

AND WHEREAS the Conciliation Board has reached an agreement on wage increases and had on 25 April 1991 reported to the Cabinet thereon;

THEREFORE we, the undersigned and representatives of the parties to the said Conciliation Board, herewith report to the Cabinet that we have -

AGREED that 12 working days' leave be granted for every completed year of service and that leave pay be calculated at twelve elevenths of a day's pay;

FURTHER AGREED that humane and acceptable housing be provided should workers be expected to live on construction sites;

FURTHER AGREED that the Master Builders and Allied Trades Association will recommend to its members to provide recreation facilities, bearing in mind the type and length of each contract;

FURTHER AGREED that the Master Builders and Allied Trades Association will recommend to its members that workers be re-trained for other jobs in case of retrenchments and that "LIFO" principle, based on merit, be applicable;

FURTHER AGREED that travelling time to and from work, outside a radius of 100 km, be regarded as working time at ordinary rate of pay payable from 1 January 1992 until the date of publication of the next Conciliation Board agreement;

FURTHER AGREED that a panel be established to investigate the possibility of introducing an Unemployment Insurance Fund;

FURTHER AGREED that the Master Builders and Allied Trades Association will recommend to its members the introduction of disciplinary procedures and that workers be treated fairly;

FURTHER AGREED that overtime be paid at one and one-half times the ordinary rate of pay with effect from 1 January 1992 or the date of promulgation of the proposed Labour Code, whichever occur first;

FURTHER AGREED that check-off facilities be granted to union members and that the clause be applicable without any time limit;

FURTHER AGREED that a living away allowance as tabled below be paid to workers -

Wage	L.A.A. pd.	60% Housing	50% Food	10% Other
Under R3,00	R4,50	R2,70	R2,25	R0,45
R3,01 — R4,00	R6,00	R3,60	R3,00	R0,60
R4,01 — R7,00	R7,00	R4,20	R3,50	R0,70
R7,01 and above	R7,50	R4,50	R3,75	R0,75

(EXPLANATION: Where housing is provided by employers, providing no food or any other facility is provided, the employee will receive the balance of the 100% living away allowance, i.e. 60%).

FURTHER AGREED that the Cabinet also be requested to declare the Agreement to be binding upon the other employers and employees in the Construction Industry in Namibia.

Made and entered into at Windhoek on this the 30th day of October 1991 and signed for on behalf of the parties.

J.W.F. VAN ROOYEN  
Chairman of the Board

A.J. KOTZE  
Vice-Chairman of the Board

H.C. BRUWER  
Secretary of the Board

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