

IN THE CONCILIATION HELD AT THE TRANSNET BARGAINING COUNCIL

CASE NUMBER:

TOKISO 2520;

BC.UTATU.SARWHU/TFR/HQ/12034-

UTATU SARWHU.UT/B192

IN THE DISPUTE

BETWEEN

UTATU/SARWHU OBO MEMBERS

APPLICANT

AND

TRANSNET FREIGHT RAIL

RESPONDENT

SETTLEMENT AGREEMENT

WHEREAS THE APPLICANT HAS RAISED A DISPUTE AT THE BARGAINING COUNCIL ON THE ABOVE REFERENCE NUMBER, THE PARTIES HAVE AGREED TO RESOLVE THE DISPUTE ON THE FOLLOWING TERMS:

1. The parties accept that the common interpretation of the issues raised in this dispute are as follows:
 - a. The hours of work for call outs will be calculated in all instances in agreement with clause 10 of the "Variation Agreement for Transnet Freight Rail 2011-2014" (referred to as the Variation Agreement) between the parties



- b. Where an employee is called out, performs any actual work on a Sunday and is accredited with hours as prescribed in the Variation Agreement such time will be paid out at the rate applicable for Sunday work.
 - c. Where an employee is called out on a Sunday but does not perform actual work, and is accredited with hours as prescribed in the Variation Agreement, the employee will be paid out at the rate applicable for Sunday work.
 - d. Where an employee is called out on a Saturday, does not perform any work, and the hours accredited as prescribed in the Variation Agreement, irrespective of falling on a Sunday, will be paid out at the applicable overtime rate.
 - e. Where a portion of work on a call out is performed and falls on a Sunday as a consequence of being accredited the hours prescribed in terms of the Variation Agreement, the hours worked or accredited on a Sunday will be paid out at the rate applicable for Sunday work.
2. This agreement is entered into in full and final settlement of the dispute between the parties.

Signed at Houghton on 03 October 2013



TRANSNET FREIGHT RAIL

Duly Authorised

Name *KHOTSO MTSEARE*



Witness

Name *G. Cloete*



UTATU-SARWHU

Duly Authorised

Name *S.A. HARRIS*



Witness

Name *L.F. BRACKETT*