

**AGREEMENT TO GIVE EFFECT TO THE PROVISIONS OF CLAUSE 3 OF THE 2009
– 2011 WAGE AGREEMENT, READ WITH CLAUSE 7.7 OF THE 2011 – 2013
CHAMBER COAL WAGE AGREEMENTS AND TO STRENGTHEN THE
COLLECTIVE BARGAINING FRAMEWORK**

entered into by

THE CHAMBER OF MINES OF SOUTH AFRICA
acting on behalf of Anglo American Thermal Coal, Delmas Coal, Exxaro Coal
Mpumalanga (Pty) Ltd, Kangra Coal, Optimum Coal and Xstrata Coal
(the coal companies)

and

THE NATIONAL UNION OF MINEWORKERS

and

SOLIDARITY

and

UASA – THE UNION

(the unions)

1. Application of the Agreement

This agreement will apply to the companies and unions, including the members of the unions and all other employees in the bargaining unit in the operations listed in Annexure A.

2. Entry Level Adjustments for Category 4 Employees

- 2.1 Anglo American Thermal Coal, Exxaro Coal Mpumalanga (Pty) Ltd, Kangra Coal and Xstrata Coal will increase the basic salaries of Category 4 employees by 5%.
- 2.2 The wage adjustments for Category 4 employees outlined in clause 2.1 above will be effective as from 1 November 2012.

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3. **Strengthening the Collective Bargaining Framework**

In order to strengthen the collective bargaining framework the parties have agreed on the following measures.

3.1 **Once-Off Payments**

3.1.1 **Anglo American Thermal Coal, Kangra Coal, Optimum Coal and Xstrata Coal**

A once-off payment equivalent to R2000 after tax will be given to Category 5 to 8 employees, employees in the B-Band and Miners, Artisans and Officials in the bargaining unit at Anglo American Thermal Coal, Kangra Coal, Optimum Coal and Xstrata Coal.

3.1.2 The once-off payments outlined in clause 3.1.1 above will be payable at the same time as the December 2012 payroll.

3.1.3 **Delmas Coal**

A once-off payment equivalent to R2000 after tax will be given to Category 4 to 8 employees at Delmas Coal.

3.1.4 The once-off payment outlined in clause 3.1.3 above will be payable at the same time as the December 2012 payroll.

3.2. **Salary Adjustment for Category 5 to 8 / B-Band Employees at Exxaro Coal Mpumalanga (Pty) Ltd**

3.2.1 The salaries of Category 5 to 8 / B-Band employees at Exxaro Coal Mpumalanga (Pty) Ltd will be increased by 2%.

3.2.2 The salaries of Category C employees at Exxaro Coal Mpumalanga (Pty) Ltd will be increased by 1%.

3.2.3 The wage adjustments outlined in clauses 3.2.1 and 3.2.2 above will be effective as from 1 November 2012.

4. **Full and Final Settlement**

4.1 This agreement will amend the existing terms and conditions of employment of the employees concerned to the extent set out herein, and is in full and final settlement.

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4.2 This settlement agreement is further subject to the provisions of the full and final settlement clause (clause 9) of the 2011-2013 Chamber Coal Wage Agreement

5. Dispute Settlement Procedures

In the event of any dispute between a union or unions on the one hand, and the companies on the other (the parties to the dispute) about the interpretation, application, implementation or breach of this agreement, the dispute resolution provisions contained in the 2011-2013 Chamber Coal Wage Agreement (clause 10) will apply, with any necessary changes as may be required by the context.

Signed at JOHANNESBURG on this the 7th day of November 2012.

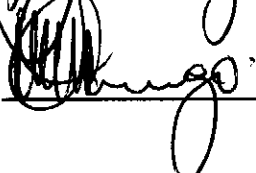
For and on behalf of NUM:

Name: F. Baleni Designation: General Secretary

Signature: 

As witness:

Name: Leffey Mashozo Designation: Co-ordinator

Signature: 

For and on behalf of UASA:

Name: C. d. CARVALHO Designation: Sector Manager

Signature: 

As witness:

Name: _____ Designation: _____

Signature: _____

Mr P. an
js

For and on behalf of SOLIDARITY:

Name: Gideon du Plessis Designation: General Secretary

Signature: 

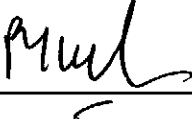
As witness:

Name: _____ Designation: _____

Signature: _____

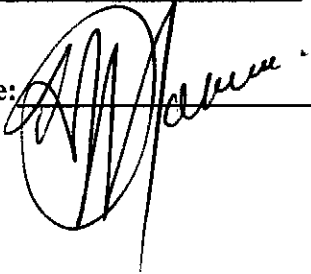
For and on behalf of the CHAMBER OF MINES OF SOUTH AFRICA, acting on behalf of the Coal Companies:

Name: P. Y. Williamson Designation: ^{Full} ~~Principal~~ CHAIRPERSON

Signature: 

As witness:

Name: P. MOTILHAMBE Designation: NEGOTIATOR

Signature: 

P. M.

SPB

ENTITIES COVERED BY THIS AGREEMENT

ANGLO THERMAL COAL	1.1	Goedehoop Colliery
	1.2	Greenside Colliery
	1.3	Kriel Colliery
	1.4	New Denmark Colliery
	1.5	New Vaal Colliery
	1.6	Kleinkopje Colliery
	1.7	Landau Colliery
	1.8	Isibonelo Colliery
	1.9	Zibulo Colliery
	1.10	Anglo Coal Shared Services

EXXARO COAL MPUMALANGA (PTY) LTD	2.1	Arnot Colliery
	2.2	North Block Complex
	2.3	Matla Coal
	2.4	New Clydesdale Colliery

KANGRA COAL	3.1	Savmore Colliery
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KUYASA MINING	4.1	Delmas Coal Pty Ltd
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OPTIMUM COAL	5.1	Optimum Colliery
	5.2	Koornfontein Mines

XSTRATA COAL SA	6.1	Mpumalanga Complex
	6.2	Tweefontein Complex – (Both Tweefontein North and Tweefontein South)
	6.3	iMpunzi Complex (Excluding employees at iMpunzi on Gate Wage)
	6.4	Goedgevonden Complex
	6.5	Group Services, Witbank

