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ETDQA Communication 12/2009

Attention: ALL CHIETA Stakeholders

From: Ayesha Itzkin, CHIETA ETDQA Executive Manager

Cc: Juanita Wilkins, CHIETA Apprentice Training Co-ordinator
CHIETA Regional Managers; CHIETA Chief Operations Officer

Date: 7 August 2009

**SUBJECT: COMMUNICATION TO INFORM THE CHEMICAL INDUSTRY
SECTOR COMPANIES OF THE PROPOSED AMENDMENTS TO
THE CONDITIONS OF APPRENTICESHIP**

1. BACKGROUND:

The conditions of apprenticeship for the chemical industries sector's designated trades were published in Government Gazette No 16561 of 21 July 1995 (Notice No. R.1076). To date the chemical industries sector used these conditions to implement apprenticeships.

The CHIETA received requests from our companies participating in Apprentice Training to update these conditions of apprenticeship to be in line with current legislation and practice to enter into a Contract of Apprenticeship with apprentices.

The Department of Labour at various CHIETA stakeholder workshops and also at different SETA forums advised SETAs that should industry require the conditions to be updated, this must be done. We hereby inform you about what aspects of the Conditions of Apprenticeship we propose should be updated and the process that the CHIETA will be following to do this. We would appreciate it if you inform us of any aspects you do not agree with.

2. PROCESS FOR AN UPDATE OF THE CONDITIONS OF APPRENTICESHIPS:

The Department of Labour informed the CHIETA that before you can embark on a process of updating the Conditions of Apprenticeship, the CHIETA must provide evidence to the Minister of Labour that there is agreement by the Chemical Industry Sector stakeholders on the need to update the Conditions of Apprenticeship.

As the first step the CHIETA therefore needs to obtain feedback from the CHIETA stakeholders on the proposed changes to the Conditions of Apprenticeship.

After the Apprenticeship Unit incorporates the inputs received from the CHIETA stakeholders, the proposed changes to the Conditions of Apprenticeship will be tabled at the CHIETA EXCO for approval.

Once approved by EXCO, the CHIETA will request the Minister of Labour to make the changes to the CHIETA's Conditions of Apprenticeship through the gazetting process.

3. REQUEST TO CHIETA STAKEHOLDERS:

The Chemical Industries Education and Training Authority cordially invites all CHIETA stakeholders to provide input into the proposed amendment to the current Conditions of Apprenticeship (Notice No. R.1076).

The *Conditions of Apprenticeship* and *Proposed Changes To The Conditions Of Apprenticeship* are attached as the end of this Communiqué.

Please return any comments / inputs on the *Proposed Changes To The Conditions Of Apprenticeship* to Juanita Wilkins jwilkins@chieta.org.za on or before **31 August 2009**.

Your ongoing cooperation is appreciated.

DOUBLE CLICK TO OPEN THE DOCUMENTS BELOW



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PROPOSED CHANGES TO THE CONDITIONS OF APPRENTICESHIP

The conditions of apprenticeship for the chemical industries sector's designated trades were published in Government Gazette No 16561 of 21 July 1995 (Notice No. R.1076). The industry has used these conditions to date.

Various requests were received by the Chemical Industries Sector companies participating in Apprentice Training to update the Conditions of Apprenticeship to be in line with current legislation and practice to enter into a Contract of Apprenticeship with apprentices.

The DoL advised SETAs to therefore update the Conditions of Apprenticeship as required by our sector.

The updates to the Conditions of Apprenticeship that the CHIETA hereby proposes to the Registrar Manpower Training for approval and gazetting are as follows:

1. General

The following wording in the Conditions of Apprenticeship updated:

Chemical, Oil and Allied Industries Training Board to Chemical Industries Education and Training Authority

2. Qualifications for commencing apprenticeship

The minimum educational qualifications for commencing apprenticeships to be upgraded to:

1. It is proposed that the:
 - o Criteria for mathematics and science at **standard grade** to be realigned with new curricula.
 - o New National Certificate Vocational Level 1, (equivalent to Standard 8, Grade 10 and the N1 Certificate) relevant to the trade, is included as a minimum educational qualification (theory) for commencing an apprenticeship.

The minimum educational qualification updated to:

A Standard 8, Grade 10, N1-certificate, National Certificate Vocational, Level 1 or equivalent with passes in the subjects' science and mathematics for all trades.

3. REMUNERATION

The monthly apprentice remuneration as prescribed in the Conditions of Apprenticeship July 1995 is outdated and not in accordance with current minimum wage agreements in the Chemical Industry.

The minimum wage as prescribed by the sectors within the Chemical Industry is as follows:

Sector	Minimum monthly basic wage – 1 July 2007	Minimum monthly basic wage - 1 July 2008	Minimum monthly basic wage - 1 July 2009
Industrial Chemical Sector	Not available	R3 431.36	R3 446.75
Petroleum Sector	R4 000.00	R4 480.00	Not available
Pharmaceutical Sector	R3 647.00	R4 144.00	Not available
Fast Moving Consumer Goods Sector	R2 821.00	R3 131.31	Not available
Glass Sector	Not available	R2,800.00	R3,000.00.

In light of the above, it is proposed that the minimum apprentice remuneration that an employer must adhere to should now be updated to per individual sector listed above as follows, for completing the required training phases:

LEVEL OF REMUNERATION	WAGE PER MONTH
Level 1 (entry level)	Sector minimum wage
Level 2 (after passing phase 1)	Sector minimum wage plus 20%
Level 3 (after passing phase 2)	Sector minimum wage plus 30%
Level 4 (after passing phase 3)	Sector minimum wage plus 40%

4. TECHNICAL STUDIES

The CHIETA in collaboration with other SETAs is in process of developing equivalence for the required N2 entry into a trade test. The requirements for technical studies will be realigned accordingly.

5. PAYMENT OF CLASS OR COURSE AND EXAMINATION FEES

The CHIETA is in the process of developing equivalence for the required N2 entry into a trade test, based on national norms. The requirements for the payment of class or course and examination fees will be realigned accordingly.

6. TRADE TESTS

Section 6(3) of the Conditions of Apprenticeship now needs to be amended because of the new artisan regulations that allow for credit accumulation.

It is proposed that Section 6(3) must be updated as follows:

An apprentice, who attempts a trade test and is found not yet competent in some of the categories after the assessment, will be credited with those categories s/he was found competent in, under the following conditions:

- An apprentice, who attempted a trade test and was found not yet competent in some of the categories after the assessment, will be credited with those categories found competent in, **provided** s/he has successfully **completed at least 50% of the total number of categories** given during the trade test on the first attempt.
- Where an apprentice is found to be **competent in at least 50% of the categories** and fails to complete one category, s/he should only be allowed to re-attempt that category after 2 months. Where there are 2 incomplete categories that need to be tested, s/he can only have the next attempt after 4 months, etc, until the 50% needed to be declared competent is reached. These re-attempts however **can only be two attempts**.

If the apprentice is not found competent in all the categories during these two (2) re-trade test attempts the entire trade test should be repeated, but not before a period of minimum 6 months has elapsed. This time period will allow the apprentice to effectively undergo re-training and/or gain more experience.

- An apprentice achieving **competence in less than 50% of the categories** on the first attempt will have to repeat the entire trade test and no credits can be accumulated. The apprentices will be managed in terms of his/her Contract of Apprenticeship. The re-trade test cannot be conducted before a minimum period of 6 months has elapsed to allow the apprentice to effectively undergo training and/or gain more experience.

7. TRAINING ,TESTING AND CERTIFICATION

It is proposed that this Section of the Conditions of Apprenticeship remains unchanged.

8. OTHER CONDITIONS OF EMPLOYMENT

Section 8 refers to the conditions of employment of the Basic Conditions of Employment Act, 1983 (No.3 of 1983).

As the Act has now been amended it is proposed that Section 8 should refer to the conditions of employment of the Basic Conditions of Employment Act, 1997 (No.75 of 1997), and no longer refer to the Basic Conditions of Employment Act, 1983 (No.3 of 1983).