

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF LABOUR

NO. R. 286

31 MARCH 2017

LABOUR RELATIONS ACT, 1995

**VARIATION OF SCOPE OF THE NATIONAL BARGAINING COUNCIL FOR
THE HAIRDRESSING, COSMETOLOGY, BEAUTY AND SKINCARE
INDUSTRY**

I, Johannes Theodorus Crouse, Registrar of Labour Relations, hereby, in terms of section 58(1) of the Labour Relations Act, 1995, give notice in terms of section 109 that, following an application by the above-mentioned Council, its scope has been varied as contained in the Annexure hereto.



REGISTRAR OF LABOUR RELATIONS

ANNEXURE

The scope of registration of the above-mentioned bargaining council has, in terms of section 58(1) of the Act been varied. With effect from16 March 2017..... the bargaining council is registered for the Hairdressing, Cosmetology, Beauty and Skincare Industry, as defined hereunder, in the Republic of South Africa.

For the purpose hereof –

“Hairdressing, Cosmetology, Beauty and Skincare Industry” means the trade in which employers and their employees are associated for the purpose of rendering hairdressing and cosmetology services in any establishment

“Barber or Barbering Services” means an employee that renders one or more or all of the following services in an establishment being: Clipper cuts, dry and wet razor shaving, treatment of facial and neck hair including beards and moustaches, hot towel treatments, facial massages, wet and dry cutting of hair, singeing and dry or wet blow drying of hair but specifically excludes any chemical services. The barbering services shall:

- (i) Be performed predominantly on male clients.
- (ii) Constitute at least 95% of all services rendered by an employee to clients.
- (iii) Can only be rendered when the salon provides barbering services to its clients.

“Beauty and Skincare Industry” means the industry in which employers and its employees render “cosmetology services” which include but are not limited to cosmetic camouflage, spa treatments, tattooing and/or painting of the face or any part of the body features; whether by permanent, semi-permanent or temporary means in any establishments where such services are rendered to members of the public.

“Cosmetology services” means any one or more or a combination of the operations generally and usually performed by nail technicians or beauty culturists or cosmeticians or cosmetologists or skincare therapist or somotologist or aestician or hairdresser.

“Establishment” means any place or premises from which hairdressing, cosmetology, beauty and/or skincare services are rendered but excluding canvas or sail gazebos or if such services are rendered in open space, unless chemicals are used in the execution of the hairdressing, cosmetology, beauty and/or skincare services rendered, in which event all such places or premises shall be considered to be an establishment.

“Hairdressing” means any one or more of the following services usually performed by a person in an establishment, and includes, but is limited to –

- (a) any service to the scalp or the hair of the head or face, including the following:
- (i) shampooing, cleansing, conditioning and treating;
 - (ii) chemical reformation of the hair including permanent waving, relaxing and straightening of the hair;
 - (iii) hair colouring, including tinting, dyeing and colouring by means of permanent, semi-permanent or temporary processes, including the use of colour rinses, shampoos, gels or mousses; and lightening by means of tints, bleaches, highlights or high lifting tints or toners;
 - (iv) hair cutting and shaping;
 - (v) hair styling, designing, shaping, curling, waving, including blow drying, styling, tonging, crimping, straightening and silking;

Whether or not any apparatus, appliance, heat, preparation or substance is used in any of these operations;

- (b) massage or stimulative treatment of the face, scalp or neck;
- (c) adding hair, either natural or artificial, including hair extensions, board work, pastiche, wig making, or performing any of the above operations on any wig or hairpiece to be worn by any person; and
- (d) trichology and trichological treatment, including the treatment of abnormalities and disorders of the hair and scalp.

J.T. CROUSE

REGISTRAR OF LABOUR RELATIONS

DATE:16 March 2017.....