



REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REGULATION GAZETTE No. 1685

Registered at the Post Office as a Newspaper

PRICE 10c PRYS
OVERSEAS 15c OORSEE
POST FREE — POSVRY

REGULASIEKOERANT No. 1685

As 'n Nuusblad by die Poskantoor Geregistreer

VOL. 89]

PRETORIA, 3 NOVEMBER 1972

[No. 3693

GOVERNMENT NOTICES

DEPARTMENT OF LABOUR

No. R. 1977

3 November 1972

WAGE ACT, 1957

WAGE DETERMINATION 346

CEMENT PRODUCTS INDUSTRY, CERTAIN AREAS

By direction of the Minister of Labour it is hereby notified in terms of section 14 (2) of the Wage Act, 1957, that the Minister, under the powers vested in him by section 14 (1) of the said Act, has made the Wage Determination in the Schedule hereto in respect of the Cement Products Industry, Certain Areas, and has fixed the fourth Monday after the date of publication of this notice as the date from which the provisions of the said Wage Determination shall be binding.

SCHEDULE

1. AREA AND SCOPE OF DETERMINATION

This Determination shall apply to all employees other than managers, in the Cement Products Industry in the following areas:

Cape Province.—The Magisterial Districts of Albany, Bellville, The Cape, East London, Kimberley, Paarl, Port Elizabeth, Simonstown, Somerset West, Stellenbosch, Strand, Uitenhage, Wellington and Wynberg;

Natal.—The Magisterial District of Durban Inanda, Pietermaritzburg and Pinetown;

Orange Free State.—The Magisterial Districts of Bloemfontein, Kroonstad, Odendaalsrus, Sasolburg, Virginia and Welkom;

Transvaal.—The Magisterial Districts of Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Middelburg, Nigel, Oberholzer, Pietersburg, Potchefstroom, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Westonaria and Witbank;

and to the employers of such employees.

A—5742

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN ARBEID

No. R. 1977

3 November 1972

LOONWET, 1957

LOONVASSTELLING 346

SEMENTPRODUKTENYWERHEID, SEKERE GEBIEDE

In opdrag van die Minister van Arbeid, word hierby ingevolge artikel 14 (2) van die Loonwet, 1957, bekendgemaak dat die Minister kragtens die bevoegdheid aan hom verleen by artikel 14 (1) van genoemde Wet, die Loonvasstelling wat in die Bylae hiervan verskyn ten opsigte van die Sementproduktenywerheid, Sekere Gebiede, gemaak en die vierde Maandag na die datum van publikasie van hierdie kennisgewing bepaal het as die datum waarop die bepalings van genoemde Loonvasstelling bindend word.

BYLAE

1. GEBIED EN OMVANG VAN DIE VASSTELLING

Hierdie Vasstelling is van toepassing op alle werknemers, uitgesonderd bestuurders, in die Sementproduktenywerheid in die volgende gebiede en op die werkgewers van sodanige werknemers:

Kaapprovinsie.—Die landdrostdistrikte Albanie, Bellville, Die Kaap, Oos-Londen, Kimberley, Paarl, Port Elizabeth, Simonstad, Somerset-wes, Stellenbosch, Strand, Uitenhage, Wellington en Wynberg.

Natal.—Die landdrostdistrikte Durban, Inanda, Pietermaritzburg en Pinetown.

Oranje-Vrystaat.—Die landdrostdistrikte Bloemfontein, Kroonstad, Odendaalsrus, Sasolburg, Virginia en Welkom;

Transvaal.—Die landdrostdistrikte Alberton, Balfour, Benoni, Boksburg, Brakpan, Delmas, Germiston, Heidelberg, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Middelburg, Nigel, Oberholzer, Pietersburg, Potchefstroom, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Westonaria en Witbank.

1—3693

2. DEFINITIONS

(1) Unless the context otherwise indicates, any expression which is used in this Determination and which is defined in the Wage Act, 1957, has the same meaning as in that Act and unless inconsistent with the context—

(i) "Area A" means the Magisterial Districts of Bellville, The Cape, Simonstown and Wynberg; (xxvi)

(ii) "Area B" means the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Durban, Germiston, Inanda, Johannesburg, Kempton Park, Krugersdorp, Nigel, Oberholzer, Pinetown, Port Elizabeth, Pretoria, Randfontein, Rodepoort, Springs, Sasolburg, Vanderbijlpark and Westonaria and that portion of the Magisterial District of Vereeniging which falls within the radius of 15 miles of General Post Office, Vereeniging; (xxvii)

(iii) "Area C" means that portion of the Magisterial District of Vereeniging which falls outside the radius of 15 miles of General Post Office, Vereeniging; (xxviii)

(iv) "Area D" means the Magisterial Districts of Paarl, Somerset West, Stellenbosch, Strand and Wellington; (xxix)

(v) "Area E" means the Magisterial Districts of Bloemfontein, East London, Kimberley, Pietermaritzburg and Uitenhage; (xxx)

(vi) "Area F" means the Magisterial Districts of Klerksdorp, Kroonstad, Odendaalsrus, Virginia, Welkom and Witbank; (xxxi)

(vii) "Area G" means all the areas mentioned in clause 1 but not mentioned in the definitions of "Area A", "Area B", "Area C", "Area D", "Area E" and "Area F"; (xxxii)

(viii) "artisan" means an employee who is engaged in work normally performed by a skilled artisan, and for the purpose of this definition the expression "skilled artisan" means a person who has served his apprenticeship in a trade designated or deemed to have been designated under the Apprenticeship Act, 1944, or who holds a certificate of proficiency issued to him by the Registrar of Apprenticeship in terms of section 6 of the Training of Artisans Act, 1951, or a certificate issued to him by the said Registrar in terms of either section 2 (7) or section 7 (3) of the said Act and includes a mould maker, a plaster shop hand, a window fitter, a welder (other than a spot or butt welder) and a moulder (other than an employee engaged in filling, stamping, ramming or tamping materials in moulds); (i)

(ix) "artisan's assistant" means an employee who assists an artisan by holding articles or tools or otherwise working with him other than by the independent use of tools; (ii)

(x) "assistant compound manager" means an employee who, under the general supervision of a compound manager, performs any of the activities or duties of a compound manager and who may act for him during his absence; (iv)

(xi) "assistant foreman" means an employee who, under the general supervision of a foreman, performs any of the activities or duties of a foreman and who may act for him during his absence; (v)

(xii) "assistant operator of a machine" means an employee who, under the supervision of an operator or a foreman, operates a machine; (vi)

(xiii) "boiler attendant" means an employee who, under general supervision, maintains the water level and steam pressure in a boiler and who may make, maintain or draw the fire in such boiler; (xliii)

(xiv) "casual employee" means an employee who is employed by the same employer on not more than three days in any week; (lii)

(xv) "Cement Products Industry" means the industry in which employers and employees are associated in establishments which are registered or liable for registration in terms of the Factories, Machinery and Building Work Act, 1941, for the purpose of manufacturing one or more of the following articles:

Bricks, tiles, roof tiles, blocks, pillars, pots, pipes, pipe fittings, ventilators or any other article of which cement or lime or both cement and lime form the principal binding material and which are not hardened by means of burning in a kiln or subjected to any other heat process except for purposes of drying or for the purpose of accelerating the hardening of the binding agent;

and includes all operations incidental to or consequent on any of the aforesaid activities; (lxxvi)

(xvi) "chargehand" means an employee who is in charge of a group of Grade IV employees or labourers; (lxii)

(xvii) "clerk" means an employee who is engaged in writing, typing, filing or in any other form of clerical work and includes a cashier, storeman, despatch clerk and a telephone switchboard operator, but does not include any other class of employee elsewhere defined in this clause notwithstanding the fact that clerical work may form a portion of such employee's work; (xlv)

(xviii) "clerk, female, qualified," means a female clerk who has had not less than four years' experience; (xlvii)

(xix) "clerk, female, unqualified," means a female clerk, who has had less than four years' experience; (xlviii)

2. WOORDOMSKRYWINGS

(1) Tensy die sinsverband anders aandui, het elke uitdrukking wat in hierdie Vasstelling gebesig en in die Loonwet, 1957, omskryf word, dieselfde betekenis as in daardie Wet, en tensy onbestaanbaar met die sinsverband, beteken—

(i) "ambagsman" 'n werknemer wat werk doen wat in die reël deur 'n geskoolde ambagsman verrig word, en by die toepassing van hierdie woordomskrywing beteken die uitdrukking "geskoolde ambagsman" iemand wat sy leertyd uitgedien het in 'n bedryf wat kragtens die Wet op Vakleerlinge, 1944, aangewys is of geag word aangewys te wees, of wat in besit is van 'n vaardigheid-sertifikaat deur die Registrateur van Vakleerlinge aan hom uitgereik ingevolge artikel 6 van die Wet op Opleiding van Ambagsmanne, 1951, of 'n sertifikaat deur genoemde Registrateur aan hom uitgereik ingevolge of artikel 2 (7) of artikel 7 (3) van genoemde Wet en omvat dit ook 'n vormvervaardiger, 'n pleister-hulp, 'n venstermonteur, 'n sweiser (uitgesonderd 'n punt- of stuikswaier) en 'n vormgieter (uitgesonderd 'n werknemer wat materiaal in vorms instamp, vasstamp of stamp of vorms daarmee vul); (viii)

(ii) "ambagsman se assistent" 'n werknemer wat 'n ambagsman help deur artikels of gereedskap vas te hou of andersins met hom saam te werk sonder om selfstandige gebruik van gereedskap te maak; (ix)

(iii) "arbeider" 'n werknemer wat een of meer van die volgende werksaamhede verrig:

(1) sement vir voorafgespanne balke met die hand roer;

(2) houtkiste van kasplanke met die hand aanmeekaarsit;

(3) vorms inmeekaarsit of uitnekaarhaal maar nie by die vervaardiging van sierstukke, dwarsleërs of slingerbetonprodukte nie;

(4) die rande van plate afbreek;

(5) klip of betonblokke met 'n hamer breek;

(6) teëldrade in bondels opmaak;

(7) goedere met die hand dra, verskuif of opstapel of enige voertuig op 'n ander wyse stoot of trek as met 'n kragaan-gedrewe toestel;

(8) sakke, meubels, masjinerie, implemente, gereedskap, gerei of ander artikels of persele of voertuie skoonmaak;

(9) dele van vorms, uitgesonderd dwarsleërvorms, skoonmaak, olie of poleer;

(10) rantsoene kook of tee of dergelike drank berei;

(11) elektriese pype of draad met die hand sny;

(12) bome of plantegroei afkap, vernietig of verwyder;

(13) geboue of ander bouwerke sloop;

(14) briewe, boodskappe of goedere te voet of deur middel van 'n fiets, driewieler of ander nie-kragaan-gedrewe voertuig aflewer;

(15) vloerteëls of dakpanne met die hand van palette verwyder;

(16) geroeste wapenings in suur indompel of met sand vryf om die roes te verwyder;

(17) krae of slystukke uittrek of drewels uit pype uittrek;

(18) onder toesig materiaal, uitgesonderd asbes, in masjiene voer of van masjiene afneem of in tenks of vate voer of daaruit aftap;

(19) stortgeute of ander houers vul (uitgesonderd met asbes), maar nie vir versending nie;

(20) mengerhysemmer vul;

(21) materiaal met die hand in vorms instamp, stamp of vasstamp of dit daarmee vul;

(22) hake aan pype heg sodat dit deur 'n hyskraandrywer opgehys kan word;

(23) tuinwerk;

(24) betonartikels met die hand slyp, vryf of flodder;

(25) blinde skarniere in deurstyl insit;

(26) metaalstrokke of boutte in pilare insit om dit aan die dak vas te maak;

(27) wapening insit of in posisie hou sodat dit gesweis kan word;

(28) wapenings insit;

(29) rame of vorms oplug of omkeer;

(30) kampongs, latrines, stalle, buitegeboue of dergelike geboue of bouwerke afwit;

(31) op- of aflaa; (32) klip, grond, sand of klei met die hand losmaak, uithaal, breek of uitsprei of slote, fondamente of ander uitgrawingswerk met die hand verrig;

(33) vure maak of in stand hou of afval verwyder, maar nie die werk van 'n stoker verrig nie;

(34) produkte, kiste, kratte of ander houers of artikels merk, van 'n handelsmerk voorsien of sjabioneer of etikette wat vooraf geadresseer is, opplaak of aanheg;

(35) as, sement, sand of klip met die hand meng;

(36) kleurstof en sement met die hand meng;

(37) nie-kragaan-gedrewe masjinerie of voertuie olie of smeer;

(38) deure, kiste, kratte, sakke of kartonne oop- of toemaak;

(xx) "clerk, male, qualified," means a male clerk who has had not less than five years' experience; (xlv)

(xxi) "clerk, male, unqualified," means a male clerk who has had less than five years' experience; (xlv)

(xxii) "commission work" means any system under which a traveller's remuneration is calculated on the value or number of orders submitted by him to and accepted by his employer; (xlix)

(xxiii) "compound manager" means an employee who is in charge of a compound and responsible for the cleanliness and discipline of the persons housed in the compound; (xlii)

(xxiv) "crane driver" means an employee who operates and controls a power-driven crane other than a power-driven floor operated crane or hoist; (xxxvii)

(xxv) "crane driver, qualified," means a crane driver who has had not less than 12 months' experience; (xxxviii)

(xxvi) "crane driver, unqualified," means a crane driver who has had less than 12 months' experience; (xxxix)

(xxvii) "day" in relation to a shift worker, means the period of 24 hours calculated from the time the employee commences work; (xix)

(xxviii) "despatch clerk" means an employee who is responsible for the despatch or the packing of goods for transport or delivery and who may supervise the assembling, checking, mass-measuring, packing, marking, addressing or despatching of such goods or packages; (lxxxv)

(xxix) "despatch packer" means an employee who, under the supervision of a clerk or a forman, is engaged in packing articles for despatch; (lxxxvi)

(xxx) "driver of a motor vehicle" means an employee who is engaged in driving a motor vehicle, and for the purpose of this definition the expression "driving a motor vehicle" includes all periods of driving and any time spent by the driver on work connected with the vehicle or the load and all periods during which he is obliged to remain at his post in readiness to drive; (lvii)

(xxxi) "driver of a motor vehicle, Class I" means a driver of a motor vehicle who drives the vehicle outside an establishment; (lviii)

(xxxii) "driver of a motor vehicle, Class II," means a driver of a motor vehicle who drives the vehicle within an establishment; (lix)

(xxxiii) "emergency work" means—

(1) any work which, owing to unforeseen circumstances such as fire, storm, accident, epidemic, act of violence, theft or a breakdown of plant or machinery, must be done without delay;

(2) any work in connection with the loading or unloading of—

(i) ships;

(ii) trucks or vehicles of the South African Railways and Harbours; or

(iii) vehicles used by a cartage contractor in the fulfilment of his contract as such with the South African Railways and Harbours; or

(3) any work in connection with the cleaning, overhauling or repairing of plant or machinery which cannot be performed during ordinary working hours; (lx)

(xxxiv) "establishment" means any premises in or in connection with which one or more employees are employed in the Cement Products Industry; (vii)

(xxxv) "experience" means in relation to—

(a) a clerk, the total period or periods of employment which an employee has had as a clerk in any trade or in the service of the State;

(b) any other class of employee, the total period or periods of employment which an employee has had in his class in the Cement Products Industry; (lxiii)

(xxxvi) "factory clerk" means an employee who, under the supervision of a compound manager, a foreman or a qualified male clerk, is engaged in any one or more of the following duties:

(1) Checking, counting, recording, measuring (other than to set gauge or measure) or mass-measuring (other than to set scale);

(2) copying batch cards, job cards, production cards or other factory documents by hand;

(3) entering names or numbers on time or wage cards;

(4) filing, keeping or sorting invoices, consignment or delivery notes, requisitions or time or wage cards in numerical or alphabetical order;

(5) interpreting or translating Bantu languages;

(6) issuing components, tools or engineering stock or equipment against requisitions or receiving tools or such stock or equipment and returning requisitions held;

(39) kleppe of krane onder toesig oop- of toemaak maar nie 'n kragaangedrewe masjien regstreeks aan die gang sit of stopst nie;

(40) 'n handpomp bedien;

(41) 'n nie-kragaangedrewe hyskraan of hystoestel bedien;

(42) artikels van dieselfde grootte en getal in houters verpak wat spesiaal ontwerp is om sulke artikels te bevat;

(43) klonte of gekoekte vesels of sementmengsels van vilt of seilbandvervoerder afhaal;

(44) voetstukke en rame van vorms in posisie plaas of vorms vir teëlvervaardiging vul, maar nie voorwerk van meer as een kleur in vorms insit nie;

(45) beuels in voorafgespanne betonbalke, lateie of planke plaas;

(46) spykers, skroewe of boutte uit artikels trek;

(47) spiraalwapening met die hand op nie-kragaangedrewe trommel plaas;

(48) badvorms deur middel van 'n takelstel verwyder;

(49) plate afvryf of skoonmaak;

(50) geriffelde of veselbordkiste of -houters met die hand aan mekaar sit of uitmekaarhaal;

(51) sinkvorms van hout opstel deur dit vas te klem;

(52) sand of klip met 'n skopgraaf in 'n sifmasjien gooi;

(53) sakke met die hand sorteer, uitskud, in bondels opmaak of heelmaak;

(54) betonartikels bespuit, natmaak of indompel;

(55) wapeningsdraad met die hand reguit maak deur dit te span, lengtes volgens 'n gestelde maat afsny of beuels maak vir die versterking van wapening in balke;

(56) plastiek materiaal roer;

(57) plate abesement oor gegolfde palette afrol of plate in golwings oormekaar plaas of groewe deur middel van stawe uitstryk;

(58) plate abesement oor plat palette afrol of daaroor vee om dit glad te maak;

(59) motorvoertuie was of poleer;

(60) draad in palette insit; (liii)

(iv) "assistent-kampongbestuurder" 'n werknemer wat onder die algemene toesig van 'n kampongbestuurder enigeen van die werksaamhede of pligte van 'n kampongbestuurder uitvoer en wat gedurende sy afwesigheid namens hom kan waarneem; (x)

(v) "assistent-voorman" 'n werknemer wat onder die algemene toesig van 'n voorman enigeen van die werksaamhede of pligte van 'n voorman verrig en wat gedurende sy afwesigheid namens hom kan waarneem; (xi)

(vi) "assistent-bediener van 'n masjien" 'n werknemer wat onder die toesig van 'n masjienbediener of 'n voorman 'n masjien bedien; (xii)

(vii) "bedryfsinrigting" 'n perseel waarop of in verband waarmee een of meer werknemers in die Sementproduktenywerheid in diens is; (xxxiv)

(viii) "bestuurder" 'n werknemer wat deur sy werkgever belas is met die algehele—

(a) toesig oor,

(b) verantwoordelikheid vir, en

(c) leiding van,

die werksaamhede van 'n bedryfsinrigting en die werknemers wat daarin werk; (lvi)

(ix) "bediener van 'n mobiele hystoestel" 'n werknemer wat 'n kragaangedrewe mobiele hystoestel of 'n vurkhuyswa bedien wat by die laai, aflaai, versit of opstapel van goedere gebruik word; (lvii)

(x) "bediener van 'n asbesementpyp- of voegdraaibank, gekwalifiseerd," 'n bediener van 'n asbesementpyp- of voegdraaibank met minstens 12 maande ondervinding; (lxii)

(xi) "bediener van 'n asbesementpyp- of voegdraaibank, ongekwalifiseerd," 'n bediener van 'n asbesementpyp- of voegdraaibank met minder as 12 maande ondervinding; (lxiii)

(xii) "bediener van 'n sentrale betonmenginstallasie" 'n werknemer wat onder die toesig van 'n opsigter van 'n sentrale betonmenginstallasie of 'n voorman 'n sentrale betonmenginstallasie bedien; (lxiv)

(xiii) "bediener van 'n beheertafel, paneel of konsol van 'n asbesementpypvervaardigingsmasjien, gekwalifiseerd," 'n bediener van 'n beheertafel, paneel of konsol van 'n asbesementpypvervaardigingsmasjien met minstens 12 maande ondervinding; (lxv)

(xiv) "bediener van 'n beheertafel, paneel of konsol van 'n asbesementpypvervaardigingsmasjien, ongekwalifiseerd," 'n bediener van 'n beheertafel, paneel of konsol van 'n asbesementpypvervaardigingsmasjien met minder as 12 maande ondervinding; (lxvi)

(xv) "bediener van 'n plastiekbekledingsmasjien" 'n werknemer wat onder die toesig van 'n voorman die massa van plastiek-materiaal op 'n gestelde massameter bepaal, materiaal byvoeg tot op 'n vaste merk en 'n bekledingsmasjien bedien; (lxx)

(7) registering the engagement, discharge or resignation of employees;

(8) scheduling production figures;

(9) stamping or writing tickets;

(10) writing passes;

(11) writing out consignment or delivery notes;

(12) writing up stock cards; (xxii)

(xxxvii) "factory clerk, qualified," means a factory clerk who has not less than 12 months' experience; (xxiii)

(xxxviii) "factory clerk, unqualified," means a factory clerk who has had less than 12 months' experience; (xxiv)

(xxxix) "fireman" means an employee who stokes, rakes, slices or draws the fire of a boiler and includes an attendant of a non-pressure boiler; (lxxxix)

(xli) "first-aid attendant" means an employee who holds a current certificate of competency in first-aid issued by—

- (a) the South African Red Cross Society;
- (b) the St John Ambulance Association; or
- (c) die Suid-Afrikaanse Noodhulpliga,

and who is in charge of a first-aid room; (xxi)

(xlii) "foreman" means an employee who is in charge of the employees in an establishment or a section of an establishment, who exercises control over such employees and who is responsible for the efficient performance by them of their duties; (lxxxvii)

(xliii) "Grade I employee" means an employee who is engaged in any one or more of the following capacities or operations:

- (1) Assembling units or fixing units of concrete articles together;
- (2) chargehand;
- (3) checking thickness on cutting off sheets from production roller;
- (4) finishing, coating or colouring—

- (i) casts in reconstructed stone;
- (ii) ornamental work in pressed concrete articles;

(5) induna;

(6) making asbestos-cement pressure pipe fittings including moulding, gauging and turning by hand;

(7) mixing colouring material with cement for roof tiles and feeding into a power-driven colour mixer;

(8) operator of a concrete pipe making machine, other than a power-driven hydraulic vertical pipe making machine;

(9) operator of an electric circular saw or a power-driven guillotine;

(10) operator of an off-take installation of an asbestos-cement sheet-making machine;

(11) operator of a plastic lining machine;

(12) operator of a roof tile extrusion machine;

(13) operator of a sleeper-moulding machine;

(14) painting fences, outbuildings, plant or machinery with anti-corrosives;

(15) regulating speed of an asbestos cement sheet-making machine;

(16) testing concrete slump; (xcii)

(xliii) "Grade I employee, qualified," means a Grade I employee who has had not less than six months' experience; (xciii)

(xliv) "Grade I employee, unqualified," means a Grade I employee who has had less than six months' experience; (xciv)

(xlv) "Grade II employee" means an employee who is engaged in any one or more of the following capacities or operations:

(1) Applying rough surface facings, by means of a power-driven vibrator, to machine made roof tiles;

(2) assistant operator of a concrete pipe making machine;

(3) assistant operator of a sleeper moulding machine;

(4) assisting an inspector in his duties, including working with set gauge under supervision;

(5) caulking on collars by means of a pneumatic rammer;

(6) controlling the addition of water to a power-driven continuous feed concrete mixer for roof tiles;

(7) controlling the amount of coloured cement facings when sprayed by air operated guns onto concrete roof tiles;

(8) cutting pre-stressed or other wires by means of an acetylene cutting torch;

(9) grinding, rubbing, smoothing or buffing asbestos-cement pipes or poles by power-driven machine;

(10) inserting coloured cement facings in moulds in tile making (other than inserting one colour only);

(11) making bolts for insertion in concrete products;

(12) making crates or boxes, other than assembling from shooks by hand;

(13) making roof tiles in a non-power-driven press;

(14) making sleeves to receive window sash pins;

(15) making spiral wire plugs;

(16) measuring or bending cut rods for reinforcing;

(17) mixing acid and water for treating roof tiles;

(xvi) "bediener van 'n pyptoetsmasjien" 'n werknemer wat verantwoordelik is vir die toets van pype onder hidrouliese druk; (lxvii)

(xvii) "bediener van 'n pyptoetsmasjien, gekwalifiseerd," 'n bediener van 'n pyptoetsmasjien met minstens 12 maande ondervinding; (lxviii)

(xviii) "bediener van 'n pyptoetsmasjien, ongekwalifiseerd," 'n bediener van 'n pyptoetsmasjien met minder as 12 maande ondervinding; (lxix)

(xix) "dag" met betrekking tot 'n skofwerker, die tydperk van 24 uur, gereken vanaf die tydstop waarop die werknemer begin werk; (xxvii)

(xx) "deeltydse drywer van 'n motorvoertuig" 'n werknemer wat in die reël ander werk doen as om 'n motorvoertuig te dryf maar wat op meer as twee dae in 'n week 'n motorvoertuig vir altesaam hoogstens drie uur op enige sodanige dag dryf en by die toepassing van hierdie woordomskrifing omvat die uitdrukking "n motorvoertuig dryf" alle tydperke wat hy dryf en alle tyd wat die drywer, terwyl hy in beheer van die voertuig is, aan werk in verband met die voertuig of die vrag bestee; (lxxi)

(xxi) "eerstephulpbediener" 'n werknemer wat in besit is van 'n geldige bekwaamheidsertifikaat in eerstephulp wat uitgereik is deur—

- (a) die Suid-Afrikaanse Rooikruisvereniging;
- (b) die St John Ambulance Association; of
- (c) die Suid-Afrikaanse Noodhulpliga;

en wat in beheer van 'n eerstephulpkamer is; (xl)

(xxii) "fabrieksklerk" 'n werknemer wat onder die toesig van 'n kampongbestuurder, 'n voorman of 'n gekwalifiseerde manlike klerk een of meer van die volgende pligte verrig:

(1) Nagaan, tel, aanteken, meet (maar nie deur middel van 'n voorafgestelde meter of maat nie) of massameet (maar nie deur middel van 'n voorafgestelde massameter nie);

(2) afskrifte van lotkaarte, taakkaarte, produksiekaarte of ander fabrieksdokumente met die hand maak;

(3) name of nommers op tyd- of loonkaarte inskryf;

(4) fakture, vragbriewe of aflewingsbriewe, rekvisisies of tyd- of loonkaarte in numerieke of alfabetiese volgorde liaseer, hou of sorteer;

(5) uit Bantoetale tolk of vertaal;

(6) samestellende dele, gereedschap of ingenieursvoorrade of uitrusting teen rekvisisies uitreik of gereedschap of sodanige voorrade of uitrusting ontvang en die rekvisisies teruggee wat daarvoor gehou is;

(7) die indiensneming, ontslag of bedanking van werknemers aanteken;

(8) lyste van produksiesyfers opstel;

(9) kaartjies stempel of uitskryf;

(10) passe uitskryf;

(11) vrag- of aflewingsbriewe uitskryf;

(12) voorraadkaarte bygewerk hou; (xxxvi)

(xxiii) "fabrieksklerk, gekwalifiseerd," 'n fabrieksklerk met minstens 12 maande ondervinding; (xxxvii)

(xxiv) "fabrieksklerk, ongekwalifiseerd," 'n fabrieksklerk met minder as 12 maande ondervinding; (xxxviii)

(xxv) "faktotum" 'n werknemer wat kleinere herstelwerk of verstellings doen aan masjinerie of uitrusting, uitgesonderd masjinerie of uitrusting wat regstreeks by die vervaardiging van die produkte van 'n bedryfsinrigting gebruik word en wat ook kleinere herstelwerk of opknappings aan geboue kan doen maar wat geen werk verrig wat gewoonlik deur 'n ambagsman gedoen word nie; (l)

(xxvi) "Gebied A" die landdrosdistrikte Bellville, Die Kaap, Simonstad en Wynberg; (i)

(xxvii) "Gebied B" die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan, Durban, Germiston, Inanda, Johannesburg, Kempton Park, Krugersdorp, Nigel, Oberholzer, Pinetown, Port Elizabeth, Pretoria, Randfontein, Roodepoort, Sasolburg, Springs, Vanderbijlpark en Westonaria en daardie gedeelte van die landdrosdistrik Vereeniging wat binne 'n straal van 15 myl vanaf die Hoofposkantoor van Vereeniging val; (ii)

(xxviii) "Gebied C" daardie gedeelte van die landdrosdistrik Vereeniging wat buite 'n straal van 15 myl vanaf die Hoofposkantoor van Vereeniging val; (iii)

(xxix) "Gebied D" die landdrosdistrikte Paarl, Somerset-Wes, Stellenbosch, Strand en Wellington; (iv)

(xxx) "Gebied E" die landdrosdistrikte Bloemfontein, Oos-Londen, Kimberley, Pietermaritzburg en Uitenhage; (v)

(xxxi) "Gebied F" die landdrosdistrikte Klerksdorp, Kroonstad, Odendaalsrus, Virginia, Welkom en Witbank; (vi)

(xxxii) "Gebied G" al die gebiede in klousule 1 genoem maar nie in die woordomskrifings van "Gebied A", "Gebied B", "Gebied C", "Gebied D", "Gebied E", en "Gebied F" genoem nie; (vii)

(xxxiii) "handelsreisiger" 'n werknemer wat as 'n reisende verteenwoordiger van 'n bedryfsinrigting namens so 'n inrigting bestellings vra, werf of soek; (xciii)

(18) polishing, finishing or slurring terrazzo or reconstructed stone products by hand;

(19) putting on screw threads on bolts by non-power-driven machine;

(20) testing stresses of sleeper hairpins;

(21) watching and controlling the addition of water in sedimentation tanks and signalling when to start or stop the water pump;

(22) watching and controlling the addition of water and asbestos-cement slurry into asbestos-cement production machines;

(23) operator of any one or more of the following power-driven machines:

(a) A butt or spot welding machine;

(b) a caging drum;

(c) a calender machine;

(d) a colour mixing machine;

(e) a fibre processing plant;

(f) a hydraulic vertical pipe making machine;

(g) a hydraulic reversing table;

(h) an office duplicating, franking, addressograph or photostat machine;

(i) a non-portable grinding or sanding machine;

(j) a non-portable cutting wheel;

(k) a pole tilting machine;

(l) a polishing machine;

(m) a press in making of blocks, bricks, slabs, tiles, roof tiles or asbestos-cement products;

(n) a pre-stressing jack;

(o) a reinforcement making machine;

(p) a spooling machine;

(q) a vibrator table or board;

(r) a waste recovery crushing plant; (xcv)

(xlv) "Grade II employee, qualified," means a Grade II employee who has had not less than three months' experience; (xcvi)

(xlvii) "Grade II employee, unqualified," means a Grade II employee who has had less than three months' experience; (xcvii)

(xlviii) "Grade III employee" means an employee who is engaged in any one or more of the following capacities or operations:

(1) Assembling or dismantling equipment for the plastic lining of concrete pipes;

(2) assembling or dismantling ornamental or sleeper moulds;

(3) assistant operator of an asbestos-cement joint or pipe lathe;

(4) assistant operator of a caging drum;

(5) assistant operator of a calender machine or loosening pipes in calender;

(6) assistant operator of a pipe testing machine;

(7) assisting a Grade I employee in the manufacture of asbestos-cement pipe fittings;

(8) boiler attendant;

(9) changing wheels or mending punctures;

(10) checking or topping up the fuel, oil or water in motor vehicles;

(11) checking quality of wet concrete;

(12) cutting off wet asbestos-cement sheets from production roller;

(13) dispatch packer;

(14) drawing together (other than by welding) protruding ends of reinforcing of poles or filling or padding the ends with concrete;

(15) drilling, cutting or mitring asbestos-cement slates or corrugated sheets to set pattern, including the drilling of stop-ends;

(16) driver of an animal drawn vehicle;

(17) filling moulds for terrazzo;

(18) gauging green sleepers;

(19) inserting hairpins or nuts into sleepers;

(20) making moulded goods, Class A;

(21) oiling or greasing power-driven machines or vehicles;

(22) operating a clutch controlling off-take conveyor;

(23) pouring plastic into concrete pipes;

(24) preparing concrete cubes for testing;

(25) priming inside of concrete pipes prior to plastic lining;

(26) recording distances travelled by motor vehicles;

(27) regulating of felt of wet concrete machine;

(28) securing step-irons to manholes by grouting;

(29) skip employee;

(30) taking and preparing samples of aggregates for testing;

(31) taking off, cleaning or replacing motor vehicle parts for repair, other than the work of an artisan;

(32) taking out, putting on charge or replacing batteries of motor vehicles or topping up such batteries;

(xxxiv) "handelsreisiger, gekwalifiseerd," 'n handelsreisiger, met minstens vier jaar ondervinding; (xciv)

(xxxv) "handelsreisiger, ongekwalifiseerd," 'n handelsreisiger met minder as vier jaar ondervinding; (xcv)

(xxxvi) "handelsreisiger se assistent" 'n werknemer wat 'n handelsreisiger vergesel en hom met die inpak, uitpak of vertoon van sy monsters help en wat die motorvoertuig kan dryf wat die handelsreisiger by die uitvoering van sy werk gebruik; (xcvi)

(xxxvii) "hyskraandrywer" 'n werknemer wat 'n kragaan-gedrewe hyskraan bedien en beheer, uitgesonderd 'n kragaan-gedrewe hyskraan of hystoestel wat van die vloer af bedien word; (xxiv)

(xxxviii) "hyskraandrywer, gekwalifiseerd," 'n hyskraandrywer met minstens 12 maande ondervinding; (xxv)

(xxxix) "hyskraandrywer, ongekwalifiseerd," 'n hyskraandrywer met minder as 12 maande ondervinding; (xxvi)

(xl) "indoena" 'n werknemer wat 'n kampongbestuurder help om die orde of dissipline in 'n kampong te handhaaf; (li)

(xli) "inspekteur" 'n werknemer wat verantwoordelik is vir die aanneming of afwysing van die produkte van 'n bedryfs-inrigting; (lii)

(xlii) "kampongbestuurder" 'n werknemer wat aan die hoof staan van 'n kampong en verantwoordelik is vir die sindelikeheid en dissipline van die persone wat in die kampong gehuisves word; (xxiii)

(xliii) "ketelbediener" 'n werknemer wat onder algemene toesig die waterpeil en stoomdruk in 'n stoomketel in stand hou en wat die vuur in sodanige stoomketel kan maak, stook of uithaal; (xiii)

(xliv) "klerk" 'n werknemer wat skryf-, tik-, liasseer- of enige ander soort klerklike werk verrig en omvat dit ook 'n kassier, magasynman, versendingsklerk en 'n telefoonskakelbordopera-teur, maar geen ander klas werknemer wat elders in hierdie klousule omskryf word nie, al maak klerklike werk ook deel uit van so 'n werknemer se werk; (xvii)

(xlv) "klerk, man, gekwalifiseerd," 'n manlike klerk met minstens vyf jaar ondervinding; (xx)

(xlvii) "klerk, man, ongekwalifiseerd," 'n manlike klerk met minder as vyf jaar ondervinding; (xxi)

(xlviii) "klerk, vrou, gekwalifiseerd," 'n vroulike klerk met minstens vier jaar ondervinding; (xxviii)

(xlviii) "klerk, vrou, ongekwalifiseerd," 'n vroulike klerk met minder as vier jaar ondervinding; (xix)

(xlix) "kommissiewerk" 'n stelsel waarvolgens 'n handelsreisiger se besoldiging bereken word volgens die getal of waarde van die bestellings wat hy aan sy werkgever voorle en wat laas-geenoemde aanvaar; (xxii)

(l) "korttyd" 'n tydelike vermindering van die getal gewone werkeure weens die wisselvalligheid van die weer, 'n slapte in die bedryf, 'n tekort aan grondstowwe of 'n onklaarraking van installasie of masjinerie, of weens die feit dat die geboue onbruikbaar is of dreig om dit te word; (lxxxviii)

(li) "loon" die bedrag wat ingevolge klousule 3 (1) aan 'n werknemer betaalbaar is ten opsigte van sy gewone werkeure soos by klousule 5 voorgeskryf. Met dien verstande—

(i) dat as 'n werkgever 'n werknemer ten opsigte van sodanige gewone werkeure gereeld 'n hoër bedrag betaal as dié in klousule 3 (1) voorgeskryf, dit sodanige hoër bedrag beteken;

(ii) dat die eerste voorbehoudsbepaling nie so uitgelê mag word nie dat dit besoldiging bedoel of omvat wat 'n werknemer wat in diens is op enige grondslag waarvoor daar in klousule 9 voorsiening gemaak word, ontvang bo en behalwe die bedrag wat hy sou ontvang het as hy nie op sodanige grondslag in diens was nie; (xcviii)

(lii) "los werknemer" 'n werknemer wat hoogstens drie dae in 'n week by dieselfde werkgever in diens is; (xiv)

(liii) "magasynman" 'n werknemer wat beheer het oor die voorrade inkomende goedere of afgewerkte of gedeeltelik afgewerkte produkte en wat daarvoor verantwoordelik is om goedere in 'n magasyn of pakhuis (maar nie 'n oop voorraadwerf nie) te ontvang, op te berg, te verpak of uit te pak of om goedere uit 'n magasyn of pakhuis aan die verbruiksafdelings in 'n bedryfsinrigting of vir versending te lewer; (lxxxix)

(liii) "masjiensbediener" 'n werknemer wat 'n kragaan-gedrewe masjiens aansit en stopsit en wat die nodige lopende verstellers of geringe herstelwerk aan so 'n masjiens kan doen, en het "n masjiens bedien" en "die bediening van 'n masjiens" ooreen-stemmende betekenisse; (lxi)

(liii) "masjiensfaktotum" 'n werknemer wat kleinere herstelwerk of verstellers doen aan masjinerie of uitrusting wat regstreeks by die vervaardiging van die produkte van 'n bedryfsinrigting gebruik word maar wat geen werk verrig wat gewoonlik deur 'n ambagsman gedoen word nie; (lv)

(liii) "motorvoertuig" 'n kragaan-gedrewe voertuig wat gebruik word vir die vervoer van goedere, uitgesonderd 'n handels-reisiger se monsters, en omvat dit ook 'n trekker en 'n voorhaker maar nie 'n mobiele hystoestel of 'n vrkhuyswa nie; (liiii)

(33) tallyman;
 (34) watchman;
 (35) operator of any one or more of the following power-driven machines:

- (a) An aggregate scraping machine;
- (b) an automatic vibrator, other than an vibrating table or board;
- (c) a concrete mixing machine, other than a central concrete mixing plant;
- (d) a destranding machine;
- (e) a drilling machine in the plastic lining of pipes;
- (f) a floor operated crane or hoist;
- (g) a grass rolling machine;
- (h) a mortar injection machine in the manufacture of sleepers;
- (i) a portable hand tool;
- (j) a re-pulping asbestos-cement machine;
- (k) a ring or spiral forming machine;
- (l) a sand or stone sifting machine;
- (m) a straightening or stretching machine; (xcviii)

(xlix) "Grade IV employee" means an employee who is engaged in any one or more of the following capacities or operations:

- (1) Adding water to unslaked lime;
- (2) artisan's assistant;
- (3) assembling or dismantling moulds in the manufacture of spun concrete pipes;
- (4) assisting in the stacking of sleepers, other than by using a power-driven device;
- (5) bagging putty lime;
- (6) blending or mixing asbestos;
- (7) cleaning moulds or pallets in the manufacture of sleepers;
- (8) cutting off sheets of asbestos-cement mixture (other than from production roller) or rolling such sheets by hand for lifting or carrying;
- (9) degreasing steel in the manufacture of sleepers;
- (10) dipping or coating pipes or other articles other than in the plastic lining of concrete pipes;
- (11) edge cutting or trimming wet guttering or asbestos-cement sheets by hand;
- (12) feeding ingredients to a concrete mixer to fixed mass-measure or measure;
- (13) filling hoppers or other containers with asbestos;
- (14) fireman;
- (15) grinding terrazzo by means of carborundum stone by hand prior to slurring, polishing or finishing;
- (16) grouting ends of sleepers;
- (17) loosening asbestos;
- (18) making cement blocks by means of a non-power-driven machine;
- (19) making moulded goods, Class B;
- (20) operating or feeding a non-power-driven guillotine;
- (21) painting seats or ends of sleepers;
- (22) patching concrete products;
- (23) patching mould parts;
- (24) repairing reinforcing;
- (25) rubbing window frames for surface smoothing or repairing chippings or straight edging;
- (26) sanitation employee;
- (27) washing sleeper mould components;
- (28) mass-measuring to a set scale or measuring to set gauge or measure; (xcix)

(i) "handyman" means an employee who is engaged in making minor repairs or adjustments to machinery or equipment, other than machinery or equipment directly used in the manufacture of the products of an establishment, and who may effect minor repairs or renovations to buildings but who does not do work normally performed by an artisan; (xxv)

(ii) "induna" means an employee who assists a compound manager in maintaining order or discipline in a compound; (xl)

(iii) "inspector" means an employee who is responsible for the acceptance or rejection of the products of an establishment; (xli)

(liii) "labourer" means an employee who is engaged in any one or more of the following activities:

- (1) Agitating cement by hand for pre-stressed beams;
- (2) assembling wooden boxes from shooks by hand;
- (3) assembling or dismantling moulds, other than in the manufacture of ornamentals, sleepers or of spun concrete products;
- (4) breaking off edges of sheets;
- (5) breaking stone or concrete blocks by means of a hammer;
- (6) bundling tile wires;
- (7) carrying, moving or stacking goods by hand or pushing or pulling any vehicle otherwise than by power-driven device;

(lvii) "motorvoertuigdrywer" 'n werknemer wat 'n motorvoertuig dryf, en by die toepassing van hierdie woordskrywing omvat die uitdrukking "n motorvoertuig dryf" alle tydperke way hy dryf, alle tyd wat hy bestee aan werk in verband met die voertuig of die vraag en alle tydperke wat hy verplig is om op sy pos te bly gereed om te dryf; (xxx)

(lviii) "motorvoertuigdrywer, klas I," 'n motorvoertuigdrywer wat die voertuig buite 'n bedryfsinrigting dryf; (xxxi)

(lix) "motorvoertuigdrywer, klas II," 'n motorvoertuigdrywer wat die voertuig binne 'n bedryfsinrigting dryf; (xxxii)

(lx) "noodwerk"—

(1) enige werk wat weens onvoorsiene omstandighede soos 'n brand, storm, ongeluk, epidemie, gewelddaad, diefstal of 'n onklaarraking van installasie of masjinerie sonder versuim gedoen moet word;

(2) enige werk in verband met die laai of aflaai van—

(i) skepe;

(ii) spoorwaens of voertuie van die Suid-Afrikaanse Spoorweë of Hawens; of

(iii) voertuie wat deur 'n vervoerkontraakteur gebruik word in die nakoming van sy kontrak as sodanig met die Suid-Afrikaanse Spoorweë en Hawens; of

(3) enige werk in verband met die skoonmaak, opknapping of herstel van installasie of masjinerie wat nie gedurende gewone werkure verrig kan word nie; (xxxiii)

(lxi) "onbelaste massa" die massa van 'n motorvoertuig of sleepwa soos aangegee in 'n lisensie of sertifikaat wat ten opsigte van so 'n motorvoertuig of sleepwa uitgereik is deur 'n owerheid wat by wet gemagtig is om lisensies ten opsigte van motorvoertuie uit te reik: Met dien verstande dat—

(i) in die geval van 'n twee- of driewielmotorfiets, bromponie of bromfiets of trapfiets met hulpmotor, die onbelaste massa geag word hoogstens 450 kg te wees;

(ii) die onbelaste massa van 'n motorvoertuig of sleepwa wat nie gelisensieer of geregistreer hoef te wees nie, die massa is soos deur die vervaardiger van sodanige voertuig of sleepwa gespesifiseer; (xcvii)

(lxii) "onderbaas" 'n werknemer wat aan die hoof staan van 'n groep werknemers graad IV of arbeiders; (xvi)

(lxiii) "ondervinding" met betrekking tot—

(a) 'n klerk, die totale tydperk of tydperke wat 'n werknemer as 'n klerk in enige bedryf of in die diens van die Staat werksaam was;

(b) alle ander klasse werknemers, die totale tydperk of tydperke wat 'n werknemer in sy klas in die Sementproduktienywerheid werksaam was; (xxxv)

(lxiv) "paaldraaier" 'n werknemer wat verantwoordelik is vir die bediening van een of meer draaimasjiene in die vervaardiging van betonpale; (lxxx)

(lxv) "paaldraaier, gekwalifiseerd," 'n paaldraaier met minstens 12 maande ondervinding; (lxxxii)

(lxvi) "paaldraaier, ongekwalifiseerd," 'n paaldraaier met minder as 12 maande ondervinding; (lxxxii)

(lxvii) "pleisterhulp" 'n werknemer wat modelle bou of vorms maak (uitgesonderd 'n werknemer wat materiaal in vorms instamp, vasstamp of stamp of vorms daarmee vul); (lxxxix)

(lxviii) "pulpmasjienbediener" 'n werknemer wat enige tipe masjien vir die verpulping of versnippering van sellulose of dergelike materiaal bedien; (lxxxiii)

(lxix) "pypboorman" 'n werknemer wat asbessementpype boor, moerdraad daarin sny of dit draai op 'n ander manier as op 'n produksiedraaibank; (lxxxiii)

(lxx) "pypboorman, gekwalifiseerd," 'n pypboorman met minstens 12 maande ondervinding; (lxxxiv)

(lxxi) "pypboorman, ongekwalifiseerd," 'n pypboorman met minder as 12 maande ondervinding; (lxxxv)

(lxxii) "pydraaier" 'n werknemer wat verantwoordelik is vir die bediening van een of meer draaimasjiene in die vervaardiging van betonpype; (lxxxvi)

(lxxiii) "pydraaier, gekwalifiseer," 'n pydraaier met minstens 12 maande ondervinding; (lxxxvii)

(lxxiv) "pydraaier, ongekwalifiseerd," 'n pydraaier met minder as 12 maande ondervinding; (lxxxviii)

(lxxv) "sanitasiewerknemer" 'n werknemer wat sanitêre emmers verwyder, leegmaak, skoonmaak of vervang of wat rioolpype of -punte oopmaak of sanitêre geriewe of uitrusting skoonmaak of versorg; (lxxxiv)

(lxxvi) "Sementproduktienywerheid" die nywerheid waarin werkgewers en werknemers met mekaar geassosieer is in bedryfsinrigtings wat ingevolge die Wet op Fabriek, Masjinerie en Bouwerk, 1941, geregistreer is of aan registrasie onderworpe is met die doel om een of meer van die volgende artikels te vervaardig:

- (8) cleaning bags, furniture, machinery, implements, tools, utensils or other articles or premises or vehicles;
- (9) cleaning, oiling or polishing mould parts, other than sleeper moulds;
- (10) cooking rations or making tea or similar beverages;
- (11) cutting electric tubing or wire by hand;
- (12) cutting down, destroying or removing trees or vegetation;
- (13) demolishing buildings or other structures;
- (14) delivering letters, messages or goods on foot or by means of a bicycle, tricycle or other non-power-driven vehicle;
- (15) depalleting floor or roof tiles by hand;
- (16) dipping rusty reinforcements into acid or rubbing in sand to remove the rust;
- (17) extracting collars or shoes or extracting mandrels from pipes;
- (18) feeding materials, other than asbestos, into or taking off from machines, or feeding into or drawing off from tanks or vats, under supervision;
- (19) filling (other than with asbestos) hoppers or other containers, other than for dispatch;
- (20) filling mixer hoist bucket;
- (21) filling, stamping, tamping or ramming material into moulds by hand;
- (22) fixing hooks on to pipes for hoisting by a crane driver;
- (23) gardening work;
- (24) grinding, rubbing or slurring concrete articles by hand;
- (25) inserting dummy hinges in door styles;
- (26) inserting metal strips or bolts in columns for fastening to roof;
- (27) inserting or holding in position reinforcing for welding;
- (28) inserting reinforcements;
- (29) lifting or turning over frames or moulds;
- (30) lime-washing compounds, latrines, stables, outbuildings or similar buildings or structures;
- (31) loading or unloading;
- (32) loosening, taking out, breaking or spreading stone, soil, sand or clay, or digging trenches, foundations or other excavation work, by hand;
- (33) making or maintaining fires or removing refuse, other than the work of a fireman;
- (34) marking, branding or stencilling products, boxes, crates or other containers or articles or affixing pre-addressed labels;
- (35) mixing ash, cement, sand or stone by hand;
- (36) mixing colouring material with cement by hand;
- (37) oiling or greasing non-power-driven machinery or vehicles;
- (38) opening or closing doors, boxes, crates, bags or cartons;
- (39) opening or closing valves or cocks (under supervision) other than for the direct setting into motion or stopping of any power-driven machine;
- (40) operating a hand pump;
- (41) operating a non-power-driven crane or hoist;
- (42) packing articles of uniform size and number into containers specially designed to contain such articles;
- (43) picking off lumps or matted fibre or cement mix from felt or canvas belt conveyor;
- (44) placing bases and frames of moulds or filling moulds for tile making, other than inserting facings of more than one colour in moulds;
- (45) placing stirrups in pre-stressed concrete beams, lintels or planks;
- (46) pulling out nails, screws or bolts from articles;
- (47) putting spiral reinforcement by hand on a non-power-driven drum;
- (48) removing bath moulds by means of block and tackle;
- (49) rubbing or cleaning sheets;
- (50) setting up or dismantling, by hand, corrugated or fibre board boxes or containers;
- (51) setting wooden sink moulds by clamping;
- (52) shovelling sand or stone into a sifting machine;
- (53) sorting, shaking out, bundling or mending by hand sacks or bags;
- (54) spraying, watering or immersing concrete articles;
- (55) straightening reinforcing wire by stretching, cutting off lengths to set measurement or making stirrups for strengthening reinforcing in beams, by hand;
- (56) stirring plastic materials;
- (57) unwinding sheets of asbestos-cement over corrugated pallets or lapping sheets into corrugations or smoothing grooves by means of rods;

Stene, teëls, dakpanne, blokke, pilare, potte, pype, pyptoebehore, lugroosters of enige ander artikel waarvan sement of kalk of beide sement en kalk die vernaamste bindmiddel vorm en wat nie deur middel van oondbrand gehard word of enige ander verhardtingsproses ondergaan nie, behalwe vir drogingsdoeleindes om die hardword van die bindmiddel te bespoedig; en omvat dit ook alle werksaamhede wat met engeen van voornoemde bedrywighede in verband staan of daaruit voortspruit; (xv)

(lxxvii) "senior bestuurs- of administratiewe werknemer" 'n werknemer wat in opdrag van sy werkgever werk verrig wat die verantwoordelikheid meebring om by die uitvoering van die bedryfsinrigting se werksaamhede besluite van 'n administratiewe aard te neem; (lxxv)

(lxxviii) "skofbaas" 'n werknemer wat onder die toesig van 'n voorman of assistent-voorman aan die hoof staan van een of meer asbessementproduksie-eenhede; (lxxvi)

(lxxix) "skofwerker" 'n werknemer wat 'n werksaamheid verrig waarin ononderbroke werk by wyse van drie skofte per dag op minstens vyf dae per week nodig is; (lxxvii)

(lxxx) "sleepwag" enige vervoermiddel wat deur 'n motorvoertuig getrek word; (xcii)

(lxxxi) "stoker" 'n werknemer wat die vuur in 'n stoomketel stook, uitkrap, met 'n vuurskop bewerk of uithaal en omvat dit ook 'n bediener van 'n druklose stoomketel; (xxxix)

(lxxxii) "stukwerk" 'n stelsel waarvolgens 'n werknemer se besoldiging gegrond word op die hoeveelheid werk wat verrig is; (lxxii)

(lxxxiii) "tegniese of professionele werknemer" 'n werknemer wat in opdrag van sy werkgever werk van 'n tegniese of professionele aard verrig; (xci)

(lxxxiv) "toesighouer" 'n werknemer, uitgesonderd 'n voorman, assistent-voorman of skofbaas, wat toesig hou oor 'n groep werknemers graad I, werknemers graad II of werknemers graad III, en wat toesig oor werknemers graad IV of arbeiders kan hou; (xc)

(lxxxv) "versendingsklerk" 'n werknemer wat verantwoordelik is vir die versending of verpakking van goedere vir vervoer of aflewering en wat toesig kan hou oor die byeenbring, nagaan, massameet, verpakking, merk, adresseer of versending van goedere of pakkette; (xxviii)

(lxxxvi) "versendingsverpakker" 'n werknemer wat onder die toesig van 'n klerk of 'n voorman artikels vir versending verpak; (xxix)

(lxxxvii) "voorman" 'n werknemer wat aan die hoof staan van die werknemers in 'n bedryfsinrigting of 'n gedeelte van 'n bedryfsinrigting, wat beheer oor sodanige werknemers uitoefen en wat daarvoor verantwoordelik is dat hulle hul pligte doeltreffend verrig; (xli)

(lxxxviii) "vormgoedere, klas A," asbessementgoedere waarvan die vervaardiging meebring dat homogene laste tussen twee plate of dele of rande van dieselfde plaat gemaak moet word terwyl dit nog nat is; (lix)

(lxxxix) "vormgoedere, klas B," asbessementgoedere waarvan die vervaardiging voltooï kan word deur 'n enkele stuk nat plaat van enige grootte of fatsoen op of in 'n vorm te plaas en dit te manipuleer om die fatsoen van die vorm aan te neem en die oorskiet af te werk; (lx)

(xc) "wag" 'n werknemer wat 'n perseel of eiendom bewaak; (xcix)

(xci) "weekloon" met betrekking tot 'n werknemer vir wie 'n loon op 'n uurgrondslag in kousule 3 (1) voorgeskryf word, sy uurloon vermenigvuldig deur—

(a) vyf-en-veertig in die geval van so 'n werknemer wat gereeld vyf-en-veertig gewone werkure of minder in 'n week werk;

(b) ses-en-veertig in die geval van enige ander sodanige werknemer; (ccx)

(xcii) "werknemer graad I" 'n werknemer wat in een of meer van die volgende hoedanighede diens doen of wat een of meer van die volgende werksaamhede verrig:

(1) Eenhede van betonartikels inmeekaarsit of saamvoeg;

(2) onderbaas;

(3) dikte van plate nagaan wanneer hulle van produksierollers afgesny word;

(4) (i) kunsklipgietsels;

(ii) sierwerk van geperste betonartikels, afwerk, bestryk of kleur;

(5) indoena;

(6) drukpyptoebehore van asbessement maak en ook giet, meet- en draaiwerk met die hand verrig;

(7) kleurstof met sement meng vir dakpanne en 'n kragaan-gedrewe kleurmenger voer;

(58) unwinding sheets of asbestos-cement over flat pallets or sweeping over to smooth;

(59) washing or polishing motor vehicles;

(60) wiring pallets; (iii)

(liv) "law" includes the common law; (xcx)

(lv) "machine handyman" means an employee who is engaged in making minor repairs or adjustments to machinery or equipment used directly in the manufacture of the products of an establishment but who does not do work normally performed by an artisan; (lv)

(lvi) "manager" means an employee who is charged by his employer with the overall—

- (a) supervision over,
- (b) responsibility for, and
- (c) direction of,

the activities of an establishment and the employees engaged therein; (viii)

(lvii) "mobile hoist operator" means an employee who is engaged in operating a mobile power-driven hoist or a fork lift truck used in the loading, unloading, moving or stacking of goods; (ix)

(lviii) "motor vehicle" means any power-driven vehicle used for conveying goods, other than a traveller's samples, and includes a tractor and a mechanical horse but does not include a mobile hoist or a fork lift truck; (lvi)

(lix) "moulded goods, Class A," means asbestos-cement goods, the manufacture of which involves the making of homogeneous joints between two sheets or two parts or edges of the same sheet while in the wet state; (lxxxviii)

(lx) "moulded goods, Class B," means asbestos-cement goods, the manufacture of which can be completed by placing a single piece of wet sheet of whatever size or shape on or in a mould, manipulating it to take the form of the mould and trimming off the excess; (lxxxix)

(lxi) "operator of a machine" means an employee who starts and stops a power-driven machine and who may make necessary running adjustments or minor repairs to such machine and "operating a machine" and "the operation of a machine" have corresponding meanings; (liv)

(lxii) "operator of an asbestos-cement pipe or joint lathe, qualified," means an operator of an asbestos-cement pipe or joint lathe who has had not less than 12 months' experience; (x)

(lxiii) "operator of an asbestos-cement pipe or joint lathe, unqualified," means an operator of an asbestos-cement pipe or joint lathe who has had less than 12 months' experience; (xi) "asbestos-cement pipe-making machine, qualified," means an employee who, under the supervision of a supervisor of a central concrete mixing plant or a foreman, operates a central concrete mixing plant; (xii)

(lxv) "operator of a control table, panel or console of an asbestos-cement pipe-making machine, qualified," means an operator of a control table, panel or console of an asbestos-cement pipe-making machine who has had not less than 12 months' experience; (xiii)

(lxvi) "operator of a control table, panel or console of an asbestos-cement pipe-making machine, unqualified," means an operator of a control table, panel or console of an asbestos-cement pipe-making machine who has had less than 12 months' experience; (xiv)

(lxvii) "operator of a pipe testing machine" means an employee who is responsible for testing pipes under hydraulic pressure; (xvi)

(lxviii) "operator of a pipe testing machine, qualified," means an operator of a pipe testing machine who has had not less than 12 months' experience; (xvii)

(lxix) "operator of a pipe testing machine, unqualified," means an operator of a pipe testing machine who has had less than 12 months' experience; (xviii)

(lxx) "operator of a plastic lining machine" means an employee who, under the supervision of a foreman, measures plastic material on a set scale, adds material to a fixed mark and operates a lining machine; (xv)

(lxxi) "part-time driver of a motor vehicle" means an employee who is ordinarily engaged on duties other than driving a motor vehicle but who on more than two days in any week is engaged in driving a motor vehicle for not more than three hours in the aggregate on any such day, and for the purpose of this definition the expression "driving a motor vehicle" includes all periods of driving and any time spent by the driver, while in charge of the vehicle, on work connected with the vehicle or the load; (xx)

(8) bediener van 'n betonpypvervaardigingsmasjiën, uitgesonderd 'n kragaangedrewe hidrouliese vertikale pypvervaardigingsmasjiën;

(9) bediener van 'n elektriese sirkelsaag of 'n kragaangedrewe guillotine;

(10) bediener van 'n afneemtoestel van 'n asbessementplaatvervaardigingsmasjiën;

(11) bediener van 'n plastiekbekledingsmasjiën;

(12) bediener van 'n dakpanuitpersmasjiën;

(13) bediener van 'n dwarsleërvormmasjiën;

(14) heinings, buitegeboue, installasie of masjinerie met roeswerende middels verf;

(15) spoed van 'n asbessementplaatvervaardigingsmasjiën reguleer;

(16) betonafsakking toets; (xlii)

(xcii) "werknemer graad I, gekwalifiseerd," 'n werknemer graad I met minstens ses maande ondervinding; (xliii)

(xciii) "werknemer graad I, gekwalifiseerd," 'n werknemer graad I met minder as ses maande ondervinding; (xliv)

(xcv) "werknemer graad II" 'n werknemer wat in een of meer van die volgende hoedanighede diens doen of wat een of meer van die volgende werksaamhede verrig:

(i) Voorwerk met 'n ruwe oppervlak aan masjiënvervaardigde dakpanne aanbring deur middel van 'n kragaangedrewe triller;

(2) assistent-bediener van 'n betonpypvervaardigingsmasjiën;

(3) assistent-bediener van 'n dwarsleërvormmasjiën;

(4) 'n inspekteur in sy pligte bystaan en ook met 'n gestelde meter onder toesig werk;

(5) krae deur middel van 'n druklugstamper aankalfater;

(6) die toevoeging van water in 'n kragaangedrewe dakpanbetonmenger met ononderbroke toevoer beheer;

(7) die hoeveelheid gekleurde sementvoorwerk beheer wanneer dit met lugspuite op betondakpanne gesput word;

(8) voorafgespanne of ander draad deur middel van 'n asetileen-vlamsnyer afsny;

(9) asbessementype of -pale deur middel van 'n kragaangedrewe masjiën skuur, vryf, glad maak of poets;

(10) gekleurde sementvoorwerk insit in vorms vir teëlmakery (uitgesonderd die insit van slegs een kleur);

(11) boue maak vir invoeging in betonprodukte;

(12) kratte of kiste maak, maar nie ook om dit met die hand van kasplanke aanmekeer te sit nie;

(13) dakpanne maak in 'n pers wat nie met krag aangedryf word nie;

(14) hulse maak vir vensteraanpennie;

(15) spiraalraadoppe maak;

(16) afgesnyde stawe vir wapening meet of buig;

(17) suur en water meng vir die behandeling van dakpanne;

(18) terrasso of kunsklipprodukte met die hand poleer, afwerk of flodder;

(19) skroefdraad aan boue aanbring met 'n masjiën wat nie deur krag aangedryf word nie;

(20) spannings van dwarsleërriffelpenne toets;

(21) die toevoeging van water in sedimentasietenks dophou en beheer en tekens-gee wanneer die waterpomp aangesit of stopgesit moet word;

(22) die toevoeging van water en asbessementflodder in asbessementvervaardigingsmasjiëne dophou en beheer;

(23) bediener van een of meer van die volgende kragaangedrewe masjiëne:

(a) 'n Stuk- of puntsweismasjiën;

(b) 'n kooitrommel;

(c) 'n glansmasjiën;

(d) 'n kleurmengmasjiën;

(e) 'n veselbewerkingaanleg;

(f) 'n hidrouliese vertikale pypvervaardigingsmasjiën;

(g) 'n hidrouliese omkeertafel;

(h) 'n kantoorafrol, frankeer-, adresseer- of fotostaatmasjiën;

(i) 'n nie-verplaasbare slyp- of skuurmasjiën;

(j) 'n nie-verplaasbare snywiël;

(k) 'n paalkantelmassjiën;

(l) 'n poleermassjiën;

(m) 'n pers vir die maak van blokke, stene, plate, teëls, dakpanne of asbessementprodukte;

(n) 'n voorspanningsdomkrag;

(o) 'n masjiën vir die maak van wapening;

(p) 'n spoelmasjiën;

(q) 'n trilltafel of -bord;

(r) bediener van 'n vergruisingsaanleg vir afvalherwinning; (xlv)

(xcvi) "werknemer graad II, gekwalifiseerd," 'n werknemer graad II met minstens drie maande ondervinding; (xlvi)

(xcvii) "werknemer graad II, ongekwalifiseerd," 'n werknemer graad II met minder as drie maande ondervinding; (xlvii)

(lxxii) "piece-work" means any system under which an employee's remuneration is based on the quantity of work done; (lxxxii)

(lxxiii) "pipe driller" means an employee who drills, taps or turns asbestos-cement pipes, other than on a production lathe; (lxxix)

(lxxiv) "pipe driller, qualified," means a pipe driller who has had not less than 12 months' experience; (lxx)

(lxxv) "pipe driller, unqualified," means a pipe driller who has had less than 12 months' experience; (lxxi)

(lxxvi) "pipe spinner" means an employee who is in charge of the operation of one or more spinning machines in the manufacture of concrete pipes; (lxxii)

(lxxvii) "pipe spinner, qualified," means a pipe spinner who has had not less than 12 months' experience; (lxxiii)

(lxxviii) "pipe spinner, unqualified," means a pipe spinner who has had less than 12 months' experience; (lxxiv)

(lxxix) "plaster shop hand" means an employee who constructs models or makes moulds (other than an employee engaged in filling, stamping, ramming or tamping material in moulds); (lxxvii)

(lxxx) "pole spinner" means an employee who is in charge of the operation of one or more spinning machines in the manufacture of concrete poles; (lxxv)

(lxxxi) "pole spinner, qualified," means a pole spinner who has had not less than 12 months' experience; (lxxv)

(lxxxii) "pole spinner, unqualified," means a pole spinner who has had less than 12 months' experience; (lxxvi)

(lxxxiii) "pulper operator" means an employee who is engaged in operating any type of machine for pulping or shredding cellulose or similar material; (lxxviii)

(lxxxiv) "sanitation employee" means an employee who is engaged in removing, emptying, cleaning or replacing sanitary pails or clearing sewerage pipes or points or cleaning or attending to sanitary conveniences or equipment; (lxxv)

(lxxxv) "senior managerial or administrative employee" means an employee who is charged by the employer with the performance of work entailing responsibility for taking decisions of an administrative character in the conduct of the activities of an establishment; (lxxvii)

(lxxxvi) "shiftsman" means an employee who, under the supervision of a foreman or assistant foreman, is in charge of one or more asbestos-cement production units; (lxxviii)

(lxxxvii) "shift-worker" means an employee who is engaged in an activity in which continuous working by means of three shifts per day on at least five days per week is necessary; (lxxix)

(lxxxviii) "short-time" means a temporary reduction in the number of ordinary hours of work owing to vagaries of the weather, slackness of trade, shortage of raw materials, a breakdown of plant or machinery or a breakdown or threatened breakdown of buildings; (l)

(lxxxix) "storeman" means an employee who is in charge of stocks of incoming goods or finished or partly finished products and who is responsible for receiving, storing, packing or unpacking goods in a store or warehouse (but not an open stock yard) or delivering goods from a store or warehouse to the consuming departments in an establishment or for dispatch; (liii)

(xc) "supervisor" means an employee, other than a foreman, assistant foreman or shiftsman, who supervises a group of Grade I employees, Grade II employees or Grade III employees and who may supervise Grade IV employees or labourers; (lxxxiv)

(xci) "technical or professional employee" means an employee who is charged by his employer with the performance of work of a technical or professional character; (lxxxiv)

(xcii) "trailer" means any conveyance drawn by a motor vehicle; (lxxx)

(xciii) "traveller" means an employee who, as a travelling representative of an establishment invites, canvasses or solicits orders on behalf of such establishment; (xxxiii)

(xciv) "traveller, qualified," means a traveller who has had not less than four years' experience; (xxxiv)

(xcv) "traveller, unqualified," means a traveller who has had less than four years' experience; (xxxv)

(xcvi) "traveller's assistant" means an employee who accompanies a traveller and assists him in packing, unpacking or displaying his samples and who may drive the motor vehicle used by the traveller in the performance of his duties; (xxxvi)

(xcviii) "werknemer graad III" 'n werknemer wat in een of meer van die volgende hoedanighede diens doen of een of meer van die volgende werksaamhede verrig:

(1) Uitrusting vir die plastiekbedekking van betonpype inmeekaarsit of uitmeekaarhaal;

(2) vorms vir sierwerk of dwarslêers inmeekaarsit of uitmeekaarhaal;

(3) assistent-bediener van 'n asbessementvoeg- of pypdraaibank;

(4) assistent-bediener van 'n kooitrommel;

(5) assistent-bediener van 'n glansmasjien of pype in 'n glansmasjien losmaak;

(6) assistent-bediener van 'n pyptoetsmasjien;

(7) 'n werknemer graad I help met die vervaardiging van asbessementpyptoebehore;

(8) ketelbediener;

(9) wiele omruil of lekke heelmaak;

(10) die brandstof, olie of water in motorvoertuie nagaan of aanvul;

(11) die gehalte van beton wat nog nie droog is nie, toets;

(12) asbessementplate wat nog nie droog is nie, van die produksierolier afsny;

(13) versendingsverpakker;

(14) die uitsteekpunte van die wapening van pale na mekaar toe trek (sonder om dit te sweis) of die ente met beton opvul of opstop;

(15) asbessementleiene of -riffelplate volgens 'n vasgestelde patroon boor, afsny of verstek; en ook doodloepente boor;

(16) drywer van 'n dieervoertuig;

(17) vorms vir terras vul;

(18) vars dwarslêers meet;

(19) riffelpenne of moere in dwarslêers invoeg;

(20) gevormde goedere, klas A, vervaardig;

(21) kragangedrewe masjiene of voertuie olie of smeer;

(22) 'n afvoerband met koppelaarbeheer bedien;

(23) plastiek in betonpype giet;

(24) betonkubusse vir toetse berei;

(25) die binnekant van betonpype bestryk voordat dit met plastiek beklee word;

(26) die afstande deur motorvoertuie afgelê, aanteken;

(27) die vilt van slabbetonmasjien reguleer;

(28) trapysters na mangate vassit deur middel van bryvulling;

(29) hysbakwerker;

(30) monsters aggregeer vir toetse neem en berei;

(31) dele van motorvoertuie afhaal, skoonmaak of vervang (met die doel om dit te herstel) sonder om die werk van 'n ambagsman te verrig;

(32) die batterye van motorvoertuie uithaal, laai of vervang of die inhoud van sodanige batterye aanvul;

(33) telman;

(34) wag;

(35) bediener van enigeen of meer van die volgende kragangedrewe masjiene:

(a) 'n Aggregaatskraapmasjien;

(b) 'n outomatiese triller, uitgesonderd 'n triltafel of -bord;

(c) 'n betonmengmasjien, uitgesonderd 'n sentrale betonmenginstallasie;

(d) 'n ontvlegmasjien;

(e) 'n boormasjien in die plastiekbekleding van pype;

(f) 'n hyskraan of hystoestel wat van die vloer af bedien word;

(g) 'n grasrolmasjien;

(h) 'n mortelinspuitmasjien by die vervaardiging van dwarslêers;

(i) 'n draagbare stuk handgereedskap;

(j) 'n herpulpingsasbessementmasjien;

(k) 'n ring- of spiraalvormmasjien;

(l) 'n sand- of klipsifmasjien;

(m) 'n rig- of rekmasjien; (xlvi)

(xcix) "werknemer, graad IV," 'n werknemer wat in een of meer van ondergenoemde hoedanighede diens doen of een of meer van die volgende werksaamhede verrig:

(1) Water by ongebluste kalk voeg;

(2) ambagsman se assistent;

(3) vorms by die vervaardiging van slingerbetonpype inmeekaarsit of uitmeekaarhaal;

(4) help om dwarslêers op te stapel sonder om 'n kragangedrewe toestel te gebruik;

(5) sakke met kalkdeeg vul;

(6) asbes vermeng of meng;

(7) vorms of palette in die vervaardiging van dwarslêers skoonmaak;

(xcvii) "unladen mass" means the mass of any motor vehicle or trailer as recorded in a licence or certificate issued in respect of such motor vehicle or trailer by any authority empowered by law to issue licences in respect of motor vehicles: Provided that—

(i) in the case of a two or three wheeled motor cycle, motor scooter or autocycle or a cycle fitted with an auxiliary engine the unladen mass shall be deemed not to exceed 450 kg;

(ii) the unladen mass of a motor vehicle or trailer which is not required to be licensed or registered shall be the mass specified by the manufacturer of such vehicle or trailer; (lxi)

(xcviii) "wage" means the amount of money payable to an employee in terms of clause 3 (1) in respect of his ordinary hours of work as prescribed in clause 5: Provided that—

(i) if an employer regularly pays an employee in respect of such ordinary hours of work an amount higher than that prescribed in clause 3 (1), it means such higher amount;

(ii) the first proviso shall not be construed so as to refer to or include any remuneration which an employee who is employed on any basis provided for in clause 9 receives over and above the amount which he would have received if he had not been employed on such a basis; (li)

(xcix) "watchman" means an employee who is engaged in guarding premises or property; (xc)

(ccx) "weekly wage" means, in relation to an employee for whom a wage on an hourly basis is prescribed in clause 3 (1), his hourly wage multiplied by—

(a) forty-five in the case of such an employee who regularly works 45 ordinary hours of work or less in a week;

(b) forty-six in the case of any other such employee. (xci)

(2) For the purpose of this Determination an employee shall be deemed to be in that class in which he is wholly or mainly engaged.

3. REMUNERATION

(1) The minimum wage which an employer shall pay to each member of the undermentioned classes of his employees shall be as set out hereunder:

(a) *Employees other than casual employees.*

	<i>In all areas Per week R</i>
Artisan.....	44,00
Assistant compound manager.....	29,00
Assistant foreman.....	35,00
Clerk, female, qualified.....	18,92
Clerk, female, unqualified—	
during the first year of experience.....	11,08
during the second year of experience.....	13,04
during the third year of experience.....	15,00
during the fourth year of experience.....	16,96
Clerk, male, qualified.....	29,54
Clerk, male, unqualified—	
during the first year of experience.....	12,00
during the second year of experience.....	15,46
during the third year of experience.....	18,92
during the fourth year of experience.....	22,38
during the fifth year of experience.....	25,85
Compound manager.....	38,00
Foreman.....	45,00
Traveller, qualified.....	40,38
Traveller, unqualified—	
during the first year of experience.....	30,00
during the second year of experience.....	32,54
during the third year of experience.....	35,08
during the fourth year of experience.....	37,62
Traveller's assistant.....	13,00

	<i>In all areas Per hour Cents</i>
Crane driver, qualified.....	54
Crane driver, unqualified—	
during the first six months of experience.....	49
during the second six months of experience.....	51
Employee engaged in painting frames or spray-painting..	54
Handyman.....	46
Inspector.....	78
Machine handyman.....	60

(8) plate asbessementmengsel afsny (maar nie van die produk-sierol af nie) of sodanige plate met die hand oprol sodat dit opgelig of gedra kan word;

(9) staal in die vervaardiging van dwarslêers ontghies;

(10) pype of ander artikels indompel of bestryk maar nie by die plastiekbekleding van betonpype nie;

(11) die rande van nat geute of asbessementplate met die hand afsny of afwerk;

(12) bestanddele volgens 'n vasgestelde massastuk of maat in 'n betonmenger voer;

(13) geutbakke of ander houers met asbes vul;

(14) stoker;

(15) terasso met die hand slyp deur middel van karborundumsteen voordat dit geflodder, gepoleer of afgewerk word;

(16) die ente van dwarslêers met bry vul;

(17) asbes losmaak;

(18) sementblokke maak met 'n masjien wat nie deur krag aangedryf word nie;

(19) vormgoedere, klas B, vervaardig;

(20) 'n guillotine wat nie deur krag aangedryf word nie, bedien of voer;

(21) die saals of ente van dwarslêers verf;

(22) betonprodukte lap;

(23) dele van vorms lap;

(24) wapening herstel;

(25) vensterrame afvryf om die oppervlakte glad te maak of stukkende plekke herstel of met reihout werk;

(26) sanitasiewerknemer;

(27) die samestellende dele van dwarslêervorms was;

(28) die massa van goedere met 'n voorafgestelde massameter bepaal of met 'n voorafgestelde maat meet; (xlix)

(ccx) "wet" ook die gemene reg. (liv)

(2) By die toepassing van hierdie Vasstelling word 'n werknemer geag in dié klas te wees waarin hy uitsluitlik of hoofsaaklik werksaam is.

3. BESOLDIGING

(1) Die minimum loon wat 'n werkgewer aan elke lid van ondergenoemde klasse werknemers in sy diens moet betaal, is dié hieronder uiteengesit:

(a) *Werknemers, uitgesonderd los werknemers*

	<i>In alle gebiede Per week R</i>
Ambagsman.....	44,00
Assistent-kampongbestuurder.....	29,00
Assistent-voorman.....	35,00
Klerk, vrou, gekwalifiseerd.....	18,92
Klerk, vrou, ongekwalifiseerd—	
gedurende die eerste jaar ondervinding.....	11,08
gedurende die tweede jaar ondervinding.....	13,04
gedurende die derde jaar ondervinding.....	15,00
gedurende die vierde jaar ondervinding.....	16,96
Klerk, man, gekwalifiseerd.....	29,54
Klerk, man, ongekwalifiseerd—	
gedurende die eerste jaar ondervinding.....	12,00
gedurende die tweede jaar ondervinding.....	15,46
gedurende die derde jaar ondervinding.....	18,92
gedurende die vierde jaar ondervinding.....	22,38
gedurende die vyfde jaar ondervinding.....	25,85
Kampongbestuurder.....	38,00
Voorman.....	45,00
Handelsreisiger, gekwalifiseerd.....	40,38
Handelsreisiger, ongekwalifiseerd—	
gedurende die eerste jaar ondervinding.....	30,00
gedurende die tweede jaar ondervinding.....	32,54
gedurende die derde jaar ondervinding.....	35,08
gedurende die vierde jaar ondervinding.....	37,62
Handelsreisiger se assistent.....	13,00

	<i>In alle gebiede Per uur Sent</i>
Hyskraandrywer, gekwalifiseerd.....	54
Hyskraandrywer, ongekwalifiseerd—	
gedurende die eerste ses maande ondervinding.....	49
gedurende die tweede ses maande ondervinding.....	51
Werknemer wat rame verf of spuitskilderwerk verrig....	54
Faktotum.....	46
Inspekteur.....	78
Masjienfaktotum.....	60

	<i>In all areas Per hour Cents</i>	<i>In alle gebiede Per uur Sent</i>
Operator of an asbestos-cement pipe or joint lathe, qualified	60	
Operator of an asbestos-cement pipe or joint lathe, unqualified—		
during the first six months of experience.....	49	
during the second six months of experience.....	54	
Operator of a beater or hollander.....	32	
Operator of a casting machine for extruded pre-stressed beams.....	32	
Operator of a casting machine for lintils or planks.....	32	
Operator of a central concrete mixing plant.....	43	
Operator of a control table, panel or console of an asbestos-cement pipe-making machine, qualified.....	63	
Operator of a control table, panel or console of an asbestos-cement pipe-making machine, unqualified—		
during the first six months of experience.....	53	
during the second six months of experience.....	57	
Operator of a kollergang.....	32	
Operator of a pipe-testing machine, qualified.....	60	
Operator of a pipe-testing machine, unqualified—		
during the first six months of experience.....	49	
during the second six months of experience.....	54	
Pipe driller, qualified.....	68	
Pipe driller, unqualified—		
during the first six months of experience.....	58	
during the second six months of experience.....	63	
Pipe spinner, qualified.....	63	
Pipe spinner, unqualified—		
during the first six months of experience.....	53	
during the second six months of experience.....	57	
Pole spinner, qualified.....	63	
Pole spinner, unqualified—		
during the first six months of experience.....	53	
during the second six months of experience.....	57	
Pulper operator.....	32	
Shiftsman.....	68	
Supervisor.....	63	
Supervisor of a central concrete mixing plant.....	78	
Wet machine minder.....	63	
Bediener van 'n asbessementpyp- of voegdraaibank, gekwalifiseerd.....		60
Bediener van 'n asbessementpyp- of voegdraaibank, ongekwalifiseerd—		
gedurende die eerste ses maande ondervinding.....		49
gedurende die tweede ses maande ondervinding.....		54
Bediener van 'n klopper of hollander.....		32
Bediener van 'n gietmasjien vir uitgeperste, voorafgespanne balke.....		32
Bediener van 'n gietmasjien vir lateie of planke.....		32
Bediener van 'n sentrale betonmenginstallasie.....		43
Bediener van 'n beheertafel, paneel of konsolie van 'n asbessementpypvervaardigingsmasjien, gekwalifiseerd.....		63
Bediener van 'n beheertafel, paneel of konsolie van 'n asbessementpypvervaardigingsmasjien, ongekwalifiseerd—		
gedurende die eerste ses maande ondervinding.....		53
gedurende die tweede ses maande ondervinding.....		57
Bediener van 'n groefrolmasjien.....		32
Bediener van 'n pyptoetsmasjien, gekwalifiseerd.....		60
Bediener van 'n pyptoetsmasjien, ongekwalifiseerd—		
gedurende die eerste ses maande ondervinding.....		49
gedurende die tweede ses maande ondervinding.....		54
Pypboorman, gekwalifiseerd.....		68
Pypboorman, ongekwalifiseerd—		
gedurende die eerste ses maande ondervinding.....		58
gedurende die tweede ses maande ondervinding.....		63
Pypdraaier, gekwalifiseerd.....		63
Pypdraaier, ongekwalifiseerd—		
gedurende die eerste ses maande ondervinding.....		53
gedurende die tweede ses maande ondervinding.....		57
Paaldraaier, gekwalifiseerd.....		63
Paaldraaier, ongekwalifiseerd—		
gedurende die eerste ses maande ondervinding.....		53
gedurende die tweede ses maande ondervinding.....		57
Pulpmasjienbediener.....		32
Skofbaas.....		68
Toesighouer.....		63
Opsigter van 'n sentrale betonmenginstallasie.....		78
Bediener van slabbetonmasjien.....		63

(iii)

	In Area A	In Area B	In Area C	In Area D		In Area E	In Area F	In Area G
				During the first 12 months after this Determination becomes binding	Thereafter			
	Per hour Cents	Per hour Cents	Per hour Cents	Per hour Cents	Per hour Cents	Per hour Cents	Per hour Cents	Per hour Cents
Employee not elsewhere in this subclause specifically mentioned.....	25	23	22	23	24	20	19	18
Factory clerk, qualified.....	31	31	31	31	31	31	27	27
Factory clerk, unqualified—								
during the first six months of experience.....	26	26	26	26	26	26	24	23
during the second six months of experience.....	29	29	29	29	29	29	25	25
First-aid attendant.....	31	31	31	31	31	31	27	27
Grade I employee, qualified.....	28	26	25	26	27	24	23	22
Grade I employee, unqualified—								
During the first three months of experience.....	26	24	23	24	25	22	21	19
During the second three months of experience.....	27	25	24	25	26	23	22	20
Grade II employee, qualified.....	26	24	23	24	25	22	21	19
Grade II employee, unqualified.....	25	23	22	23	24	20	19	18
Grade III employee.....	25	23	22	23	24	20	19	18
Grade IV employee.....	24½	22	21	21	22	19	18	17
Labourer, female.....	19	17	16	16	17	14	13	13
Labourer, male, 18 years of age or over.....	24	21	20	20	21	17	16	15
Labourer, male, under 18 years of age.....	18	16	15	15	16	13	12	12
Mobile hoist operator.....	29	29	29	29	29	29	25	25

(iii)

	In Gebied A	In Gebied B	In Gebied C	In Gebied D		In Gebied E	In Gebied F	In Gebied G
				Gedurende die eerste 12 maande nadat hierdie Vastelling bindend word	Daarna			
	Per uur Sent	Per uur Sent	Per uur Sent	Per uur Sent	Per uur Sent	Per uur Sent	Per uur Sent	Per uur Sent
Werknemer nie elders in hierdie subklousule spesifiek vermeld nie.....	25	23	22	23	24	20	19	18
Fabrieksklerk, gekwalifiseerd.....	31	31	31	31	31	31	27	27
Fabrieksklerk, ongekwalifiseerd—gedurende die eerste ses maande ondervinding.....	26	26	26	26	26	26	24	23
gedurende die tweede ses maande ondervinding.....	29	29	29	29	29	29	25	25
Eerstehulpbediener.....	31	31	31	31	31	31	27	27
Werknemer, graad I, gekwalifiseerd....	28	26	25	26	27	24	23	22
Werknemer, graad I, ongekwalifiseerd—gedurende die eerste drie maande ondervinding.....	26	24	23	24	25	22	21	19
gedurende die tweede drie maande ondervinding.....	27	25	24	25	26	23	22	20
Werknemer, graad II, gekwalifiseerd....	26	24	23	24	25	22	21	19
Werknemer, graad II, ongekwalifiseerd	25	23	22	23	24	20	19	18
Werknemer, graad III.....	25	23	22	23	24	20	19	18
Werknemer, graad IV.....	24½	22	21	21	22	19	18	17
Arbeider, vrou.....	19	17	16	16	17	14	13	13
Arbeider, man, 18 jaar of ouer.....	24	21	20	20	21	17	16	15
Arbeider, man, onder 18 jaar.....	18	16	15	15	16	13	12	12
Bediener van 'n mobiele hystoestel.....	29	29	29	29	29	29	25	25

(iv)

In Areas
A, B, C
and D
Per week
R

In Areas
E, F
and G
Per week
R

Driver of a motor vehicle, class I, the unladen mass of which vehicle together with the unladen mass of any trailer or trailers drawn by such vehicle—

(i) does not exceed 450 kg.....	13,11	10,58
(ii) exceeds 450 kg but not 2 700 kg.....	17,71	14,95
(iii) exceeds 2 700 kg but not 4 500 kg....	21,16	17,25
(iv) exceeds 4 500 kg.....	25,30	21,16

Part-time driver of a motor vehicle..... 13,11 11,50

Driver of a motor vehicle, class II, the unladen mass of which vehicle together with the unladen mass of any trailer or trailers drawn by such vehicle—

(i) does not exceed 2 700 kg.....	12,65	9,43
(ii) exceeds 2 700 kg.....	17,94	11,98

(b) *Casual employee.*—A casual employee shall be paid in respect of every day or part of a day of employment not less than one-fifth of the weekly wage prescribed for an employee in the same area and of the same sex who performs the same class of work as the casual employee is required to do: Provided that, where the employer requires a casual employee to perform the work of a class of employee for whom wages on a rising scale are prescribed the expression "weekly wage" shall mean the weekly wage prescribed for a qualified employee of that class and provided further that, where the employer requires a casual employee to work for a period of not more than four consecutive hours on any day, his wage may be reduced by not more than 50 per cent.

(2) *Basis of contract.*—For the purpose of this clause the contract of employment of an employee, other than a casual employee shall be on a weekly basis, and, save as provided in clause 4 (6), an employee shall be paid in respect of a week not less than the full weekly wage prescribed in subclause (1), read with the definition of "weekly wage" and with subclause (3), for an employee of his class in the area in which he works, whether he has in that week worked the maximum number of ordinary hours of work applicable to him in terms of clause 5 or less.

(iv)

In
gebiede
A, B
C en D
Per week
R

In
gebiede
E, F
en G
Per week
R

Motorvoertuigdrywer, klas I, wat 'n motorvoertuig dryf waarvan die onbelaste massa, tesame met die onbelaste massa van 'n sleepwa of sleepwaens wat deur sodanige voertuig getrek word—

(i) hoogstens 450 kg is.....	13,11	10,58
(ii) meer as 450 kg maar hoogstens 2 700 kg is.....	17,71	14,95
(iii) meer as 2 700 kg maar hoogstens 4 500 kg is.....	21,16	17,25
(iv) meer as 4 500 kg is.....	25,30	21,16

Deeltydse motorvoertuigdrywer..... 13,11 11,50

Motorvoertuigdrywer, klas II, wat 'n motorvoertuig dryf waarvan die onbelaste massa tesame met die onbelaste massa van 'n sleepwa of sleepwaens wat deur sodanige voertuig getrek word—

(i) hoogstens 2 700 kg is.....	12,65	9,43
(ii) meer as 2 700 kg is.....	17,94	11,98

(b) *Los werknemer.*—'n Los werknemer moet vir elke dag of gedeelte van 'n dag diens minstens een-vyfde betaal word van die weekloon voorgeskryf vir 'n werknemer in dieselfde gebied en van dieselfde geslag wat dieselfde klas werk verrig as dié wat van die los werknemer vereis word: Met dien verstande dat waar die werkgever van 'n los werknemer vereis om die werk te verrig van 'n klas werknemer vir wie 'n loon teen 'n stygende skaal voorgeskryf word, die uitdrukking "weekloon" beteken die weekloon wat vir 'n gekwalifiseerde werknemer van daardie klas voorgeskryf word; voorts met dien verstande dat, waar die werkgever van 'n los werknemer vereis om vir 'n tydperk van hoogstens vier agtereenvolgende ure op enige dag te werk, sy loon met hoogstens 50 persent verminder mag word.

(2) *Kontrakgrondslag.*—By die toepassing van hierdie klousule moet die dienskontrak van 'n werknemer, uitgesonderd 'n los werknemer, op 'n weeklikse grondslag berus en, behoudens die bepalings van klousule 4 (6), moet 'n werknemer vir 'n week minstens die volle weekloon betaal word wat by subklousule (1), gelees met die omskrywing van "weekloon" en met subklousule (3), vir 'n werknemer van sy klas in die gebied waarin hy werk, voorgeskryf word afgesien daarvan of hy in so 'n week die maksimum getal gewone werke wat ingevolge klousule 5 vir hom geld, of minder, gewerk het.

(3) *Differential wage.*—An employer who requires or permits a member of one class of his employees to perform for longer than one hour in the aggregate on any day, either in addition to his own work or in substitution therefor, work of another class for which either—

- (a) a wage higher than that of his own class, or
- (b) a rising scale of wages terminating in a wage higher than that of his own class,

is prescribed in subclause (1), shall pay to such employee in respect of that day—

- (i) in the case referred to in paragraph (a), not less than the daily wage calculated at the higher rate, and,
- (ii) in the case referred to in paragraph (b), not less than the daily wage calculated on the notch in the rising scale immediately above the wage which the employee was receiving for his ordinary work:

Provided that—

- (i) the provisions of this subclause shall not apply where the difference between classes in terms of subclause (1) is based on age, experience or sex;
- (ii) unless expressly otherwise provided in a written contract between an employer and his employee, nothing in this Determination shall be so construed as to preclude an employer from requiring his employee to perform work of another class for which class the same or a lower wage is prescribed than that prescribed for such employee.

(4) *Calculation of wages.*—(a) The daily wage of an employee, other than a casual employee, shall be his weekly wage divided by—

- (i) five, in the case of an employee who works a five-day week;
- (ii) six, in the case of every other employee.

(b) The monthly wage of an employee shall be four and a third times his weekly wage.

(c) The hourly wage of an employee, other than a casual employee or an employee for whom an hourly wage is prescribed, shall be his weekly wage divided by the number of the ordinary hours of work which he ordinarily works in a week.

(5) *Transport allowance and expenses.*—In addition to paying any other remuneration due to—

(a) a traveller who uses his employer's motor transport or who is required to travel by train or any other means of conveyance than his own, his employer shall reimburse him all the reasonable expenses incurred by him in connection with such transport in the performance of his duties, and for the purpose of this subclause the cost of overnight garaging of motor transport shall be deemed to be a transport expense;

(b) a traveller who is required to provide motor transport for the performance of his duties, his employer shall pay him a transport allowance for each kilometre travelled in the performance of his duties of not less than in the case of—

- (i) where the engine capacity of the vehicle in which the employee so travelled, does not exceed 1 250 cm³: 4,5c;
- (ii) where the engine capacity of such vehicle exceeds 1 250 cm³ but not 2 500 cm³: 5,3c;
- (iii) where the engine capacity of such vehicle exceeds 2 500 cm³: 6,9c.

(6) *Subsistence allowance and expenses.*—In addition to paying any other remuneration due to—

(a) a traveller who, on any journey undertaken in the performance of his duties, is absent from his place of residence and his employer's establishment for any period in excess of six consecutive hours, his employer shall—

(i) reimburse him all expenses reasonably incurred by him for any meals and teas for himself during each such period of absence not extending over a night;

(ii) pay him a subsistence allowance of not less than R5 for each night where such absence extends over one or more nights;

(b) a traveller's assistant who, accompanying a traveller on any journey undertaken by the traveller in the performance of his duties, is absent from the place of his residence and his employer's establishment for any period in excess of six consecutive hours, his employer shall—

(i) reimburse him all expenses reasonably incurred by him for any meals and teas for himself during each such period of absence not extending over a night,

(ii) pay him a subsistence allowance of not less than R1,80 for each night where such absence extends over one or more nights:

Provided that for the purpose of this subclause the expression "night" means the period between 11 o'clock p.m. and 4 o'clock a.m.

(3) *Differensiële loon.*—'n Werkgever wat van 'n lid van een klas van sy werknemers vereis of hom toelaat om vir langer as altesaam een uur op 'n dag of benewens sy eie werk of in die plek daarvan werk van 'n ander klas te verrig waarvoor of—

(a) 'n hoër loon as dié van sy eie klas; of

(b) 'n stygende loonskaal wat uitloop op 'n hoër loon as dié van sy eie klas;

by subklousule (1) voorgeskryf word, moet ten opsigte van daardie dag aan sodanige werknemer betaal—

(i) in die geval in paragraaf (a) bedoel, minstens die dagloon bereken teen die hoër tarief; en

(ii) in die geval in paragraaf (b) bedoel, minstens die dagloon bereken op die kerf in die stygende skaal onmiddellik bokant die loon wat die werknemer vir sy gewone werk ontvang het:

Met dien verstande dat—

(i) die bepaling van hierdie subklousule nie geld nie wanneer die verskil tussen die klasse ingevolge subklousule (1) op ouderdom, ondervinding of geslag berus;

(ii) tensy daar in 'n skriftelike kontrak tussen 'n werkgever en sy werknemer uitdruklik anders bepaal word, niks in hierdie Vasstelling só uitgelê mag word dat dit 'n werkgever belet om van sy werknemer te vereis om 'n ander klas werk te verrig waarvoor die voorgeskrywe loon dieselfde of laer is as dié wat vir so 'n werknemer voorgeskryf word nie.

(4) *Loonberekening.*—(a) Die dagloon van 'n werknemer, uitgesonderd 'n los werknemer, is sy weekloon gedeel deur—

(i) vyf, in die geval van 'n werknemer wat vyf dae per week werk;

(ii) ses, in die geval van alle ander werknemers.

(b) Die maandloon van 'n werknemer is vier en 'n derde maal sy weekloon.

(c) Die uurloon van 'n werknemer, uitgesonderd 'n los werknemer of 'n werknemer vir wie 'n uurloon voorgeskryf word, is sy weekloon gedeel deur die getal gewone werkure wat hy gewoonlik in 'n week werk.

(5) *Vervoertoelae en -uitgawes.*—Benewens die betaling van enige ander besoldiging verskuldig aan—

(a) 'n handelsreisiger wat van sy werkgever se motorvoertuig gebruik maak of van wie vereis word om per trein of met enige ander vervoermiddel as sy eie te reis, moet sy werkgever hom vergoed vir alle redelike uitgawes wat hy in die uitvoering van sy pligte in verband met sodanige vervoer aangegaan het, en by die toepassing van hierdie subklousule word die koste verbonde aan die stalling van 'n motorvoertuig oornag, geag 'n vervoeruitgawe te wees;

(b) 'n handelsreisiger van wie vereis word om 'n motorvoertuig vir die uitvoering van sy pligte te verskak, moet sy werkgever hom vir elke kilometer wat hy in die uitvoering van sy pligte afgelê het, 'n vervoertoelae betaal van minstens—

- (i) waar die silinderinhoud van die voertuig waarmee die werknemer aldus gereis het hoogstens 1 250 cm³ is: 4,5c;
- (ii) waar die silinderinhoud van sodanige voertuig meer as 1 250 cm³ maar hoogstens 2 500 cm³ is: 5,3c;
- (iii) waar die silinderinhoud van sodanige voertuig meer as 2 500 cm³ is: 6,9c.

(6) *Onderhoudstoelae en -uitgawes.*—Benewens die betaling van enige ander besoldiging verskuldig aan—

(a) 'n handelsreisiger wat op enige reis wat hy in die uitvoering van sy pligte onderneem, vir 'n langer tydperk as ses agtereenvolgende ure van sy woonplek en sy werkgever se bedryfsinrigting afwesig is—

(i) moet sy werkgever hom alle redelike uitgawes vergoed wat hy in elke sodanige tydperk van afwesigheid wat nie oor 'n nag strek nie, aan etes en tee vir homself aangegaan het;

(ii) moet sy werkgever hom 'n onderhoudstoelae van minstens R5 vir elke nag betaal as so 'n afwesigheid oor een of meer nagte strek;

(b) 'n handelsreisiger se assistent wat, wanneer hy 'n handelsreisiger vergesel op enige reis wat die handelsreisiger in die uitvoering van sy pligte onderneem, vir 'n langer tydperk as ses agtereenvolgende ure van sy woonplek en sy werkgever se bedryfsinrigting afwesig is—

(i) moet sy werkgever hom alle redelike uitgawes vergoed wat hy in elke sodanige tydperk van afwesigheid wat nie oor 'n nag strek nie, aan etes en tee vir homself aangegaan het;

(ii) moet sy werkgever hom 'n onderhoudstoelae van minstens R1,80 vir elke nag betaal as so 'n afwesigheid oor een of meer nagte strek:

Met dien verstande dat by die toepassing van hierdie subklousule die uitdrukking "nag" die tydperk tussen 11-uur nm. en 4-uur vm. beteken.

(7) (a) Any allowances and expenses payable to an employee in terms of subclauses (5) and (6) shall be paid by an employer within seven days of the employee's written claim therefor: Provided that an employee shall submit any such claims within one month of entitlement but shall not submit more than one claim in any one week.

(b) An employer may require his traveller to frame any claim so that it shall reflect—

(i) in respect of any claim in terms of subclause (5) (a), the mode of travel employed and the transport expenses incurred or the nature of any other expense for which reimbursement is claimed;

(ii) in respect of any claim in terms of subclause (5) (b), the distance travelled each day, the points of call and, except in municipal areas, the route followed;

(iii) in respect of any claim in terms of subclause (6) the times of commencement and ending of each period of absence;

and to enable him to comply with such a requirement, his employer shall, before any such journey is undertaken by such traveller, provide him with a suitable book or forms in or which to maintain suitable records.

4. PAYMENT OF REMUNERATION.

(1) *Employees other than casual employees.*—Save as provided in clauses 3 (7) and 6 (4), any amount due to an employee, other than a casual employee, shall be paid in cash weekly or, with the consent of the employee in cash or by cheque monthly during the hours of work or within 15 minutes of ceasing work, on the usual pay-day of the establishment for such employee (or in the case of a shift worker at a time agreed upon between such employee and his employer, which time shall be during the usual office hours of the establishment but not later than 24 hours after the usual pay-day) or on termination of employment if this takes place before the usual pay-day, and such amount shall be contained in a sealed envelope or container on which shall be recorded or which shall be accompanied by a statement showing—

- (a) the employer's name;
- (b) the employee's name or his number on the pay-roll and his occupation;
- (c) the number of ordinary hours of work worked by the employee;
- (d) the number of overtime hours worked by the employee;
- (e) the number of hours worked by the employee on a Sunday or a public holiday [referred to in clause 8 (1)];
- (f) the employee's wage;
- (g) the details of any other remuneration arising out of the employee's employment;
- (h) the details of any deductions made;
- (i) the actual amount paid to the employee; and
- (j) the period in respect of which payment is made;

and such envelope or container on which these particulars are recorded or such statement shall become the property of the employee: Provided that—

(i) at the written request of an employee the amount due to him may be paid into his building society or bank account by his employer who shall hand to him the relevant receipt together with the aforementioned statement;

(ii) the aforementioned information relating to time worked need not be furnished in respect of an employee who is excluded from the hours of work provisions by virtue of clause 5 (10) (a), (b) or (d).

(2) *Casual employee.*—An employer shall pay the remuneration due to a casual employee in cash on termination of his employment.

(3) *Premiums.*—No payment shall be made to or accepted by an employer, either directly or indirectly, in respect of the employment or training of an employee.

(4) *Purchase of goods.*—An employer shall not require his employee to purchase any goods from him or from any shop, place or person nominated by him.

(5) *Board and lodging.*—Save as provided in the Bantu (Urban Areas) Consolidation Act, 1945, an employer shall not require his employee to board or lodge or board and lodge with him or with any person or at any place nominated by him.

(6) *Deductions.*—An employer shall not levy any fines against his employee nor shall he make any deductions from his employee's remuneration: Provided that he may make the following:

(a) With the written consent of his employee, a deduction for holiday, sick benefit, medical aid, insurance, savings, provident or pension funds, or subscriptions to trade unions or to any institution for the benefit of the employee or to an employee's recreational club, if such club is on the employer's premises;

(7) (a) 'n Werkgewer moet alle toelaes en uitgawes wat ingevolge subklousules (5) en (6) aan 'n werknemer betaalbaar is, binne sewe dae nadat die werknemer dit skriftelik geëis het, aan hom betaal: Met dien verstande dat 'n werknemer elke sodanige eis binne een maand vanaf die tydstop waarop hy daarop geregtig geword het, moet indien maar dat hy nie meer as een eis in 'n week mag indien nie.

(b) 'n Werkgewer kan van sy handelsreisiger vereis om elke eis so op te stel dat dit weergee—

(i) in die geval van 'n eis ingevolge subklousule (5) (a), die soort vervoer en die vervoerkoste of die aard van alle ander uitgawes waarvoor hy vergoeding eis;

(ii) in die geval van 'n eis ingevolge subklousule (5) (b), die afstand wat hy elke dag afgeleë het, die plekke wat besoek is en, uitgesonderd in munisipale gebiede, die roete wat gevolg is;

(iii) in die geval van 'n eis ingevolge subklousule (6), die tyd waarop elke tydperk van afwesigheid begin en geëindig het;

en ten einde aan so 'n vereiste te kan voldoen, moet sy werk-gewer, voordat so 'n reis deur sodanige handelsreisiger onderneem word, aan hom 'n geskikte boek of vorms verskaf waarin of waarop gepaste aantekeninge gehou kan word.

4. BETALING VAN BESOLDIGING

(1) *Werknemers uitgesonderd los werknemers.*—Behoudens die bepalings van klousules 3 (7) en 6 (4), moet elke bedrag verskuldig aan 'n werknemer, uitgesonderd 'n los werknemer, weekliks in kontant of, as die werknemer daartoe instem, maandeliks in kontant of per tjek betaal word gedurende die werkure of binne 15 minute nadat die werk gestaak is, op die gewone betaaldag van die bedryfsinrigting vir so 'n werknemer (of in die geval van 'n skofwerker, op 'n tydstop waarvoor sodanige werk-gewer en sy werknemer ooreengekom het en wat gedurende die gewone kantoorure van die bedryfsinrigting moet wees, maar nie later nie as vier-en-twintig uur na die gewone betaaldag) of by diensbeëindiging, as dit voor die gewone betaaldag geskied, en sodanige bedrag moet in 'n verseëelde koefert of houër wees waarop, of wat vergesel gaan van 'n staat waarop, gemeld word—

- (a) die werk-gewer se naam;
- (b) die werknemer se naam of sy nommer op die betaalstaaf en sy beroep;
- (c) die getal gewone werkure wat die werknemer gewerk het;
- (d) die getal ure wat die werknemer oortyd gewerk het;
- (e) die getal ure wat die werknemer op 'n Sondag of 'n openbare vakansiedag [in klousule 8 (1) bedoel] gewerk het;
- (f) die werknemer se loon;
- (g) besonderhede van enige ander besoldiging wat uit die werknemer se diens voortspruit;
- (h) besonderhede van enige bedrag wat afgetrek is;
- (i) die werklike bedrag wat aan die werknemer betaal word; en
- (j) die tydperk waarvoor die betaling geskied;

en sodanige koefert of houër waarop hierdie inligting aangeteken is of sodanige staat word die eiendom van die werknemer: Met dien verstande dat—

(i) op die skriftelike versoek van 'n werknemer, die bedrag aan hom verskuldig gestort kan word op sy bouvereniging- of bankrekening deur die werk-gewer wat die betrokke kwitansie, tesame met voornoemde staat, aan hom moet oorhandig;

(ii) voornoemde inligting betreffende tyd gewerk nie verstrek hoef te word aan 'n werknemer wat ingevolge klousule 5 (10) (a), (b) of (d) van die werkurebepalings uitgesluit is nie.

(2) *Los werknemer.*—'n Werk-gewer moet die besoldiging wat aan 'n los werknemer verskuldig is, by die beëindiging van sy diens in kontant aan hom betaal.

(3) *Premies.*—Geen bedrag mag regstreeks of onregstreeks vir die indiensneming of opleiding van 'n werknemer aan 'n werk-gewer betaal of deur hom aangeneem word nie.

(4) *Koop van goedere.*—'n Werk-gewer mag nie van sy werknemer vereis om goedere van hom of van enige winkel, plek of persoon deur hom aangewys, te koop nie.

(5) *Kos en inwoning.*—Behoudens die bepalings van die Bantoe (Stadsgebiede) Konsolidasiewet, 1945, mag 'n werk-gewer nie van sy werknemer vereis om kos of inwoning of kos en inwoning van hom of van enigiemand anders of op 'n plek deur hom aangewys, aan te neem nie.

(6) *Aftekings.*—'n Werk-gewer mag sy werknemer geen boetes opleë of enige bedrae van sy werknemer se besoldiging aftrek nie: Met dien verstande dat hy die volgende kan aftrek:

(a) Met die skriftelike toestemming van sy werknemer, 'n bedrag vir 'n vakansie-, siektebystands-, mediese hulp-versekerings-, spaar-, voorsorgs- of pensioenfonds, of vir ledesgede van vakverenigings of van enige inrigting vir die voordeel van die werknemer of van 'n werknemer se ontspanningsklub as sodanige klub op die werk-gewer se perseel is;

(b) except where otherwise provided in this Determination, whenever an employee is absent from work, other than on the instructions or at the request of his employer, a deduction proportionate to the period of his absence and calculated on the basis of the wage which such employee was receiving in respect of his ordinary hours of work at the time of such absence;

(c) a deduction of any amount which an employer by law or order of any competent court is required or permitted to make;

(d) whenever an employee agrees or is required in terms of the Bantu (Urban Areas) Consolidation Act, 1945, to accept board and lodging or board or lodging with his employer, a deduction not exceeding the amounts specified hereunder—

	Per week	Per month
	R	R
(i) Board.....	0,95	4,10
(ii) Lodging.....	0,45	1,95
(iii) Board and lodging.....	1,40	6,05;

(e) whenever the ordinary hours of work prescribed in clause 5 are reduced on account of short-time, a deduction not exceeding the amount of the employee's (other than a casual employee's) hourly wage in respect of each hour of such reduction: Provided that—

(i) such deduction shall not exceed one-third of the employee's weekly wage, irrespective of the number of hours by which the ordinary hours of work are thus reduced;

(ii) no deduction shall be made in the case of short-time arising out of slackness of trade or shortage of raw materials, unless the employer has given his employee notice on the previous work day of his intention to reduce the ordinary hours of work;

(iii) no deduction shall be made in the case of short-time owing to the vagaries of the weather or a breakdown of plant or machinery or a breakdown or threatened breakdown of buildings, in respect of the first hour not worked, unless the employer has given his employee notice on the previous day that no work will be available;

(f) with the written consent of an employee, a deduction of any amount which an employer has paid to any municipal council or other local authority in respect of the rent of any house or accommodation in any hostel occupied by such employee in any location or Bantu village under the control of such council or other local authority.

5. HOURS OF WORK, ORDINARY AND OVERTIME, AND PAYMENT FOR OVERTIME

(1) *Ordinary hours of work.*—An employer shall not require or permit an employee, other than a casual employee, to work more ordinary hours of work than—

(a) in the case of an employee who works a six-day week—

(i) forty-six in any week from Monday to Saturday, inclusive; and

(ii) subject to subparagraph (i) hereof, eight on any day, unless the hours on one day do not exceed five, in which case the hours on any of the other days may be extended to eight and one-half;

(b) in the case of an employee who works a five-day week—

(i) forty-six in any week from Monday to Friday or from Tuesday to Saturday, inclusive; and

(ii) subject to subparagraph (i) hereof, nine and one-quarter on any day.

(2) An employer shall not require or permit a casual employee to work more ordinary hours of work than eight and one-half on any day.

(3) *Meal intervals.*—An employer shall not require or permit an employee to work continuously for more than—

(a) eight hours, in the case of a shift-worker or an employee engaged in the manufacture by power-driven machine process of asbestos-cement products, and

(b) five hours, in the case of any other employee,

without a meal interval of not less than one hour during which interval such employee shall not be required or permitted to perform any work, and such interval shall not form part of the ordinary hours of work or overtime: Provided that—

(i) an employer may agree with his employee to reduce the period of such interval to not less than half an hour, and in that event, and after the employer has informed the Divisional Inspector, Department of Labour, for his area, in writing, of such agreement, the interval may be so reduced;

(ii) periods of work interrupted by intervals of less than one hour, except where proviso (i) or (v) applies, shall be deemed to be continuous;

(b) behoudens andersluidende bepalings in hierdie Vasstelling, telkens wanneer 'n werknemer om 'n ander rede as op las of versoek van sy werkgever van sy werk afwesig is, 'n bedrag eweredig aan die tydperk van sy afwesigheid en bereken op die grondslag van die loon wat sodanige werknemer ten tyde van sodanige afwesigheid ten opsigte van sy gewone werkure ontvang het;

(c) enige bedrag wat 'n werkgever regtens of kragtens of ingevolge 'n bevel van 'n bevoegde hof mag of moet aftrek;

(d) wanneer 'n werknemer daartoe instem of daar ingevolge die Bantoe (Stadsgebiede) Konsolidasiewet, 1945, van hom vereis word om kos en inwoning of kos of inwoning van sy werkgever aan te neem, 'n bedrag van hoogstens—

	Per week	Per maand
	R	R
(i) Kos.....	0,95	4,10
(ii) Inwoning.....	0,45	1,95
(iii) Kos en inwoning.....	1,40	6,05;

(e) wanneer die gewone werkure by klousule 5 voorgeskryf, weens korttyd verminderd word, 'n bedrag van hoogstens die werknemer (uitgesonderd 'n los werknemer) se uurloon vir elke uur van sodanige vermindering: Met dien verstande dat—

(i) sodanige aftrekking hoogstens een derde van die werknemer se weekloon is, ongeag die getal ure waarmee die gewone werkure aldus verminderd word;

(ii) geen aftrekking ten opsigte van korttyd wat deur 'n slapte in die bedryf of 'n tekort aan grondstowwe ontstaan, geskied nie tensy die werkgever sy werknemer op die vorige werkdag kennis gegee het van sy voorneme om die gewone werkure te verminder;

(iii) geen aftrekking ten opsigte van korttyd geskied vir die eerste uur waarin daar nie gewerk word nie weens die wisselvalligheid van die weer of 'n onklaarraking van masjinerie of installasie of weens die feit dat die geboue onbruikbaar is of dreig om dit te word, tensy die werkgever sy werknemer op die vorige dag kennis gegee het dat daar geen werk sal wees nie;

(f) met die skriftelike toestemming van 'n werknemer, enige bedrag wat 'n werkgever aan 'n munisipale raad of ander plaaslike owerheid betaal het aan die huur van 'n huis of aan huisvesting in 'n tehuis wat die werknemer in 'n lokasie of Bantoe-dorp onder die beheer van so 'n raad of ander plaaslike owerheid bewoon.

5. WERKURE, GEWONE EN OORTYD-, EN BETALING VIR OORTYDWERK

(1) *Gewone werkure.*—'n Werkgever mag nie van 'n werknemer, uitgesonderd 'n los werknemer, vereis of hom toelaat om meer gewone werkure te werk nie as—

(a) in die geval van 'n werknemer wat ses dae per week werk—

(i) ses-en-veertig in 'n week van Maandag tot en met Saterdag; en

(ii) behoudens die bepalings van subparagraaf (i) hiervan, agt op 'n dag, tensy die ure of een dag hoogstens vyf is, wanneer die ure op enigteen van die ander dae tot agt en 'n half verleng kan word;

(b) in die geval van 'n werknemer wat vyf dae per week werk—

(i) ses-en-veertig in 'n week van Maandag tot en met Vrydag of van Dinsdag tot en met Saterdag; en

(ii) behoudens die bepalings van subparagraaf (i) hiervan, nege en 'n kwart op 'n dag.

(2) 'n Werkgever mag nie van 'n los werknemer vereis of hom toelaat om meer gewone werkure as agt en 'n half op 'n dag te werk nie.

(3) *Etenspouses.*—'n Werkgever mag nie van 'n werknemer vereis of hom toelaat om vir meer as—

(a) agt uur, in die geval van 'n skofwerker of 'n werknemer betrokke by die vervaardiging, deur middel van 'n proses waarin kragaangedrewe masjinerie gebruik word, van asbesementprodukte, en

(b) vyf uur, in die geval van 'n ander werknemer,

sonder 'n etenspouse van minstens een uur te werk nie, en gedurende sodanige pouse mag daar nie van sodanige werknemer vereis of mag hy nie toegelaat word om enige werk te verrig nie, en sodanige pouse maak nie deel van die gewone werkure of oortydure uit nie: Met dien verstande dat—

(i) 'n werkgever met sy werknemer ooreen kan kom om die duur van sodanige pouse tot minstens 'n halfuur te verkort, en in dié geval en nadat die werkgever die Afdelingsinspekteur, Departement van Arbeid, vir sy gebied skriftelik in kennis gestel het van sodanige ooreenkoms, kan die pouse aldus verkort word;

(ii) werkdypke wat deur pouses van minder as een uur onderbreek word, uitgesonderd waar voorbehoudsbepaling (i) of (v) van toepassing is, geag word aaneenlopend te wees;

(iii) if such interval be longer than one hour, any period in excess of one and one-quarter hours shall be deemed to be time worked;

(iv) a driver of a motor vehicle, Class I, who during such interval does no work other than being or remaining in charge of the vehicle shall be deemed for the purpose of this subclause not to have worked during such interval;

(v) when on any day by reason of overtime work an employer is required to give an employee a second meal interval, such interval may be reduced to not less than 15 minutes;

(vi) only one such interval during the ordinary hours of work of an employee on any day shall not form part of the ordinary hours of work.

(4) *Rest intervals.*—An employer shall grant to each of his employees, other than a driver of a motor vehicle, a part-time driver of a motor vehicle, a labourer accompanying a motor vehicle driver, a mobile hoist operator, a driver of an animal drawn vehicle, a shift-worker or an employee engaged in the manufacture by power-driven machine process of asbestos-cement products or concrete sleepers, a rest interval of not less than 10 minutes as nearly as practicable—

(a) in the middle of each first work period in a day, and

(b) in the middle of each second work period in a day:

Provided that, at the request of an employee, his employer may, in lieu of the intervals prescribed in paragraphs (a) and

(b) hereof, grant such an employee a single interval of not less than 20 minutes as nearly as practicable in the middle of each first work period in a day,

and during such interval such employee shall not be required or permitted to perform any work, and such interval shall be deemed to be part of the ordinary hours of work of such employee.

(5) *Hours of work to be consecutive.*—Save as provided in subclause (3), all hours of work of an employee on any day shall be consecutive.

(6) *Overtime.*—All time worked, other than on a Sunday, in excess of the number of ordinary hours of work prescribed in subclauses (1) and (2) shall be overtime.

(7) *Limitation of overtime.*—An employer shall not require or permit an employee to work overtime for more than—

(a) in the case of a casual employee, two hours on any day;

(b) in the case of any other employee, 10 hours in any week.

(8) *Female employees.*—Notwithstanding anything to the contrary contained in this clause, an employer shall not require or permit a female employee to work—

(a) between 6 o'clock p.m. and 6 o'clock a.m.;

(b) after 1 o'clock p.m. on more than five days a week;

(c) overtime for more than two hours on any day, except that an employee who works a five-day week may work up to four hours overtime on a Saturday, but so that 10 hours are not exceeded in any week;

(d) overtime on more than three consecutive days in any week;

(e) overtime on more than 60 days in any year;

(f) overtime after completion of her ordinary hours of work for more than one hour on any day unless he has—

(i) before midday given notice thereof to such employee; or

(ii) provided such employee with an adequate meal and allowed her sufficient time to have it before she has to commence overtime; or

(iii) paid such employee not less than 25c in sufficient time to enable her to obtain and have a meal before overtime is due to commence.

(9) *Payment for overtime.*—An employer shall pay an employee who works overtime at a rate of not less than—

(a) in the case of a casual employee, one and one-third times his ordinary wage in respect of the total period so worked by such employee on any day;

(b) in the case of any other employee, one and one-third times his ordinary wage in respect of the total period so worked by such employee in any week.

(10) *Savings.*—(a) The provisions of this clause shall not apply to a compound manager, an assistant compound manager, a first-aid or sick-bay attendant, an induna, a traveller, a traveller's assistant or to an employee who is wholly or mainly employed in a compound kitchen.

(b) The provisions of this clause shall not apply to a foreman, a senior managerial or administrative employee or a technical or professional employee if and for so long as such an employee is in receipt of a regular wage at a rate of not less than R300 per month.

(iii) as sodanige pouse langer as een uur is, enige tyd wat een en 'n kwart uur te bowe gaan, geag word werktyd te wees;

(iv) 'n motorvoertuigdrywer, klas I, wat gedurende sodanige pouse geen ander werk verrig as om in beheer van die voertuig te wees of te bly nie, by die toepassing van hierdie subklousule geag word nie gedurende sodanige pouse te gewerk het nie;

(v) wanneer daar, vanweë oortyd wat gewerk is, van 'n werkgewer vereis word om op enige dag 'n tweede etenspouse aan 'n werknemer toe te staan, sodanige pouse tot minstens 15 minute verkort mag word;

(vi) alleenlik een sodanige pouse gedurende 'n werknemer se gewone werkure op 'n dag nie deel van die gewone werkure mag uitmaak nie.

(4) *Ruspouses.*—'n Werkgewer moet aan elkeen van sy werknemers, uitgesonderd 'n motorvoertuigdrywer, 'n deelydse motorvoertuigdrywer, 'n arbeider wat die motorvoertuigdrywer vergesel, 'n bediener van die mobiele hystoestel, 'n drywer van 'n dierevoertuig, 'n skofwerker of 'n werknemer wat betrokke is by die vervaardiging van asbessementprodukte of betondwarslêers volgens 'n proses waarby kragaangedrewe masjinerie gebruik word, 'n ruspouse van minstens 10 minute toestaan so na as doenlik aan—

(a) die middel van elke eerste werktydperk in 'n dag en

(b) die middel van elke tweede werktydperk in 'n dag:

Met dien verstande dat 'n werkgewer, op versoek van sy werknemer, in plaas van die ruspouses in paragrawe (a) en (b) hiervan voorgeskryf, aan so 'n werknemer 'n enkele ruspouse van minstens 20 minute kan toestaan so na as doenlik aan die middel van elke eerste werktydperk in 'n dag;

en gedurende sodanige ruspouse mag daar nie van die werknemer vereis word of mag hy nie toegelaat word om werk te verrig nie, en sodanige pouse word geag deel van die gewone werkure van so 'n werknemer uit te maak.

(5) *Werkure moet agtereenvolgend wees.*—Behoudens die bepalinge van subklousule (3), moet alle werkure van 'n werknemer op elke dag agtereenvolgend wees.

(6) *Oortydwerk.*—Alle tyd, uitgesonderd dié op 'n Sondag, wat 'n werknemer langer werk as die getal gewone werkure wat in subklousules (1) en (2) voorgeskryf word, is oortydwerk.

(7) *Beperking van oortydwerk.*—'n Werkgewer mag nie van 'n werknemer vereis of hom toelaat om langer oortyd te werk nie as—

(a) in die geval van 'n los werknemer, twee uur op 'n dag;

(b) in die geval van 'n ander werknemer, 10 uur in 'n week.

(8) *Vroulike werknemers.*—Ondanks andersluidende bepalinge in hierdie klousule, mag 'n werkgewer nie van 'n vroulike werknemer vereis of haar toelaat om—

(a) tussen 6-uur nm. en 6-uur vm. te werk nie;

(b) op meer as vyf dae in 'n week na 1-uur nm. te werk nie;

(c) meer as twee uur oortyd op 'n dag te werk nie, behalwe dat 'n werknemer wat 'n werkweek van vyf dae het, op 'n Saterdag tot vier uur oortyd kan werk, maar dan só dat die oortydwerk nie tien uur in enige week te bowe gaan nie;

(d) op meer as drie agtereenvolgende dae in 'n week oortyd te werk nie;

(e) op meer as 60 dae in 'n jaar oortyd te werk nie;

(f) na voltooiing van haar gewone werkure meer as een uur op 'n dag oortyd te werk nie tensy hy—

(i) sodanige werknemer voor die middag kennis daarvan gegee het; of

(ii) sodanige werknemer van 'n toereikende ete voorsien en haar genoeg tyd gelaat het om dit te nuttig voordat sy met die oortydwerk moet begin; of

(iii) sodanige werknemer minstens 25c betyds betaal het om haar in staat te stel om 'n ete te verkry en te nuttig voordat sy met die oortydwerk moet begin.

(9) *Betaling vir oortydwerk.*—'n Werkgewer moet 'n werknemer wat oortyd werk, betaal teen minstens—

(a) in die geval van 'n los werknemer, een en 'n derde maal sy gewone loon ten opsigte van die totale tydperk aldus deur sodanige werknemers op enige dag gewerk;

(b) in die geval van 'n ander werknemer, een en 'n derde maal sy gewone loon ten opsigte van die totale tydperk aldus deur sodanige werknemer in enige week gewerk.

(10) *Voorbehoudsbepalinge.*—(a) Die bepalinge van hierdie klousule is nie op 'n kampongbestuurder, 'n assistent-kampongbestuurder, 'n eerstehulpbediener of siekeboegwerker, 'n indoeana, 'n handelsreisiger, 'n handelsreisiger se assistent of 'n werknemer wat uitsluitlik of hoofsaaklik in 'n kampongbuis werksaam is, van toepassing nie.

(b) Die bepalinge van hierdie klousule is nie op 'n voorman, 'n senior bestuurs- of administratiewe werknemer of 'n tegniese of professionele werknemer van toepassing nie indien en solank so 'n werknemer gereeld 'n loon van minstens R300, per maand ontvang.

(c) The provisions of subclauses (3), (4), (5) and (7) shall not apply to an employee while he is engaged on emergency work.

(d) The provisions of this clause shall not apply to a watchman whose employer grants him a free period of at least 24 hours in respect of every week of employment: Provided that—

(i) he makes no deduction from his watchman's wage in respect thereof;

(ii) an employer may, in lieu of granting his watchman any such free period, pay such watchman the wage which he would have received if he had not worked during such period, plus an amount of not less than double his daily wage in respect of such period not granted.

6. ANNUAL LEAVE

(1) Subject to the provisions of subclause (2), an employer shall grant to his employee, other than a casual employee, in respect of each completed period of 12 months of employment with him—

(a) in the case of a traveller, traveller's assistant or a watchman, 21 consecutive days' leave;

(b) in the case of every other employee, 14 consecutive days' leave;

and shall pay such employee in respect of such leave—

(i) in the case of an employee referred to in paragraph (a), an amount of not less than three times the weekly wage which the employee was receiving immediately prior to the date on which the leave commenced;

(ii) in the case of an employee referred to in paragraph (b), an amount of not less than double the weekly wage which the employee was receiving immediately prior to the date on which the leave commenced:

Provided that for the purpose of this clause the weekly wage of a traveller who is employed on commission work shall be calculated by dividing the remuneration payable to him by virtue of his agreement in accordance with clause 9 (7) in respect of the 12 months immediately preceding the date of the accrual of his leave by 52 or if he has had less than 12 months of such employment, by dividing the total remuneration so payable to him during his period of such employment by the number of completed weeks in such period, and provided further that for the purpose of this clause the weekly wage of any employee who is engaged on piece-work shall be calculated on the basis set out in section 20 (5) of the Factories, Machinery and Building Work Act, 1941:

(2) The leave prescribed in subclause (1) shall be granted at a time to be fixed by the employer: Provided that—

(i) if such leave has not been granted earlier, it shall, save as provided in subclause (3), be granted so as to commence within four months after the completion of the 12 months of employment to which it relates or, if the employer and employee have agreed thereto, in writing, before the expiration of the said period of four months, the employer may grant such leave to the employee as from a date not later than two months after the expiration of the said period of four months;

(ii) the period of leave shall not be concurrent with sick leave granted in terms of clause 7 nor, unless the employee so requests and the employer agrees in writing, with any period of military training under the Defence Act, 1957;

(iii) if New Year's Day, Good Friday, Ascension Day, Republic Day, the Day of the Covenant or Christmas Day falls within the period of such leave, another work day shall, for each such holiday, be added to the said period as a further period of leave and the employee shall be paid an amount of not less than his daily wage in respect of each such day added;

(iv) an employer may set off against such period of leave any days of occasional leave granted on full pay to his employee at such employee's written request during the period of 12 months of employment to which the period of leave relates.

(3) (a) At the written request of his employee, an employer may permit the leave to accumulate over a period of not more than 24 months of employment: Provided—

(i) that the request is made by such employee not later than four months after the expiration of the first period of 12 months of employment to which the leave relates; and

(ii) that the date of the receipt of the request is endorsed on the request over his signature by the employer, who shall retain the request at least until after the expiration of the period of leave.

(c) Die bepalinge van subklousule (3), (4), (5) en (7) is nie op 'n werknemer van toepassing nie terwyl hy noodwerk verrig.

(d) Die bepalinge van hierdie klousule is nie op 'n wag wie se werkgever hom 'n vry periode van minstens 24 uur ten opsigte van elke week diens toestaan, van toepassing nie: Met dien verstande dat—

(i) hy geen bedrag van sy wag se loon ten opsigte daarvan aftrek nie;

(ii) 'n werkgever, in plaas daarvan dat hy sodanige vry periode aan sy wag toestaan, sodanige wag dié loon kan betaal wat hy sou ontvang het indien hy nie gedurende sodanige periode gewerk het nie, plus 'n bedrag van minstens twee maal sy dagloon ten opsigte van sodanige vry periode wat nie toegestaan is nie.

6. JAARLIKSE VERLOF

(1) Behoudens die bepalinge van subklousule (2), moet 'n werkgever aan sy werknemer, uitgesonderd 'n los werknemer, ten opsigte van elke voltooide tydperk van 12 maande diens by hom verlof verleen van—

(a) in die geval van 'n handelsreisiger, 'n handelsreisiger se assistent of 'n wag, 21 agtereenvolgende dae;

(b) in die geval van enige ander werknemer, 14 agtereenvolgende dae;

en moet hy sodanige werknemer ten opsigte van sodanige verlof betaal—

(i) in die geval van 'n werknemer in paragraaf (a) bedoel, 'n bedrag van minstens drie maal die weekloon wat hy onmiddellik voor die aanvangsdatum van die verlof ontvang het;

(ii) in die geval van 'n werknemer in paragraaf (b) bedoel, 'n bedrag van minstens twee maal die weekloon wat hy onmiddellik voor die aanvangsdatum van die verlof ontvang het:

Met dien verstande dat by die toepassing van hierdie klousule die weekloon van 'n handelsreisiger wat kommissiewerk doen, bereken word deur die besoldiging wat uit hoofde van sy ooreenkoms ingevolge klousule 9 (7) aan hom betaalbaar is ten opsigte van die 12 maande onmiddellik voor die datum waarop die verlof hom toekom, deur 52 te deel of, indien hy minder as 12 maande aldus gewerk het, deur die totale besoldiging wat aldus vir sodanige dienstydsperk aan hom betaalbaar is, deur die getal voltooide weke in sodanige tydperk te deel; met dien verstande voorts dat by die toepassing van hierdie klousule die weekloon van 'n werknemer wat stukwerk verrig, bereken word op die grondslag uiteengesit in artikel 20 (5) van die Wet op Fabriek, Masjinerie en Bouwerk, 1941.

(2) Die verlof by subklousule (1) voorgeskryf, moet verleen word op 'n tyd wat die werkgever bepaal: Met dien verstande dat—

(i) as sodanige verlof nie eerder verleen is nie, dit, behoudens die bepalinge van subklousule (3), so verleen moet word dat dit binne vier maande begin na voltooiing van die 12 maande diens waarop dit betrekking het; of, as die werkgever en sy werknemer voor die verstryking van genoemde tydperk van vier maande skriftelik daartoe ooreengekom het, die werkgever sodanige verlof aan die werknemer kan verleen met ingang van 'n datum uiterlik twee maande na die verstryking van genoemde tydperk van vier maande;

(ii) die tydperk van verlof nie met siekteverlof wat ingevolge klousule 7 verleen is of, tensy die werknemer dit versoek en die werkgever skriftelik daartoe instem, met enige tydperk van militêre opleiding ingevolge die Verdedigingswet, 1957, mag saamval nie;

(iii) as Nuwejaarsdag, Goeie Vrydag, Hemelvaartsdag, Republiekdag, Geloftedag of Kersdag binne die tydperk van sodanige verlof val, daar vir elke sodanige vakansiedag nog 'n werkdag by gemelde tydperk gevoeg moet word as 'n verdere tydperk van verlof en dat die werknemer vir elke sodanige dag wat bygevoeg word, 'n bedrag van minstens sy dagloon betaal moet word;

(iv) 'n werkgever al die dae geleentheidsverlof wat op die skriftelike versoek van sy werknemer met volle betaling aan hom verleen is gedurende die tydperk van 12 maande diens waarop die verloftydsperk betrekking het, van sodanige verlof tydperk kan aftrek.

(3) (a) Op die skriftelike versoek van sy werknemer kan 'n werkgever toelaat dat die verlof oor 'n tydperk van hoogstens 24 maande diens ooploop: Met dien verstande—

(i) dat sodanige werknemer so 'n versoek doen binne vier maande na verstryking van die eerste tydperk van 12 maande diens waarop die verlof betrekking het, en

(ii) dat die werkgever die datum van ontvangs van sodanige versoek daarop aanbring en dit onderteken en die versoek to minstens na verstryking van die verloftydsperk bewaar.

(b) The provisions of subclause (2) shall *mutatis mutandis* apply to the leave referred to in this subclause.

(4) The remuneration in respect of the leave prescribed in subclause (1), read with subclause (3), shall be paid not later than the last work day before the date of commencement of the leave.

(5) An employee whose employment terminates during any period of 12 months of employment before the period of leave prescribed in subclause (1) in respect of that period has accrued shall, upon such termination and in addition to any other remuneration which may be due to him, be paid in respect of each completed month of such period of employment an amount of not less than—

- (a) in the case of an employee referred to in subclause (1) (a), one-fourth, and
- (b) in the case of an employee referred to in subclause (1) (b), one-sixth,

of the weekly wage he was receiving immediately before the date of such termination: Provided that an employer may make a proportionate deduction in respect of any period of leave granted to an employee in terms of the fourth proviso to subclause (2); provided further that an employee—

(i) who leaves his employment without having given and served the period of notice prescribed in clause 12, unless the employer has waived such notice or the employee has paid the employer in lieu of notice; or

(ii) who leaves his employment without cause recognised by law as sufficient; or

(iii) who is dismissed by his employer without notice for any cause recognised by law as sufficient for such dismissal without notice;

shall not be entitled to any payment by virtue of this subclause.

(6) An employee who has become entitled to a period of leave prescribed in subclause (1), read with subclause (3), and whose employment terminates before such leave has been granted, shall upon such termination be paid the amount he would have received in respect of the leave, had the leave been granted to him as at the date of the termination.

(7) For the purpose of this clause the expression "employment" shall be deemed to include—

(a) any period in respect of which an employer, in terms of clause 12, pays an employee in lieu of notice;

(b) any period during which an employee is absent—

(i) on leave in terms of this clause;

(ii) on sick leave in terms of clause 7;

(iii) on the instructions or at the request of his employer; amounting in the aggregate in any year to not more than 10 weeks; and

(c) any period during which an employee is absent undergoing military training in pursuance of the Defence Act, 1957: Provided that an employee shall not be entitled to claim as employment more than four months of any one period of such training,

and employment shall be deemed to commence—

(i) in the case of an employee who had before the coming into force of this Determination become entitled to a period of annual leave in terms of any law, on the date on which such employee last became entitled to such leave under such law;

(ii) in the case of an employee who was in employment before the coming into force of this Determination and to whom any law providing for annual leave applied but who had not become entitled to a period of leave in terms thereof, on the date on which such employment commenced;

(iii) in the case of any other employee, on the date on which such employee entered his employer's service or on the date of the coming into force of this Determination, whichever is the later.

(8) (a) Notwithstanding anything to the contrary contained in his clause, an employer may for the purpose of annual leave at any time, but not more than once in any period of 12 months, close his establishment or portion of his establishment for 14 consecutive days plus any additional days that may have to be added by virtue of the third proviso to subclause (2).

(b) Die bepalings van subklousule (2) is *mutatis mutandis* van toepassing op die verlof in hierdie subklousule bedoel.

(4) Die besoldiging ten opsigte van die verlof voorgeskryf by subklousule (1), gelees met subklousule (3), moet uiterlik op die laaste werkdag voor die aanvangsdatum van die verlof betaal word.

(5) Aan 'n werknemer wie se diens gedurende enige diens-termyn van 12 maande eindig voordat die verloftydperk voorgeskryf by subklousule (1) ten opsigte van so 'n termyn opgeloopt het, moet daar by sodanige diensbeëindiging, benewens enige ander besoldiging wat aan hom verskuldig mag wees, vir elke voltooië maand van sodanige diens-termyn 'n bedrag betaal word van minstens—

(a) in die geval van 'n werknemer in subklousule (1) (a) bedoel, een vierde van die weekloon; en

(b) in die geval van 'n werknemer in subklousule (1) (b) bedoel, een sesde van die weekloon;

wat hy onmiddellik voor die datum van sodanige diensbeëindiging ontvang het: Met dien verstande dat 'n werkgewer ten opsigte van 'n verloftydperk wat hy ingevolge die vierde voorbehoudsbepaling van subklousule (2) aan 'n werknemer verleen het, 'n eweredige bedrag kan aftrek; voorts met dien verstande dat 'n werknemer—

(i) wat sy diens verlaat sonder om die kennis te gee en die kennisgewingstermyn uit te dien wat by klousule 12 voorgeskryf word, tensy die werkgewer van sodanige kennisgewing afgesien het of tensy die werknemer sy werkgewer betaal het in plaas daarvan om aldus kennis te gee; of

(ii) wat sy diens sonder 'n regsgeldige rede verlaat; of

(iii) wat sonder kennisgewing deur sy werkgewer ontslaan word om 'n rede wat vir sodanige ontslag sonder kennisgewing regsgeldig is;

op geen betaling uit hoofde van hierdie subklousule geregtig is nie.

(6) 'n Werknemer wat geregtig geword het op 'n tydperk van verlof voorgeskryf by subklousule (1), gelees met subklousule (3), en wie se diens eindig voordat sodanige verlof verleen is, moet by sodanige diensbeëindiging die bedrag betaal word wat hy ten opsigte van die verlof sou ontvang het as die verlof op die datum van diensbeëindiging aan hom verleen was.

(7) By die toepassing van hierdie klousule word die uitdrukking "diens" geag te omvat—

(a) enige tydperk ten opsigte waarvan 'n werkgewer 'n werknemer ingevolge klousule 12 betaal in plaas van kennis te gee;

(b) enige tydperk wat 'n werknemer afwesig is—

(i) met verlof ingevolge hierdie klousule;

(ii) met siekteverlof ingevolge klousule 7;

(iii) op las of versoek van sy werkgewer; en wel tot 'n totaal, in enige jaar, van hoogstens 10 weke; en

(c) enige tydperk wat 'n werknemer afwesig is vir militêre opleiding ingevolge die Verdedigingswet, 1957: Met dien verstande dat 'n werknemer nie geregtig is om meer as vier maande van een sodanige opleidingstydperk as diens te eis nie;

en word diens geag te begin—

(i) in die geval van 'n werknemer wat voor die inwerking-treding van hierdie Vasstelling, kragtens enige wet op 'n tydperk van jaarlikse verlof geregtig geword het, op die datum waarop sodanige werknemer laas kragtens sodanige wet op verlof geregtig geword het;

(ii) in die geval van 'n werknemer wat voor die datum van inwerking-treding van hierdie Vasstelling in diens was en op wie enige wet wat vir jaarlikse verlof voorsiening maak, van toepassing was maar wat nog nie daarkragtens op 'n tydperk van verlof geregtig geword het nie, op die aanvangsdatum van sodanige diens;

(iii) in die geval van enige ander werknemer, op die datum waarop sodanige werknemer by sy werkgewer in diens getree het of op die datum van inwerking-treding van hierdie Vasstelling, en wel op die jongste van die twee datums.

(8) (a) Ondanks andersluidende bepalings in hierdie klousule, kan 'n werkgewer vir die doel van jaarlikse verlof te eniger tyd, maar hoogstens een maal in 'n tydperk van 12 maande, sy bedryfs-inrigting of 'n deel van sy bedryfsinrigting sluit vir 14 agtereenvolgende dae plus alle addisionele dae wat moontlik uit hoofde van die derde voorbehoudsbepaling van subklousule (2) daarby gevoeg moet word.

(b) An employee who at the date of the closing of an establishment or portion thereof in which he is employed in terms of paragraph (a) is not entitled to the full period of annual leave prescribed in subclause (1) (b) shall, in respect of any leave due to him, be paid by his employer on the basis set out in subclause (5), and for the purpose of annual leave thereafter his employment shall be deemed to commence on the date of such closing of the establishment or portion of the establishment, as the case may be.

7. SICK LEAVE

(1) Subject to the provisions of subclause (2), an employer shall grant to his employee, other than a casual employee, who is absent from work through incapacity—

(a) in the case of an employee who normally works a five-day week, not less than 20 work days, and

(b) in the case of every other employee, not less than 24 work days,

sick leave in the aggregate during each cycle of 24 consecutive months of employment with him, and shall pay such employee in respect of any period of absence in terms of this subclause not less than the wage he would have received had he worked during such period: Provided that—

(i) in the first 24 consecutive months of employment an employee shall not be entitled to sick leave on full pay at a rate of more than, in the case of an employee who works a five-day week, one work day in respect of each completed period of five weeks of employment and, in the case of any other employee, one work day in respect of each completed month of employment;

(ii) this clause shall not apply to an employee at whose written request an employer makes contributions, at least equal to those made by the employee, to any fund or organisation nominated by the employee, which fund or organisation guarantees to the employee in the event of his incapacity in the circumstances set out in this clause the payment to him of not less than in the aggregate the equivalent of his wage for 20 or 24 work days, as the case may be, in each cycle of 24 months of employment, except that during the first 24 months of the payment of contributions by the employee the guaranteed rate of payment may be reduced but to not less than the rate of accrual set out in the first proviso to this subclause;

(iii) where an employer is by any law required to pay fees for hospital or medical treatment in respect of an employee, and pays such fees, the amount so paid may be set off against the payment due in respect of absence owing to incapacity in terms of this clause;

(iv) if in respect of any period of incapacity covered by this clause an employer is required by any other law to pay to an employee his full wages, the provisions of this clause shall not apply.

(2) An employer may, as a condition precedent to the payment by him of any amount claimed in terms of this clause by an employee in respect of any absence from work—

(a) for more than three consecutive work days; or

(b) on the work day immediately preceding or the work day immediately succeeding a Sunday or New Year's Day, Good Friday, Ascension Day, Republic Day, the Day of the Covenant or Christmas Day,

require the employee to produce a certificate signed by a registered medical practitioner stating the nature and duration of the employee's incapacity: Provided that when an employee has during any period of up to eight weeks received payment in terms of this clause on two or more occasions without producing such a certificate his employer may during the period of eight weeks immediately succeeding the last such occasion require him to produce such a certificate in respect of any absence.

(3) Where, during the first cycle of 24 months of employment with the same employer, an employee is absent owing to incapacity for a period in excess of any sick leave accrued at the time of such incapacity, he shall be entitled to be paid in respect of only such leave as has so accrued; but his employer shall, if he has not previously done so, at the expiration of the said cycle of employment or on termination of employment before such expiration pay him in respect of such excess period of absence owing to incapacity to the extent to which sick leave, accrued at such expiration or termination, had not been taken.

(b) 'n Werknemer wat op die sluitingsdatum van 'n bedryfsinrigting of deel van 'n bedryfsinrigting waarin hy ingevolge paragraaf (a) werksaam is, nie op die volle tydperk van die jaarlikse verlof by subklousule (1) (b), voorgeskryf, geregtig is nie, moet ten opsigte van enige verlof wat aan hom verskuldig is, deur sy werkgever betaal word op die grondslag in subklousule (5) vermeld, en vir die doel van jaarlikse verlof daarna word sy diens geag te begin op die datum waarop die bedryfsinrigting of deel van die bedryfsinrigting, na gelang van die geval, aldus sluit.

7. SIEKTEVERLOF

(1) Behoudens die bepalinge van subklousule (2), moet 'n werkgever aan sy werknemer, uitgesonderd 'n los werknemer, wat weens ongeskiktheid van die werk afwesig is, siekteverlof verleen van—

(a) in die geval van 'n werknemer wat normaalweg vyf dae per week werk, altesaam minstens 20 werkdade, en

(b) in die geval van enige ander werknemer, altesaam minstens 24 werkdade,

gedurende elke tydkring van 24 agtereenvolgende maande diens by hom, en moet hy sodanige werknemer ten opsigte van enige tydperk van afwesigheid ingevolge hierdie subklousule minstens die loon betaal wat hy sou ontvang het as hy gedurende sodanige tydperk gewerk het: Met dien verstande dat—

(i) 'n werknemer gedurende die eerste 24 agtereenvolgende maande diens nie op meer siekteverlof met volle betaling geregtig is nie as, in die geval van 'n werknemer met 'n werkweek van vyf dae, een werkdag ten opsigte van elke voltooide tydperk van vyf weke diens en, in die geval van enige ander werknemer, een werkdag ten opsigte van elke voltooide maand diens;

(ii) hierdie klousule nie van toepassing is nie op 'n werknemer op wie se skriftelike versoek 'n werkgever bydraes wat minstens gelyk is aan dié wat die werknemer self bydra, aan 'n fonds of organisasie betaal wat die werknemer aanwys en wat die werknemer waarborg dat, in geval van sy ongeskiktheid in die omstandighede in hierdie klousule vermeld, altesaam minstens die ekwivalent van sy loon vir 20 of 24 werkdade, na gelang van die geval, in elke tydkring van 24 maande diens aan hom betaal sal word, behalwe dat, gedurende die eerste 24 maande wat die werknemer bydraes betaal, die gewaarborgde betalingskoers verlaag kan word maar nie tot minder nie as die aanwaskoers in die eerste voorbehoudsbepaling van hierdie subklousule vermeld;

(iii) waar 'n werkgever ingevolge 'n wet gelde vir hospitaal- of mediese behandeling ten opsigte van 'n werknemer moet betaal en sodanige gelde wel betaal, die bedrag wat aldus betaal is, afgetrek kan word van die bedrag wat ingevolge hierdie klousule ten opsigte van afwesigheid weens ongeskiktheid verskuldig is;

(iv) indien daar by 'n ander wet van 'n werkgever vereis word om 'n werknemer sy volle loon te betaal ten opsigte van 'n tydperk van ongeskiktheid waarvoor hierdie klousule voorsiening maak, die bepalinge van hierdie klousule nie van toepassing is nie.

(2) 'n Werkgever mag, as 'n opskortende voorwaarde vir die betaling, deur hom, van 'n bedrag wat 'n werknemer kragtens hierdie klousule eis ten opsigte van enige afwesigheid van sy werk—

(a) vir langer as drie agtereenvolgende werkdade; of

(b) op die werkdag onmiddellik voor of die werkdag onmiddellik na 'n Sondag of Nuwejaarsdag, Goede Vrydag, Hemelvaartsdag, Republiekdag, Geloftedag of Kersdag,

van die werknemer vereis om 'n sertifikaat voor te lê wat deur 'n geregistreerde mediese praktisinier onderteken is en wat die aard en duur van die werknemer se ongeskiktheid meld: Met dien verstande dat, wanneer 'n werknemer gedurende enige tydperk van hoogstens agt weke by twee of meer geleenthede betaling ingevolge hierdie klousule ontvang het sonder om so 'n sertifikaat voor te lê, sy werkgever gedurende die tydperk van agt weke onmiddellik na die laaste sodanige geleentheid van hom mag vereis om so 'n sertifikaat ten opsigte van enige afwesigheid voor te lê.

(3) Wanneer 'n werknemer gedurende die eerste tydkring van 24 maande diens by dieselfde werkgever weens ongeskiktheid vir 'n langer tydperk afwesig is as die siekteverlof wat hom ten tyde van sodanige ongeskiktheid toekom, is hy geregtig op betaling vir slegs dié siekteverlof wat hom dan toekom; maar sy werkgever moet, as hy dit nie reeds gedoen het nie, by verstryking van gemelde tydkring of by diensbeëindiging voor sodanige verstryking, hom ten opsigte van sodanige langer tydperk van afwesigheid weens ongeskiktheid uitbetaal vir sover die siekteverlof wat hom ten tyde van sodanige verstryking of beëindiging toekom, nog nie geneem is nie.

(4) For the purpose of this clause the expression—

(a) "employment" shall be deemed to include—

(i) any period during which an employee is absent—

(aa) on leave in terms of clause 6;

(bb) on the instructions or at the request of his employer,

(cc) on sick leave in terms of subclause (1),

amounting in the aggregate, in any year, to not more than 10 weeks, and

(ii) any period during which an employee is absent undergoing military training in pursuance of the Defence Act, 1957: Provided that an employee shall not be entitled to claim as employment more than four months of any one period of such training,

and any period of employment which an employee has had with the same employer immediately before the date of the coming into force of this Determination shall for the purpose of this clause be deemed to be employment under this Determination, and any sick leave on full pay granted to such an employee during such period shall be deemed to have been granted under this Determination;

(b) "incapacity" means inability to work owing to any sickness or injury other than sickness or injury caused by an employee's own misconduct: Provided that any such inability to work caused by an accident or a Scheduled disease for which compensation is payable under the Workmen's Compensation Act, 1941, shall only be regarded as incapacity during any period in respect of which no disablement payment is payable in terms of that Act.

8. PUBLIC HOLIDAYS AND SUNDAYS

(1) Subject to the provisions of clauses 4 (6) and 6 (2), if an employee, other than a casual employee, does not work on New Year's Day, Good Friday, Ascension Day, Republic Day, the Day of the Covenant or Christmas Day, his employer shall pay him for the week in which such day falls not less than his weekly wage.

(2) Whenever an employee works on New Year's Day, Good Friday, Ascension Day, Republic Day, the Day of the Covenant or Christmas Day his employer shall, save as provided in clause 4 (6), pay him for the week in which such day falls not less than his weekly wage, plus his hourly wage for each hour or part of an hour worked by the employee in the aggregate on such day: Provided that where such an employee is required or permitted to work for less than four hours on such day he shall be deemed to have worked for four hours.

(3) Whenever an employee works on a Sunday, his employer shall either—

(a) pay the employee—

(i) if he so works for a period not exceeding four hours, not less than his daily wage;

(ii) if he so works for a period exceeding four hours, at a rate not less than double his ordinary wage in respect of the total period worked by him on such Sunday, or not less than double his daily wage, whichever is the greater; or

(b) pay him at a rate not less than one and one-third times his ordinary wage in respect of the total period worked by him on such Sunday, and grant him within seven days of such Sunday one day's leave and pay him in respect thereof not less than his daily wage: Provided that where such an employee is required or permitted to work for less than four hours on such Sunday he shall be deemed to have worked for four hours.

(4) Whenever a shift worker works a shift which falls partly on any public holiday referred to in subclause (1) or on a Sunday and partly on any other day, the whole shift shall be deemed to have been worked on the day on which the major portion of such shift fell.

(5) The provisions of subclauses (2), (3) and (4) shall not apply—

(a) to a foreman, senior managerial or administrative employee or a technical or professional employee if and for so long as such employee is in receipt of a regular wage at a rate of not less than R300 per month;

(b) to a casual employee, a traveller, a traveller's assistant or a watchman.

9. PIECE-WORK AND COMMISSION WORK

(1) An employer may, after at least one week's notice to his employee, other than a traveller, introduce any piecework system and, save as provided in clause 4 (6), such employer shall pay his employee, who is employed on such piecework system, remuneration at the rates applicable under such system: Provided that, irrespective of the quantity of work done, the employer shall pay such employee not less than—

(a) in the case of an employee other than a casual employee, in respect of each week in which piece-work is performed, the amount which he would have been required to pay such employee for that week had he been remunerated on the basis of time worked;

(4) By die toepassing van hierdie klousule—

(a) word die uitdrukking "diens" geag te omvat—

(i) enige tydperk wat 'n werknemer afwesig is—

(aa) met verlof ingevolge klousule 6;

(bb) op las of versoek van sy werkgever;

(cc) met siekteverlof ingevolge subklousule (1),

en wat in enige jaar altesaam hoogstens 10 weke beloop, en

(ii) enige tydperk wat 'n werknemer afwesig is vir militêre opleiding ingevolge die verdedigingswet, 1957: Met dien verstande dat 'n werknemer nie geregtig is om meer as vier maande van een sodanige opleidingstydperk as diens te eis nie,

en word enige tydperk van diens by dieselfde werkgever onmiddellik voor die datum van inwerkingtrekking van hierdie Vasstelling geag diens ingevolge hierdie Vasstelling te wees, en word alle siekteverlof wat met volle betaling aan so 'n werknemer gedurende sodanige tydperk verleen is, geag ingevolge hierdie Vasstelling verleen te wees;

(b) beteken "ongeskiktheid" onvermoë om te werk weens siekte of besering, behalwe siekte of besering wat deur 'n werknemer se eie wangedrag veroorsaak is: Met dien verstande dat sodanige onvermoë om te werk wat veroorsaak is deur 'n ongeluk of vergoedingspligtige siekte waarvoor vergoeding kragtens die Ongevalwet, 1941, betaalbaar is, slegs as ongeskiktheid beskou word gedurende 'n tydperk ten opsigte waarvan geen ongeskiktheidsbetaling ingevolge daardie Wet betaalbaar is nie.

8. OPENBARE VAKANSIEDAE EN SONDAE

(1) Behoudens die bepalings van klousules 4 (6) en 6 (2), moet 'n werkgever aan 'n werknemer, uitgesonderd 'n los werknemer, wat nie op Nuwejaarsdag, Goeie Vrydag, Hemelvaartsdag, Republiekdag, Geloftedag of Kersdag werk nie, minstens sy weekloon betaal vir die week waarin so 'n dag val.

(2) Wanneer 'n werknemer op Nuwejaarsdag, Goeie Vrydag, Hemelvaartsdag, Republiekdag, Geloftedag of Kersdag werk, moet sy werkgever hom, behoudens die bepalings van klousule 4 (6), vir die week waarin so 'n dag val, minstens sy weekloon betaal, plus sy uurloon vir elke uur of deel van 'n uur wat die werknemer altesaam op so 'n dag gewerk het: Met dien verstande dat, waar daar van sodanige werknemer vereis word of hy toegelaat word om minder as vier uur op so 'n dag te werk, daar geag word dat hy vier uur gewerk het.

(3) Wanneer 'n werknemer op 'n Sondag werk, moet sy werkgever of—

(a) die werknemer—

(i) indien hy aldus vir 'n tydperk van hoogstens vier uur werk, minstens sy dagloon betaal;

(ii) indien hy aldus vir 'n tydperk van meer as vier uur werk, teen minstens dubbel sy gewone loon ten opsigte van die hele tydperk wat hy op sodanige Sondag werk, of minstens dubbel sy dagloon betaal, en wel die bedrag wat die grootste is; of

(b) hom teen minstens een en 'n derde maal sy gewone loon betaal ten opsigte van die hele tydperk wat hy op sodanige Sondag werk en hom binne sewe dae vanaf sodanige Sondag een dag verlof verleen en hom ten opsigte daarvan minstens sy dagloon betaal: Met dien verstande dat, waar daar van sodanige werknemer vereis of hy toegelaat word om minder as vier uur op sodanige Sondag te werk, daar geag moet word dat hy vier uur gewerk het.

(4) Wanneer 'n skofwerker 'n skof werk wat gedeeltelik op 'n openbare vakansiedag in subklousule (1) bedoel of op 'n Sondag en gedeeltelik op 'n ander dag val, word daar geag dat die hele skof gewerk was op die dag waarop die grootste gedeelte van sodanige skof geval het.

(5) Die bepalings van subklousules (2), (3) en (4) is nie van toepassing nie—

(a) op 'n voorman, 'n senior bestuurs- of administratiewe werknemer of 'n tegniese of professionele werknemer indien en terwyl so 'n werknemer gereeld 'n loon teen minstens R300 per maand ontvang;

(b) op 'n los werknemer, 'n handelsreisiger, 'n handelsreisiger se assistent, op 'n wag.

9. STUKWERK EN KOMMISSIEWERK

(1) 'n Werkgever kan, nadat hy minstens een week vooraf kennis aan sy werknemer, uitgesonderd 'n handelsreisiger, gegee het, 'n stukwerkstelsel invoer, en sodanige werkgever moet, behoudens die bepalings van klousule 4 (6), sy werknemer wat volgens sodanige stukwerkstelsel werk, besoldig teen die tariewe wat ooreenkomstig sodanige stelsel van toepassing is: Met dien verstande dat die werkgever, ongcag die hoeveelheid werk wat verrig is, die werknemer moet betaal—

(a) in die geval van 'n werknemer, uitgesonderd 'n los werknemer, vir elke week waarin stukwerk verrig word, minstens die bedrag wat hy so 'n werknemer vir daardie week sou moes betaal het as hy hom 'n tydloon betaal het;

(b) in the case of a casual employee, in respect of each day on which piece-work is performed, the amount which he would have been required to pay such employee for that day had he been remunerated on the basis of time worked.

(2) An employer shall keep posted up in a conspicuous place in his establishment a schedule of the rates referred to in subclause (1).

(3) An employer who intends to cancel or amend any piece-work system in operation or the rates applicable thereunder shall give his employee employed on such system not less than one month's notice of such intention: Provided that an employer and his employee may agree on a longer period of notice, in which case the employer shall give notice for a period not shorter than that agreed upon.

(4) Notwithstanding anything to the contrary in this clause an employer need not give a casual employee notice of his intention to introduce any piece-work system or to cancel or amend it.

(5) A traveller who by agreement with his employer undertakes commission work shall be supplied by his employer, before such work is commenced, with a true copy of the agreement or a statement setting out the terms of the agreement, which shall include—

(a) the weekly or monthly wage payable to the traveller, where such wage is higher than that prescribed in clause 3 (1) for such traveller, and the rate or rates of the commission and the conditions of entitlement thereto;

(b) the day of the week or month on which commission earned is due and payable;

(c) the area in which the traveller is required or permitted to work;

(d) the type, description, number, quantity or value of orders (individual, weekly, monthly or otherwise) which the employer is from time to time prepared to accept; and

(e) the day of payment of commission in respect of orders accepted by the employer before termination of the contract of employment: Provided that such day of payment shall be not later than the last work day of the month succeeding the month during which employment was terminated.

(6) The terms of the agreement referred to in subclause (5) shall be financially not less favourable to the traveller than the relative terms of this Determination: Provided that the remuneration of a traveller on commission work shall be payable on the day stipulated in the agreement, and in this respect the provisions of clause 4 (1) shall not apply to such payment.

(7) Save as provided in clause 4 (6), an employer shall pay to his traveller who is employed on commission work remuneration at not less than the rate agreed upon between them: Provided that, irrespective of the number or value of orders accepted by the employer, the remuneration of such traveller in respect of any period shall be not less than that which would be due to him for that period in terms of clause 3 (1).

(8) An employer or a traveller, who intends to cancel, or to negotiate for an alteration of, an agreement in regard to commission work, shall give written notice of such intention and the period of such notice shall be not less than that required to terminate the contract of employment of such traveller in terms of clause 12.

10. UNIFORMS, OVERALLS AND PROTECTIVE CLOTHING

An employer shall supply and maintain in serviceable condition, free of charge, any uniform, overall, gumboots or other protective clothing which he requires his employee to wear or which by any law he is compelled to provide for his employee and any such uniform, overall, gumboots or other protective clothing shall remain the property of the employer.

11. PROHIBITION OF EMPLOYMENT

An employer shall not employ any person under the age of 15 years.

12. TERMINATION OF CONTRACT OF EMPLOYMENT

(1) An employer or his employee, other than a casual employee, who desires to terminate the contract of employment, shall give—

(a) during the first four weeks of employment, not less than one work day's,

(b) in die geval van 'n los werknemer, vir elke dag waarop stukwerk verrig word, minstens die bedrag wat hy so 'n werknemer vir daardie dag sou moes betaal het as hy hom 'n tydloon betaal het.

(2) 'n Werkgewer moet 'n lys van die besoldiging in subklousule (1) bedoel, op 'n opvallende plek in sy bedryfsinrigting opgeplak hou.

(3) 'n Werkgewer wat voornemens is om 'n bestaande stukwerkstelsel of die besoldiging wat daarvolgens van toepassing is, af te skaf of te wysig, moet aan sy werknemer wat volgens sodanige stelsel werk, minstens een maand kennis van sodanige voorneme gee: Met dien verstande dat 'n werkgewer en sy werknemer oor 'n langer kennisgewingtermyn ooreen kan kom, en in so 'n geval mag die werkgewer nie vir 'n korter termyn as dié waarvoor daar ooreengekom is, kennis gee nie.

(4) Ondanks andersluidende bepalinge in hierdie klousule, hoef 'n werkgewer nie 'n los werknemer kennis te gee van sy voorneme om 'n stukwerkstelsel in te voer of af te skaf of te wysig nie.

(5) 'n Handelsreisiger wat volgens 'n ooreenkoms met sy werkgewer kommissiewerk onderneem, moet, voordat sodanige werk begin, deur sy werkgewer voorsien word van 'n juiste kopie van die ooreenkoms of 'n verklaring wat die bepalinge van die ooreenkoms bevat en wat moet insluit—

(a) die week- of maandloon aan die handelsreisiger betaalbaar, indien sodanige loon hoër is as dié wat by klousule 3 (1) vir so 'n handelsreisiger voorgeskryf word, asook die kommissietarief of -tariewe en die voorwaardes waarop hy die reg daarop verkry;

(b) die dag van die week of maand waarop die verdiende kommissie verskuldig en betaalbaar is;

(c) die gebied waarin daar van die handelsreisiger vereis word of hy toegelaat word om te werk;

(d) die tipe, beskrywing, getal, hoeveelheid of waarde van die bestellings (individueel, weekliks, maandeliks of hoe ook al) wat die werkgewer van tyd tot tyd bereid is om te aanvaar; en

(e) die dag waarop die kommissie op bestellings wat die werkgewer voor die beëindiging van die dienskontrak aanvaar het, betaal moet word: Met dien verstande dat sodanige betaaldag uiterlik die laaste werkdag moet wees van die maand wat volg op die maand waarin die diens beëindig is.

(6) Die bepalinge van die ooreenkoms wat in subklousule (5) bedoel word, mag vir die handelsreisiger geldelik nie minder voordelig as die betrokke bepalinge van hierdie Vasstelling wees nie: Met dien verstande dat die besoldiging van 'n handelsreisiger wat kommissiewerk verrig, betaalbaar is op die dag wat in die ooreenkoms bepaal word, en in hierdie opsig is die bepalinge van klousule 4 (1) nie op sodanige betaling van toepassing nie.

(7) Behoudens die bepalinge van klousule 4 (6), moet 'n werkgewer sy handelsreisiger wat kommissiewerk onderneem, minstens die besoldiging betaal waarvoor hulle ooreengekom het: Met dien verstande dat, ongeag die getal of waarde van die bestellings wat die werkgewer aanvaar, die besoldiging van so 'n handelsreisiger vir elke tydperk nie minder mag wees nie as dié wat ingevolge klousule 3 (1) vir daardie tydperk aan hom verskuldig sou wees.

(8) 'n Werkgewer of 'n handelsreisiger wat voornemens is om 'n ooreenkoms in verband met kommissiewerk op te sê of oor 'n wysiging daarvan te onderhandel, moet van sodanige voorneme skriftelik kennis gee en die termyn van sodanige kennisgewing mag nie korter wees nie as dié wat by klousule 12 vir die beëindiging van die dienskontrak van so 'n handelsreisiger vereis word.

10. UNIFORMS, OORPAKKE EN BESKERMENDE KLERE

'n Werkgewer moet alle uniforms, oorpakke, rubberstewels of ander beskermende kleren wat hy van sy werknemer vereis om te dra of wat hy ingevolge enige wet verplig is om aan sy werknemer te verskaf, gratis verskaf en in 'n bruikbare toestand hou; en alle sodanige uniforms, oorpakke, rubberstewels of ander beskermende kleren bly die eiendom van die werkgewer.

11. VERBOD OP INDIENSNEEMING

'n Werkgewer mag niemand onder die leeftyd van 15 jaar in diens neem nie.

12. BEÏNDIGING VAN DIENSKONTRAK

(1) 'n Werkgewer of sy werknemer, uitgesonderd 'n los werknemer, wat die dienskontrak wil beëindig, moet—

(a) gedurende die eerste vier weke diens, minstens een werkdag,

(b) after the first four weeks of employment, not less than one week's,

notice of termination of contract, or an employer or employee may terminate the contract without notice by paying the employee or paying the employer, as the case may be, in lieu of such notice not less than—

(i) in the case of one work day's notice, the daily wage which the employee is receiving at the time of such termination;

(ii) in the case of one week's notice, the weekly wage which the employee is receiving at the time of such termination:

Provided that this shall not affect—

(i) the right of an employer or his employee to terminate the contract without notice for any cause recognised by law as sufficient;

(ii) any written agreement between an employer and his employee which provides for a period of notice of equal duration on both sides and for longer than that prescribed in this clause;

(iii) the operation of any forfeitures or penalties which by law may be applicable in respect of an employee who deserts;

provided further that where the wage of an employee at the date of termination has been reduced by deductions in respect of short-time, the expression "is receiving at the time of such termination" shall, when an employer pays an employee in lieu of notice, be deemed to mean "would have received at the time of such termination if no deductions had been made in respect of short-time".

(2) Where there is an agreement in terms of the second proviso to subclause (1), the payment in lieu of notice shall be commensurate with the period of notice agreed upon.

(3) The notice prescribed in subclause (1) may be given on any work day: Provided that—

(i) the period of notice shall not run concurrently with nor shall notice be given during an employee's absence on leave granted in terms of clause 6 or any period of military training which an employee is undergoing in pursuance of the Defence Act, 1957;

(ii) notice shall not be given during an employee's absence on sick leave granted in terms of clause 7.

(4) Notwithstanding anything to the contrary in this Determination, where an employee terminates his contract of employment by leaving his employment without having given and served the required period of notice or without paying his employer in lieu of notice, his employer may appropriate to himself, from any moneys which he owes to such employee by virtue of any provisions of this Determination, an amount of not more than that which such employee would have had to pay him in lieu of notice.

13. CERTIFICATE OF SERVICE

Except where a contract of employment of an employee is terminated on the ground of desertion or where the employee is a casual employee, the employer shall upon termination of any contract of employment furnish the employee with a certificate of service substantially in the form prescribed in the Schedule to this Determination showing the full names of the employer and of the employee, the occupation of the employee, the date of commencement and the date of termination of the contract and the weekly wage of the employee on the date of such termination.

SCHEDULE

I/We (a).....
carrying on trade in the Cement Products Industry at.....
hereby certify that.....
was employed by me/us (a) from the..... day of
..... 19..... to the..... day of
..... 19..... as (b).....
At the termination of employment his/her (a) wage was.....
rand..... cents per week.

(Signature of employer or
authorised representative)

Date.....

(a) Delete whichever inapplicable.

(b) State occupation in which employee was wholly or mainly engaged, e.g., clerk, labourer, Grade I employee.

(b) na die eerste vier weke diens, minstens een week,

vooraf kennis van die beëindiging van die kontrak gee of 'n werkgewer of 'n werknemer kan die kontrak sonder kennisgewing beëindig deur, in plaas van sodanige kennisgewing, aan die werknemer of die werkgewer, na gelang van die geval, te betaal—

(i) in die geval van een werkdag kennisgewing, minstens die dagloon wat die werknemer ten tyde van sodanige beëindiging ontvang;

(ii) in die geval van een week kennisgewing, minstens die weekloon wat die werknemer ten tyde van sodanige beëindiging ontvang;

Met dien verstande dat—

(i) die reg van 'n werkgewer of sy werknemer om die kontrak op 'n regsgeldige grond sonder kennisgewing te beëindig;

(ii) 'n skriftelike ooreenkoms tussen 'n werkgewer en sy werknemer waarin voorsiening gemaak word vir 'n kennisgewingstermyn wat vir beide partye ewe lank is en langer is as dié wat in hierdie klousule voorgeskryf word;

(iii) die werking van 'n verbeuring of boete wat regtens van toepassing mag wees op 'n werknemer wat dros; nie hierdeur geraak word nie; met dien verstande voorts dat, indien die loon van 'n werknemer op die datum van die beëindiging verminder is deur aftrekkings ten opsigte van korttyd en die werkgewer hom betaal in plaas van kennis te gee, die uitdrukking "ten tyde van sodanige beëindiging ontvang" geag word te beteken "ten tyde van sodanige beëindiging sou ontvang het as geen bedrag weens korttyd afgetrek was nie".

(2) Indien daar 'n ooreenkoms ingevolge die tweede voorbehoudsbepaling van subklousule (1) bestaan, moet die betaling in plaas van kennisgewing eweredig wees aan die kennisgewingstermyn waarvoor daar ooreengekom is.

(3) Die kennisgewing by subklousule (1) voorgeskryf, kan op enige werkdag geskied: Met dien verstande dat—

(i) die kennisgewingstermyn nie mag saamval nie met, en die kennisgewing nie mag geskied nie gedurende 'n werknemer se afwesigheid met verlof ingevolge klousule 6 of enige tydperk van militêre opleiding wat 'n werknemer ingevolge die Verdedigingswet, 1957, ondergaan;

(ii) daar nie gedurende 'n werknemer se afwesigheid met siekteverlof ooreenkomstig klousule 7 kennis gegee mag word nie.

(4) Ondanks andersluidende bepalings in hierdie Vasstelling kan 'n werkgewer, in die geval waar 'n werknemer sy dienskontrak beëindig deur sy diens te verlaat sonder om kennis te gee en sonder om die kennisgewingstermyn uit te dien of sonder om sy werkgewer te betaal in plaas van kennis te gee, uit enige geld wat hy sodanige werknemer uit hoofde van enige bepaling van hierdie Vasstelling skuld, aan homself 'n bedrag toeëien van hoogstens dié wat sodanige werknemer hom sou moes betaal het in plaas van kennis te gee.

13. DIENSSERTIFIKAAT

Behalwe waar 'n werknemer se dienskontrak op grond van diensverlating beëindig word of waar die werknemer 'n los werknemer is, moet die werkgewer by beëindiging van enige dienskontrak die werknemer van 'n dienssertifikaat voorsien wat wesenlik die vorm het soos in die Bylae van hierdie Vasstelling voorgeskryf en waarin die volle name van die werkgewer en die werknemer, die beroep van die werknemer, die aanvangsdatum en die datum van beëindiging van die kontrak en die weekloon van die werknemer op die datum van sodanige beëindiging vermeld word.

BYLAE

Ek/Ons (a).....
wat die Sementproduktenywerheid beoefen te.....
verklaar hierby dat.....
in my/ons (a) diens was van die..... dag van
..... 19..... tot die..... dag van
..... 19..... as (b).....
By diensbeëindiging was sy/haar (a) loon..... rand
..... sent per week.

(Handtekening van werkgewer of
gemagtigde verteenwoordiger)

Datum.....

(a) Skrap wat nie van toepassing is nie.

(b) Meld die beroep waarin die werknemer uitsluitlik of hoofsaaklik in diens was, bv. klerk, arbeider, werknemer graad I.

No. R. 1978 3 November 1972

**FACTORIES, MACHINERY AND BUILDING
WORK ACT, 1941****CEMENT PRODUCTS INDUSTRY, CERTAIN AREAS**

I, Marais Viljoen, Minister of Labour, hereby in terms of section 22 (1) of the Factories, Machinery and Building Work Act, 1941, as amended, declare the provisions of the Wage Determination for the Cement Products Industry, Certain Areas, published under Government Notice R. 1977 of 3 November 1972, to be, on the whole, not less favourable to the employees whose hours of work and remuneration in respect of overtime, public holidays and work on Sundays and public holidays are regulated thereby, than the relative provisions of the said Act.

M. VILJOEN, Minister of Labour.

No. R. 1979 3 November 1972

WAGE ACT, 1957**CANCELLATION OF THE PROVISIONS OF WAGE
DETERMINATION 286.—CEMENT PRODUCTS
INDUSTRY, CERTAIN AREAS**

I, Marais Viljoen, Minister of Labour, hereby, in terms of section 16 of the Wage Act, 1957, cancel with effect from the fourth Monday after the date of publication of this notice, all the provisions of Wage Determination 286, published under Government Notice R. 540 of 21 April 1967.

M. VILJOEN, Minister of Labour.

No. R. 1978

3 November 1972

**WET OP FABRIEKE, MASJINERIE EN BOUWERK,
1941****SEMENTPRODUKTENYWERHEID, SEKERE
GEBIEDE**

Ek, Marais Viljoen, Minister van Arbeid, verklaar hierby kragtens artikel 22 (1) van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, soos gewysig, dat die bepalinge van die Loonvasstelling vir die Sementproduktenywerheid, Sekere Gebiede, gepubliseer by Goewermentskennisgewing R. 1977 van 3 November 1972, oor die algemeen vir die werknemers wie se werkture en beloning ten opsigte van oortyd, openbare feesdae en werk op Sondae en openbare feesdae daarby gereël word, nie minder gunstig is nie as die desbetreffende bepalinge van genoemde Wet.

M. VILJOEN, Minister van Arbeid.

No. R. 1979

3 November 1972

LOONWET, 1957**INTREKKING VAN DIE BEPALINGS VAN LOON-
VASSTELLING 286.—SEMENTPRODUKTENYWER-
HEID, SEKERE GEBIEDE**

Ek, Marais Viljoen, Minister van Arbeid, trek hierby kragtens artikel 16 van die Loonwet, 1957, met ingang van die vierde Maandag na die datum van publikasie van hierdie kennisgewing, al die bepalinge van Loonvasstelling 286, gepubliseer by Goewermentskennisgewing R. 540 van 21 April 1967, in.

M. VILJOEN, Minister van Arbeid.

CONTENTS

No.	Page
Labour, Department of Government Notices	
R.1977. Wage Act, 1957: Wage Determination 346: Products Cement Industry, certain areas	1
R.1978. Factories, Machinery and Building Work Act, 1941: Cement Products Industry, certain areas	23
R.1979. Wage Act, 1957: Cancellation of the provisions of Wage Determination 286: Cement Products Industry, certain areas	23

INHOUD

No.	Bladsy
Arbeid, Departement van Goewermentskennisgewings	
R.1977. Loonwet, 1957: Loonvasstelling 364: Sementproduktenywerheid, sekere gebiede	1
R.1978. Wet op Fabriek, Masjinerie en Bou- werk, 1941: Sementproduktenywerheid, sekere gebiede	23
R.1979. Loonwet, 1957: Intrekking van die be- palings van Loonvasstelling 286: Sement- produktenywerheid, sekere gebiede	23

