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GOEWERMENSKENNISGEWING

DEPARTEMENT VAN MANNEKRAG

No. R. 1647

19 Augustus 1988

LOONWET, 1957

LOONVASSTELLING 454.—SWAARKLEI- EN VERWANTE PRODUKTENYWERHEID, SEKERE GEBIEDE

In opdrag van die Minister van Mannekrag, 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 Swaarklei- en Verwante Produktenywerheid, Sekere Gebiede, gemaak en die derde 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

(1) Hierdie vasstelling is in die gebiede hieronder vermeld van toepassing op elke werknemer in die Swaarklei- en Verwante Produktenywerheid, soos in subklousule (2) omskryf, nadat hy altesaam 12 maande lank in die Nywerheid betrokke was, en op al sy werknemers, uitgesonderd bestuurders soos in subklousule (3) omskryf: Met dien verstande dat dit nie op 'n klein werkgewer soos in subklousule (4) omskryf, van toepassing is nie:

Kaapprovinsie.—Die landdrostdistrikte Albany, Bellville, Die Kaap, George, Goodwood, Kimberley, King William's Town, Knysna, Kuilsrivier, Malmesbury, Moorreesburg, Mosselbaai, Oos-Londen, Oudtshoorn, Paarl, Port Elizabeth, Postmasburg, Simonstad, Somerset-Wes, Stellenbosch, Stutterheim, Strand, Uitenhage, Vryburg, Worcester en Wynberg, en die gebied binne 'n straal van 40 km vanaf die Stadsaal, Upington;

Natal.—Die landdrostdistrikte Camperdown, Chatsworth, Dannhauser, Dundee, Durban, Estcourt, Glencoe, Inanda, Kliprivier, Lower Tugela, Lower Umfolozi, Newcastle, Pietermaritzburg, Pinetown, Port Shepstone, Umzinto en Vryheid;

Oranje-Vrystaat.—Die landdrostdistrikte Bethlehem, Bloemfontein, Harrismith, Hennenman, Kroonstad, Odendaalsrus, Parys, Sasolburg, Viljoenskroon, Virginia, Vredefort en Welkom;

GOVERNMENT NOTICE

DEPARTMENT OF MANPOWER

No. R. 1647

19 August 1988

WAGE ACT, 1957

WAGE DETERMINATION 454.—HEAVY CLAY AND ALLIED PRODUCTS INDUSTRY, CERTAIN AREAS

By direction of the Minister of Manpower 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 Heavy Clay and Allied Products Industry, Certain Areas and has fixed the third 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

(1) This determination shall in the areas specified hereunder apply to every employer in the Heavy Clay and Allied Products Industry as defined in subclause (2), after he has been engaged in the Industry for 12 months in the aggregate, and to all his employees, other than managers as defined in subclause (3): Provided that it shall not apply in respect of a small employer as defined in subclause (4):

Cape Province.—The Magisterial Districts of Albany, Bellville, East London, George, Goodwood, Kimberley, King William's Town, Knysna, Kuils River, Malmesbury, Moorreesburg, Mossel Bay, Oudtshoorn, Paarl, Port Elizabeth, Postmasburg, Simon's Town, Somerset West, Stellenbosch, Stutterheim, Strand, The Cape, Uitenhage, Vryburg, Worcester and Wynberg, and the area within a radius of 40 km from the City Hall, Upington;

Natal.—The Magisterial Districts of Camperdown, Chatsworth, Dannhauser, Dundee, Durban, Estcourt, Glencoe, Inanda, Klip River, Lower Tugela, Lower Umfolozi, Newcastle, Pietermaritzburg, Pinetown, Port Shepstone, Umzinto and Vryheid;

Orange Free State.—The Magisterial Districts of Bethlehem, Bloemfontein, Harrismith, Hennenman, Kroonstad, Odendaalsrus, Parys, Sasolburg, Viljoenskroon, Virginia, Vredefort and Welkom;

Transvaal.—Die landdrosdistrikte Alberton, Balfour, Benoni, Bethal, Boksburg, Brakpan, Brits, Bronkhorstspuit, Delmas, Ermelo, Germiston, Heidelberg, Hoëveldrif, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Letaba, Lichtenburg, Middelburg, Nelspruit, Nigel, Oberholzer, Phalaborwa (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermentskennisgewing 2644 van 10 Desember 1982, binne die landdrosdistrik Pelgrimsrus geval het), Pietersburg, Potchefstroom, Potgietersrus, Pretoria, Randburg, Randfontein, Roodepoort, Rustenburg, Soutpansberg, Springs, Standerton, Vanderbijlpark, Vereeniging, Westonaria, Witrivier, Witbank en Wonderboom.

(2) "Swaarklei- en Verwante Produktenywerheid" beteken die nywerheid waarin werkgewers en werknemers met mekaar geassosieer is in bedryfsinrigtings vir—

(a) die vervaardiging van een of meer van die volgende artikels (uitgesonderd keramiekware), naamlik bakstene, silikasandstene, steengroef-teëls, dakpanne, platblokke, hol blokke, vuurvaste produkte, suur- of vuurvaste erdewerk, erdepype, erdepyp-toebehore, lugroosters, isoleerprodukte of enige ander artikel wat in die vervaardigingsproses verhard word deur dit in 'n oond te bak of enige ander verhittingsproses te laat ondergaan en wat van klei gemaak is of waarvan klei of enige ander hittebestande of isolerende mineraal, erts of materiaal of 'n kombinasie van klei en sodanige ander mineraal, erts of materiaal die hoofbestanddeel vorm;

(b) die ekstraheer, myn, win of bereiding van die klei of hittebestande of isolerende mineraal, erts of materiaal wat gebruik word by die vervaardiging van enige van die artikels in paragraaf (a) genoem, indien verrig deur werkgewers wat by sodanige vervaardiging betrokke is;

en dit omvat alle werksaamhede wat met enige voornoemde bedrywighede in verband staan of daaruit voortspruit, en by die toepassing van hierdie omskrywing beteken "keramiekware" elektriese porselein-isolators of -toebehore, breekgoed, pottebakkerswerk, oondware, wit of gekleurde sanitêre glasuurware, laboratoriumuitrusting, badkamertoebehore, muur-teëls of vloerteëls (uitgesonderd steengroef-teëls).

(3) "Bestuurder" beteken 'n werknemer wat deur sy werkgewer belas is met die algehele toesig oor, verantwoordelikheid vir die bestuur van die werksaamhede van 'n bedryfsinrigting of gedeelte daarvan en die werknemers wat daarin werk, maar sluit nie 'n werknemer in dieselfde bedryfsinrigting in wat 'n bestuurder aflos of tydens sy afwesigheid namens hom optree nie.

(4) "Klein werkgewer" beteken 'n werkgewer wat slegs in hierdie nywerheid betrokke is en wie se omset, op enige datum, vir die voorafgaande 12 maande, uitgesonderd die maande Desember en Januarie, nie R500 000,00 oorskry nie en wie te alle tye minder as 30 werknemers altesaam in diens het.

2. WOORDOMSKRYWINGS

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 by die toepassing van dié vasstelling word 'n werknemer geag in die klas te wees waarin hy uitsluitlik of hoofsaaklik werksaam is; en, voorts, tensy onbestaanbaar met die sinsverband, beteken—

(1) "aaneenlopende bedrywigheid" 'n bedrywigheid wat as sodanig verklaar is kragtens artikel 33 (1) (a) van die Wet op Basiese Diensvoorwaardes, 1983 (Wet 3 van 1983); (14)

(2) "algemene werker" 'n werknemer wat een of meer van die volgende pligte uitvoer:

(a) Die vuurgate of vlamtype van oonde skoonmaak, maar nie solank die oond brand nie;

(b) persele of 'n installasie, masjinerie, gereedskap, gerei, uitrusting of ander artikels skoonmaak, was of ontsmet of oppervlakkig skoonmaak of skraap voordat dit gevef word;

(c) trokke, sleepwaens of koekepanne, uitgesonderd trokke wat aan die Suid-Afrikaanse Vervoerdienste behoort, koppel of ontkoppel;

(d) draad volgens vasgestelde lengtes sny of lusse in draad draai;

(e) klei, grond, gruis, steenkool of ander materiaal graaf, dit met 'n skopgraaf of 'n pik bewerk of dit losmaak of steen- of betonwerk breek;

(f) handboorwerk verrig;

(g) in 'n masjien invoer of daarvan afneem;

(h) stortgeute, bakke, hysbakke of vultregters vul of leegmaak;

(i) houers vul, verpak, toedraai, verseël of met band vasmaak;

(j) metaalkassies met die hand aan vuurvaste stene vassit;

Transvaal.—The Magisterial Districts of Alberton, Balfour, Benoni, Bethal, Boksburg, Brakpan, Brits, Bronkhorstspuit, Delmas, Ermelo, Germiston, Heidelberg, Highveld Ridge, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Letaba, Lichtenburg, Middelburg, Nelspruit, Nigel, Oberholzer, Phalaborwa (excluding that portion which prior to the publication of Government Notice 2644 of 10 December 1982, fell within the Magisterial District of Pilgrim's Rest), Pietersburg, Potchefstroom, Potgietersrus, Pretoria, Randburg, Randfontein, Roodepoort, Rustenburg, Soutpansberg, Springs, Standerton, Vanderbijlpark, Vereeniging, Westonaria, White River, Witbank and Wonderboom.

(2) "Heavy Clay and Allied Products Industry" or "Industry" means the industry in which employers and employees are associated in establishments for—

(a) the manufacture of any one or more of the following articles (other than ceramic ware), namely bricks, silica sand bricks, quarry tiles, roof tiles, slabs, hollow blocks, refractories, acidproof or fireproof earthenware, earthenware pipes, earthenware pipe fittings, ventilators, insulating products or any other articles which in the process of being manufactured is hardened by burning in a kiln or by any other heat process and which is made from clay or of which clay or any other heat resisting or insulating mineral, ore or material or a combination of clay and such other mineral, ore or material forms the principal component;

(b) the extraction, mining, winning or preparation of the clay or heat resisting or insulating mineral, ore or material used in the manufacture of any of the articles referred to in paragraph (a), if carried on by employers who are engaged in such manufacture;

and includes all operations incidental to or consequent on any of the aforesaid activities, and for the purposes of this definition "ceramic ware" means electrical porcelain insulators or fittings, crockery, pottery, ovenware, white or colour glaze sanitary ware, laboratory equipment, bathroom fittings, wall tiles or floor tiles (other than quarry tiles).

(3) "Manager" means an employee who is charged by his employer with the overall supervision over, responsibility for and direction of the activities of an establishment or part of an establishment and the employees engaged therein, but does not include an employee in the same establishment who relieves or acts for a manager during the latter's absence.

(4) "Small employer" means an employer who is engaged in this Industry only whose turnover, at any date, for the preceeding 12 months, excluding the months of December and January, does not exceed R500 000,00 and who at all times employs less than 30 employees in the aggregate.

2. DEFINITIONS

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 for the purposes of this determination an employee shall be deemed to be in that class in which he is wholly or mainly engaged: further, unless inconsistent with the context—

(1) "apprentice" means an employee employed in terms of a contract of apprenticeship registered or deemed to have been registered in terms of the Manpower Training Act, 1981, and includes an employee employed in a trade designated or deemed to have been designated in terms of that act for a period prior to the registration of a contract of apprenticeship; (77)

(2) "artisan" means an employee who has completed or is deemed to have completed a contract of apprenticeship in a trade designated or deemed to have been designated in terms of the Manpower Training Act, 1981, or who holds a certificate issued or deemed to have been issued to him by the Registrar of Manpower Training and conferring artisan status on him in terms of that act, and any other employee engaged in work normally performed by an artisan except where specifically otherwise provided in this determination; (3)

(3) "artisan's aide" means an employee, other than an apprentice or a trainee, who under the supervision of an artisan assists the latter in the performance of tasks which do not require the skill or training of an artisan; (4)

(4) "assistant foreman" means an employee who assists a foreman and in so doing may perform any of the duties of a foreman and who may act for him during his absence; (6)

(5) "assistant quarryman" means an employee who, under the general supervision of a quarryman, performs any of the activities or duties of a quarryman and who may act for him during his absence; (5)

(6) "blaster" means an employee who carries out blasting operations and who is in possession of a permit to use blasting materials issued in terms of the Explosives Act, 1956, or a blasting certificate for works issued in terms of the Mines and Works Act, 1956; (67)

- (k) tuinwerk;
- (l) pad- of spoorwagoorgange bewaak;
- (m) artikels op lig, dra, verskuif, hanteer of opstapel, maar nie deur middel van 'n kragangedrewe toestel nie;
- (n) persele afwit;
- (o) trokke of voertuie laai en aflaai, uitgesonderd produkte laai wat agterna met die hand afgelaai word;
- (p) vure maak of in stand hou, maar nie in lokomotiewe of oonde nie; of afval of as verwyder;
- (q) kartonne, dose of laaiborde van klaargemaakte materiaal maak of dit herstel;
- (r) tee, koffie of dergelike drankie vir werknemers of sy werkgever of sy werkgever se besoekers maak of hulle daarmee bedien;
- (s) sakke heelmaak, skoonmaak of uitskud;
- (t) voertuie, uitgesonderd motorvoertuie, olie of smeer;
- (u) deure of poortjies oop- of toemaak;
- (v) 'n hystoestel of gryper met die hand bedien;
- (w) 'n handvoertuig stoot of trek;
- (x) rou kleiprodukte, uitgesonderd stene, in die loop van die droogprosesse herrangskik;
- (y) die drade van 'n outomatiese snymasjien, uitgesonderd 'n outomatiese draaisnymasjien, vervang;
- (z) as met die hand sif, stene skei (maar nie sorteer nie), sinter van stene afslaan of gebrande kleiprodukte opbreek of klip of ander grondstowwe breeksorteer;
- (aa) stene of ander produkte of dose, sakke, kartonne of ander houers sjabloneer of merk (maar nie adresseer nie) of gedrukte of vooraf geadresseerde etikette daaraan heg;
- (ab) diere oppas of in- of uitspan of 'n diervoertuig versorg of dryf;
- (ac) met 'n gestelde massameter die massa bepaal of met 'n gestelde maat meet;
- (ad) oorpakke, uniforms en beskermende klere was en stryk; (31)
- (3) "ambagsman" 'n werknemer wat 'n kontrak van vakleerlingskap voltooi het of geag word te voltooi het in 'n ambag wat ingevolge die Wet op Mannekragopleiding, 1981, aangewys is of geag word aangewys te wees, of wat in besit is van 'n sertifikaat wat deur die Registrateur van Mannekragopleiding aan hom uitgereik is of geag word uitgereik te gewees het en wat ingevolge daardie Wet ambagsmanstatus aan hom verleen, en enige ander werknemer wat werk doen wat 'n ambagsman in die reël verrig, behalwe waar in hierdie vasstelling uitdruklik anders bepaal word; (2)
- (4) "ambagsmanshulp" 'n werknemer, uitgesonderd 'n vakleerling of 'n kwekeling, wat onder die leiding en toesig van 'n ambagsman laasgenoemde bystaan in die uitvoering van take wat nie die opleiding of bedreuenheid van 'n ambagsman vereis nie; (3)
- (5) "assistent-steengroefbaas" 'n werknemer wat onder die algemene toesig van 'n steengroefbaas enige van die werksaamhede of pligte van 'n steengroefbaas uitvoer en wat gedurende sy afwesigheid namens hom kan waarneem; (5)
- (6) "assistent-voorman" 'n werknemer wat 'n voorman behulpsaam is en wat sodoende enige van die pligte van 'n voorman kan verrig en wat gedurende laasgenoemde se afwesigheid namens hom kan waarneem; (4)
- (7) "bediener van 'n mobiele hystoestel" 'n werknemer wat 'n kragangedrewe mobiele hystoestel bedien wat by die laai, aflaai, verskuif of opstapel van goedere gebruik word; (56)
- (8) "betaalde vakansiedag" Nuwejaarsdag (of die eersvolgende Maandag wanneer Nuwejaarsdag op 'n Sondag val), Goeie Vrydag, Hemelvaartdag, Republiektag, Gelofte dag en Kersdag; (65)
- (9) "bode, Graad A" 'n werknemer wat briewe, boodskappe of goedere afhaal, versprei of aflewer, deur middel van 'n twee- of driewielmotorfiets, bromponie of outofiets; (52)
- (10) "bode, Graad B" 'n werknemer wat briewe, boodskappe of goedere te voet of deur middel van trapfiets, driewieler of handvoertuig afhaal of aflewer; (53)
- (11) "bruto kombinasie massa", met betrekking tot 'n motorvoertuig (gelede), die maksimum massa van sodanige voertuig en die voertuig of voertuie wat hy trek en hulle vrag, soos deur die vervaardiger daarvan gespesifiseer of, in die afwesigheid van sodanige spesifikasie, soos deur die registrasie-owerheid bepaal; (35)

(7) "boiler attendant" means an employee who, under supervision, maintains the water level and steam pressure in a boiler and who may make, maintain and draw the fire in such boiler; (29)

(8) "casual employee" means an employee who is employed by the same employer on not more than three days in any week; (42)

(9) "chargehand" means an employee who, under general supervision, is in charge of grade I employees and who, in addition may supervise grade II employees, grade III employees or general workers, and who may keep records of the work they do; (57)

(10) "chauffeur" means an employee, other than a driver or a travelling representative's assistant, who is engaged in driving a motor vehicle which is intended for the conveyance of his employer, clients or visitors and which may be used for the conveyance of documents and parcels; (13)

(11) "clerical assistant" means an employee who, under the supervision of a clerk, is engaged in any one or more of the following duties:

(a) Adding or subtracting, with or without a machine;

(b) calculating wages;

(c) determining correct postage by means of mass-measuring or otherwise;

(d) filing documents according to written instructions or a list, in alphabetical or numerical order or according to colour;

(e) maintaining records of outgoing and incoming mail;

(f) operating a duplicating, addressing, photostat, copying or lithographic machine other than a typewriter;

(g) setting or operating a franking machine;

(h) transferring names and addresses from completed documents to envelopes, labels or circulars in another manner than on a typewriter;

(i) transferring particulars into registers in another manner than on a typewriter;

and who may generally assist a clerk; (31)

(12) "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 duties, and who may supervise the work done by a clerical assistant; (30)

(13) "commission work" means any system under which an employee's remuneration is calculated on the value or number of orders submitted by him to and accepted by his employer; (32)

(14) "continuous activity" means an activity declared as such under section 33 (1) (a) of the Basic Conditions of Employment Act, 1983 (Act 3 of 1983); (1)

(15) "daily wage" means, except in the case of a casual employee, an employee's weekly wage divided by the number of days on which he ordinarily works in a week; (15)

(16) "day" means the period of 24 hours from midnight to midnight: Provided that in the case of an employee employed in a continuous activity, a shift worker, a security guard or a watchman, it shall mean a period of 24 hours reckoned from the time such an employee commences work; (14)

(17) "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 goods or packages; (see "clerk") (78)

(18) "dolly" means a trailer on which a semi-trailer rests and which converts the latter into a trailer; (17)

(19) "driver" means an employee, other than a chauffeur, messenger or a travelling representative's assistant, who in the performance of his duties, is required to be in possession of a valid driver's licence and is engaged in driving a motor vehicle, and for the purposes of this definition, the expression "driving a motor vehicle" includes all periods of driving, 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; (18)

(20) "driver of an earth moving machine" means an employee who is engaged in driving a front-end loader or off-loader of bucket or grab type, a bull-dozer, scraper, digger or trencher and includes any tractor adapted to achieve any of the purposes of these machines but does not include an excavator of swinging boom type or a mobile hoist; (19)

(12) "bruto voertuigmassa", met betrekking tot 'n motorvoertuig (nie-gelede), die maksimum massa van sodanige voertuig en sy vrag, soos deur die vervaardiger gespesifiseer of, in die afwesigheid van sodanige spesifikasie, soos deur die registrasie-owerheid bepaal; (36)

(13) "chauffeur" 'n werknemer, uitgesonderd 'n drywer of 'n reisende verteenwoordiger se assistent, wat 'n motorvoertuig dryf wat vir die vervoer van sy werkgever, klante of besoekers bedoel is en waarmeer ook werknemers, dokumente of pakkette vervoer mag word; (10)

(14) "dag" die tydperk van 24 uur van middernag tot middernag: Met dien verstande dat in die geval van 'n skofwerker, 'n sekuriteitswag, 'n wag of 'n werknemer in diens in 'n aanenlopende bedrywigheid, dit 'n tydperk van 24 uur gereken vanaf die tydstop waarop so 'n werknemer begin werk het, beteken; (16)

(15) "dagloon", behalwe in die geval van 'n los werknemer, die werknemer se weekloon gedeel deur die getal dae waarop hy gewoonlik werk; (15)

(16) "deeltidse klerk" 'n klerk wat sodanig by die week of die maand vir hoogstens 30 gewone werkure per week werksaam is; (66)

(17) "drastel" 'n sleepwa waarop 'n leunwa rus en wat laasgenoemde in 'n sleepwa omskep; (18)

(18) "drywer" 'n werknemer, uitgesonderd 'n chauffeur, 'n reisende verteenwoordiger se assistent of 'n bode, wat in die uitvoering van sy pligte in besit van 'n geldige rybewys moet wees en 'n motorvoertuig dryf, en by die toepassing van hierdie omskrywing omvat die uitdrukking " 'n motorvoertuig dryf" alle tydperke wat die drywer dryf, enige tyd wat hy bestee aan werk in verband met die voertuig of die vrag en alle tydperke wat hy verplig is om op sy pos te bly gereed om te dryf; (19)

(19) "drywer van 'n grondwerkmasjien" 'n werknemer wat betrokke is by die dryf van 'n skroptipe of gryptipe voorlaaier of aflaaier, 'n stootskraper, skrop, graafmasjien of slootgrawer met inbegrip van 'n trekker wat só aangepas is dat dit vir enige van die doeleindes van hierdie masjiene gebruik word, maar uitgesonderd 'n swaaiarmtipe masjiengraaf of 'n mobiele hystoel; (20)

(20) "eerstehulp-assistent" 'n werknemer wat 'n eerstehulpbediener by die uitvoering van sy pligte behulpsaam is, wat in laasgenoemde se afwesigheid namens hom kan waarneem en wat in besit is van 'n geldige bekwaamheidsertifikaat in eerstehulp wat uitgereik is deur—

- (a) die Suid-Afrikaanse Rooikruisvereniging;
- (b) die St John Ambulance Association; of
- (c) die Suid-Afrikaanse Noodhulppliga; (28)

(21) "eerstehulpbediener" 'n werknemer wat in beheer is van 'n eerstehulpkamer of siekeboeg en wat in besit is van 'n geldige bekwaamheidsertifikaat in eerstehulp, wat uitgereik is deur—

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

en wat werknemers volgens die voorskrifte en bevel van 'n mediese praktisyn kan behandel en wat rekords hou van die name van die werknemers wat behandel is, die aard van die besering en die behandeling wat gegee is of wat verder behandel moet word; (29)

(22) "ekstra swaar motorvoertuig (gelede)" 'n motorvoertuig (gelede) waarvan die bruto kombinasie-massa meer as 16 000 kg maar hoogstens 25 000 kg is; (25)

(23) "ekstra swaar motorvoertuig (nie-gelede)" 'n motorvoertuig (nie-gelede) waarvan die bruto voertuig massa meer as 16 000 kg maar hoogstens 25 000 kg is; (26)

(24) "fabrieksklerk" 'n werknemer, uitgesonderd 'n telklerk, wat onder die toesig van 'n voorman, 'n assistent-voorman of 'n gekwalifiseerde klerk, een of meer van die volgende pligte uitvoer:

- (a) Die juiste tipe en hoeveelheid goedere wat deur 'n kontrolepunt beweeg, nagaan deur dit te vergelyk met afleweringsbriewe of bestellings;
- (b) afskrifte van dokumente of briewe met die hand maak;
- (c) spoorwegtrokke of motorvoertuie tel, nagaan of massameet of besonderhede ten opsigte daarvan aanteken;
- (d) besonderhede op tyd- of loonkaarte of ander rekords inskryf;
- (e) uit tale van Swart werknemers tolk of vertaal;
- (f) passe, dienssertifikate of tydkaarte uitreik of die indiensneming of ontslag van werknemers aanteken;

(21) "driver of an excavator" means a driver or operator of an excavator of the swinging boom type; (46)

(22) "driver of a locomotive" means an employee who is engaged in driving a steam, electric or diesel locomotive on a track of a gauge of not less than 1 065 mm; (40)

(23) "emergency work" means—

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

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

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

- (i) ships;
- (ii) trucks or vehicles of the South African Transport Services;
- (iii) vehicles used by a cartage contractor in the fulfilment of his contract as such with the South African Transport Services; (55)

(24) "experience" means in relation to—

(a) a clerk, clerical assistant or factory clerk, the total period or periods of employment which an employee has had as a clerk, clerical assistant or factory clerk, respectively, in any industry or trade or in the service of a local authority or the State;

(b) a travelling representative, the total period or periods of employment which an employee has had as a travelling representative in any industry or trade;

(c) any other class of employee, the total period or periods of employment which an employee has had in his class in this industry; (58)

(25) "extra heavy motor vehicle (articulated)" means a motor vehicle (articulated) the gross combination mass of which exceeds 16 000 kg but not 25 000 kg; (22)

(26) "extra heavy motor vehicle (rigid)" means a motor vehicle (rigid) the gross vehicle mass of which exceeds 16 000 kg but not 25 000 kg; (23)

(27) "factory clerk" means an employee, other than a tallyman, who, under the supervision of a foreman, assistant foreman or a qualified clerk, is engaged in one or more of the following duties—

- (a) checking correct type and quantity of goods passing through a check-point against delivery notes or orders;
- (b) copying documents or letters by hand;
- (c) counting, checking or mass-measuring railway trucks or motor vehicles or recording particulars thereof;
- (d) entering particulars on time or wage cards or other records;
- (e) interpreting or translating languages spoken by Black employees;
- (f) issuing permits, certificates of service or time cards or registering the engagement or discharge of employees;
- (g) keeping, filing or sorting delivery notes, requisitions or time, wage or job cards;
- (h) keeping time or production records;
- (i) making out consignment or delivery notes other than invoices;
- (j) operating a punch card, duplicating, addressograph, photostat, adding or copying machine other than a typewriter;
- (k) posting receipts or issues on bin cards or other forms of stores records;
- (l) scheduling sales, stock or other figures;
- (m) stamping tickets; (24)

(28) "first-aid assistant" means an employee who assists a first-aid attendant in the performance of his duties and who may act for the latter during his absence and 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 Noodhulppliga; (20)

(29) "first-aid attendant" means an employee who is in charge of a first-aid room or a sick bay and 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 Noodhulppliga;

(g) afleweringsbriewe, rekwisities of tyd-, loon- of taakkaarte hou, liasseer of sorteer;

(h) tyd- of produksieregisters hou;

(i) vrag- of afleweringsbriewe, uitgesonderd fakture, uitmaak;

(j) 'n ponskaartmasjien, dupliseermasjien, adressograaf, fotostaatmasjien, optelmasjien of kopieermasjien, uitgesonderd 'n tikmasjien, bedien;

(k) ontvangste of uitreikings op bakkaarte inskryf of ander vorms van voorraadaantekening hou;

(l) lyste opstel van verkoop-, voorraad- of ander syfers;

(m) kaartjies stempel; (27)

(25) "faktotum" 'n werknemer, uitgesonderd 'n vakleerling, kwekling of ambagsmanshulp, wat kleinere herstelwerk of verstellings doen aan masjinerie of uitrusting, uitgesonderd masjinerie of uitrusting wat regstreeks by die vervaardigingsproses gebruik word, en wat ook kleiner herstelwerk of opknappings aan geboue kan doen maar wat geen werk verrig wat gewoonlik deur 'n ambagsman gedoen word nie; (37)

(26) "gekwalfiseerd" met betrekking tot 'n werknemer, dat die ondervinding van 'n werknemer in sy klas hom geregtig maak op die hoogste loontarief wat vir daardie klas voorgeskryf is, omgekeerd beteken "ongekwalfiseerd" dat sy ondervinding in sy klas hom nie op sodanige hoogste loontarief geregtig maak nie; (68)

(27) "gewone werkure" die werkure soos by klousule 5 (1) voorgeskrif of, indien volgens ooreenkoms tussen 'n werkgever en sy werknemer laasgenoemde korter ure werk, daardie korter ure; (63)

(28) "interne drywer" 'n werknemer, uitgesonderd 'n chauffeur, 'n reisende verteenwoordiger se assistent of 'n bode, wat in die uitvoering van sy pligte nie in besit van 'n geldige rybewys hoef te wees nie en 'n motorvoertuig dryf, en by die toepassing van hierdie omskrywing omvat die uitdrukking "'n motorvoertuig dryf" alle tydperke wat die drywer dryf en enige tyd wat hy bestee aan werk in verband met die voertuig of die vrag en alle tydperke wat hy verplig is om op sy pos te bly gereed om te dryf; (42)

(29) "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; (7)

(30) "klerk" 'n werknemer wat skryf-, tik-, liasseer- of enige ander soort klerklike werk verrig en dit omvat 'n kassier, versendingsklerk, magasynsman, telefoonskakelbordoperateur of enige kantooramasjien-operateur maar geen ander klas werknemer wat elders in hierdie klousule omskryf word nie, al maak klerklike werk ook deel uit van sodanige werknemer se werk, en wat toesig mag hou oor die werk wat 'n klerklike assistent doen; (12)

(31) "klerklike assistent" 'n werknemer wat onder die toesig van 'n klerk een of meer van die volgende pligte uitvoer:

(a) Optel of aftrek, met of sonder 'n masjien;

(b) lone bereken;

(c) die juiste posgeld deur middel van massameting of andersins bepaal;

(d) dokumente volgens skriftelike aanwysings of 'n lys in alfabetiese of numerieke volgorde of volgens kleur liasseer;

(e) aantekeninge hou van uitgaande en inkomende pos;

(f) 'n dupliseermasjien, adresseermasjien, fotostaat-, kopieermasjien of litografiese pers, uitgesonderd 'n tikmasjien, bedien;

(g) 'n frankeermasjien instel of bedien;

(h) name en adresse vanaf ingevulde dokumente op koeverte, etikette of omsendbriewe oordra op 'n ander manier as met 'n tikmasjien;

(i) besonderhede in registers oordra op 'n ander manier as met 'n tikmasjien;

en wat algemene bystand aan 'n klerk kan verleen; (11)

(32) "kommissiewerk" 'n stelsel waarvolgens 'n werknemer se besoldiging bereken word volgens die waarde van of die getal bestellings wat hy aan sy werkgever voorlê en wat sy werkgever aanvaar; (13)

(33) "korttyd" 'n tydelike vermindering van die getal gewone werkure weens 'n handelslapte in die nywerheid, wisselvalligheid van die weer, 'n tekort aan grondstowwe, 'n onklaarmaking van masjinerie of installasie, of weens die feit dat die geboue onbruikbaar is of dreig om dit te word; (73)

and who may administer treatment to employees as prescribed and directed by a medical practitioner and who keeps records to show the names of employees treated, the nature of the injury and the treatment given or requiring further treatment; (21)

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

(31) "general worker" means an employee who is engaged in any one or more of the following activities:

(a) Cleaning kiln fireholes or flues excepting during the burning of the kiln;

(b) cleaning, washing or disinfecting premises or plant, machinery, tools, utensils, equipment or other articles or cleaning or scraping surfaces preparatory to painting;

(c) coupling or uncoupling trucks, trailers or cocopans other than trucks belonging to the South African Transport Services;

(d) cutting wire to set lengths or twisting loops in wire;

(e) digging, shovelling, picking or loosening clay, soil, gravel, coal or other material or breaking brick or concrete work;

(f) drilling by hand;

(g) feeding into or taking off from a machine;

(h) filling or emptying chutes, bins, skips or hoppers;

(i) filling, packing, wrapping, sealing or strapping containers;

(j) fixing metal cases to refractory bricks by hand;

(k) gardening;

(l) guarding road or rail crossings;

(m) lifting, carrying, moving, handling or stacking articles, other than by means of a power-driven device;

(n) limewashing premises;

(o) loading and off-loading trucks or vehicles excluding the loading of products for subsequent hand off-loading;

(p) making or maintaining fires other than in locomotives or kilns, or removing refuse or ashes;

(q) making or repairing cartons, boxes or pallets from ready-prepared material;

(r) making or serving tea, coffee or similar beverages to employees or his employer or his employer's visitors;

(s) mending, cleaning or shaking out bags;

(t) oiling or greasing vehicles other than motor vehicles;

(u) opening or closing doors or wickets;

(v) operating a hoist or grab by hand;

(w) pushing or pulling a manually propelled vehicle;

(x) re-arranging green clay products other than bricks, in the course of drying;

(y) replacing wires of an automatic cutting machine other than an automatic rotary cutting machine;

(z) screening ashes by hand, separating bricks (other than sorting), knocking off clinker from bricks or breaking up burnt clay product, cobbling stone or other raw material;

(aa) stencilling or marking (but not addressing) or affixing printed or pre-addressed labels to bricks or other products or to boxes, bags, cartons or other containers;

(ab) tending, harnessing or unharnessing animals, minding or driving an animal-drawn vehicle;

(ac) mass-measuring to a set mass-meter or measuring to a set measure;

(ad) washing and ironing overalls, uniforms and protective clothing;

(32) "grade I employee" means an employee who is engaged in any one or more of the following duties:

(a) Driving a steam, electric or diesel locomotive on a track of a gauge less than 1 065 mm;

(34) "kragangedrewe masjien bedien" om in beheer van 'n kragangedrewe masjien te wees en die toevoer van materiaal na sodanige masjien te reguleer of om die werk wat deur die masjien gedoen word, noukeurig te ondersoek of na te gaan, en omvat dit ook die maak van geringe lopende verstellings aan die masjien en die aansit of stopsit van die masjien, waar sodanige werk gedoen word deur die werknemer wat in beheer van die masjien is; (62)

(35) "kwekeling" 'n werknemer, uitgesonderd 'n vakleerling, vir wie daar ingevolge die Wet op Mannekragopleiding, 1981, voorsiening gemaak word vir opleiding in 'n ambag wat ingevolge daardie wet aangewys is of geag word aangewys te wees; (78)

(36) "laboratoriumassistent" 'n werknemer wat roetinetotse uitvoer van grondstowwe of afgewerkte of gedeeltelik afgewerkte produkte, of wat monsters volgens formules voorberei; (43)

(37) "leerlingspringstofwerker" 'n werknemer wat as 'n springstofwerker opgelei word en as sodanig geregistreer is ingevolge die Wet op Ontploffbare Stowwe, 1956, en wat 'n springstofwerker bystaan in dié mate as wat by wet toegelaat word; (46)

(38) "leunwa" 'n sleepwa wat geen vooras het nie en so ontwerp of ingerig is om op 'n voorspanmotor te rus en deur hom getrek word; (71)

(39) "ligte motorvoertuig" 'n motorvoertuig waarvan die bruto voertuigmassa of bruto kombinasie-massa hoogstens 3 500 kg is; (47)

(40) "lokomotiefdrywer" 'n werknemer wat 'n stoom-, elektriese of diesellokomotief dryf op 'n spoor met 'n wydte van minstens 1 065 mm; (22)

(41) "loon" die bedrag geld wat ingevolge klousule 3 (1) aan 'n werknemer betaalbaar is ten opsigte van sy gewone werkure: Met dien verstande dat as 'n werkgever 'n werknemer ten opsigte van sodanige gewone werkure gereeld 'n hoër bedrag betaal as dié by klousule 3 (1) voorgeskryf, dit sodanige hoër bedrag beteken, maar hierdie voorbehoudsbepaling mag nie so uitgelê word dat dit besoldiging bedoel of omvat wat 'n werknemer wat in diens is op 'n 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, en 'gewone loon' of 'weekloon' het ooreenstemmende betekenis; (84)

(42) "los werknemer" 'n werknemer wat hoogstens drie dae per week by dieselfde werkgever in diens is; (8)

(43) "maandloon" vier en 'n derde maal 'n werknemer se weekloon; (57)

(44) "magasynman" 'n werknemer wat beheer het oor voorraad, inkomende goedere of afgewerkte of gedeeltelik afgewerkte produkte en wat daarvoor verantwoordelik is om goedere in 'n magasyn of pakhuis te ontvang, op te berg, te verpak of uit te pak of om goedere uit 'n magasyn of pakhuis aan die verbruiksafdeling in 'n bedryfsinrigting of vir versending te lewer; (sien "klerk") (74)

(45) "masjienfaktotum" 'n werknemer, uitgesonderd 'n vakleerling, faktotum, kwekeling of ambagsmanshulp, wat kleinere herstelwerk of verstellings doen aan masjinerie of toerusting wat regstreeks by die vervaardigingsproses gebruik word, maar wat geen werk verrig wat gewoonlik deur 'n ambagsman gedoen word nie; (49)

(46) "masjiengraafdrywer" 'n drywer of bediener van 'n swaaiarm-tipe masjiengraaf; (21)

(47) "medium motorvoertuig (gelede)" 'n motorvoertuig (gelede) waarvan die bruto kombinasie-massa meer as 3 500 kg maar hoogstens 9 000 kg is; (50)

(48) "medium motorvoertuig (nie-gelede)" 'n motorvoertuig (nie-gelede) waarvan die bruto voertuigmassa meer as 3 500 kg maar hoogstens 9 000 kg is; (51)

(49) "mengmasjienbediener" 'n werknemer wat die toevloei van water na die klei in 'n mengmasjien reguleer en wat die masjien aan die gang kan sit of kan stopsit; (55)

(50) "militêre diens" 'n tydperk van diens of opleiding kragtens die Verdedigingswet, 1957 (Wet 44 van 1957); (54)

(51) "motorvoertuig" enige selfgedrewe voertuig wat gebruik word vir die vervoer van goedere, uitgesonderd 'n handelsreisiger se monsters, en omvat dit ook 'n voorhaker, 'n twee- of driewielmotorfiets, 'n bromponie of outofiets en 'n trekker, maar uitgesonderd 'n mobiele hystoestel, 'n grondwerkmasjien of 'n trekker wat so aangepas is dat dit vir die doeleindes van 'n grondwerkmasjien gebruik word; (58)

(52) "motorvoertuig (gelede)" 'n kombinasie van voertuie bestaande uit 'n motorvoertuig en 'n leunwa of 'n sleepwa; (59)

(53) "motorvoertuig (nie-gelede)" 'n motorvoertuig uitgesonderd 'n motorvoertuig (gelede); (60)

(b) operating—

(i) a power-driven crushing machine;

(ii) a power-driven clay bat making machine;

(iii) an extrusion machine;

(iv) a power-driven hammer;

(v) a power-driven press for making bricks, tiles, pipes or fittings;

(c) mass-measuring or proportioning composite batches of materials;

(33) "grade II employee" means an employee who is engaged in any one or more of the following duties:

(a) Assembling pipe fittings;

(b) kiln drawing by hand;

(c) moulding bricks, pipe fittings, chimney pots, roofing tile accessories or other articles by hand;

(d) moulding bricks by pneumatic or electric hammer;

(e) oiling or greasing motor vehicles;

(f) operating—

(i) a double drum scraper winch for moving material;

(ii) a machine, other than an automatic machine, for making crucibles;

(iii) a power-driven cutting, bending or punching machine for the working of sheet metal;

(iv) a power-driven grinding machine;

(v) a power-driven grinding or cutting machine for finishing or improving burnt clay products;

(vi) a power-driven grooving or fettling machine;

(vii) a power-driven pulverising machine;

(g) packing earthenware pipes or fittings into railway trucks;

(h) packing or setting bricks or other articles for firing in a kiln or on kiln cars;

(i) performing the duties of a blacksmith's striker;

(j) performing the duties of a fireman of a kiln without automatic stoker, a gas producing plant, a stationary boiler, a steam locomotive or an oil-fired kiln;

(k) sorting finished products into categories;

(34) "grade III employee" means an employee who is engaged in any one or more of the following duties or capacities:

(a) Affixing stamps to letters, parcels or other articles;

(b) assisting an artisan or an artisan's aide by holding articles or tools or otherwise working with him, other than by the independent use of tools;

(c) attending—

(i) an automatic stoker;

(ii) a compressor;

(d) changing, removing or replacing wheels, tyres or tubes of motor vehicles, wheelbarrows or other vehicles or inflating or repairing tubes;

(e) cooking rations in a compound kitchen;

(f) cutting or trimming green blocks by hand to a template to form special shapes;

(g) driving a power driven unit used solely for pushing or pulling kiln or dryer cars;

(h) loading of products for subsequent hand off-loading;

(i) minding a conveyor or tripper;

(j) oiling or greasing machinery, other than motor vehicles, under supervision;

(k) operating—

(i) a cutting machine engaged in cutting plastic clay columns or products;

(ii) an electrical appliance to remove dust or dirt;

(iii) a franking machine for envelopes by hand;

(iv) a hand powered brick or tile press;

(v) a machine for the mass-measuring or filling of bags or other containers;

(54) "nagskof" enige werktidperk waarvan die grootste deel tussen 20h00 en 06h00 val; (61)

(55) "noodwerk"—

(a) enige werk wat weens onvoorsiene omstandighede soos 'n brand, diefstal, 'n epidemie, 'n gewelddaad, nywerheidsnarus, 'n ongeluk, onklaarraking van installasie of masjinerie, sabotasie 'n storm of weens die feit dat die geboue onbruikbaar is of dreig om dit te word, sonder versuim gedoen moet word;

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

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

(i) skepe;

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

(iii) voertuie wat deur 'n vervoerkontraakteur gebruik word in die nakoming van sy kontrak as sodanig met die Suid-Afrikaanse Vervoerdienste; (23)

(56) "onbelaste massa" die massa van 'n grondwerkmassien of sleepwa soos aangegee in 'n lisensie of sertifikaat wat ten opsigte van sodanige grondwerkmassien of sleepwa uitgereik is deur 'n owerheid wat by wet gemagtig is om lisensies ten opsigte van sodanige masjien uit te reik: Met dien verstande dat die onbelaste massa van 'n grondwerkmassien of sleepwa wat nie gelisensieer of geregistreer hoef te word nie, die massa is wat deur die fabrikant van sodanige masjien of sleepwa gepesifiseer word; (83)

(57) "onderbaas" 'n werknemer wat onder algemene toesig aan die hoof staan van 'n groep werknemers graad I en wat daarbenewens toesig oor werknemers graad II, werknemers graad III of algemene werkers kan hou en wat rekords hou van die werk wat deur hulle gedoen is; (9)

(58) "ondervinding", met betrekking tot—

(a) 'n klerk, 'n klerklike assistent of 'n fabrieksklerk, die totale tydperk of tydperke wat 'n werknemer as 'n klerk, 'n klerklike assistent of 'n fabrieksklerk, na gelang van die geval, in enige bedryf of nywerheid of in die diens van 'n plaaslike owerheid of die Staat werksaam was;

(b) 'n reisende verteenwoordiger, die totale tydperk of tydperke wat 'n werknemer as reisende verteenwoordiger in enige nywerheid of bedryf in diens was;

(c) enige ander werknemer, die totale tydperk of tydperke wat 'n werknemer in sy klas in hierdie nywerheid werksaam was; (24)

(59) "oortyd" daardie gedeelte van enige tydperk wat 'n werknemer in 'n week of op 'n dag werk, wat langer is as sy weeklikse of daaglikse gewone werkure, na gelang van die geval, maar dit omvat nie 'n tydperk waarin 'n werknemer op 'n Sondag of op 'n betaalde vakansiedag, soos omskryf, werk nie; (64)

(60) "plaaslike owerheid" 'n munisipale raad, stadsraad, afdelingsraad, dorpsbestuursraad of 'n soortgelyke instelling of liggaam beoog in artikel 84 (1) (f) van die Wet op Provinsiale Bestuur, 1961, of in enige ander parlementêre wetgewing; (48)

(61) "reisende verteenwoordiger" 'n werknemer wat as 'n reisende verteenwoordiger van 'n bedryfsinrigting namens so 'n inrigting bestelling vra, werf of soek; (79)

(62) "reisende verteenwoordiger se assistent" 'n werknemer wat 'n reisende verteenwoordiger vergesel en hom met die inpak, uitpak of vertoon van sy monsters help en wat dié motorvoertuig wat die reisende verteenwoordiger in die uitvoering van sy werk gebruik, mag dryf; (80)

(63) "sekuriteitswag" 'n werknemer wat een of meer van die volgende werksaamhede verrig;

(a) Goedere, voertuie of persone deursoek;

(b) oor wagte toesig hou of hulle beheer;

(c) die gang van persone of voertuie deur kontrolepunte of hekke kontroleer of daaroor verslag doen;

en van wie ook vereis kan word om enige van al die pligte wat vir 'n wag voorgeskryf is, uit te voer; (70)

(64) "skofwerker" 'n werknemer wat skofwerk doen in 'n werksaamheid in 'n bedryfsinrigting of deel van 'n inrigting waarin twee of drie agtereenvolgende skofte per dag op hoogstens ses dae per week gewerk word, welke werksaamheid regstreeks in verband staan met die maal- of verpoeiingsproses of die ontwikkeling van krag of stoom of met enige pompwerk; (72)

(vi) a jackhammer, power-driven drill or paving breaker;

(vii) a power-driven screening machine;

(l) operating or attending a winch (other than a double drum scraper winch) or lift;

(m) placing letters or other written typed or printed matter in envelopes;

(n) preparing clay to a rough shape, preparatory to moulding;

(o) re-arranging green bricks in the course of drying;

(p) regulating the flow of materials to a belt or pan;

(q) replacing wires of an automatic rotary cutting machine;

(r) sorting green products preparatory to packing or setting in a kiln;

(s) stacking green products by hand for drying;

(t) trimming or fettling green products by hand; (85)

(35) "gross combination mass" in relation to a motor vehicle (articulated), means the maximum mass of such vehicle and the vehicle or vehicles which it draws, and their loads, as specified by the manufacturer or, in the absence of such specification, as determined by the registering authority concerned; (11)

(36) "gross vehicle mass" in relation to a motor vehicle (rigid), means the maximum mass of such vehicle and its load as specified by the manufacturer or, in the absence of such specification, as determined by the registering authority concerned; (12)

(37) "handyman" means an employee, other than an apprentice, artisan's aide or trainee, who is engaged in making minor repairs or adjustments to machinery or equipment, other than machinery or equipment directly used in the manufacturing process and who may effect minor repairs or renovations to buildings but who does not do work normally performed by an artisan; (25)

(38) "Heavy Clay and Allied Products Industry" or "Industry"—see clause 1 (2); (70)

(39) "heavy motor vehicle (articulated)" means a motor vehicle (articulated) the gross combination mass of which exceeds 9 000 kg but not 16 000 kg; (71)

(40) "heavy motor vehicle (rigid)" means a motor vehicle (rigid) the gross vehicle mass of which exceeds 9 000 kg but not 16 000 kg; (72)

(41) "hourly wage" means, except in the case of a casual employee, an employee's weekly wage divided by his weekly ordinary hours of work, and in the case of a casual employee it means, subject to clause 3 (1) (b) (ii), the wage payable to him for the day on which he works, divided by the ordinary hours of work for that day; (76)

(42) "internal driver" means an employee, other than a chauffeur, a travelling representative's assistant or a messenger, who in the performance of his duties, is not required to be in possession of a valid driver's licence and is engaged in driving a motor vehicle, and for the purposes 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; (28)

(43) "laboratory assistant" means an employee who is engaged in making routine tests of raw materials or finished or partly finished products, or preparing samples according to formulae; (36)

(44) "law" includes the common law; (86)

(45) "leading hand" means an employee who, under the general supervision of a foreman, assistant foreman or chargehand, is in charge of a group of grade II employees, grade III employees or general workers; (66)

(46) "learner blaster" means an employee who is being trained as a blaster and registered as such in terms of the Explosives Act, 1956, and who assists a blaster to any extent permitted by law; (37)

(47) "light motor vehicle" means a motor vehicle the gross vehicle mass or gross combination mass of which does not exceed 3 500 kg; (39)

(48) "local authority" means any borough council, city council, municipal council, village management board, divisional council or any similar institution or body contemplated in section 84 (1) (f) of the Provincial Government Act, 1961, or in any other parliamentary legislation; (60)

(49) "machine handyman" means an employee, other than an apprentice, artisan's aide, handyman or trainee, who is engaged in making minor repairs or adjustments to machinery or equipment used directly in the manufacturing process but who does not do work normally performed by an artisan; (45)

(65) "sleepwa" 'n voertuig wat nie selfaangedrewe is nie en wat ontwerp of ingerig is om deur 'n motorvoertuig getrek te word, en dit sluit 'n drastel in; (77)

(66) "spanleier" 'n werknemer wat, onder die algemene toesig van 'n voorman, assistent-voorman of onderbaas, aan die hoof staan van 'n groep werknemers graad II, werknemers graad III of algemene werkers; (45)

(67) "springstofwerker" 'n werknemer wat skietwerk met springstof verrig en wat in besit is van 'n permit om springstowwe te gebruik wat ingevolge die Wet op Ontploffbare Stowwe, 1956, uitgereik is of 'n skietsertifikaat vir 'n bedryf wat ingevolge die Wet op Myne en Bedrywe, 1956, uitgereik is; (6)

(68) "steengroefbaas" 'n werknemer wat aan die hoof staan van die steengroefwerking in 'n steengroef; (69)

(69) "stukwerk" 'n stelsel waarvolgens 'n werknemer se besoldiging gegronde word op die hoeveelheid werk wat verrig is; (67)

(70) "Swaarklei- en Verwante Produktenywerheid" of "Nywerheid"—sien klousule 1 (2); (38)

(71) "swaar motorvoertuig (gelede)" 'n motorvoertuig (gelede) waarvan die bruto kombinasie-massa meer as 9 000 kg maar hoogstens 16 000 kg is; (39)

(72) "swaar motorvoertuig (nie-gelede)" 'n motorvoertuig (nie-gelede) waarvan die bruto voertuig-massa meer as 9 000 kg maar hoogstens 16 000 kg is; (40)

(73) "telklerk" 'n werknemer wat onder die algemene toesig van 'n voorman, assistent-voorman of gekwalifiseerde klerk een of meer van die volgende pligte uitvoer—

(a) artikels nagaan, tel, massameet of meet;

(b) hoeveelhede in verskillende stadiume in die produksieproses aanteken;

(c) gereedskap of uitrusting teen 'n rekwisie uitreik en sodanige gereedskap of uitrusting terug ontvang in die magasyn; (75)

(74) "trekker" 'n motorvoertuig ontwerp of ingerig hoofsaaklik om ander voertuie mee te trek en nie om 'n vrag daarop te dra nie, maar uitgesonderd 'n kragaangedrewe eenheid wat uitsluitlik gebruik word om oond- of droëwanes te stoot of te trek; (76)

(75) "ultra swaar motorvoertuig" 'n motorvoertuig waarvan die bruto voertuig-massa of die bruto kombinasie-massa 25 000 kg oorskry; (82)

(76) "uurloon", uitgesonderd in die geval van 'n los werknemer, die werknemer se weekloon gedeel deur die getal gewone weeklikse werke en in die geval van 'n los werknemer beteken dit, behoudens klousule 3 (1) (b) (ii), die loon wat aan hom vir daardie dag betaalbaar is, gedeel deur die gewone werke deur hom op daardie dag gewerk; (41)

(77) "vakleerling" 'n werknemer wat in diens is ingevolge 'n vakleerlingskapkontrak wat geregistreer is of geag word geregistreer te wees ingevolge die Wet op Mannekragopleiding, 1981, en dit omvat 'n werknemer wat in diens is in 'n ambag wat aangewys is of geag word aangewys te wees kragtens daardie wet vir 'n tydperk voor die registrasie van 'n kontrak van vakleerlingskap; (1)

(78) "versendingsklerk" 'n werknemer wat verantwoordelik is vir die versending of verpakking van goedere vir vervoer of aflewering en wat toesig mag hou oor die byeenbring, nagaan, massameting, verpakking, merk, adresseer of versending van goedere of pakkette; (sien "klerk") (17)

(79) "voorman" 'n werknemer wat aan die hoof staan van die werknemers in 'n bedryfsinrigting, of 'n afdeling van 'n bedryfsinrigting, wat beheer oor sodanige werknemers uitoefen en wat daarvoor verantwoordelik is aan die bestuurder dat hulle hul pligte doeltreffend verrig; (30)

(80) "voerspanmotor" 'n motorvoertuig ontwerp of ingerig om ander voertuie mee te trek en om nie 'n ander vrag as dié wat in die vorm van 'n leunwa of ballas daarop rus, te dra nie; (81)

(81) "wag" 'n werknemer, uitgesonderd 'n sekuriteitswag, wat een of meer van die volgende pligte uitvoer:

(a) Persele, geboue, strukture of ander vaste of roerende eiendom bewaak, beskerm of patroleer;

(b) honte hanteer of beheer in die uitvoering van een of meer van die pligte in (a) bedoel; (85)

(82) "week" met betrekking tot 'n werknemer, die tydperk van sewe dae waarbinne die werkweek van sodanige werknemer gewoonlik val; (86)

(50) "medium motor vehicle (articulated)" means a motor vehicle (articulated) the gross combination mass of which exceeds 3 500 kg but not 9 000 kg; (47)

(51) "medium motor vehicle (rigid)" means a motor vehicle (rigid) the gross vehicle mass of which exceeds 3 500 kg but not 9 000 kg; (48)

(52) "messenger Grade A" means an employee who is engaged in collecting, distributing or delivering letters, messages or goods by means of a two- or three-wheeled motor cycle, motor scooter or auto cycle; (9)

(53) "messenger, Grade B" means an employee who is engaged in collecting or delivering letters, messages or goods on foot or by means of a bicycle, tricycle or manually propelled vehicle; (10)

(54) "military service" means any service or training in terms of the Defence Act, 1957 (Act 44 of 1957); (50)

(55) "mixing machine attendant" means an employee who is engaged in regulating the flow of water to the clay in a mixing machine and who may start and stop the machine; (49)

(56) "mobile hoist operator" means an employee who is engaged in operating a power-driven mobile hoist used in the loading, unloading, moving or stacking of goods; (7)

(57) "monthly wage" means an employee's weekly wage multiplied by four and a third; (43)

(58) "motor vehicle" means a self-propelled vehicle used for conveying goods, other than a travelling representative's samples, and includes a truck-tractor, a two- or three-wheeled motor cycle, motor scooter or autocycle and a tractor but does not include a mobile hoist, an earth-moving machine or a tractor adapted to achieve the purposes of an earth moving machine; (51)

(59) "motor vehicle (articulated)" means a combination of vehicles consisting of a motor vehicle and a semi-trailer or trailer; (52)

(60) "motor vehicle (rigid)" means a motor vehicle other than a motor vehicle (articulated); (53)

(61) "night shift" means any period of work the major portion of which falls between 20h00 and 06h00; (54)

(62) "operating a power-driven machine" means being in control of a power-driven machine and regulating the flow of material to such machine or scrutinizing or checking the work done by the machine and includes the making of minor running adjustments to the machine and the starting or stopping of the machine where such work is done by the employee in control of the machine; (34)

(63) "ordinary hours of work" means the hours of work prescribed in clause 5 (1) or if by agreement between an employer and his employee the latter works a lesser number of ordinary hours, such shorter hours; (27)

(64) "overtime" means that portion of any period worked by an employee in any week or on any day which is longer than his weekly or daily ordinary hours of work, as the case may be, but does not include any period during which an employee works for his employer on a Sunday or a paid holiday as defined; (59)

(65) "paid holiday" means New Year's Day (or the succeeding Monday whenever New Year's Day falls on a Sunday), Good Friday, Ascension Day, Republic Day, Day of the Vow and Christmas Day; (8)

(66) "part-time clerk" means a clerk who is employed by the week or month for not more than 30 ordinary hours of work in any week; (16)

(67) "piece-work" means any system under which an employee's remuneration is based on the quantity of work done; (69)

(68) "qualified" in relation to an employee, means that the experience of an employee of his class entitles him to the highest wage rate prescribed for that class, and, conversely, "unqualified" means that his experience in his class does not entitle him to such highest rate; (26)

(69) "quarryman" means a employee who is in charge of the quarrying operations in a quarry; (68)

(70) "security guard" means an employee who is engaged in one or more of the following duties:

(a) Searching goods, vehicles or persons;

(b) supervising or controlling watchmen;

(c) controlling or reporting on the movement of persons or vehicles through check-points or gates;

(83) "werknemer graad I" 'n werknemer wat een of meer van die volgende pligte uitvoer:

- (a) 'n Stoom-, elektriese of diesellokomotief dryf op 'n spoor met 'n wydte van minder as 1 065mm;
- (b) bediener van 'n—
 - (i) kragaangedrewe stampneul;
 - (ii) kragaangedrewe kleisteenmasjien;
 - (iii) uitpersmasjien;
 - (iv) kragaangedrewe hamer;
 - (v) kragaangedrewe pers vir die maak van stene, teëls, pype of toebehoere;
- (c) saamgestelde lote materiaal massameet of afmeet; (32)

(84) "werknemer graad II" 'n werknemer wat een of meer van die volgende pligte uitvoer:

- (a) Pyptoebehoere inmeekaarsit;
- (b) vuur met die hand uit die oond verwyder;
- (c) stene, pyptoebehoere, skoorsteenpote, dakpanbybehoere of ander artikels met die hand vorm;
- (d) stene met 'n druklug- of elektriese hamer vorm;
- (e) motorvoertuie olie of smeer;
- (f) bediener van 'n—
 - (i) skropwindas met dubbele trommels vir die verskuiwing van materiaal;
 - (ii) masjien, uitgesonderd 'n outomatiese masjien, vir die maak van smeltkroese;
 - (iii) kragaangedrewe sny-, buig- of ponsmasjien vir die bewerk- ing van plaatmetaal;
 - (iv) kragaangedrewe slypmasjien;
 - (v) kragaangedrewe slyp- of snymasjien vir die afwerking of verbetering van gebrande kleiprodukte;
 - (vi) kragaangedrewe groef- of poetsmasjien;
 - (vii) kragaangedrewe verpoelingsmasjien;
- (g) erdepype of -toebehoere in spoorwegtrokke pak;
- (h) stene of ander artikels in 'n oond of op oondwaens pak of plaas om gebak te word;
- (i) die pligte van 'n grofsmidsvoorslaner uitvoer;
- (j) die pligte uitvoer van 'n stoker van 'n oond sonder outomatiese stoker, 'n gasontwikkelingsaanleg, 'n vaste ketel, 'n stoomlokomotief of 'n oliegestookte oond;
- (k) voltooiende produkte in kategorieë sorteer; (33)

(85) "werknemer graad III" 'n werknemer wat een of meer van die volgende pligte uitvoer:

- (a) Seëls op briewe, pakkette of ander artikels plak;
- (b) 'n ambagsman of 'n ambagsmanshulp bystaan deur artikels of gereedskap vas te hou of op 'n ander manier met hom saam te werk sonder om die gereedskap selfstandig te gebruik;
- (c) bediening van 'n—
 - (i) outomatiese stoker;
 - (ii) kompressor;
- (d) wiele of buite- of binnebande van motorvoertuie, kruitwaens of ander voertuie omruil, afhaal of vervang of binnebande oppomp of herstel;
- (e) rantsoene in 'n kampongkombuis kook;
- (f) rou blokke met die hand volgens 'n patroon sny of afwerk om spesiale fatsoene te vorm;
- (g) 'n kragaangedrewe eenheid dryf wat uitsluitlik gebruik word om oond- of droogwaens te stoot of te trek;
- (h) produkte oplaai wat agterna met die hand afgelaai word;
- (i) 'n vervoer- of storttoestel bedien;
- (j) masjinerie, uitgesonderd motorvoertuie, onder toesig olie of smeer;
- (k) bediener van 'n—
 - (i) snymasjien wat plastiekkleikolomme of -produkte sny;
 - (ii) elektriese toestel wat stof of vuilgoed verwyder;

and who may also be required to perform any or all of the duties of a watchman; (63)

(71) "semi-trailer" means a trailer without a front axle and designed or adapted to rest on and be drawn by a truck-tractor; (38)

(72) "shift worker" means an employee who is engaged on shift work in an activity in an establishment or part of an establishment in which two or three consecutive shifts per day are worked on not more than six days per week, which activity is directly connected with the grinding or pulverising process or the generation of power or steam or any pumping operations; (64)

(73) "short-time" means a temporary reduction in the number of ordinary hours of work owing to slackness of trade, vagaries of the weather, shortage of raw materials, a breakdown of plant or machinery or a breakdown or threatened breakdown of buildings; (33)

(74) "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 or delivering goods from a store or warehouse to the consuming departments in an establishment or for despatch; (see "clerk") (44)

(75) "tallyman" means an employee who, under the general supervision of a foreman, assistant foreman or qualified clerk, is engaged in performing one or more of the following duties—

- (a) checking, counting, mass-measuring or measuring articles;
- (b) recording quantities at stages in the production process;
- (c) issuing tools or equipment against a requisition and receiving such tools or equipment back into store; (73)

(76) "tractor" means a motor vehicle designed or adapted to draw other vehicles (excluding a power-driven unit used solely for pushing or pulling kiln or dryer cars) and not to carry any load; (74)

(77) "trailer" means any vehicle which is not self-propelled but designed or adapted to be drawn by a motor vehicle, and includes a dolly; (65)

(78) "trainee" means an employee, other than an apprentice, to whom training is being provided in terms of the Manpower Training Act, 1981, in a trade designated or deemed to have been designated in terms of that act; (35)

(79) "travelling representative" means an employee who, as a travelling representative of an establishment, invites, canvasses or solicits orders on behalf of such establishment; (61)

(80) "travelling representative's assistant" means an employee who accompanies a travelling representative and assists him in packing, unpacking or displaying his samples and who may drive the motor vehicle used by the travelling representative in the performance of his duties; (62)

(81) "truck-tractor" means a motor vehicle designed or adapted to draw other vehicles and not to carry any load other than that imposed by a semi-trailer or ballast; (80)

(82) "ultra heavy motor vehicle" means a motor vehicle the gross vehicle mass or gross combination mass of which exceeds 25 000 kg; (75)

(83) "unladen mass" means the mass of any earth-moving machine or trailer as recorded in a licence or certificate issued in respect of such earth-moving machine or trailer by any authority empowered by law to issue licences in respect of such machine: Provided that the unladen mass of an earth-moving machine or trailer which is not required to be licensed or registered, shall be the mass specified by the manufacturer of such machine or trailer; (56)

(84) "wage" means the amount of money payable to an employee in terms of clause 3 (1) in respect of his ordinary hours of work: Provided that 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),

- (iii) masjien vir die frankering van koeverte met die hand;
- (iv) steen- of teëlpers wat met die hand gewerk word;
- (v) masjien vir die massameet of vul van sakke of ander houters;
- (vi) klopbeer, kragaangedrewe boor of plaveiselbreker;
- (vii) kragaangedrewe sifmasjien;
- (l) 'n windas (uitgesonderd 'n skropwindas met dubbele trommels) of hyser bedien;
- (m) briewe of ander geskrewe, getikte of gedrukte stukke in koeverte plaas;
- (n) klei in 'n ruwe fatsoen berei vir vormwerk;
- (o) rou stene in die loop van die droogproses herrangskik;
- (p) die toevoer van materiaal na 'n vervoerband of pan reguleer;
- (q) die drade van 'n outomatiese draaisnymasjien vervang;
- (r) rou produkte sorteer voordat dit in 'n oond gepak of geplaas word;
- (s) rou produkte met die hand opstapel vir droging;
- (t) rou produkte met die hand afwerk of repareer; (34)
- (86) "wet" ook die gemene reg. (44)

3. BESOLDIGING

(1) *Minimum lone.*—Die minimum lone wat 'n werkgewer sy werknemers moet betaal, is dié soos in paragrafe (a) of (b) uiteengesit: Met dien verstande dat indien die werkgewer in enige van die gebiede waarin hierdie vasstelling van toepassing is in die bedryf betrokke is vir 'n tydperk van langer as 12 maande maar minder as altesaam 24 maande, sodanige lone met hoogstens 10 persent verminder mag word totdat hy aldus vir 'n tydperk van altesaam 24 maande betrokke is, waarna die minimum lone wat hieronder bepaal word, betaalbaar word en betaal moet word.

it means such higher amount, but this proviso shall not be so construed 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 had he not been employed on such a basis and "daily wage" or "weekly wage" has a corresponding meaning; (41)

(85) "watchman" means an employee other than a security guard, who is engaged in any one or more of the following duties:

(a) Guarding, protecting or patrolling premises, buildings, structures or fixed or movable property;

(b) handling or controlling dogs in the performance of any or all of the duties referred to in (a); (81)

(86) "week" in relation to an employee, means the period of seven days within which the working week of that employee ordinarily falls. (82)

3. REMUNERATION

(1) *Minimum wages.*—The minimum wages which an employer shall pay to his employees shall be as specified in paragraphs (a) or (b): Provided that if the employer has been engaged in the Industry in any of the areas in which this determination is binding, for a period of more than 12 months but less than 24 months in the aggregate, such wages may be reduced by not more than 10 per cent until he has been thus engaged for a period of 24 months in the aggregate, whereupon the minimum wages specified hereunder shall become payable and be paid.

(a) *Werknemers, uitgesonderd los werknemers:*

	Die landdrosdistrikte Alberton, Bellville, Chatsworth, Die Kaap, Durban, Germiston, Goodwood, Inanda, Johannesburg, Kemptonpark, Krugersdorp, Kuilsrivier, Nagel, Oberholzer, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg, Randfontein, Roodepoort, Sasolburg, Simonstad, Somerset-Wes, Springs, Stellenbosch, Strand, Uitenhage, Vanderbijlpark, Vereeniging, Westonaria, Wonderboom en Wynberg		Die landdrosdistrikte Bloemfontein, Oos-Londen, Kimberley, Klerksdorp, Malmesbury, Moorreesburg, Odendaalsrus, Pietermaritzburg, Potchefstroom, Virginia, Welkom en Witbank		Die landdrosdistrikte Hoëveld-rif, Kroonstad, Middelburg en Worcester		Die landdrosdistrikte Camperdown, Bethlehem, Brits, Bronkhorstspuit, George, Heidelberg, Kliprivier, Knysna, Mosselbaai, Newcastle, Oudtshoorn, Pietersburg en Rustenburg		Die landdrosdistrikte Albany, Balfour, Bethal, Dannhauser, Delmas, Dundee, Ermelo, Estcourt, Glencoe, Harrismith, Hennenman, King William's Town, Letaba, Lichtenburg, Lower Tugela, Lower Umfolozi, Nelspruit, Parys, Phalaborwa (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermentskennisgewing 2644 van 10 Desember 1982 binne die landdrosdistrik Pelgrimsrus geval het), Port Shepstone, Postmasburg, Potgietersrus, Soutpansberg, Standerton, Stutterheim, Umzinto, Viljoenskroon, Vredefort, Vryburg, Vryheid en Wit-rivier en die gebied binne 'n straal van 40 km vanaf die Stadsaal, Upington	
	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
Algemene werker—										
gedurende die eerste ses maande diens by dieselfde werkgewer	58,38	64,15	51,69	57,00	45,69	50,31	42,23	46,38	39,23	43,15
daarna	64,85	71,31	57,46	63,23	50,77	55,85	46,85	51,46	43,62	48,00
Ambagsman	173,77	180,23	158,77	164,54	142,38	147,46	131,08	135,69	121,85	126,23
Ambagsmanshulp—										
gedurende die eerste ses maande ondervinding	88,38	94,85	79,62	85,39	70,62	75,69	65,31	69,92	62,08	66,46
gedurende die tweede ses maande ondervinding	93,46	99,92	84,23	90,00	74,77	79,85	69,00	73,62	65,77	70,15
daarna	98,31	104,77	88,85	94,62	78,92	84,00	73,15	77,77	69,46	73,85
Assistent-steengroefbaas	126,00	132,46	114,00	119,77	101,77	106,85	94,15	98,77	88,15	92,53
Assistent-voorman	152,77	159,23	138,92	144,69	126,23	131,31	116,31	120,92	108,00	112,38

	Die landdrosdistrikte Alberton, Bellville, Chatsworth, Die Kaap, Durban, Germiston, Goodwood, Inanda, Johannesburg, Kemptonpark, Krugersdorp, Kuilsrivier, Nigel, Oberholzer, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg, Randfontein, Roodepoort, Sasolburg, Simonstad, Somerset-Wes, Springs, Stellenbosch, Strand, Uitenhage, Vanderbijlpark, Vereeniging, Westonaria, Wonderboom en Wynberg		Die landdrosdistrikte Bloemfontein, Oos-Londen, Kimberley, Klerksdorp, Malmesbury, Moorreesburg, Odendaalsrus, Pietermaritzburg, Potchefstroom, Virginia, Welkom en Witbank		Die landdrosdistrikte Hoëveld-rif, Kroonstad, Middelburg en Worcester		Die landdrosdistrikte Camperdown, Bethlehem, Brits, Bronkhorstspuit, George, Heidelberg, Kliprivier, Knysna, Mosselbaai, Newcastle, Oudtshoorn, Pietersburg en Rustenburg		Die landdrosdistrikte Albany, Balfour, Bethal, Dannhauser, Delmas, Dundee, Ermelo, Estcourt, Glencoe, Harrismith, Hennenman, King William's Town, Letaba, Lichtenburg, Lower Tugela, Lower Umfolozi, Nelspruit, Parys, Phalaborwa (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermenskennisgewing 2644 van 10 Desember 1982 binne die landdrosdistrik Pelgrimsrus geval het), Port Shepstone, Postmasburg, Potgietersrus, Soutpansberg, Standerton, Stutterheim, Umzinto, Viljoenskroon, Vredefort, Vryburg, Vryheid en Wit-rivier en die gebied binne 'n straal van 40 km vanaf die Stadsaal, Upington	
	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
Bediener van 'n mobiele hystoestel met 'n bedryfsvermoë van—										
(i) 900 kg of minder	75,00	81,46	66,69	72,46	59,08	64,15	54,69	59,31	51,00	55,38
(ii) meer as 900 kg	86,54	93,00	77,77	83,54	69,23	74,31	63,46	68,08	59,31	63,69
Bode Graad A	Soos vir 'n werknemer graad I									
Bode Graad B	Soos vir 'n werknemer graad III									
Chauffeur	87,46	93,92	78,23	84,00	69,69	74,77	64,38	69,00	60,23	64,62
Drywer van 'n—										
ligte motorvoertuig	87,46	93,92	78,69	84,46	69,69	74,77	64,38	69,00	59,77	64,15
medium motorvoertuig—										
gelede	104,08	110,54	93,46	99,23	83,77	88,85	77,31	81,92	72,00	76,38
nie-gelede	99,92	106,38	89,54	95,31	80,31	85,38	73,85	78,46	69,00	73,38
swaar motorvoertuig—										
gelede	117,23	123,69	106,15	111,92	94,38	99,46	87,46	92,08	81,23	85,62
nie-gelede	112,15	118,62	101,54	107,31	90,23	95,31	83,54	88,15	77,54	81,92

	Die landdrosdistrikte Alberton, Bellville, Chatsworth, Die Kaap, Durban, Germiston, Goodwood, Inanda, Johannesburg, Kemptonpark, Krugersdorp, Kuilsrivier, Nigel, Oberholzer, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg, Randfontein, Roodepoort, Sasolburg, Simonstad, Somerset-Wes, Springs, Stellenbosch, Strand, Uitenhage, Vanderbijlpark, Vereeniging, Westonaria, Wonderboom en Wynberg		Die landdrosdistrikte Bloemfontein, Oos-Londen, Kimberley, Klerksdorp, Malmesbury, Moorreesburg, Odendaalsrus, Pietermaritzburg, Potchefstroom, Virginia, Welkom en Witbank		Die landdrosdistrikte Hoëveld-rif, Kroonstad, Middelburg en Worcester		Die landdrosdistrikte Camperdown, Bethlehem, Brits, Bronkhorstspuit, George, Heidelberg, Kliprivier, Knysna, Mosselbaai, Newcastle, Oudtshoorn, Pietersburg en Rustenburg		Die landdrosdistrikte Albany, Balfour, Bethal, Dannhauser, Delmas, Dundee, Ermelo, Estcourt, Glencoe, Harrismith, Hennenman, King William's Town, Letaba, Lichtenburg, Lower Tugela, Lower Umfolozi, Nelspruit, Parys, Phalaborwa (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermentskennisgewing 2644 van 10 Desember 1982 binne die landdrosdistrik Pelgrimsrus geval het), Port Shepstone, Postmasburg, Potgietersrus, Soutpansberg, Standerton, Stutterheim, Umzinto, Viljoenskroon, Vrededorp, Vryburg, Vryheid en Wit-rivier en die gebied binne 'n straal van 40 km vanaf die Stadsaal, Upington	
	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
ekstra swaar motorvoertuig—										
gelede	125,31	131,77	113,31	119,08	101,08	106,15	93,69	98,31	87,00	91,38
nie-gelede	120,00	126,46	108,69	114,46	96,69	101,77	89,54	94,15	83,08	87,46
ultra swaar motorvoertuig.....	130,85	137,31	118,62	124,39	105,69	110,77	97,85	102,46	90,92	95,31
Drywer van 'n grondwerkmasjien waarvan die onbelaste massa—										
(i) hoogstens 2 700 kg is.....	77,77	84,23	69,46	75,23	61,85	66,92	57,00	61,62	55,85	60,23
(ii) meer as 2 700 kg is	98,31	104,77	88,85	94,62	78,92	84,00	73,15	77,77	69,46	73,85
Eerstehulpassistensie.....	76,38	82,84	68,08	73,85	60,46	65,54	56,54	61,15	54,23	58,62
Eerstehulpbediener	87,46	93,92	78,23	84,00	69,69	74,77	64,38	69,00	60,23	64,62
Fabrieksklerk—										
gedurende die eerste ses maande ondervinding	75,00	81,46	66,69	72,46	59,08	64,15	54,69	59,31	51,00	55,38
gedurende die tweede ses maande ondervinding.....	79,62	86,08	70,85	76,62	63,23	68,31	58,38	63,00	54,23	58,62
daarna	83,77	90,23	75,00	80,77	66,92	72,00	61,62	66,23	57,46	61,85
Faktotum	98,31	104,77	88,85	94,62	78,92	84,00	73,15	77,77	69,46	73,85

	Die landdrosdistrikte Alberton, Bellville, Chatsworth, Die Kaap, Durban, Germiston, Goodwood, Inanda, Johannesburg, Kemptonpark, Krugersdorp, Kuilsrivier, Nigel, Oberholzer, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg, Randfontein, Roodepoort, Sasolburg, Simonstad, Somerset-Wes, Springs, Stellenbosch, Strand Uitenhage, Vanderbijlpark, Vereeniging, Westonaria, Wonderboom en Wynberg		Die landdrosdistrikte Bloemfontein, Oos-Londen, Kimberley, Klerksdorp, Malmesbury, Moorreesburg, Odendaalsrus, Pietermaritzburg, Potchefstroom, Virginia, Welkom en Witbank		Die landdrosdistrikte Hoëveld-rif, Kroonstad, Middelburg en Worcester		Die landdrosdistrikte Camperdown, Bethlehem, Brits, Bronkhorstspuit, George, Heidelberg, Kliprivier, Knysna, Mosselbaai, Newcastle, Oudtshoorn, Pietersburg en Rustenburg		Die landdrosdistrikte Albany, Balfour, Bethal, Dannhauser, Delmas, Dundee, Ermelo, Estcourt, Glencoe, Harrismith, Hennenman, King William's Town, Letaba, Lichtenburg, Lower Tugela, Lower Umfolozi, Nelspruit, Parys, Phalaborwa (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermentskennisgewing 2644 van 10 Desember 1982 binne die landdrosdistrik Pelgrimsrus geval het), Port Shepstone, Postmasburg, Potgietersrus, Soutpansberg, Standerton, Stutterheim, Umzinto, Viljoenskroon, Vredefort, Vryburg, Vryheid en Wit-rivier en die gebied binne 'n straal van 40 km vanaf die Stadsaal, Upington	
	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
Interne drywer van 'n—										
ligte motorvoertuig	76,38	82,85	68,08	73,85	60,46	65,54	55,62	60,23	51,92	56,31
medium motorvoertuig—										
gelede	87,23	93,69	78,23	84,00	69,92	75,00	64,15	68,77	60,00	64,38
nie-gelede	83,77	90,23	75,00	80,77	66,92	72,00	61,62	66,23	57,46	61,85
swaar motorvoertuig—										
gelede	91,85	98,31	82,85	88,62	73,62	78,69	68,08	72,69	63,69	68,08
nie-gelede	88,38	94,85	79,62	85,39	70,62	75,69	65,31	69,92	61,15	65,54
ekstra swaar motorvoertuig—										
gelede	99,23	105,69	89,31	95,08	78,92	84,00	73,38	78,00	66,69	71,08
nie-gelede	95,31	101,77	85,62	91,39	75,69	80,77	70,38	75,00	65,31	69,69
ultra swaar motorvoertuig	103,38	109,84	93,23	99,00	82,38	87,46	76,62	81,23	69,46	73,85
Ketelbediener	72,69	79,15	64,85	70,62	57,23	62,31	52,85	57,46	49,15	53,54

	Die landdrostrikte Alberton, Bellville, Chatsworth, Die Kaap, Durban, Germiston, Goodwood, Inanda, Johannesburg, Kemptonpark, Krugersdorp, Kuilsrivier, Nigel, Oberholzer, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg, Randfontein, Roodepoort, Sasolburg, Simonstad, Somerset-Wes, Springs, Stellenbosch, Strand, Uitenhage, Vanderbijlpark, Vereeniging, Westonia, Wonderboom en Wynberg		Die landdrostrikte Bloemfontein, Oos-Londen, Kimberley, Klerksdorp, Malmesbury, Moorreesburg, Odendaalsrus, Pietermaritzburg, Potchefstroom, Virginia, Welkom en Witbank		Die landdrostrikte Hoëveld-rif, Kroonstad, Middelburg en Worcester		Die landdrostrikte Camperdown, Bethlehem, Brits, Bronkhorstspuit, George, Heidelberg, Kliprivier, Knysna, Mosselbaai, Newcastle, Oudtshoorn, Pietersburg en Rustenburg		Die landdrostrikte Albany, Balfour, Bethal, Dannhauser, Delmas, Dundee, Ermelo, Estcourt, Glencoe, Harrismith, Hennenman, King William's Town, Letaba, Lichtenburg, Lower Tugela, Lower Umfolozi, Nelspruit, Parys, Phalaborwa (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermentskennisgewing 2644 van 10 Desember 1982 binne die landdrostrik Pelgrimsrus geval het), Port Shepstone, Postmasburg, Potgietersrus, Soutpansberg, Standerton, Stutterheim, Umzinto, Viljoenskroon, Vrededorp, Vryburg, Vryheid en Wit-rivier en die gebied binne 'n straal van 40 km vanaf die Stadsaal, Upington	
	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
Klerk—										
gedurende die eerste jaar ondervinding	82,85	89,31	74,08	79,85	66,00	71,08	60,69	65,31	56,54	60,92
gedurende die tweede jaar ondervinding	100,38	106,84	90,00	95,77	80,77	85,85	74,08	78,69	69,00	73,38
gedurende die derde jaar ondervinding	117,69	124,15	106,15	111,92	94,85	99,92	87,23	91,85	81,23	85,62
daarna	135,23	141,69	122,31	128,08	109,62	114,69	100,62	105,23	93,69	98,08
Klerklike assistent—										
gedurende die eerste ses maande ondervinding	75,00	81,46	66,69	72,46	59,08	64,15	54,69	59,31	51,00	55,38
gedurende die tweede ses maande ondervinding	79,62	86,08	70,85	76,62	63,23	68,31	58,38	63,00	54,23	58,62
daarna	83,77	90,23	75,00	80,77	66,92	72,00	61,62	66,23	57,46	61,85
Laboratoriumassistent—										
gedurende die eerste jaar ondervinding	81,00	87,46	72,69	78,46	64,15	69,23	59,31	63,92	56,54	60,92
gedurende die tweede jaar ondervinding	87,92	94,38	79,15	84,92	69,69	74,77	64,85	69,46	62,08	66,46
daarna	95,31	101,77	85,62	91,39	75,69	80,77	70,38	75,00	67,15	71,54

	Die landdrostrikte Alberton, Bellville, Chatsworth, Die Kaap, Durban, Germiston, Goodwood, Inanda, Johannesburg, Kemptonpark, Krugersdorp, Kuilsrivier, Nigel, Oberholzer, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg, Randfontein, Roodepoort, Sasolburg, Simonstad, Somerset-Wes, Springs, Stellenbosch, Strand, Uitenhage, Vanderbijlpark, Vereniging, Westonaria, Wonderboom en Wynberg		Die landdrostrikte Bloemfontein, Oos-Londen, Kimberley, Klerksdorp, Malmesbury, Moorreesburg, Odendaalsrus, Pietermaritzburg, Potchefstroom, Virginia, Welkom en Witbank		Die landdrostrikte Hoëveld-rif, Kroonstad, Middelburg en Worcester		Die landdrostrikte Camperdown, Bethlehem, Brits, Bronkhorstspuit, George, Heidelberg, Kliprivier, Knysna, Mosselbaai, Newcastle, Oudtshoorn, Pietersburg en Rustenburg		Die landdrostrikte Albany, Balfour, Bethal, Dannhauser, Delmas, Dundee, Ermelo, Estcourt, Glencoe, Harrismith, Hennenman, King William's Town, Letaba, Lichtenburg, Lower Tugela, Lower Umfolozi, Nelspruit, Parys, Phalaborwa (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermentskennisgewing 2644 van 10 Desember 1982 binne die landdrostrik Pelgrimsrus geval het), Port Shepstone, Postmasburg, Potgietersrus, Soutpansberg, Standerton, Stutterheim, Umzinto, Viljoenskroon, Vredefort, Vryburg, Vryheid en Wit-rivier en die gebied binne 'n straal van 40 km vanaf die Stadsaal, Upington	
	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
Lokomotiefdrywer	152,77	159,23	138,92	144,69	126,23	131,31	116,31	120,92	108,00	112,38
Magasynman	Soos vir 'n klerk									
Masjiengraafwerktuig	109,85	116,31	99,23	105,00	88,38	93,46	81,92	86,54	78,69	83,08
Masjiengraafdrywer—										
gedurende die eerste ses maande ondervinding	116,77	123,23	105,69	111,46	94,38	99,46	86,77	91,38	80,77	85,15
daarna	132,00	138,46	119,54	125,31	106,85	111,92	98,77	103,38	91,38	95,77
Onderbaas	80,54	87,00	71,77	77,54	63,69	68,77	58,85	63,46	54,69	59,08
Reisende verteenwoordiger—										
gedurende die eerste jaar ondervinding	135,23	141,69	122,31	128,08	115,62	120,69	108,00	112,62	101,08	105,46
gedurende die tweede jaar ondervinding	145,38	151,85	132,46	138,23	123,92	129,00	115,85	120,46	108,46	112,85
gedurende die derde jaar ondervinding	156,00	162,46	141,69	147,46	132,69	137,77	124,15	128,77	116,31	120,69
gedurende die vierde jaar ondervinding	166,62	173,08	151,38	157,15	140,54	145,62	132,00	136,62	124,15	128,54
daarna	176,54	183,00	161,31	167,08	149,31	154,39	140,31	144,92	131,54	135,92
Reisende verteenwoordiger se assistent	87,46	93,92	78,23	84,00	69,69	74,77	64,38	69,00	60,23	64,62
Sekuriteitswag	82,85	89,31	74,08	79,85	66,00	71,08	60,69	65,31	56,54	60,92
Spanleier	75,00	81,46	66,69	72,46	59,08	64,15	54,69	59,31	51,00	55,38
Springstofwerker	152,77	159,23	138,92	144,69	126,23	131,31	116,31	120,92	108,00	112,38
Springstofwerker, leerling	86,54	93,00	77,77	83,54	69,23	74,31	63,46	68,08	59,31	63,69

	Die landdrosdistrikte Alberton, Bellville, Chatsworth, Die Kaap, Durban, Germiston, Goodwood, Inanda, Johannesburg, Kemptonpark, Krugersdorp, Kuilsrivier, Nigel, Oberholzer, Paarl, Pinetown, Port Elizabeth, Pretoria, Randburg, Randfontein, Roodepoort, Sasolburg, Simonstad, Somerset-Wes, Springs, Stellenbosch, Strand, Uitenhage, Vanderbijlpark, Vereniging, Westonaria, Wonderboom en Wynberg		Die landdrosdistrikte Bloemfontein, Oos-Londen, Kimberley, Klerksdorp, Malmesbury, Moorreesburg, Odendaalsrus, Pietermaritzburg, Potchefstroom, Virginia, Welkom en Witbank		Die landdrosdistrikte Hoëveld-rif, Kroonstad, Middelburg en Worcester		Die landdrosdistrikte Camperdown, Bethlehem, Brits, Bronkhorstspuit, George, Heidelberg, Kliprivier, Knysna, Mosselbaai, Newcastle, Oudtshoorn, Pietersburg en Rustenburg		Die landdrosdistrikte Albany, Balfour, Bethal, Dannhauser, Delmas, Dundee, Ermelo, Estcourt, Glencoe, Harrismith, Hennenman, King William's Town, Letaba, Lichtenburg, Lower Tugela, Lower Umfolozi, Nelspruit, Parys, Phalaborwa (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermentskennisgewing 2644 van 10 Desember 1982 binne die landdrosdistrik Pelgrimsrus geval het), Port Shepstone, Postmasburg, Potgietersrus, Soutpansberg, Standerton, Stutterheim, Umzinto, Viljoenskroon, Vredefort, Vryburg, Vryheid en Witrivier en die gebied binne 'n straal van 40 km vanaf die Stadsaal, Upington	
	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna	Gedurende die eerste 12 maande nadat hierdie vasstelling in werking tree	Daarna
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
Steengroefbaas	155,54	162,00	141,69	147,46	128,54	133,62	118,62	123,23	110,31	114,69
Telklerk	Soos vir 'n werknemer graad I									
Versendingsklerk	Soos vir 'n klerk									
Voorman	180,23	186,69	164,08	169,85	147,92	153,00	135,69	140,31	127,85	132,23
Wag	75,00	81,46	66,69	72,46	59,08	64,15	54,69	59,31	51,00	55,38
Werknemer graad I—										
gedurende die eerste ses maande ondervinding	73,62	80,08	65,31	71,08	57,69	62,77	53,31	57,92	49,62	54,00
gedurende die tweede ses maande ondervinding	75,46	81,92	67,15	72,92	59,54	64,62	55,15	59,77	51,46	55,85
daarna	77,77	84,23	69,46	75,23	61,85	66,92	57,00	61,62	52,85	57,23
Werknemer graad II—										
gedurende die eerste drie maande diens	67,62	74,08	59,77	65,54	53,08	58,15	49,15	53,77	45,46	49,85
gedurende die tweede drie maande diens	69,92	76,38	62,08	67,85	54,92	60,00	51,00	55,62	47,31	51,69
daarna	72,69	79,15	64,85	70,62	57,23	62,31	52,85	57,46	49,15	53,54
Werknemer graad III	67,62	74,08	59,77	65,54	53,08	58,15	49,15	53,77	45,46	49,85
Werknemers wat nie elders in hierdie subklousule uitdruklik vermeld word nie	72,69	79,15	64,85	70,62	57,23	62,31	52,85	57,46	49,15	53,54

(a) Employees, other than casual employees:

	The Magisterial Districts of Alberton, Bellville, Benoni, Boksburg, Brakpan, Chatsworth, Durban, Germis- ton, Goodwood, Inanda, Johannesburg, Kempton Park, Krugersdorp, Kuils River, Nigel, Oberholzer, Paarl, Pinetown, Port Eliza- beth, Pretoria, Randburg, Randfontein, Roodepoort, Sasolburg, Simon's Town, Somerset West, Springs, Stellenbosch, Strand, The Cape, Uitenhage, Vanderbijl- park, Vereeniging, Weston- aria, Wonderboom and Wynberg		The Magisterial Districts of Bloemfontein, East London, Kimberley, Klerksdorp, Malmesbury, Moorreesburg, Odendaalsrus, Pietermaritz- burg, Potchefstroom Virgini- a, Welkom and Witbank		The Magisterial Districts of Highveld Ridge, Kroonstad, Middelburg and Worcester		The Magisterial Districts of Camperdown, Bethlehem, Brits, Bronkhorstspuit, George, Heidelberg, Klip River, Knysna, Mossel Bay, Newcastle, Oudtshoorn, Pietersburg and Rustenburg		The Magisterial Districts of Albany, Balfour, Bethal, Dannhauser, Delmas, Dundee, Ermelo, Estcourt, Glencoe, Harrismith, Hennenman, King William's Town, Letaba, Lichtenburg, Lower Tugela, Lower Umfo- lozi, Nelspruit, Parys, Phala- borwa (excluding that portion which, prior to the publica- tion of Government Notice 2644 of 10 December 1982 fell within the Magisterial District of Pilgrim's Rest), Port Shepstone, Postmas- burg, Potgietersrus, Soutpansberg, Standerton, Stutterheim, Umzinto, Vil- joenskroon, Vredefort, Vry- burg, Vryheid and White River and the area within a radius of 40 km from the City Hall, Upington	
	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
Artisan.....	173,77	180,23	158,77	164,54	142,38	147,46	131,08	135,69	121,85	126,23
Artisan's aide—										
during the first six months of experience	88,38	94,85	79,62	85,39	70,62	75,69	65,31	69,92	62,08	66,46
during the second six months of experience	93,46	99,92	84,23	90,00	74,77	79,85	69,00	73,62	65,77	70,15
thereafter	98,31	104,77	88,85	94,62	78,92	84,00	73,15	77,77	69,46	73,85
Assistant foreman	152,77	159,23	138,92	144,69	126,23	131,31	116,31	120,92	108,00	112,38
Assistant quarryman	126,00	132,46	114,00	119,77	101,77	106,85	94,15	98,77	88,15	92,53
Blaster	152,77	159,23	138,92	144,69	126,23	131,31	116,31	120,92	108,00	112,38
Blaster, learner	86,54	93,00	77,77	83,54	69,23	74,31	63,46	68,08	59,31	63,69
Boiler attendant	72,69	79,15	64,85	70,62	57,23	62,31	52,85	57,46	49,15	53,54
Chauffeur	87,46	93,92	78,23	84,00	69,69	74,77	64,38	69,00	60,23	64,62
Chargehand	80,54	87,00	71,77	77,54	63,69	68,77	58,85	63,46	54,69	59,08
Clerical assistant—										
during the first six months of experience	75,00	81,46	66,69	72,46	59,08	64,15	54,69	59,31	51,00	55,38
during the second six months of experience	79,62	86,08	70,85	76,62	63,23	68,31	58,38	63,00	54,23	58,62
thereafter	83,77	90,23	75,00	80,77	66,92	72,00	61,62	66,23	57,46	61,85

	The Magisterial Districts of Alberton, Bellville, Benoni, Boksburg, Brakpan, Chatsworth, Durban, Germis- ton, Goodwood, Inanda, Johannesburg, Kempton Park, Krugersdorp, Kuils River, Nigel, Oberholzer, Paarl, Pinetown, Port Eliza- beth, Pretoria, Randburg, Randfontein, Rodepoort, Sasolburg, Simon's Town, Somerset West, Springs, Stellenbosch, Strand, The Cape, Uitenhage, Vanderbijl- park, Vereeniging, Weston- aria, Wonderboom and Wynberg		The Magisterial Districts of Bloemfontein, East London, Kimberley, Klerksdorp, Malmesbury, Moorreesburg, Odendaalsrus, Pietermaritz- burg, Potchefstroom Virgi- nia, Welkom and Witbank		The Magisterial Districts of Highveld Ridge, Kroonstad, Middelburg and Worcester		The Magisterial Districts of Camperdown, Bethlehem, Brits, Bronkhorstspuit, George, Heidelberg, Klip River, Knysna, Mossel Bay, Newcastle, Oudtshoorn, Pietersburg and Rustenburg		The Magisterial Districts of Albany, Balfour, Bethal, Dannhauser, Delmas, Dundee, Ermelo, Estcourt, Glencoe, Harrismith, Hennenman, King William's Town, Letaba, Lichtenburg, Lower Tugela, Lower Umfo- lozi, Nelspruit, Parys, Phala- borwa (excluding that portion which, prior to the publica- tion of Government Notice 2644 of 10 December 1982 fell within the Magisterial District of Pilgrim's Rest), Port Shepstone, Postmas- burg, Potgietersrus, Soutpansberg, Standerton, Stutterheim, Umzinto, Vil- joenskroon, Vredefort, Vry- burg, Vryheid and White River and the area within a radius of 40 km from the City Hall, Upington	
	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
Clerk—										
during the first year of experience	82,85	89,31	74,08	79,85	66,00	71,08	60,69	65,31	56,54	60,92
during the second year of experience	100,38	106,84	90,00	95,77	80,77	85,85	74,08	78,69	69,00	73,38
during the third year of experience	117,69	124,15	106,15	111,92	94,85	99,92	87,23	91,85	81,23	85,62
thereafter	135,23	141,69	122,31	128,08	109,62	114,69	100,62	105,23	93,69	98,08
Despatch clerk	As for a clerk									
Driver of—										
a light motor vehicle	87,46	93,92	78,69	84,46	69,69	74,77	64,38	69,00	59,77	64,15
a medium motor vehicle—										
articulated	104,08	110,54	93,46	99,23	83,77	88,85	77,31	81,92	72,00	76,38
rigid	99,92	106,38	89,54	95,31	80,31	85,38	73,85	78,46	69,00	73,38
a heavy motor vehicle—										
articulated	117,23	123,69	106,15	111,92	94,38	99,46	87,46	92,08	81,23	85,62
rigid	112,15	118,62	101,54	107,31	90,23	95,31	83,54	88,15	77,54	81,92
an extra heavy motor vehicle—										
articulated	125,31	131,77	113,31	119,08	101,08	106,15	93,69	98,31	87,00	91,38
rigid	120,00	126,46	108,69	114,46	96,69	101,77	89,54	94,15	83,08	87,46
an ultra heavy motor vehicle	130,85	137,31	118,62	124,39	105,69	110,77	97,85	102,46	90,92	95,31

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	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
Driver of an earth moving machine, the unladen mass of which—										
(i) does not exceed 2 700 kg	77,77	84,23	69,46	75,23	61,85	66,92	57,00	61,62	55,85	60,23
(ii) exceeds 2 700 kg	98,31	104,77	88,85	94,62	78,92	84,00	73,15	77,77	69,46	73,85
Driver of an excavator—										
during the first six months of experience	116,77	123,23	105,69	111,46	94,38	99,46	86,77	91,38	80,77	85,15
thereafter	132,00	138,46	119,54	125,31	106,85	111,92	98,77	103,38	91,38	95,77
Driver of a locomotive	152,77	159,23	138,92	144,69	126,23	131,31	116,31	120,92	108,00	112,38
Factory clerk—										
during the first six months of experience	75,00	81,46	66,69	72,46	59,08	64,15	54,69	59,31	51,00	55,38
during the second six months of experience	79,62	86,08	70,85	76,62	63,23	68,31	58,38	63,00	54,23	58,62
thereafter	83,77	90,23	75,00	80,77	66,92	72,00	61,62	66,23	57,46	61,85
First-aid assistant	76,38	82,84	68,08	73,85	60,46	65,54	56,54	61,15	54,23	58,62
First-aid attendant	87,46	93,92	78,23	84,00	69,69	74,77	64,38	69,00	60,23	64,62
Foreman	180,23	186,69	164,08	169,85	147,92	153,00	135,69	140,31	127,85	132,23

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	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter	During the first 12 months after this deter- mination becomes binding	Thereafter
	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R	Per week R
Messenger Grade A.....	As for a grade I employee									
Messenger Grade B.....	As for a grade III employee									
Operator of a mobile hoist with an operational ca- pacity of—										
(i) 900 kg or less	75,00	81,46	66,69	72,46	59,08	64,15	54,69	59,31	51,00	55,38
(ii) more than 900 kg.....	86,54	93,00	77,77	83,54	69,23	74,31	63,46	68,08	59,31	63,69
Quarryman	155,54	162,00	141,69	147,46	128,54	133,62	118,62	123,23	110,31	114,69
Security guard	82,85	89,31	74,08	79,85	66,00	71,08	60,69	65,31	56,54	60,92
Storeman	As for a clerk									
Tallyman	As for a grade I employee									
Travelling representative—										
during the first year of experience	135,23	141,69	122,31	128,08	115,62	120,69	108,00	112,62	101,08	105,46
during the second year of experience	145,38	151,85	132,46	138,23	123,92	129,00	115,85	120,46	108,46	112,85
during the third year of experience	156,00	162,46	141,69	147,46	132,69	137,77	124,15	128,77	116,31	120,69
during the fourth year of experience	166,62	173,08	151,38	157,15	140,54	145,62	132,00	136,62	124,15	128,54
thereafter	176,54	183,00	161,31	167,08	149,31	154,39	140,31	144,92	131,54	135,92
Travelling representative's assistant.....	87,46	93,92	78,23	84,00	69,69	74,77	64,38	69,00	60,23	64,62
Watchman.....	75,00	81,46	66,69	72,46	59,08	64,15	54,69	59,31	51,00	55,38
Employees not elsewhere in this subclause specifi- cally mentioned	72,69	79,15	64,85	70,62	57,23	62,31	52,85	57,46	49,15	53,54

(b) *Los werknemers.*—'n Werkgever moet aan sy los werknemer vir elke dag of gedeelte van 'n dag diens, uitgesonderd diens op 'n betaalde vakansiedag, soos omskryf, of op 'n Sondag, minstens die voorgeskrewe dagloon voorgeskryf vir 'n voltydse werknemer in dieselfde gebied wat vir die werkgever dieselfde klas werk verrig as dié wat van 'n los werknemer vereis word of nie minder nie as die werklike dagloon wat sodanige voltijdse werknemer betaal word, welke bedrag ook al die hoogste is, plus 15 persent: Met dien verstande dat—

(i) vir die toepassing van hierdie paragraaf die uitdrukking "sodanige voltijdse werknemer" die werknemer van die betrokke klas aan wie die werkgever die laagste loon betaal, beteken;

(ii) waar die werkgever van die los werknemer vereis om—

(aa) die werk te verrig van 'n klas werknemer vir wie 'n loon teen 'n stygende skaal voorgeskryf word, die uitdrukking "dagloon" die dagloon vir 'n gekwalifiseerde werknemer van daardie klas, soos bereken ingevolge subklousule (4) beteken;

(ab) vir 'n tydperk van hoogstens vier agtereenvolgende ure op enige dag te werk, sy loon waarna in hierdie paragraaf verwys word, met hoogstens 50 persent ten opsigte van sodanige dag verminder kan word.

(c) *Deeltydse klerk.*—'n Deeltydse klerk moet minstens 70 persent van die loon voorgeskryf vir 'n voltijdse klerk met dieselfde ondervinding en in dieselfde gebied betaal 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 klousule 4 (6), moet hy ten opsigte van 'n week minstens die volle weekloon betaal word wat by subklousule (1), gelees met die omskrywing van "loon" in klousule 2 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 werkure of minder, gewerk het.

(3) *Differensiële loon.*—'n Werkgever wat van 'n lid van een klas van sy werknemers vereis of hom toelaat om 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 soos by subklousule (1) voorgeskryf word, moet ten opsigte van daardie dag aan sodanige werknemer minstens die dagloon bereken teen die hoër tarief, betaal;

(b) 'n stygende loonskaal wat uitloop 'n hoër loon as dié van sy eie klas soos by subklousule (1) voorgeskryf word, moet ten opsigte van daardie dag aan sodanige werknemer minstens die dagloon bereken op die kerf in die stygende skaal onmiddellik bokant die loon wat die werknemer vir sy gewone werk ontvang het, betaal:

Met dien verstande dat—

(i) hierdie subklousule nie geld nie wanneer die verskil tussen die klasse ingevolge subklousule (1) op ondervinding 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 voorgeskrewe loon dieselfde of laer is as dié wat vir so 'n werknemer voorgeskryf word.

(4) *Loonberekening.*—Die uurloon, dagloon en maandloon van 'n werknemer sal bereken word soos aangedui in die woordomskrywings van hierdie uitdrukkings in klousule 2.

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

(a) 'n werknemer 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 werknemer van wie vereis word om 'n motorvoertuig vir die uitvoering van sy pligte te verskaf, moet sy werkgever hom vir elke kilometer wat hy in die uitvoering van sy pligte afgelê het, 'n vervoer-toelae betaal van minstens—

(i) 28 sent waar die enjinkapasiteit van die betrokke voertuig hoogstens 1 300 cm³ is;

(ii) 34 sent waar die enjinkapasiteit van sodanige voertuig meer as 1 300 cm³ maar hoogstens 2 500 cm³ is;

(iii) 42 sent waar die enjinkapasiteit van sodanige voertuig meer as 2 500 cm³ is.

(b) *Casual employees.*—An employer shall pay to his casual employee for each day or part of a day of employment, other than employment on a paid holiday as defined or on a Sunday, not less than the daily wage prescribed for an employee in the same area who performs the same class of work as the casual employee is required to do or not less than the daily wage actually being paid to such other employee, whichever is the greater amount, plus 15 per cent: Provided that—

(i) for the purposes of this paragraph the expression "such other employee" shall mean the employee of that class to whom the employer is paying the lowest wage;

(ii) where the employer requires a casual employee—

(aa) to perform the work of a class of employee for whom wages on a rising scale are prescribed, the expression "daily wage" shall mean the daily wage prescribed for a qualified employee of that class;

(ab) to work for a period of not more than four consecutive hours on any day, his wage as referred to in this paragraph may be reduced by not more than 50 per cent in respect of that day.

(c) *Part-time clerk.*—An employer shall pay to his part-time clerk not less than 70 per cent of the wage prescribed for a full-time clerk of the same experience in the same area.

(2) *Basis of contract.*—For the purposes 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), he shall be paid in respect of a week not less than the full weekly wage prescribed in subclause (1), as read with the definition of "wage" in clause 2 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 or less.

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

(a) a wage higher than that of his own class is prescribed in subclause (1), shall pay to such employee in respect of that day, not less than the daily wage calculated at the higher rate; 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 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) this subclause shall not apply where the difference between classes in terms of subclause (1) is based on experience;

(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.*—The hourly, daily and monthly wage of an employee shall be calculated as indicated in the definitions of these expressions in clause 2.

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

(a) an employee who uses his employer's motor transport or who is required to travel by train or by any means of conveyance other 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 purposes of this subclause the cost of overnight garaging of a motor vehicle shall be deemed to be a transport expense;

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

(i) 28 cents if the engine capacity of the vehicle concerned does not exceed 1 300 cm³;

(ii) 34 cents if the engine capacity of such vehicle exceeds 1 300 cm³ but not 2 500 cm³;

(iii) 42 cents if the engine capacity of such vehicle exceeds 2 500 cm³.

(6) *Onderhoudsuitgawes en -toelaes.*—(a) Benewens die betaling van enige ander besoldiging verskuldig aan 'n werknemer wat by die uitvoering van sy pligte van sy woonpelk en sy werkgever se bedryfsinrigting afwesig is, moet sy werkgever, in die geval van—

(i) 'n reisende verteenwoordiger en 'n reisende verteenwoordiger se assistent—

(aa) hom vir alle redelike uitgawes aangegaan vir etes, tee, koffie of soortgelyke drankte vergoed waar die tydperk van afwesigheid ses ure oorskry maar nie oor 'n nag strek nie; of

(ab) hom vir alle redelike uitgawes aangegaan vir verblyf sowel as etes, tee, koffie of soortgelyke drankte vergoed; of 'n onderhoudstoelaag van minstens R25 per nag aan die reisende verteenwoordiger en R13 per nag aan die reisende verteenwoordiger se assistent betaal, watter ook al die grootste bedrag is, waar die afwesigheid oor een of meer nagte strek;

(ii) 'n drywer—hom 'n onderhoudstoelaag van minstens R5 per nag plus R2 per maaltyd van nie meer as drie per dag nie betaal, waar sodanige tydperk van afwesigheid oor een of meer nagte strek: Met dien verstande dat waar die werkgever 'n bed verskaf die eerste toelaag met nie meer as R1 per nag verminder mag word nie;

(iii) 'n werknemer wat 'n drywer vergesel—hom 'n onderhoudstoelaag van minstens R2,50 per nag plus R2 per maaltyd, van nie meer as drie per dag nie betaal, waar sodanige tydperk van afwesigheid oor een of meer nagte strek.

(b) By die toepassing van hierdie subklousule beteken "nag" die tydperk van 23h00 tot 04h00.

(7) *Betaling van vervoer- en onderhoudsuitgawes en -toelaes.*—(a) 'n Werkgever 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 tydperk waarop hy daarop geregtig geword het, moet indien maar dat hy nie meer as een eis in 'n week mag indien nie.

(b) 'n Werkgever kan van sy werknemer vereis om elke eis so op te stel dat dit weergee, in die geval van 'n eis ingevolge—

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

(ii) subklousule (5) (b), die afstand wat hy elke dag afgelê het, die plekke wat besoek is en, uitgesonderd in munisipale gebiede, die roete wat gevolg is;

(iii) 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 werkgever, voordat enige sodanige reis deur 'n werknemer bedoel in subklousule (5) en (6) onderneem word, aan hom 'n geskikte boek of vorms verskaf waarin of waarop gepaste aantekening gehou kan word: Met dien verstande dat indien die werknemer nie in staat is om te skryf nie, die werkgever sal toesien dat hy hulp kry om sy eis op te stel.

4. BETALING VAN BESOLDIGING

(1) *Werknemers, uitgesonderd los werknemers.*—Behoudens klousules 3 (7) en 6 (5) moet enige bedrag verskuldig aan 'n werknemer, uitgesonderd 'n los werknemer, weekliks, tweewekliks of maandeliks in kontant betaal word en met die toestemming van die werknemer per tjek gedurende sy gewone werkure, of binne 15 minute daarna op die gewone betaaldag van die bedryfsinrigting vir sodanige werknemer (of in die geval van 'n skofwerker of 'n werknemer wat in 'n aaneenlopende bedrywigheid werk saam is, op 'n tyd waarvoor sodanige werknemer en sy werkgever ooreengekom het en wat gedurende die gewone kantoorure van die bedryfsinrigting moet wees, maar nie later nie as 24 uur na die gewone betaaldag) of by diensbeëindiging, as dit voor die gewone betaaldag geskied, en sodanige bedrag moet in 'n verseëlde koevert of houer wees waarop of wat vergesel gaan van 'n staat waarop die volgende gemeld word:

(a) Die werkgever se naam;

(b) die werknemer se naam of sy nommer op die betaalstaat en sy klas;

(c) die tydperk waarvoor die betaling geskied;

(d) die getal ure wat die werknemer gedurende daardie tydperk gewerk het;

(e) die getal ure wat die werknemer gedurende daardie tyd oortyd gewerk het;

(f) die getal ure wat die werknemer op 'n Sondag of 'n betaalde vakansiedag, soos omskryf, gewerk het;

(g) die werknemer se loon;

(6) *Subsistence expenses and allowances.*—(a) In addition to the payment of any other remuneration due to an employee who, in the performance of his duties, is absent from his place of residence and the employer's establishment, an employer shall, in the case of—

(i) a travelling representative and a travelling representative's assistant—

(aa) reimburse him all reasonable expenses incurred for meals, tea, coffee or similar beverages where such absence exceeds six consecutive hours but does not extend over a night; or

(ab) reimburse him all reasonable expenses incurred for a accommodation as well as meals, tea, coffee or similar beverages, or pay a subsistence allowance of not less than R25 per night to the travelling representative and R13 per night to the travelling representative's assistant, whichever is the greater amount, where such absence extends over one or more nights;

(ii) a driver—pay him a subsistence allowance of not less than R5 per night plus R2 per meal-time, not exceeding three per day, where such absence extends over one or more nights: Provided that where the employer provides a bed the first allowance may be reduced by not more than R1 per night;

(iii) an employee accompanying a driver—pay him a subsistence allowance of not less than R2,50 per night plus R2 per meal-time, not exceeding three per day, where such absence extends over one or more nights.

(b) For the purposes of this subclause the expression "night" means the period from 23h00 to 04h00.

(7) *Payment of transport and subsistence expenses and allowances.*—(a) An employer shall pay any expenses and allowances payable to an employee in terms of subclauses (5) and (6) within seven days of the employee's written claim therefor: Provided that an employee shall submit any such claim within one month of entitlement and shall not submit more than one claim in any one week.

(b) An employer may require his employee to frame any claim so that it shall reflect in the case of any claim in terms of—

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

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

(iii) subclause (6), the time of commencement and ending of each period of absence;

and to enable his employee to comply with such a requirement, the employer shall, before any such journey is undertaken by an employee referred to in subclauses (5) and (6), provide him with a suitable book or forms in or on which to keep the appropriate records: Provided that if an employee is unable to write his employer shall cause him to be assisted in the framing of his claim.

4. PAYMENT OF REMUNERATION

(1) *Employees, other than casual employees.*—Save as provided in clauses 3 (7) and 6 (5), any amount due to an employee, other than a casual employee, shall be paid weekly, fortnightly or monthly in cash, or, with the consent of the employee by cheque during his ordinary hours of work, or within 15 minutes thereafter on the usual pay-day of the establishment for such employee (or in the case of a shift worker or an employee employed in continuous activity 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 class;

(c) the period in respect of which payment is made;

(d) the number of ordinary hours of work worked by the employee in that period;

(e) the number of overtime hours worked by the employee in that period;

(f) the number of overtime hours worked by the employee on a Sunday or a paid holiday as defined;

(g) the employee's wage;

(h) besonderhede van enige ander besoldiging wat uit die werknemer se diens voortspruit;

(i) besonderhede van enige bedrag wat afgetrek is; en

(j) die netto bedrag wat aan die werknemer betaal word;

en sodanige koevert of houer waarop hierdie inligting aangeteken is of sodanige staat word die eiendom van die werknemer. Met dien verstande dat—

(i) die besonderhede hierbo voorgeskryf, in kodevorm op die koevert of houer of sodanige staat aangeteken kan word, welke kode volledig uiteengesit en verduidelik moet word in 'n bygaande kennisgewing of in 'n kennisgewing wat opgeplak gehou moet word op 'n opvallende plek in die bedryfsinrigting, wat toeganklik is vir alle werknemers wat by die saak betrokke is;

(ii) met die skriftelike toestemming van 'n werknemer, die bedrag aan hom verskuldig, gestort kan word in sy bouvereniging- of bankrekening deur die werkgever wat egter voornoemde staat aan hom moet oorhandig;

(iii) die inligting met betrekking tot paragrawe (d), (e) en (f) nie verstrek hoef te word nie ten opsigte van 'n werknemer wat ingevolge klousule 5 (7) (a) van die werkurebepalings uitgesluit is.

(2) *Los werknemers.*—'n Werkgever moet die besoldiging wat aan 'n los werknemer aangekend is, by die beëindiging van sy diens in kontant aan hom betaal, maar minstens eenmaal per week.

(3) *Premies.*—Behoudens die bepalinge van enige ander wet, mag geen bedrag regstreeks of onregstreeks deur 'n werkgever van of ten behoeve van 'n werknemer aangeneem word vir die indiensneming of opleiding van daardie werknemer nie.

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

(5) *Huisvesting, etes of rantsoene.*—Behoudens die bepalinge van enige ander wet, mag 'n werkgever nie van sy werknemer vereis om huisvesting, etes of rantsoene van enigiemand anders of op enige plek deur hom aangewys, aan te neem nie.

(6) *Aftekings.*—'n Werkgever mag sy werknemer geen boetes opleë of enige bedrae van sy werknemer se besoldiging aftrek nie, buiten die volgende:

(a) Met die skriftelike toestemming van sy werknemer, 'n bedrag vir 'n vakansie-, siektebystands-, mediese hulp-, versekerings-, spaar-, voorsorgs- of pensioenfonds, of vir ledegeld aan 'n vakvereniging of aan 'n instelling tot voordeel van die werknemer, of aan 'n werknemer se ontspanningsklub, as so 'n klub op die werkgever se perseel is;

(b) behoudens andersluidende bepalinge in hierdie vasstelling, telkens wanneer van sy werk afwesig is, om 'n ander rede as in opdrag van sy werkgever, '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 volgens wet of kragtens 'n bevel van 'n bevoegde hof mag of moet aftrek;

(d) wanneer daar volgens wet van 'n werknemer vereis word of wanneer hy daartoe instem om huisvesting, etes of rantsoene van sy werkgever aan te neem, 'n bedrag van hoogstens die volgende bedrae:

Per week Per maand

	R	R
(i) Huisvesting	1,50	6,50
(ii) Etes en/of rantsoene	3,00	13,00
(iii) Huisvesting, etes en/of rantsoene	4,50	19,50;

(e) wanneer die gewone werkure weens korttyd verminder 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 an die werknemer se weekloon is, ongeag die getal ure waarmee die gewone werkure aldus verminder word;

(ii) geen aftrekking ten opsigte van korttyd wat deur 'n handelslapse of 'n tekort aan grondstowwe of pakmateriaal 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 nie vir die eerste uur waarin daar nie gewerk word nie weens gure weer of 'n onklaarmaking 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;

(h) details of any other remuneration arising out of the employee's employment;

(i) details of any deductions made; and

(j) the net amount paid to the employee;

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

(i) the particulars prescribed above may be recorded on such envelope or container or in such statement in code which code shall be fully set out and explained in an accompanying notice or in a notice kept posted in some conspicuous place in the establishment, accessible to all employees affected thereby;

(ii) at the employee's written request the amount due to him may be paid into his building society or bank account by his employer who shall however hand to him the aforementioned statement;

(iii) the information relating to paragraphs (d), (e) and (f) need not be furnished in respect of an employee who is excluded from the hours of work provisions by virtue of clause 5 (7) (a).

(2) *Casual employees.*—An employer shall pay the remuneration due to a casual employee in cash on termination of his employment, but at least once a week.

(3) *Premiums.*—Subject to any other law no payment by or on behalf of an employee shall be accepted by an employer, either directly or indirectly, in respect of the employment or training of that 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) *Accommodation, meals and rations.*—Subject to any other law, an employer shall not require his employee to accept accommodation, meals or rations from him or from any person or at any place nominated by him.

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

(a) With the written consent of the employee, a deduction for any holiday, sick, medical, insurance, savings, provident or pension fund, or in respect of subscriptions to a trade union 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;

(b) except where otherwise provided in this determination, whenever an employee is absent from work, other than at the instance 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 is required by law or agrees to accept accommodation, meals or rations from his employer, a deduction not exceeding the following amounts:

	Per week	Per month
	R	R
(i) Accommodation.....	1,50	6,50
(ii) Meals and/or rations	3,00	13,00
(iii) Accommodation and meals and/or rations	4,50	19,50;

(e) whenever the ordinary hours of work are reduced because 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 a slackness of trade or shortage of raw materials or packing 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) met die skriftelike toestemming van 'n werknemer, enige bedrag wat 'n werkgever betaal het of onderneem het om te betaal aan—

(i) enige bankinstelling, bouvereniging, versekeringsonderneming, geregistreerde finansiële instelling, plaaslike owerheid of die Staat ten opsigte van 'n lening aan sodanige werknemer toegestaan om 'n woning te bekom;

(ii) enige organisasie of liggaam ten opsigte van die huur van 'n woning of akkommodasie in 'n hostel deur sodanige werknemer geokkupeer as sodanige woning of hostel voorsien is deur bemiddelling van sodanige organisasie of liggaam geheel of gedeeltelik uit fondse voorgeskië vir daardie doel deur die Staat of 'n liggaam bedoel in subparagraaf (i);

(g) met die skriftelike toestemming van 'n werknemer, enige bedrag wat die werkgever aan hom geleen of voorgeskië het: Met dien verstande dat 'n aftrekking ter terugbetaling van enige sodanige lening of voorskot, hoogstens een derde van die totale besoldiging mag wees van wat op die betrokke betaaldag aan die werknemer verskuldig is en met dien verstande voorts dat geen sodanige aftrekking gemaak mag word vir enige tydperk waartydens die werknemer se loon ingevolge paragraaf (e) verminder is nie.

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

(1) *Gewone werkure.*—'n Werkgever mag nie van 'n werknemer, uitgesonderd 'n werknemer wat in 'n aaneenlopende bedrywigheid werksaam is, vereis of hom toelaat om meer gewone werkure te werk nie as, in die geval van—

(a) 'n *los werknemer* in 'n bedryfsinrigting waarin die werknemers gewoonlik werk op—

(i) nie meer as vyf dae per week nie, nege en 'n kwart op enige dag;

(ii) meer as vyf dae per week, agt en 'n half op enige dag;

(b) 'n *deeltydse klerk*—

(i) 30 per week van Maandag tot en met Saterdag; en

(ii) behoudens subparagraaf (i), ses op enige dag;

(c) 'n *sekuriteitswag of 'n wag*—

(i) 60 per week van Maandag tot en met Saterdag; en

(ii) behoudens subparagraaf (i), in die geval van 'n werknemer wat normaalweg op—

(aa) nie meer as vyf dae per week werk nie, 12 op enige dag;

(ab) meer as vyf dae per week werk, 10 op enige dag;

(d) *enige ander werknemer*—

(i) 46 per week van Maandag tot en met Saterdag; en

(ii) behoudens subparagraaf (i), in die geval van 'n werknemer wat normaalweg op—

(aa) nie meer as vyf dae per week werk nie, nege en 'n kwart op 'n dag;

(ab) meer as vyf dae per week werk, agt op enige dag, tensy die ure op een dag hoogstens vyf is, in welke geval die ure op eenigeen van die ander dae tot agt en 'n half verleng kan word.

(2) *Etenspouses.*—'n Werkgever mag nie van 'n werknemer vereis of hom toelaat om onafgebroke vir meer as vyf uur sonder 'n etenspouse van minstens een uur te werk nie en gedurende sodanige pouse mag daar nie van sodanige werknemer vereis word 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—

(a) 'n werkgever met sy werknemer onderling ooreen kan kom om die duur van sodanige pouse tot minstens 'n halfuur te verkort, welke ooreenkoms skriftelik moet wees;

(b) werktidperke wat onderbreek word deur pouses van minder as een uur, uitgesonderd waar voorbehoudbepaling (a) of (e) van toepassing is, geag word aaneenlopend te wees;

(c) as sodanige pouse langer as een uur duur, uitgesonderd waar voorbehoudbepaling (g) van toepassing is, enige tyd wat een en 'n kwart uur te bowe gaan, geag word werktid te wees;

(d) slegs een sodanige pouse gedurende 'n werknemer se gewone werkure op 'n dag nie deel van die gewone werkure mag uitmaak nie;

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

(f) 'n drywer 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;

(f) with the written consent of an employee, a deduction of any amount which the employer has paid or has undertaken to pay to—

(i) any banking institution, building society, insurance business, registered financial institution, local authority or the State in respect of a payment on a loan granted to such employee to acquire a dwelling;

(ii) any organisation or body in respect of the rent of a dwelling or accommodation in a hostel occupied by such employee if such dwelling or hostel is provided through the instrumentality of such organisation or body wholly or partly from funds advanced for that purpose by the State or a body referred to in subparagraph (i);

(g) with the written consent of the employee, a deduction of any amount loaned or advanced to him by the employer: Provided that any deduction for the repayment of any such loan or advance shall not exceed one third of the total remuneration due to the employee on the pay-day concerned and provided further that no such deduction shall be made in respect of any period during which the employee's wage is reduced in terms of paragraph (3).

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

(1) *Ordinary hours of work.*—An employer shall not require or permit an employee other than an employee employed in a continuous activity, to work more ordinary hours of work than, in the case of—

(a) a *casual employee* in an establishment in which the employees normally work on—

(i) not more than five days in a week, nine and a quarter on any day;

(ii) more than five days in a week, eight and a half on any day;

(b) a *part-time clerk*—

(i) 30 in any week from Monday to Saturday, inclusive; and

(ii) subject to subparagraph (i), six on any day;

(c) a *security guard and a watchman*—

(i) 60 in any week from Monday to Saturday, inclusive; and

(ii) subject to subparagraph (i), in the case of an employee who normally works on—

(aa) not more than five days in a week, 12 on any day;

(ab) more than five days in a week, 10 on any day;

(d) *any other employee*—

(i) 46 in any week from Monday to Saturday, inclusive; and

(ii) subject to subparagraph (i), in the case of an employee who normally works on—

(aa) not more than five days in a week, nine and a quarter on any day;

(ab) more than five days in a week, eight on any day, unless the hours on one day do not exceed five, in which case the hours any of the other days may be extended to eight and a half.

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

(a) such interval may be reduced to not less than half an hour by mutual agreement between an employer and his employee, which shall be in writing;

(b) periods of work interrupted by intervals of less than one hour, except when proviso (a) or (e) applies, shall be deemed to be continuous;

(c) if such interval is longer than one hour except when proviso (g) applies, any period in excess of one and one quarter hours shall be deemed to be time worked;

(d) 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;

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

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

(g) in die geval van 'n werknemer wat uitsluitlik of hoofsaaklik betrokke is by die skoonmaak van persele indien sodanige pouse langer as drie uur is, enige tydperk wat drie uur te bowe gaan, geag word deel van die gewone werkure uit te maak;

(h) sodanige pouse nie toegestaan hoef te word nie aan 'n werknemer wat taakwerk verrig en wat die taak wat aan hom toegewys is, op enige dag voltooi binne sewe agtereenvolgende ure bereken vanaf die tyd waarop hy op daardie dag met die werk begin het en van wie daar nie vereis word of wat nie toegelaat word om enige ander werk op sodanige dag te verrig nie;

(i) sodanige pouse nie aan 'n werknemer wat in 'n aaneenlopende bedrywigheid werksaam is of skofwerker gedurende sy gewone werkure in enige skof toegestaan hoef te word nie indien daar gedurende sodanige werkure aan hom die geleentheid gegee word om 'n ete te nuttig terwyl hy op sy pos bly, tensy dit ingevolge enige wetgewing verbied word.

(3) *Ruspouses.*—'n Werkgewer moet, so na as doenlik aan die middel van elke eerste en tweede werktydperk van die dag, aan elkeen van sy werknemers, uitgesonderd 'n werknemer wat in 'n aaneenlopende bedrywigheid werksaam is, 'n ruspouse van minstens 10 minute toestaan waarin daar nie van sodanige werknemer vereis of hy nie toegelaat mag word om werk te verrig nie, en daar word geag dat so 'n pouse deel van die gewone werkure van so 'n werknemer uitmaak.

(4) *Werkure moet agtereenvolgend wees.*—Behoudens subklousule (2) en (3) moet alle werkure van 'n werknemer op elke dag agtereenvolgend wees.

(5) *Beperking van oortydwerk.*—'n Werkgewer mag nie van 'n werknemer vereis of hom toelaat om oortyd te werk nie behalwe ingevolge 'n ooreenkoms wat hy met die werknemer aangegaan het en met dien verstande dat sodanige oortyd nie meer is nie as, in die geval van—

- (a) 'n los werknemer, drie uur op 'n dag;
- (b) 'n sekuriteitswag of 'n wag, 12 uur in 'n week;
- (c) enige ander klas werknemer—

(i) wat gewoonlik nie op Saterdag werk nie, drie uur op enige werkdag, vyf uur op enige Saterdag en tien uur in enige week;

(ii) wat gewoonlik op Saterdag werk, drie uur op enige dag en tien uur in enige week;

Met dien verstande dat die beperkings in paragraaf (c) genoem, nie van toepassing is nie op 'n drywer of 'n werknemer wat 'n motorvoertuig vergesel of daarop hulp verleen wanneer dit oor 'n afstand van meer as 480 km in een rigting vanaf die vertrekpunt na die bestemming gedryf word; en met dien verstande verder dat die gewone werkure van sodanige voertuigpersoneel tesame met enige oortyd wat gewerk is, in so 'n geval nie 14 uur ten opsigte van enige sodanige werknemer op enige dag oorskry nie.

(6) *Betaling vir oortydwerk.*—(a) 'n Werkgewer moet 'n werknemer, uitgesonderd 'n los werknemer of 'n werknemer wat in 'n aaneenlopende bedrywigheid werksaam is, wat oortyd werk, betaal teen 'n skaal van minstens—

(i) een en 'n derde maal sy uurloon ten opsigte van die totale tydperk wat nie 10 uur in enige week oorskry nie;

(ii) een en 'n half maal sy uurloon ten opsigte van die ure wat 10 per week oorskry,

aldus deur sodanige werknemer gewerk.

(b) 'n Werkgewer moet 'n los werknemer wat oortyd werk, betaal teen 'n skaal van minstens een en 'n derde maal sy uurloon ten opsigte van die totale tydperk op enige dag gewerk.

(7) *Voorbehoudsbepalings.*—(a) Hierdie klousule is nie van toepassing nie op—

(i) 'n reisende verteenwoordiger of 'n reisende verteenwoordiger se assistent;

(ii) 'n werknemer wat uitsluitlik of hoofsaaklik in diens is vir die kook van rantsone in 'n kampongkombuis en wie se werkgewer aan hom 'n vry periode van 24 agtereenvolgende ure in elke week diens toestaan: Met dien verstande dat—

(aa) hy geen bedrag van sodanige werknemer se loon ten opsigte daarvan aftrek nie;

(ab) 'n werkgewer, in plaas van sodanige werknemer enige sodanige vry periode toe te staan, sodanige werknemer die loon kan betaal wat hy sou ontvang het indien hy nie gedurende sodanige periode gewerk het nie, plus 'n bedrag van minstens dubbel sy dagloon ten opsigte van sodanige periode wat nie toegestaan is nie;

(g) in the case of an employee who is wholly or mainly engaged in cleaning premises if such interval is longer than three hours, any period in excess of three hours shall be deemed to form part of the ordinary hours of work;

(h) such interval need not be granted to an employee who is employed on task work and completes the task allotted to him on any day within seven consecutive hours calculated from the time he commenced work on that day and who is not required or permitted to perform any other work on such day;

(i) such interval need not be granted to an employee employed in a continuous activity or shift worker during his ordinary hours of work on any shift, if he is given the opportunity during such hours of having a meal while at his post, unless this is prohibited in terms of any legislation.

(3) *Rest intervals.*—An employer shall grant to his employees, other than an employee employed in a continuous activity, a rest interval of not less than 10 minutes as nearly as practicable in the middle of each first work period and second work period of the day, and during such interval the 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.

(4) *Hours of work to be consecutive.*—Save as provided in subclauses (2) and (3), all hours of work of an employee on any day shall be consecutive.

(5) *Limitation of overtime.*—An employer shall not require or permit an employee to work overtime other than in accordance with an agreement concluded with the employee and such overtime shall not exceed, in the case of—

- (a) a casual employee, three hours on any day;
- (b) a security guard or a watchman, 12 hours in any week;
- (c) any other class of employee—

(i) who does not ordinarily work on Saturdays, three hours on any week-day, five hours on any Saturday and 10 hours in any week;

(ii) who ordinarily works on Saturdays, three hours on any day and 10 hours in any week;

Provided that the limitations contained in paragraph (c) shall not apply to a driver or an employee providing assistance on or accompanying the motor vehicle when it is driven over a distance of more than 480 km in one direction from the point of departure to the destination; and provided further that, in that event, the ordinary hours of work of such vehicle staff together with any overtime worked shall not exceed 14 hours in respect of any such employee on any day.

(6) *Payment for overtime.*—(a) An employer shall pay an employee, other than a casual employee or an employee employed in a continuous activity, who works overtime, at a rate of not less than—

(i) one and a third times his hourly wage in respect of the total period not exceeding 10 hours in any week;

(ii) one and a half times his hourly wage in respect of the hours in excess of 10 hours in any week,

so worked by such employee.

(b) An employer shall pay a casual employee who works overtime at a rate of not less than one and a third times his hourly wage in respect of the period so worked on any day.

(7) *Savings.*—(a) This clause shall not apply to—

(i) a travelling representative or a travelling representative's assistant;

(ii) an employee who is wholly or mainly engaged in cooking rations in a compound kitchen, whose employer grants him a free period of 24 consecutive hours in every week of employment: Provided that—

(aa) he makes no deduction from such employee's wage in respect thereof;

(ab) an employer may, in lieu of granting such employee any such free period, pay such employee 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;

(iii) enige ander klas werknemer indien hy en vir so lank as wat hy 'n loon ontvang—

(aa) van minstens R2 000 per maand in die volgende gebiede:

Transvaal.—Die landdrostrikte Alberton, Benoni, Boksburg, Brakpan, Germiston, Heidelberg, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Oberholzer, Potchefstroom, Pretoria, Randburg, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Westonaria en Wonderboom en die munisipale gebied van Witbank;

Kaaprovinsie.—Die landdrostrikte Bellville, Die Kaap, Goodwood, Kuilsrivier, Oos-Londen, Paarl, Port Elizabeth, Simonstad, Somerset-Wes, Stellenbosch, Strand, Uitenhage en Wynberg en die munisipale gebied van Kimberley;

Natal.—Die landdrostrikte Chatsworth, Durban, Inanda, Pietermaritzburg en Pinetown;

Oranje-Vrystaat.—Die munisipale gebiede van Bloemfontein, Odendaalsrus, Sasolburg, Virginia en Welkom;

(ab) van minstens R1 850 per maand in die volgende gebiede:

Transvaal.—Die landdrostrikte Brits, Delmas, Ermelo, Hoëveldrif, Lichtenburg, Middelburg, Nelspruit, Pietersburg, Potgietersrus, Rustenburg en Witrivier;

Kaaprovinsie.—Die landdrostrikte Albany, George, King William's Town, Knysna, Malmesbury, Moorreesburg, Mosselbaai, Oudtshoorn, Vryburg, Worcester en die gebied binne 'n straal van 40 km van die Stadsaal, Upington;

Natal.—Die landdrostrikte Camperdown, Dannhauser, Dundee, Estcourt, Glencoe, Kliprivier, Lower Tugela, Lower Umfolozi, Newcastle, Port Shepstone, Umzinto en Vryheid;

Oranje-Vrystaat.—Die landdrostrikte Bethlehem, Harrismith en Kroonstad;

(ac) van minstens R1 700 per maand in 'n gebied wat nie in (aa) of (ab) hierbo genoem word nie.

(b) Subklousules (2), (3), (4) en (5) is nie van toepassing op 'n werknemer terwyl hy noodwerk verrig nie.

(c) Subklousule (3) is nie van toepassing nie op 'n ketelbediener, 'n chauffeur, 'n drywer of 'n werknemer wat sodanige drywer vergesel.

(d) Subklousules (2) en (3) is nie van toepassing nie op 'n sekuriteitswag of 'n wag, met dien verstande dat indien aan so 'n werknemer 'n etenspouse toegelaat word, die tydskuur van sodanige etenspouse as tyd wat hy gewerk het, beskou sal word.

6. JAARLIKSE VERLOF

(1) Behoudens subklousule (3), moet 'n werkgewer aan sy werknemer, uitgesonderd 'n los werknemer, ten opsigte van elke voltooiende tydperk van 12 maande diens by die werkgewer verlof verleen en die werknemer moet die verlof neem, soos volg:

(a) Aan 'n reisende verteenwoordiger en 'n reisende verteenwoordiger se assistent wat by die uitvoering van sy pligte van sy woonplek en sy werkgewer se bedryfsinrigting afwesig is—

(i) ten minste drie nagte per maand, gemiddeld, en wat gewoonlik op—

(aa) nie meer as vyf dae per week werk nie, 20 agtereenvolgende werkdade;

(ab) meer as vyf dae per week werk, 24 agtereenvolgende werkdade;

(ii) minder as drie nagte per maand, gemiddeld, en wat gewoonlik op—

(aa) nie meer as vyf dae per week werk nie, 15 agtereenvolgende werkdade;

(ab) meer as vyf dae per week werk, 18 agtereenvolgende werkdade;

(b) aan 'n sekuriteitswag en 'n wag wie se gewone werkure—

(i) 48 in 'n week oorskry en wat gewoonlik op—

(aa) nie meer as vyf dae per week werk nie, 20 agtereenvolgende dae;

(ab) meer as vyf dae per week werk, 24 agtereenvolgende werkdade;

(iii) an employee if and for so long as he is in receipt of a regular wage of—

(aa) not less than R2 000 per month in the following areas:

Transvaal.—The Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Germiston, Heidelberg, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Oberholzer, Potchefstroom, Pretoria, Randburg, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Westonaria and Wonderboom and the municipal area of Witbank;

Cape.—The Magisterial Districts of Bellville, East London, Goodwood, Kuils River, Paarl, Port Elizabeth, Simon's Town, Somerset West, Stellenbosch, Strand, The Cape, Uitenhage and Wynberg and the municipal area of Kimberley;

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

Orange Free State.—The municipal areas of Bloemfontein, Odendaalsrus, Sasolburg, Virginia and Welkom;

(ab) not less than R1 850 per month in the following areas:

Transvaal.—The Magisterial Districts of Brits, Delmas, Ermelo, Highveld Ridge, Lichtenburg, Middelburg, Nelspruit, Pietersburg, Potgietersrus, Rustenburg and White River;

Cape.—The Magisterial Districts of Albany, George, King William's Town, Knysna, Malmesbury, Moorreesburg, Mossel Bay, Oudtshoorn, Vryburg and Worcester and the area within a radius of 40 km from the City Hall, Upington;

Natal.—The Magisterial Districts of Camperdown, Dannhauser, Dundee, Estcourt, Glencoe, Klip River, Lower Tugela, Lower Umfolozi, Newcastle, Port Shepstone, Umzinto and Vryheid;

Orange Free State.—The Magisterial Districts of Bethlehem, Harrismith and Kroonstad;

(ac) not less than R1 700 per month in any area not included in paragraphs (aa) and (ab) hereof.

(b) Subclauses (2), (3), (4) and (5) shall not apply to an employee while he is engaged on emergency work.

(c) Subclause (3) shall not apply to a boiler attendant, a chauffeur, a driver or an employee who accompanies such driver.

(d) Subclauses (2) and (3) shall not apply to a security guard or a watchman: Provided that if such an employee is allowed a meal interval, the time taken up by such interval shall, for the purpose of subclause (1), be regarded as time worked by him.

6. ANNUAL LEAVE

(1) Subject to subclause (3), an employer shall grant to his employee, other than a casual employee, and the employee shall take, in respect of each completed period of 12 months of employment with the employer, leave as follows:

(a) To a travelling representative and a travelling representative's assistant who in the performance of his duties has been absent from his place of residence and the employer's establishment for—

(i) at least three nights per month, on average, and who normally works on—

(aa) not more than five days in a week, 20 consecutive work-days;

(ab) more than five days in a week, 24 consecutive work-days;

(ii) less than three nights per month, on average, and who normally works on—

(aa) not more than five days in a week, 15 consecutive work-days;

(ab) more than five days in a week, 18 consecutive work-days;

(b) to a security guard and a watchman whose ordinary hours of work—

(i) exceed 48 in a week and who normally works on—

(aa) not more than five days in a week, 20 consecutive work-days;

(ab) more than five days in a week, 24 consecutive work-days;

(ii) *nie 48 in 'n week oorskry nie* en wat gewoonlik op—

(aa) *nie meer as vyf dae in 'n week werk nie*, 15 agtereenvolgende werkdag;

(ab) *meer as vyf dae in 'n week werk*, 18 agtereenvolgende werkdag;

(c) *aan 'n werknemer wat uitsluitlik of hoofsaaklik in diens is vir die kook van rantsoene in 'n kampongkombuis, wat gewoonlik op—*

(i) *nie meer as vyf dae in 'n week werk nie*, 20 agtereenvolgende werkdag;

(ii) *meer as vyf dae in 'n week werk*, 24 agtereenvolgende werkdag;

(d) *aan enige ander werknemer wat gewoonlik op—*

(i) *nie meer as vyf dae in 'n week werk nie*, 15 agtereenvolgende werkdag;

(ii) *meer as vyf dae in 'n week werk*, 18 agtereenvolgende werkdag.

(2) (a) Die werkgever moet die werknemer ten opsigte van die verlof soos voorgeskryf by subklousule (1) betaal, in die geval van 'n werknemer bedoel in—

(i) subklousule (1) (a) (i), (1) (b) (i) of (1) (c), 'n bedrag van minstens vier maal; en

(ii) subklousule (1) (a) (ii), (1) (b) (ii), of (1) (d), 'n bedrag van minstens drie maal,

die weekloon wat die werknemer onmiddellik voor die aanvangsdatum van die verlof ontvang het.

(b) 'n Werknemer wat voordat subklousule (1) in werking getree het, geregtig geword het op 'n langer tydperk jaarlikse verlof as wat daarin voorgeskryf word, sal die reg op sodanige verlof behou terwyl hy by dieselfde werkgever in diens was.

(3) Die verlof by subklousule (1) voorgeskryf, moet toegestaan en geneem word, na gelang van die geval, op 'n tyd wat die werkgever bepaal: Met dien verstande dat—

(a) as sodanige verlof nie eerder toegestaan is nie, dit, behoudens subklousule (4), so toegestaan en geneem 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 moet toestaan en die werknemer die verlof moet neem met ingang van 'n datum uiterlik twee maande na die verstryking van genoemde tydperk van vier maande;

(b) die tydperk van verlof nie mag saamval nie met enige tydperk—

(i) wat 'n werknemer afwesig is met siekteverlof ingevolge klousule 7 of weens ongeskiktheid in die omstandighede uiteengesit in klousule 7 (4) (a) of (b), en wat altesaam hoogstens 15 weke in 'n tydperk van 12 maande beloop;

(ii) waartydens die werknemer onder kennisgewing van diensbeëindiging ingevolge klousule 12 is;

(iii) wat 'n werknemer vir militêre diens afwesig is;

(c) 'n werkgever al die dae geleentheidsverlof wat op die skriftelike versoek van sy werknemer met volle besoldiging aan hom toegestaan is gedurende die tydperk van diens waarop die jaarlikse verlof betrekking het, van sodanige verloftydperk kan aftrek.

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

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

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

(b) Subklousule (3) is *mutatis mutandis* van toepassing op die verlof in hierdie subklousule bedoel.

(5) Die besoldiging ten opsigte van die verlof voorgeskryf by subklousule (1), gelees met subklousule (4) en met subklousule (9), moet uiterlik op die laaste werkdag voor die aanvangsdatum van die verlof of, op die skriftelike versoek van die werknemer, uiterlik op die eerste betaaldag na verstryking van die verlof, betaal word.

(ii) *do not exceed 48 in a week and who normally works on—*

(aa) *not more than five days in a week*, 15 consecutive work-days;

(ab) *more than five days in a week*, 18 consecutive work-days;

(c) *to an employee who is wholly or mainly engaged in cooking rations in a compound kitchen and who normally works on—*

(i) *not more than five days in a week*, 20 consecutive work-days;

(ii) *more than five days in a week*, 24 consecutive work-days;

(d) *to any other employee who normally works on—*

(i) *not more than five days in a week*, 15 consecutive work-days;

(ii) *more than five days in a week*, 18 consecutive work-days.

(2) (a) The employer shall pay his employee in respect of the leave prescribed in subclause (1), in the case of an employee referred to—

(i) subclause (1) (a) (i), (1) (b) (i) or (1) (c), an amount of not less than four times; and

(ii) subclause (1) (a) (ii), (1) (b) (ii) or (1) (d), 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.

(b) An employee who before subclause (1) became binding had become entitled to a longer period of annual leave than is therein prescribed, shall retain such leave entitlement while employed by the same employer.

(3) The leave prescribed in subclause (1) shall be granted and be taken, as the case may be, at a time to be fixed by the employer: Provided that—

(a) if such leave has not been granted earlier, it shall, save as provided in subclause (4), be granted and be taken 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 shall grant such leave to the employee and the employee shall take such leave as from a date not later than two months after the expiration of the said period of four months;

(b) the period of leave shall not be concurrent with—

(i) any period of sick leave in terms of clause 7 or with absence from work owing to incapacity in the circumstances set out in clause 7 (4) (a) or (b), amounting in the aggregate in any period of 12 months to not more than 15 weeks;

(ii) any period during which the employee is under notice of termination of employment in terms of clause 12;

(iii) any period during which the employee is doing military service;

(c) 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 employment to which the annual leave relates.

(4) (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 that—

(i) 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) 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.

(b) Subclause (3) shall *mutatis mutandis* apply to the leave referred to in this subclause.

(5) The remuneration in respect of the leave prescribed in subclause (1), read with subclause (4), and with subclause (9), shall be paid not later than the last work-day before the date of commencement of the leave or, at the written request of the employee, not later than the first pay-day after the expiration of the leave.

(6) Aan 'n werknemer wie se diens gedurende enige diensternyn van 12 maande eindig voordat die verloftydperk voorgeskryf by subklousule (1) ten opsigte van so 'n termyn opgeloopt het en geneem is, moet daar by sodanige diensbeëindiging, benewens enige ander besoldiging wat aan hom verskuldig is, vir elke voltooide maand van sodanige diensternyn 'n bedrag betaal word van minstens, in die geval van, 'n werknemer in—

(a) subklousule (1) (a) (ii), (1) (b) (ii) of (1) (d) bedoel, een kwart; en

(b) subklousule (1) (a) (i), (1) (b) (i) of (1) (c) bedoel, een derde van die weekloon wat hy onmiddellik voor die datum van sodanige diensbeëindiging ontvang het: Met dien verstande dat 'n werkgewer ten opsigte van al die dae geleentheidsverlof wat op die skriftelike versoek van sy werknemer met volle besoldiging aan hom toegestaan is, 'n eweredige bedrag kan aftrek: Met dien verstande voorts dat 'n werknemer nie op enige besoldiging uit hoofde van hierdie klousule geregtig is nie indien hy sy diens verlaat sonder om die kennis te gee en die kennisgewingstermyn uit te dien wat by klousule 12 voorgeskryf word, tensy—

(i) 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) hy, deur nie kennis te gee en nie die kennisgewingstermyn uit te dien nie, binne sy wetlike regte opgetree het.

(7) 'n Werknemer wat geregtig geword het op 'n tydperk van verlof voorgeskryf by subklousule (1), gelees met subklousule (4), en wie se diens eindig voordat sodanige verlof toegestaan en geneem 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 toegestaan en deur hom geneem is.

(8) By die toepassing van hierdie klousule—

(a) is die weekloon op enige datum van 'n werknemer wat op stukwerk of kommissie werk in diens is, sy gemiddelde weeklikse besoldiging vir die voorafgaande 13 weke, of indien 'n korter tydperk gewerk is, vir die getal voltooide weke wat aldus gewerk is;

(b) word die uitdrukings “diens” en “diensternyn” geag te omvat—

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

(ii) enige tydperk van altesaam hoogstens 15 weke in enige tydperk van 12 maande wat 'n werknemer afwesig is—

(aa) met verlof ingevolge hierdie klousule;

(ab) met siekteverlof ingevolge klousule 7 of weens ongeskiktheid in die omstandighede uiteengesit in klousule 7 (4) (a) of (b);

(ac) op las of versoek van sy werkgewer; en

(c) enige tydperk wat 'n werknemer afwesig is vir militêre diens: Met dien verstande dat 'n werknemer nie daarop geregtig is om in enige tydperk van 12 maande diens meer as vier maande van sodanige militêre diens as diens te eis nie;

en word diens geag te begin, in die geval van—

(aa) 'n werknemer wat, voordat hierdie vasstelling van krag geword het, kragtens enige wet op 'n tydperk van jaarlikse verlof geregtig geword het, op die datum waarop hy laas kragtens daardie wet op verlof geregtig geword het;

(ab) 'n werknemer wat, voordat hierdie vasstelling van krag geword het, 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;

(ac) enige ander werknemer, op die datum waarop sodanige werknemer by sy werkgewer in diens getree het of op die datum waarop hierdie vasstelling van krag geword het, en wel op die jongste van die twee datums.

(9) (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 bedryfsinrigting vir 21 agtereenvolgende dae sluit, of 'n aktiwiteit vir 21 agtereenvolgende dae staak en in daardie geval moet hy sy werknemer kragtens subklousule (2) (a) of kragtens paragraaf (c) hiervan, na gelang van die geval, besoldig.

(6) 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 and been taken 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 in the case of an employee referred to in—

(a) subclause (1) (a) (ii), (1) (b) (ii) or (1) (d), one fourth; and

(b) subclause (1) (a) (i), (1) (b) (i) or (1) (c) one third, 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 occasional leave granted to an employee on full pay at the employee's written request: Provided further that an employee shall not be entitled to any payment by virtue of this subclause if he leaves his employment without having given and served the period of notice prescribed in clause 12, unless—

(i) the employer has waived such notice or the employee has paid the employer upon termination or prior to termination of service in lieu of notice; or

(ii) in failing to give and serve such notice he was acting within his legal rights.

(7) An employee who has become entitled to a period of leave prescribed in subclause (1), read with subclause (4), and whose employment terminates before such leave has been granted and been taken, shall upon such termination be paid the amount he would have received in respect of the leave had the leave been granted to and taken by him as at the date of the termination.

(8) For the purposes of this clause—

(a) the weekly wage at any date of an employee who is engaged on piece work or commission work is his average weekly remuneration for the preceding 13 weeks or, if a lesser period has been worked, for the number of completed weeks so worked;

(b) the expressions “employment” and “period of employment” shall be deemed to include—

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

(ii) any period amounting in the aggregate in any period of 12 months, to not more than 15 weeks during which an employee is absent—

(aa) on leave in terms of this clause;

(ab) on sick leave in terms of clause 7 or owing to incapacity in the circumstances set out in clause 7 (4) (a) or (b);

(ac) at the instance of his employer; and

(c) any period during which an employee is absent from work while on military service: Provided that an employee shall not be entitled to claim as employment in any one period of 12 months' employment, more than four months of such service;

and employment shall be deemed to commence, in the case of—

(aa) an employee who, before this determination became binding, had become entitled to a period of annual leave in terms of any law, on the date on which he last became entitled to leave under that law;

(ab) an employee who was in employment before this determination became binding 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;

(ac) any employee, on the date on which such employee entered his employer's service or on the date on which this determination became binding, whichever is the later.

(9) (a) Notwithstanding anything to the contrary contained in this clause, an employer may for the purposes of annual leave, at any time, but not more than once in any period of 12 months, close his establishment for 21 consecutive days or suspend an activity for 21 consecutive days and in that case he shall remunerate his employee in terms of subclause (2) (a) or in terms of paragraph (c) hereof, as the case may be.

(b) Wanneer 'n betaalde feesdag, soos omskryf, op 'n dag val wat andersins vir die werknemer 'n werkdag sou gewees het en wat binne die geslote tydperk bedoel in paragraaf (a) val, moet nog 'n werkdag by genoemde geslote of stakingstydperk gevoeg word as 'n verdere verloftyd en die werknemer moet 'n bedrag van minstens sy dagloon betaal word ten opsigte van elke sodanige dag bygevoeg.

(c) 'n Werknemer wat op die datum waarop 'n bedryfsinrigting of 'n aktiwiteit waarin hy werksaam is, sluit of gestaak word, nie geregtig is nie op die volle tydperk van die jaarlikse verlof voorgeskryf by subklousule (1), moet, ten opsigte van enige verlof wat aan hom verskuldig is, deur sy werkgever betaal word op die grondslag in subklousule (6) vermeld, en vir die doel van jaarlikse verlof daarna word sy diens geag te begin op die datum waarop die bedryfsinrigting of aktiwiteit aldus sluit of gestaak word.

7. SIEKTEVERLOF

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

(a) 'n werknemer wat normaalweg op nie meer as vyf dae per week werk nie, minstens 30 werkdade, en

(b) enige ander werknemer, minstens 36 werkdade,

gedurende elke tydkring van 36 agtereenvolgende maande diens by hom, en moet hy die 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 tydkring van 36 agtereenvolgende maande diens nie op meer siekteverlof met volle besoldiging geregtig is nie as, in die geval van 'n werknemer wat nie op meer as vyf dae per week werk nie, 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) wanneer 'n werknemer gedurende sodanige eerste tydkring by dieselfde werkgever weens ongeskiktheid vir 'n langer tydperk afwesig is as die siekteverlof wat hom ten tyde van sodanige ongeskiktheid toekom, hy geregtig is op besoldiging vir slegs dié siekteverlof wat hom dan toekom; maar sy werkgever moet, as hy dit nie reeds gedoen het nie, by verstryking van gemelde dienstydkring of by diensbeëindiging voor sodanige verstryking, hom ten opsigte van sodanige langer tydperk van afwesigheid weens ongeskiktheid uitbetaal teen die loon waarop die werknemer by die aanvang van die ongeskiktheid geregtig was, vir sover die siekteverlof wat hom ten tyde van sodanige verstryking of beëindiging toekom, nog nie geneem is nie;

(iii) wanneer 'n werkgever ingevolge enige wet gelde vir mediese of hospitaalbehandeling 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) die loon wat aan 'n werknemer wat op stukwerk of kommissiewerk in diens is, vir 'n tydperk van afwesigheid met siekteverlof ingevolge hierdie klousule betaal moet word, bereken moet word op die grondslag van minstens sy gemiddelde besoldiging vir die 13 weke wat die aanvang van sy siekteverlof voorafgaan of indien 'n korter tydperk gewerk is, vir die aantal voltooide weke wat gewerk is.

(2) 'n Werkgever kan, 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 twee agtereenvolgende werkdade, of

(b) op die werkdag onmiddellik voor of die werkdag onmiddellik na 'n Sondag of 'n betaalde feesdag, soos omskryf,

van die werknemer vereis om 'n sertifikaat voor te lê wat deur 'n geregistreerde mediese praktisyn onderteken is en waarin die aard en duur van die werknemer se ongeskiktheid vermeld word: Met dien verstande dat, wanneer 'n werknemer gedurende enige tydperk van hoogstens agt weke by twee of meer geleenthede besoldiging 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 kan vereis om so 'n sertifikaat ten opsigte van enige afwesigheid voor te lê.

(b) Whenever a paid holiday as defined falls on a day which otherwise would be a work-day for an employee and such paid holiday falls within the closed or suspension period referred to in paragraph (a), another work-day shall be added to the said closed or suspension 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.

(c) An employee who, at the date on which an establishment or activity in which he is employed is closed or suspended, is not entitled to the full period of annual leave prescribed in subclause (1) shall, in respect of any leave due to him, be paid by his employer on the basis set out in subclause (6), 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 suspension of the activity.

7. SICK LEAVE

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

(a) an employee who normally works on not more than five days per week, not less than 30 work days', and

(b) any other employee, not less than 36 work days',

sick leave during each cycle of 36 consecutive months of employment with him, and shall pay the 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 cycle of 36 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 on not more than five days in a 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) where, in such first cycle 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, at the rate of the employee's wage at the commencement of the incapacity;

(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) payment for any period of absence on sick leave in terms of this clause to an employee who is employed on piece-work or commission work shall be at the rate of the employee's average remuneration for the 13 weeks preceeding the commencement of the sick leave or, if a lesser period has been worked, for the number of completed weeks so worked.

(2) An employer may, as 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 two consecutive work-days;

(b) on the work-day immediately preceding or the work-day immediately succeeding a Sunday or a paid holiday as defined,

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 from work.

(3) By die toepassing van hierdie klousule—

(a) word die uitdrukking “diens” geag te omvat—

(i) enige tydperk van altesaam hoogstens 30 weke in enige tydkring van 36 maande wat 'n werknemer afwesig is—

(aa) met verlof ingevolge klousule 6;

(ab) op aandrang van sy werkgever;

(ac) met siekteverlof ingevolge subklousule (1) of weens ongeskiktheid weens omstandighede uiteengesit in subklousule (4);

(ii) enige tydperk wat 'n werknemer afwesig is vir militêre diens: Met dien verstande dat 'n werknemer nie geregtig is om in enige tydperk van 12 maande diens meer as vier maande van sodanige afwesigheid as diens te eis nie;

(iii) enige dienstydperk by dieselfde werkgever onmiddellik voor die datum waarop hierdie vasstelling van krag geword het en alle siekteverlof wat met volle besoldiging aan so 'n werknemer gedurende sodanige tydperk toegestaan is, word geag ingevolge hierdie vasstelling toegestaan te gewees het;

(b) beteken “ongeskiktheid” onvermoë om te werk weens siekte of besering, behalwe siekte of besering wat deur 'n werknemer se eie wan-gedrag veroorsaak is: Met dien verstande dat sodanige onvermoë om te werk wat veroorsaak is deur 'n ongeval of vergoedingspligtige siekte soos omskryf in artikel 2 van die Ongevalwet, 1941 (Wet 30 van 1941), as ongeskiktheid beskou word slegs gedurende enige tydperk ten opsigte waarvan geen betaling vir arbeidsongeskiktheid ingevolge daardie wet betaalbaar is nie.

(4) Voorbehoudsbepalings.—Hierdie klousule is nie van toepassing nie—

(a) op 'n werknemer op wie se skriftelike versoek 'n werkgever bydraes wat minstens gelyk is aan dié van die werknemer, betaal aan 'n fonds of organisasie wat deur die werknemer aangewys is, welke fonds of organisasie in die geval van ongeskiktheid in die omstandighede in hierdie klousule uiteengesit, aan die werknemer die betaling waarborg van 'n bedrag wat nie minder is as die loon betaalbaar ingevolge subklousule (1);

(b) ten opsigte van 'n tydperk van ongeskiktheid van 'n werknemer ten opsigte waarvan daar by 'n ander wet van die werkgever vereis word om die werknemer sy volle loon te betaal.

8. BETAALDE VAKANSIEDAE EN SONDAE

(1) Vergoeding vir werk op 'n betaalde vakansiedag.—(a) Wanneer 'n werknemer, uitgesonderd 'n los werknemer, nie op 'n betaalde vakansiedag, soos omskryf, werk nie en sodanige dag op 'n dag val wat vir hom andersins 'n gewone werkdag is, moet sy werkgever hom ten opsigte van daardie dag 'n bedrag minstens gelyk aan sy dagloon betaal.

(b) Wanneer 'n werknemer, uitgesonderd 'n los werknemer, op 'n betaalde vakansiedag, soos omskryf, werk moet sy werkgever hom ten opsigte van daardie dag 'n bedrag betaal minstens gelyk aan sy dagloon plus—

(i) 'n bedrag bereken teen 'n koers van minstens sy uurloon ten opsigte van elke uur of gedeelte van 'n uur wat hy op daardie dag gewerk het of 'n bedrag minstens gelyk aan sy dagloon, watter bedrag ook al die grootste is; of

(ii) 'n bedrag bereken teen 'n koers van minstens een derde van sy uurloon ten opsigte van elke uur of gedeelte van 'n uur wat hy op daardie dag gewerk het en aan hom, binne sewe dae na daardie dag, een dag verlof toestaan en ten opsigte van sodanige verlof 'n bedrag aan hom betaal wat nie minder is as sy dagloon.

(2) Vergoeding vir werk op 'n Sondag.—(a) Wanneer 'n werknemer, uitgesonderd 'n los werknemer op 'n Sondag werk en dié dag val op 'n betaalde vakansiedag soos omskryf, moet sy werkgever hom vir sodanige werk vergoed soos in subklousule (1) (b) bepaal.

(b) Wanneer 'n werknemer, uitgesonderd 'n los werknemer of 'n werknemer wat in 'n aaneenlopende bedrywigheid werksaam is, op 'n Sondag werk wat nie 'n betaalde vakansiedag soos omskryf is nie, moet sy werkgever hom—

(i) indien hy hoogstens vier uur gewerk het, 'n bedrag betaal minstens gelyk aan sy dagloon; of

(ii) indien hy langer as vier uur gewerk het, 'n bedrag betaal wat nie minder is as dié 'n bedrag teen 'n skaal van dubbel sy uurloon ten opsigte van elke uur of gedeelte van 'n uur wat hy op daardie Sondag werk, dié 'n bedrag gelyk aan minstens dubbel die dagloon, watter bedrag ook al die grootste is; of

(3) For the purposes of this clause the expression—

(a) “employment” shall be deemed to include—

(i) any period amounting in the aggregate, in any cycle of 36 months, to not more than 30 weeks, during which an employee is absent—

(aa) on leave in terms of clause 6;

(ab) at the instance of his employer;

(ac) on sick leave in terms of subclause (1) or owing to incapacity in the circumstances set out in subclause (4);

(ii) any period during which an employee is absent on military service: Provided that any employee shall not be entitled to claim as employment, in any period of 12 months' employment, more than four months of such service; and

(iii) any period of employment which an employee has had with the same employer immediately before the date on which this determination became binding, and any sick leave on full pay granted to such 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 scheduled disease as defined in section 2 of the Workmen's Compensation Act, 1941 (Act 30 of 1941), shall only be regarded as incapacity during any period in respect of which no disablement payment is payable in terms of the act.

(4) Savings.—This clause shall not apply—

(a) 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 an amount not less than the wage payable in terms of subclause (1);

(b) in respect of any period of incapacity of an employee in respect of which the employer is required by law to pay to the employee his full wage.

8. PAID HOLIDAYS AND SUNDAYS

(1) Compensation for work on a paid holiday.—(a) Whenever an employee, other than a casual employee, does not work on a paid holiday as defined and such day falls on a day which otherwise is an ordinary work-day for the employee, his employer shall pay him in respect of that day an amount equal to at least his daily wage.

(b) Whenever an employee, other than a casual employee, works on a paid holiday as defined, his employer shall pay him in respect of that day an amount equal to at least his daily wage, plus—

(i) an amount calculated at a rate of not less than his hourly wage in respect of every hour or part of an hour worked by him on that day, or an amount equal to at least his daily wage, whichever amount is the greater; or

(ii) an amount calculated at a rate of not less than one-third of his hourly wage in respect of every hour or part of an hour worked by him on that day, and grant to him, within seven days of such day, one day's leave and pay him in respect of such leave an amount of not less than his daily wage.

(2) Compensation for work on a Sunday.—(a) Whenever an employee, other than a casual employee, works on a Sunday and that day is also a paid holiday as defined, his employer shall compensate him for such work on the basis set out in subclause (1) (b).

(b) Whenever an employee, other than a casual employee or an employee employed in a continuous activity, works on a Sunday which is not also a paid holiday as defined, his employer shall pay him—

(i) if he so works for not more than four hours, an amount equal to at least his daily wage; or

(ii) if he so works for longer than four hours, an amount which shall not be less than either double his hourly wage rate in respect of every hour or part of an hour worked by him on such Sunday, or an amount equal to at least double his daily wage, whichever amount is the greater; or

(iii) 'n bedrag betaal bereken teen 'n koers van minstens een en een derde maal sy uurloon ten opsigte van die volle tyd wat hy op daardie Sondag werk en aan hom, binne sewe dae na daardie Sondag, een dag verlof toestaan en aan hom ten opsigte van sodanige verlof 'n bedrag betaal wat nie minder is nie as sy dagloon.

(3) Wanneer 'n werknemer vir 'n tydperk werk wat—

(a) gedeeltelik op 'n betaalde vakansiedag, soos omskryf, en gedeeltelik op 'n Sondag val; of

(b) gedeeltelik op 'n betaalde vakansiedag en gedeeltelik op 'n gewone werkdag val; of

(c) gedeeltelik op 'n Sondag en gedeeltelik op 'n gewone werkdag val,

word geag dat hy vir die doel van hierdie klousule die hele tydperk gewerk het op die dag waarop die grootste gedeelte van sodanige werktydperk val.

(4) *Vergoeding aan 'n los werknemer vir werk op 'n betaalde vakansiedag of 'n Sondag.*—Wanneer 'n los werknemer op 'n betaalde vakansiedag, soos omskryf, of 'n Sondag werk, moet sy werkgever hom ten opsigte van daardie dag 'n bedrag betaal, bereken teen 'n koers van dubbel sy uurloon vir elke uur of gedeelte van 'n uur wat hy op daardie dag gewerk het. Met dien verstande dat as 'n werknemer vir minder as vier uur op so 'n dag werk, daar geag word dat hy vier uur lank gewerk het.

(5) *Betaling.*—Die vergoeding wat ingevolge hierdie klousule aan 'n werknemer, uitgesonderd 'n los werknemer, betaalbaar is, moet aan hom uitbetaal word, nie later nie as die eersvolgende betaaldag na die dag ten opsigte waarvan die beloning betaalbaar is. 'n Los werknemer moet uitbetaal word soos in klousule 4 (2) bepaal.

(6) *Voorbehoudsbepalings.*—Behalwe subklousule (1) (a), is hierdie klousule nie van toepassing nie op 'n werknemer in klousule 5 (7) (a) vermeld.

9. STUKWERK EN KOMMISSIEWERK

(1) *Stukwerk.*—(a) 'n Werkgever kan wanneer hy 'n werknemer in diens neem of indien die werknemer reeds in sy diens is, nadat hy minstens een week vooraf aan sy werknemer kennis gegee het, enige stukwerkstelsel invoer, en sodanige werkgever moet, behoudens 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, ongeag die hoeveelheid werk wat verrig is, sodanige werknemer moet betaal, in die geval van—

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

(ii) 'n los werknemer, vir elke dag waarop stukwerk verrig word, minstens die bedrag wat die werkgever sodanige werknemer vir daardie dag sou moes betaal het as hy hom 'n tydloon betaal het.

(b) 'n Werkgever moet 'n lys van die tariewe in paragraaf (a) bedoel, op 'n opvallende plek in sy bedryfsinrigting opgeplak hou of hy kan in plaas daarvan elke werknemer voorsien van 'n brief wat deur of namens hom onderteken is waarin genoemde tariewe uiteengesit is.

(c) 'n Werkgever 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 minstens een maand kennis van sodanige voorname gee. Met dien verstande dat 'n werkgever en sy werknemer oor 'n langer kennisgewingstermyn ooreen kan kom, en in so 'n geval mag die werkgever nie vir 'n korter termyn as dié waaroor daar ooreengekom is, kennis gee nie.

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

(2) *Kommissiewerk.*—(a) 'n Werknemer wat volgens 'n ooreenkoms met sy werkgever kommissiewerk onderneem, moet, voordat sodanige werk begin, deur sy werkgever voorsien word van 'n juiste kopie van die ooreenkoms of 'n verklaring wat die bepalinge van die ooreenkoms bevat en wat moet insluit—

(i) die loon aan die werknemer betaalbaar, wat nie laer mag wees nie as dié wat by klousule 3 (1) en (4) vir 'n werknemer van sy klas en ondervinding voorgeskryf word, asook die kommissietarief en die voorwaardes waarop hy die reg daarop verkry;

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

(iii) die gebied waarin daar van die werknemer vereis word of hy toegelaat word om te werk; en

(iii) an amount calculated at a rate of not less than one and a third times his hourly wage in respect of every hour or part of an hour worked by him on such Sunday and grant to him, within seven days of such Sunday, one day's leave and pay him in respect of such leave an amount of not less than his daily wage.

(3) Whenever an employee works for a period which falls—

(a) partly on a paid holiday as defined and partly on a Sunday; or

(b) partly on a paid holiday and partly on an ordinary work-day; or

(c) partly on a Sunday and partly on an ordinary work-day,

he shall for the purposes of this clause be deemed to have worked the whole period on the day on which the major portion of such work period falls.

(4) *Compensation to a casual employee for work on a paid holiday or a Sunday.*—Whenever a casual employee works on a paid holiday as defined or on a Sunday, his employer shall pay him in respect of that day an amount calculated at a rate of not less than double his hourly wage for every hour or part of an hour worked by him on that day. Provided that if the employee works for less than four hours on such day, he shall be deemed to have worked for four hours.

(5) *Payment.*—The remuneration payable in terms of this clause to an employee, other than a casual employee, shall be paid to him not later than the pay-day immediately after the day in respect of which such remuneration is payable. A casual employee shall be remunerated as set out in clause 4 (2).

(6) *Savings.*—This clause, except subclause (1) (a), shall not apply to an employee referred to in clause 5 (7) (a).

9. PIECE-WORK AND COMMISSION WORK

(1) *Piece-work.*—(a) An employer may when engaging an employee or after at least one week's notice if the employee is already in his employ, introduce any piece-work system and, save as provided in clause 4 (6), such employer shall pay his employee, who is employed on such piece-work 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, in the case of—

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

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

(b) An employer shall keep posted up in a conspicuous place in his establishment a schedule of the rates referred to in paragraph (a) or he may in lieu thereof supply the employee with a letter signed by himself, or on his behalf, setting out the said rates.

(c) An employer who intends to cancel or amend any piecework system in operation or the rates applicable thereunder, shall give his employee 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.

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

(2) *Commission work.*—(a) An employee 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—

(i) the wage payable to the employee, which shall be not less than the wage prescribed in clause 3 (1) and (4) for an employee of his class and experience, the rate of the commission and the conditions of entitlement thereto;

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

(iii) the area in which the employee is required or permitted to work;

(iv) die dag waarop die kommissie wat deur die werknemer verdien is, voor die beëindiging van die dienskontrak betaal moet word: Met dien verstande dat sodanige betaaldag nie later nie as die laaste werkdag moet wees van die maand wat volg op die maand waarin die diens beëindig is.

(b) 'n Werkgewer mag nie 'n werknemer toelaat of van hom vereis om werk slegs op 'n kommissiebasis te onderneem nie. 'n Bedrag wat as kommissie aan 'n werknemer betaalbaar is volgens 'n ooreenkoms aangegaan ingevolge paragraaf (a) is afgesien van en bykomend by die loon daarin vermeld.

(c) Behoudens klousule 4 (6), moet 'n werkgewer sy werknemer minstens die besoldiging betaal waarvoor hulle ooreengekom het met dien verstande dat afgesien van die kommissie wat die werknemer verdien het, sy besoldiging vir enige tydperk minstens die loon waarna in paragraaf (b) verwys word, sal wees.

(d) Die besoldiging van die werknemer moet betaal word op die dag genoem in die ooreenkoms aangegaan ingevolge paragraaf (a) en die bepalingen van klousule 4 (1) is nie op sodanige betaling van toepassing nie.

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

10. VERBOD OP INDIENSNEMING

'n Werkgewer mag nie—

(a) iemand onder die ouderdom van 15 jaar in diens neem nie;

(b) van 'n swanger werknemer vereis of haar toelaat om te werk gedurende die tydperk wat vier weke voor die verwagte datum van haar bevalling begin en agt weke na die bevallingsdatum eindig nie.

11. UNIFORMS, OORPAKKE EN BESKERMENDE KLERE

'n Werkgewer moet enige uniform, oorpak, rubberstewels of ander beskermende klere 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 en sindelike toestand hou; en enige sodanige artikel bly die eiendom van die werkgewer: Met dien verstande dat 'n werkgewer van 'n werknemer kan vereis om sodanige artikel te was of te was en stryk in die werknemer se eie tyd, in welke geval die werkgewer sodanige werknemer 'n toelae moet betaal van minstens R1,00 per week vir elke week ten opsigte waarvan daar van die werknemer vereis word om sodanige artikel te dra.

12. BEËINDIGING 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 kennis; en

(b) na die eerste vier weke diens, minstens een week kennis van die beëindiging van die kontrak gee, wat skriftelik gedoen moet word uitgesonderd in die geval van 'n werknemer wat nie kan skryf nie, 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, in die geval van—

(i) een werkdag kennisgewing, minstens die dagloon, en

(ii) een week kennisgewing, minstens die weekloon

wat die werknemer ten tyde van sodanige beëindiging ontvang: Met dien verstande dat—

(aa) die reg van die werkgewer of sy werknemer om die kontrak op 'n regsgeldige grond sonder kennisgewing te beëindig;

(ab) 'n skriftelike ooreenkoms tussen die 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;

(ac) die werking van 'n verbeuring of boete wat volgens wet van toepassing is op 'n werknemer wat dros;

nie hierdeur geraak word nie: Met dien verstande voorts dat, indien die loon van sy 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 voorbehoudsbepaling (ab) van subklousule (1) bestaan, moet die betaling in plaas van kennisgewing eweredig wees aan die kennisgewingstermyn waarvoor daar ooreengekom is.

(iv) the day of payment of commission earned by the employee 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.

(b) An employer shall not require or permit an employee to undertake any work for him on the basis of commission only. Any amount payable to an employee as commission under an agreement entered into in terms of paragraph (a) shall be aside from and in addition to the wage therein stipulated.

(c) Save as provided in clause 4 (6), the employer shall pay his employee remuneration at not less than the rate agreed upon between them: Provided that, irrespective of the commission earned by the employee, his remuneration in respect of any period shall be not less than the wage referred to in paragraph (b).

(d) The employee's remuneration shall be paid on the day stipulated in the agreement referred to in paragraph (a), and the provisions of clause 4 (1) shall not apply in respect of such payment.

(e) An employer or an employee 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 employee in terms of clause 12.

10. PROHIBITION OF EMPLOYMENT

An employer shall not—

(a) employ any person under the age of 15 years;

(b) require or permit any female employee to work during the period commencing four weeks prior to the expected date of her confinement and ending eight weeks after the date of her confinement.

11. UNIFORMS, OVERALLS AND PROTECTIVE CLOTHING

An employer shall supply and maintain in serviceable and clean 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 required to provide for his employee; and any such uniform, overall, gumboots or other protective clothing shall remain the property of the employer: Provided that an employer may require an employee to wash or to wash and iron any such article in the employee's own time, in which event the employer shall pay the employee an allowance of not less than R1,00 per week for each week in respect of which he is required to wear the article.

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 workday's notice;

(b) after the first four weeks of employment, not less than one week's notice

of termination of contract, which shall be in writing except when given by an employee who is unable to write, 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, in the case of—

(i) one work-day's notice, the daily wage;

(ii) one week's notice, the weekly wage,

the employee is receiving at the time of such termination: Provided that this shall not affect—

(aa) the right of an employer or his employee to terminate the contract without notice for any cause recognised by law as sufficient;

(ab) 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;

(ac) the operation or 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 had no deduction been made in respect of short-time".

(2) Where there is an agreement in terms of proviso (ab) to subclause (1), the payment in lieu of notice shall be commensurate with the period of notice agreed upon.

(3) Die kennisgewing by subklousule (1) voorgeskryf, moet op 'n werkdag geskied: Met dien verstande dat die kennisgewingstermyn nie mag saamval nie met, en betaling in plaas van kennisgewing nie gemaak mag word nie ten opsigte van 'n tydperk wat saamval met 'n werknemer se afwesigheid—

(a) met verlof ingevolge klousule 6 of siekteverlof ooreenkomstig klousule 7 of afwesigheid weens ongeskiktheid in die omstandighede uiteengesit in klousule 7 (4) (a) of (b), waar sodanige afwesighede altesaam hoogstens 15 weke in enige tydperk van 12 agtereenvolgende maande diens by dieselfde werkgever beloop; en

(b) vir militêre diens, behalwe waar die werknemer anders versoek en die werkgever skriftelik daartoe instem.

(4) Tensy 'n werkgever van die kennisgewing wat in subklousule (1) voorgeskryf is, afgesien het of 'n werknemer verlaat sy diens sonder om kennis te gee en uit te dien of sonder om sy werkgever te betaal in plaas van kennis te gee en deur sodanige optrede hy binne sy wetlike regte gehandel het, mag 'n werkgever uit enige geld wat hy sodanige werknemer uit hoofde van enige bepaling van hierdie vasstelling skuld, hom 'n bedrag toeëien van hoogstens dit wat die werknemer hom sou moes betaal het in plaas van kennis te gee: Met dien verstande dat wanneer die werkgever hom aldus 'n bedrag toeëien het in plaas van kennisgewing, geag word dat die werknemer die werkgever in dié mate betaal het in plaas van kennis te gee.

13. TAAK WERK

Niks in hierdie vasstelling moet so uitgelê word dat dit 'n werkgever belet om met sy werknemer ooreen te kom dat die werknemer van diens af mag gaan wanneer hy 'n taak wat aan hom opgedra is, binne die daaglikse gewone werkure wat vir sodanige werknemer voorgeskryf is, voltooi het nie.

14. DIENSSERTIFIKAAT

Behalwe waar 'n werknemer dros of waar die werknemer 'n los werknemer is, moet die werkgever by beëindiging van enige dienskontrak die werknemer van 'n dienssertifikaat voorsien wat wesenlik onderstaande vorm het en waarin die volle name van die werkgever en die werknemer, die klas van die werknemer, die aanvangsdatum en die datum van beëindiging van die kontrak en die loon van die werknemer op die datum van sodanige beëindiging vermeld word.

DIENSSERTIFIKAAT

Ek
 wat die Svaarklei- en Verwante Produktenywerheid beoefen te
 verklaar hierby dat identiteitsnommer
 in my diens was vanaf die dag van 19....
 tot die dag van 19....
 as (*)
 By diensbeëindiging was hierdie werknemer se loon R.....

Handtekening van werkgever of gemagtigde verteenwoordiger
 Datum

* Meld die klas waarin die werknemer uitsluitlik of hoofsaaklik in diens was, bv. klerk, werknemer graad I, algemene werker.

15. LOGBOEK

(1) 'n Werkgever moet sy drywer voorsien van 'n logboek wat so na as moontlik die volgende vorm het:

DAAGLIKSE LOG

Naam van werkgever
 Naam van drywer
 Datum Registrasienommer van voertuig
 Tyd waarop werk begin word

(3) The notice prescribed in subclause (1) shall be given on any workday: Provided that the period of notice shall not run concurrently with nor shall notice be given during an employee's absence—

(a) on leave granted in terms of clause 6 or on sick leave granted in terms of clause 7 or owing to incapacity in the circumstances set out in clause 7 (4) (a) or (b) where such absences amount in the aggregate to not more than 15 weeks in any period of 12 consecutive months' employment with the same employer;

(b) on military service, except where an employee otherwise requests and his employer agrees thereto in writing.

(4) Unless an employer has waived the notice prescribed in subclause (1) or an employee leaves his employment without having given and served such notice or without having paid his employer in lieu of notice and in so doing the employee was acting within his legal rights, the employer may appropriate to himself, from any moneys which he owes to such employee by virtue of any provision of this determination, an amount of not more than that which the employee would have had to pay him in lieu of notice: Provided that where an employer has so appropriated an amount in lieu of notice the employee shall be deemed to have paid the employer to that extent in lieu of notice.

13. TASK WORK

Nothing in this determination shall be so construed as to preclude an employer from agreeing with his employee that the employee may go off duty upon the completion by him of an allotted task within the daily ordinary hours of work prescribed for such employee.

14. CERTIFICATE OF SERVICE

Except where an employee deserts 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 following form, showing the full names of the employer and of the employee, the class of the employee, the date of commencement and the date of termination of the contract and the wage of the employee on the date of such termination.

CERTIFICATE OF SERVICE

I,
 carrying on business in the Heavy Clay and Allied Products Industry at
 hereby certify that Identity No.
 was employed by me from the day of
 19..... to the day of
 of 19..... as (*)
 At the termination of employment this employee's wage was R

Signature of employer or authorised representative
 Date

* State class in which employee was wholly or mainly engaged, eg clerk, grade I employee, general worker.

15. LOG-BOOK

(1) An employer shall provide his driver with a log-book as nearly as practicable in the following form:

DAILY LOG

Name of employer
 Name of driver
 Date Registration number of vehicle
 Time of starting work

Diensonderbrekings:

Van.....tot.....
 Van.....tot.....
 Van.....tot.....

Tyd waarop werk beëindig word.....

Aantal ure gewerk.....

Etenspouse van.....tot.....

Besonderhede van 'n ongeluk of vertraging.....

.....

.....

Naam(Name) van werknemer(s) wat drywer vergesel.....

.....

Handtekening van drywer

Datum

(2) Elke drywer moet in die logboek bedoel in subklousule (1), 'n daaglikse log in tweevoud hou ten opsigte van elke dag se werk en moet binne 24 uur na voltooiing van die werk waarop dit betrekking het, 'n kopie daarvan aan sy werkgever lewer.

(3) Die werkgever moet die kopie van die daaglikse log wat kragtens subklousule (2) aan hom gelewer is, vir 'n tydperk van minstens drie jaar na sodanige lewering bewaar.

16. PRESENSIEREGISTER

(1) 'n Werkgever moet in sy bedryfsinrigting 'n presensieregister wat wesenlik die onderstaande vorm het, voorsien, waarin hy in ink of inktlood die naam en klas van elk van sy werknemer moet aanteken, en indien sodanige werknemer nie in staat is om te skryf nie, moet sy werkgever namens hom vir elke dag gewerk en op daardie dag die vereiste inskrywings ten opsigte van punte (i) tot en met (vi) van subklousule (3) (a) maak, en sodanige inskrywings onderteken:

Breaks:

From.....to.....

From.....to.....

From.....to.....

Time of finishing work.....

Number of hours worked.....

Meal interval from.....to.....

Particulars of any accident or delay.....

.....

Name(s) of employee(s) accompanying driver.....

.....

Signature of driver

Date

(2) Every driver shall, in the log-book referred to in subclause (1), keep a daily log in duplicate in respect of each day's work and shall within 24 hours of the completion of the work to which it relates deliver a copy thereof to his employer.

(3) The employer shall retain the copy of the daily log which has, in terms of subclause (2), been delivered to him, for a period of at least three years subsequent to such delivery.

16. ATTENDANCE REGISTER

(1) An employer shall provide in his establishment an attendance register substantially in the following form, in which he shall record in ink or indelible pencil the name and class of each of his employees, and if such employee is unable to write his employer shall on his behalf for each day worked and for that day make the necessary entries in respect of items (i) to (vi) inclusive of subclause (3) (a), and sign such entries:

BYWONINGSREGISTER

(Naam van werknemer)														(Klas van werknemer)				
Inskrywings wat deur die werknemer gemaak word														Opmerkings (as daar is)				
Jaar	Maand	Tyd waarop werk be- gin word	Pouses van diens af						Tyd waarop werk be- eindig is	Oortyd gewerk		Totale getal ure		Hand- tekening	Deur werk- nemer	Deur werkgewer as werknemer afwesig is. Rede daar- voor (moet deur werk- gewer onderteken word)	Deur inspekteur	
Datum	Dag van week		Af	Aan	Af	Aan	Af	Aan		Aan	Af	Elke dag	Elke week					
1																		
2																		
3																		
4																		
5																		
6																		
7																		
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29																		
30																		
31																		

Nota.—Onder opskrif "Af" en "Aan" in kolom "Pouses van diens af", voeg in tyd wanneer pouse begin en tyd wanneer werk hervat word. 'n Werknemer word geag by die werk te wees vir enige pouse in sy werk indien dit die werknemer nie vrystaan om die bedryfsinrigting vir die hele pouse te verlaat nie.

ATTENDANCE REGISTER

(Name of employee)

(Class of employee)

Entries to be made by employee														Remarks (if any)			
Year..... Month.....		Time of commencing work	Intervals off work						Time of finishing work	Overtime worked		Total num- ber of hours		Signature	By employee	By employer, if employee was absent. Reasons for his absence (to be signed by employer)	By inspector
Date	Day of week		Off	On	Off	On	Off	On		On	Off	Each day	Each week				
1																	
2																	
3																	
4																	
5																	
6																	
7																	
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31																	

Note.—Under heading "Off" and "On" in column referring to "Intervals off work" insert time when interval commences and time when work is resumed. An employee is deemed to be at work for any interval in his work if the employee is not free to leave the establishment for the whole of the interval.

(2) 'n Werkgewer kan in plaas van 'n presensieregister, 'n halfoutomatiese tydregistreerder met die nodige kaarte wat sover doenlik onderstaande vorm moet hê, beskikbaar stel en elkeen van sy werknemers van so 'n kaart met die naam en nommer van die werknemer asook die datum van diensbeëindiging van die week waarvoor die kaart gebruik moet word, voorsien:

No. Naam en klas van werknemer
Week geëindig 19.....

Dag	In	Uit	In	Uit	Totaal
Sondag.....	..h..	..h..	..h..	..h..	..h..
Maandag	..h..	..h..	..h..	..h..	..h..
Dinsdag.....	..h..	..h..	..h..	..h..	..h..
Woensdag.....	..h..	..h..	..h..	..h..	..h..
Donderdag	..h..	..h..	..h..	..h..	..h..
Vrydag.....	..h..	..h..	..h..	..h..	..h..
Saterdag	..h..	..h..	..h..	..h..	..h..

(3) Tensy hy deur onvermydelike oorsaak verhinder word om dit te doen, moet elke werknemer ten opsigte van elke dag wat hy gewerk het en wel op dié dag—

(a) in ink of inktlood in sodanige bywoningsregister bedoel in subklousule (1) aanteken:

- (i) Die dag van die week;
- (ii) die tyd waarop hy begin werk het;
- (iii) die tyd waarop alle etens- en ander pouses wat nie as gewone werkure gereken word nie, begin en geëindig het;
- (iv) die tyd waarop werk vir die dag beëindig is;
- (v) die tyd waarop oortyd gewerk vir die dag begin en beëindig is;
- (vi) die totale aantal ure gewerk vir die dag; en
- (vii) sy handtekening;

(b) in 'n bedryfsinrigting waar 'n halfoutomatiese tydregistreerder voorsien word, 'n inskrywing maak deur middel van die registreerder op 'n kaart wat ingevolge subklousule (2) voorsien is en wat die volgende moet toon:

- (i) Die tyd waarop hy begin werk het;
- (ii) die tyd waarop alle etens- of ander pouses wat nie as gewone werkure gereken word nie, begin en geëindig het; en
- (iii) die tyd waarop werk vir die dag beëindig is.

(4) 'n Werkgewer moet die presensieregister in subklousule (1) bedoel, of die kaarte in subklousule (2) bedoel, na gelang van die geval, vir 'n tydperk van minstens drie jaar na die datum van die laaste inskrywing daarin of daarop bewaar.

(5) Hierdie klousule is nie van toepassing nie op—

- (a) 'n werknemer wat uit hoofde van klousule 5 (7) (a) van die werkbepalings uitgesluit word; en
- (b) 'n drywer en 'n werknemer wat sodanige drywer vergesel.

(Kennisgewing.—Kragtens artikel 18 van die Loonwet, 1957, vervang die Loonvastelling in die bostaande Bylae Loonvastelling 427, gepubliseer by Goewermentskennisgewing R. 1921 van 10 September 1982, soos gewysig by Goewermentskennisgewing R. 2511 van 8 November 1985.)

(2) An employer may, instead of an attendance register, provide a semi-automatic time recorder together with the necessary cards, which shall be as nearly as practicable in the following form, and supply to each employee such a card indicating the name or number of the employee and the date of termination of the week in respect of which it is to be used:

No. Name and class of employee
Week ended 19.....

Day	In	Out	In	Out	Total
Sunday.....	..h..	..h..	..h..	..h..	..h..
Monday.....	..h..	..h..	..h..	..h..	..h..
Tuesday	..h..	..h..	..h..	..h..	..h..
Wednesday.....	..h..	..h..	..h..	..h..	..h..
Thursday	..h..	..h..	..h..	..h..	..h..
Friday.....	..h..	..h..	..h..	..h..	..h..
Saturday	..h..	..h..	..h..	..h..	..h..

(3) Unless prevented from doing so by unavoidable cause, an employee shall in respect of each day worked by him and on that day—

(a) record in ink or indelible pencil in the attendance register referred to in subclause (1):

- (i) The day of the week;
- (ii) the time he commenced work;
- (iii) the time of commencement and termination of all meal or other intervals which are not reckonable as ordinary hours of work;
- (iv) the time of finishing work for the day;
- (v) the time of commencement and termination of overtime worked for the day;
- (vi) the total number of hours worked for the day; and
- (vii) his signature;

(b) in an establishment where a semi-automatic time recorder is provided, make an entry by means of such recorder on a card supplied in terms of subclause (2) to show the following:

- (i) The time he commenced work;
- (ii) the time of commencement and termination of all meal or other intervals which are not reckonable as ordinary hours of work; and
- (iii) and time of finishing work for the day.

(4) An employer shall retain the attendance register referred to in subclause (1) or the cards referred to in subclause (2), as the case may be, for a period of not less than three years after the date of the last entry therein or thereon.

(5) This clause shall not apply to—

- (a) an employee who is excluded from the hours of work provisions by virtue of clause 5 (7) (a);
- (b) a driver and an employee accompanying such driver on a delivery vehicle.

(Note.—In terms of section 18 of the Wage Act, 1957, the Wage Determination in the above Schedule supersedes Wage Determination 427, published under Government Notice R. 1921 of 10 September 1982, as amended by Government Notice R. 2511 of 8 November 1985.)

Help om ons land, Suid-Afrika, skoon te hou!
Please keep our country, South Africa, clean!

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Spaar 'n druppel — en vul die dam

Indien almal van ons besparingsbewus optree, besnoei
ons nie slegs uitgawes nie maar wen ook ten opsigte van
ons kosbare water- en elektrisiteitsvoorraad

**Save a drop — and save a million**

Water conservation is very important to the community
and industry to ensure their survival. So save water!

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BELANGRIK!!

Plasing van tale:

Staatskoerante

1. Hiermee word bekendgemaak dat die omruil van tale in die *Staatskoerant* jaarliks geskied met die eerste uitgawe in Oktober.
2. Vir die tydperk 1 Oktober 1987 tot 30 September 1988 word Afrikaans EERSTE geplaas.
3. Hierdie reëling is in ooreenstemming met dié van die Parlement waarby koerante met Wette ens. die taalvolgorde deurgaans behou vir die duur van die sitting.
4. *Dit word dus van u, as adverteerder, verwag om u kopie met bogenoemde reëling te laat strook om onnodige omskakeling en stylredigering in ooreenstemming te bring.*

—oOo—

IMPORTANT!!

Placing of languages:

Government Gazettes

1. Notice is hereby given that the interchange of languages in the *Government Gazette* will be effected annually from the first issue in October.
2. For the period 1 October 1987 to 30 September 1988, Afrikaans is to be placed FIRST.
3. This arrangement is in conformity with Gazettes containing Acts of Parliament etc. where the language sequence remains constant throughout the sitting of Parliament.
4. *It is therefore expected of you, the advertiser, to see that your copy is in accordance with the above-mentioned arrangement in order to avoid unnecessary style changes and editing to correspond with the correct style.*

INHOUD

No.	Bladsy No.	Staats- koerant No.
GOEWERMENTSKENNISGEWING		
Mannekrag, Departement van		
<i>Goewermentskennisgewing</i>		
R. 1647 Loonwet (5/1957): Loonvasstelling 454: Swaarklei- en Verwante Produktenywerheid, Sekere Gebiede	1	11461

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