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GOVERNMENT NOTICES.

DEPARTMENT OF LABOUR.

No. R. 742.] [19 May 1967.]

WAGE ACT, No. 5 OF 1967.

WAGE DETERMINATION No. 288.

WOOLWASHING TRADE, CERTAIN AREAS.

By direction of the Minister of Labour it is hereby notified, in terms of section 14 (2) of the Wage Act, 1957, that the Minister, under the powers vested in him by section 14 (1) of the said Act, has made the Wage Determination in the Schedule hereto in respect of the Woolwashing Trade, Certain Areas, and has fixed the 12th day of June, 1967, as the date from which the provisions of the said Wage Determination shall be binding.

SCHEDULE

1. AREA AND SCOPE OF DETERMINATION.

This Determination shall apply to all employees, other than managers, in the Woolwashing Trade in the Magisterial Districts of Durban, East London, Pietermaritzburg, Pinetown, Port Elizabeth, Tulbagh, Uitenhage and Wellington and to the employers of such employees.

2. DEFINITIONS.

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

- (i) "artisan" means an employee who is engaged in work normally performed by a skilled artisan, and for the purpose of this definition the expression "skilled artisan" means a person who has served his apprenticeship in a trade designated or deemed to have been designated under the Apprenticeship Act, 1944, or who holds a certificate of proficiency issued to him by the Registrar of Apprenticeship in terms of section 6 of the Training of Artisans Act, 1951, or a certificate issued to him by the said Registrar, in terms of either section 2 (7) or section 7 (3) of the said Act; (i)
- (ii) "assistant foreman" means an employee who, under the general supervision of a foreman, performs any of the activities or duties of a foreman and who may act for him during his absence; (vi)
- (iii) "assistant pinsetter" means an employee who is engaged in setting up pins in fallers, segments or circles in preparation for soldering and who may straighten pins; (iii)
- (iv) "assistant pinsetter, qualified," means an assistant pinsetter who has had not less than six months' experience; (iv)
- (v) "assistant pinsetter, unqualified," means an assistant pinsetter who has had less than six months' experience; (v)
- (vi) "backwash minder" means an employee who is engaged in minding one or more backwashing machines; (lii)

GOEWERMENTSKENNISGEWINGS.

DEPARTEMENT VAN ARBEID.

No. R. 742.] [19 Mei 1967.]

LOONWET, No. 5 VAN 1957.

LOONVASSTELLING No. 288.

WOLWASSERYBEDRYF, SEKERE GEBIEDE.

In opdrag van die Minister van Arbeid, word hierby ingevolge artikel 14 (2) van die Loonwet, 1957, bekendgemaak dat die Minister kragtens die bevoegdheid aan hom verleen by artikel 14 (1) van genoemde Wet, die Loonvasstelling wat in die Bylae hiervan verskyn ten opsigte van die Wolwasserybedryf, Sekere Gebiede, gemaak het en die 12de dag van Junie 1967 bepaal het as die datum waarop die bepalings van genoemde Loonvasstelling bindend word.

BYLAE.

1. GEBIED EN OMVANG VAN VASSTELLING.

Hierdie Vasstelling is van toepassing op alle werknemers, uitgesonderd bestuurders, in die Wolwasserybedryf in die landdrosdistrikte Durban, Oos-Londen, Pietermaritzburg, Pinetown, Port Elizabeth, Tulbagh, Uitenhage en Wellington en op die werkgewers van sodanige werknemers.

2. WOORDOMSKRYWINGS.

(1) Tensy uit die samehang anders blyk, het alle uitdrukkings wat in hierdie Vasstelling gebesig en in die Loonwet, 1957, omskryf word, dieselfde betekenis as in daardie Wet, en tensy teenstrydig met die samehang, beteken—

- (i) „ambagsman” ’n werknemer wat werk doen wat in die reël deur ’n geskoolde ambagsman verrig word, en by die toepassing van hierdie woordomskrywing beteken die uitdrukking „geskoolde ambagsman” iemand wat sy leertyd uitgedien het in ’n bedryf wat kragtens die Wet op Vakleerlinge, 1944, aangewys is of geag word aangewys te wees, of wat in besit is van ’n vaardigheidssertifikaat deur die Registrateur van Vakleerlinge aan hom uitgereik ingevolge artikel 6 van die Wet op Opleiding van Ambagsmanne, 1951, of ’n sertifikaat deur genoemde Registrateur aan hom uitgereik ingevolge of artikel 2 (7) of artikel 7 (3) van genoemde Wet; (i)
- (ii) „arbeider” ’n werknemer wat in een of meer van die volgende hoedanighede werksaam is of een of meer van die volgende werksaamhede verrig:—
 - (1) Watervore versorg;
 - (2) artikels met die hand dra, verskuif of opstapel of enige voertuig, uitgesonderd met ’n kragaangedrewe toestel, stoot of trek;
 - (3) installasie, masjinerie, gereedskap, werktuie, gerei of ander artikels of voertuie of persele skoonmaak;
 - (4) wol van stukke vel afknip;
 - (5) rantsoene kook of tee of dergelike drank maak;
 - (6) seep of alkaliese sny of kook;
 - (7) bome of gewasse afkap, vernietig of verwyder;
 - (8) geboue of ander bouwerke sloop;
 - (9) masjiene, vervoerbande of blasers voer of daarvan afneem; onder toesig tenke of vate vul of aftap;

- (vii) "boiler attendant" means an employee who, under general supervision, maintains the water level and steam pressure in a boiler and who may make, maintain or draw the fire in such boiler; (xxxiv)
- (viii) "brushmaker" means an employee who is engaged in making and trimming brushes; (xv)
- (ix) "burr hand" means an employee who is engaged in collecting or removing burry or shoddy wastes from machines; (xl)
- (x) "card stripper" means an employee who is engaged in stripping, grinding, removing or cleaning rollers or sharpening roller needles; (xxxi)
- (xi) "casual employee" means an employee who is employed by the same employer on not more than three days in any week; (xliii)
- (xii) "chargehand" means an employee who is in charge of a group of labourers; (lvi)
- (xiii) "clerk" means an employee who is engaged in writing, typing, filing or in any other form of clerical work and includes a storeman, despatch clerk and a telephone switchboard operator, but does not include any other class of employee elsewhere defined in this clause notwithstanding the fact that clerical work may form a portion of such employee's work; (xxxv)
- (xiv) "clerk, female, qualified," means a female clerk who has had not less than four years' experience; (xxxviii)
- (xv) "clerk, female, unqualified," means a female clerk who has had less than four years' experience; (xxxix)
- (xvi) "clerk, male, qualified," means a male clerk who has had not less than five years' experience; (xxxvi)
- (xvii) "clerk, male, unqualified," means a male clerk who has had less than five years' experience; (xxxvii)
- (xviii) "comb minder" means an employee who is engaged in minding one or more combing machines; (xxxii)
- (xix) "day" in relation to a shift worker, means the period of twenty-four hours calculated from the time the employee commences work; (xvi)
- (xx) "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, weighing, packing, marking, addressing or despatching of goods or packages; (lxv)
- (xxi) "driver of a motor vehicle" means an employee who is engaged in driving a motor vehicle, and for the purpose of this definition the expression "driving a motor vehicle" includes all periods of driving and any time spent by the driver on work connected with the vehicle or the load and all periods during which he is obliged to remain at his post in readiness to drive; (xiv)
- (xxii) "duster minder" means an employee who is engaged in minding one or more duster, opener or Willey machines; (lxiv)
- (xxiii) "emergency work" means—
- (1) any work which, owing to unforeseen circumstances such as fire, storm, accident, epidemic, act of violence, theft or a breakdown of plant or machinery, must be done without delay;
 - (2) any work in connection with the loading or unloading of—
 - (i) ships; or
 - (ii) trucks or vehicles of the South African Railways and Harbours;
 - (3) any work in connection with the overhauling or repairing of plant or machinery which cannot be performed during ordinary working hours; (liv)
- (xxiv) "engine room attendant" means an employee who, under the supervision of a foreman or a competent person appointed in terms of the Factories, Machinery and Building Work Act, 1941, is responsible for maintaining the oil level in an engine, oiling, greasing and cleaning such engine and who may ship and unship belts; (xlvii)
- (xxv) "establishment" means any premises in or in connection with which one or more employees are employed in the Woolwashing Trade; (xii)
- (xxvi) "experience" means in relation to—
- (a) a clerk or a factory clerk, the total period or periods of employment which an employee has had as a clerk or a factory clerk, respectively, in any trade or in the service of the State;
 - (b) any other class of employee, the total period or periods of employment which an employee has had in his class in the Woolwashing Trade: Provided that when a grade II or a grade III employee is promoted to grade I employee or grade II employee, all employment which such employee has had in the lower grade with the same employer shall be deemed to be experience in the higher grade to which he has been promoted to the extent that his starting wage in the said higher grade shall be not less than the wage which he received in the lower grade immediately before he was promoted to the higher grade; (lvii)
- (xxvii) "factory clerk" means an employee who, under the supervision of a foreman or a qualified male clerk, is engaged in performing any one or more of the following duties:—
- (1) Checking or recording times employees enter or leave an establishment;
- (10) sakke, bale of ander houters vul;
- (11) tuinwerk;
- (12) kampongs, latrines, buitegeboue of dergelike geboue of bouwerke afwit;
- (13) laai of aflaai;
- (14) klip, steenkool, sand, grond of klei losmaak; uithaal, breek of spreid, of slote of uitgrawings vir fondamente of ander doeleindes grawe;
- (15) vure maak, in standhou, stook of uithaal, of as of afval verwyder of klinkers sorteer;
- (16) kiste, bale, sakke of ander houters of pakkette merk, sjabloneer, of klaar geadresseerde etikette daaraan vasheg;
- (17) sakke met die hand heelmaak;
- (18) dagha, beton, klip of bitumen met die hand meng of beton of bitumen met 'n graaf, hark, vurk of kruiwa spreid;
- (19) die vliegwiël van 'n motor in posisie stel voordat die motor aangeskakel word;
- (20) deure of pakkette of sakke, bale, kiste, vate, dromme of ander houters oop- of toemaak;
- (21) 'n nie-kragaangedrewe pomp of pers bedien;
- (22) dieselfde grootte en getal artikels in houters verpak wat spesiaal vervaardig is om sodanige artikels te bevat;
- (23) gevlekte stukkie wol, sade, korrelrigheid, klosse of ander vreemde stowwe uit die wol, hetsy in die ongewaste of bewerkte toestand, verwyder;
- (24) sement of beton in gietvorm stamp of vasstamp of beton in fondamentslote vasstamp;
- (25) wol week;
- (26) wol gedurende die droogproses spreid of verwyder;
- (27) sakke sorteer of uitskud; (xlv)
- (iii) "assistent-naaldsetter" 'n werknemer wat naalde in valkamme, segmente of kamsirkels opstel voordat hulle vasgesoldeer word en wat naalde reguit mag maak; (iii)
- (iv) "assistent-naaldsetter, gekwalifiseerd," 'n assistent-naaldsetter met minstens ses maande ondervinding; (iv)
- (v) "assistent-naaldsetter, ongekwalifiseerd," 'n assistent-naaldsetter met minder as ses maande ondervinding; (v)
- (vi) "assistent-voorman" 'n werknemer wat, onder die algemene toesig van 'n voorman, enigeen van die werksaamhede of pligte van 'n voorman verrig en wat gedurende sy afwesigheid namens hom kan waarneem; (ii)
- (vii) "bediener van 'n kambolbreekmasjien" 'n werknemer wat een of meer kambolbreekmasjiene bedien; (lxvi)
- (viii) "bediener van 'n mobiele hystoestel" 'n werknemer wat werk met 'n kragaangedrewe mobiele hystoestel wat by die laai, aflaai, versit of opstapel van goedere gebruik word; (li)
- (ix) "bediener van 'n mobiele hystoestel, gekwalifiseerd," 'n bediener van 'n mobiele hystoestel met minstens drie maande ondervinding; (lii)
- (x) "bediener van 'n mobiele hystoestel, ongekwalifiseerd," 'n bediener van 'n mobiele hystoestel met minder as drie maande ondervinding; (liii)
- (xi) "bediener van 'n valkammasjien" 'n werknemer wat een of meer valkammasjiene bedien; (lviii)
- (xii) "bedryfsinrigting" 'n perseel waarop of in verband waarmee een of meer werknemers in die Wolwassery-bedryf in diens is; (xxv)
- (xiii) "bestuurder" 'n werknemer wat deur sy werkgever belas is met die algemene—
- (a) toesig oor,
 - (b) verantwoordelikheid vir, en
 - (c) leiding van die werksaamhede van 'n bedryfsinrigting en die werknemers wat daarin werksaam is; (l)
- (xiv) "bestuurder van 'n motorvoertuig" 'n werknemer wat 'n motorvoertuig bestuur, en by die toepassing van hierdie woordskrywing omvat die uitdrukking "n motorvoertuig bestuur" alle tydperke wat hy bestuur, alle tyd wat hy bestee aan werk in verband met die voertuig of die vraag en alle tydperke wat hy verplig is om op sy pos gereed te bly om te bestuur; (xxi)
- (xv) "borselmaker" 'n werknemer wat borsels maak en byknip; (viii)
- (xvi) "dag" met betrekking tot 'n skofwerker, die tydperk van vier-en-twintig uur bereken van die tyd wat die werknemer begin werk; (xix)
- (xvii) "deeltydse bestuurder van 'n motorvoertuig" 'n werknemer wat in die reël ander werk doen as om 'n motorvoertuig te bestuur maar wat op meer as twee dae in 'n week 'n motorvoertuig vir altesaam hoogstens drie uur op enige sodanige dag bestuur, en by die toepassing van hierdie woordskrywing omvat die uitdrukking "n motorvoertuig bestuur" alle tydperke wat hy bestuur en alle tyd wat die bestuurder, terwyl hy in die beheer van die voertuig is, aan werk in verband met die voertuig of die vraag bestee is; (lv)
- (xviii) "faktotum" 'n werknemer wat kleinere herstelwerk of verstellings doen aan masjinerie of uitrusting, uitgesonderd masjinerie of uitrusting wat regstreeks gebruik word by die verwerking van wol in 'n bedryfsinrigting, en wat ook kleinere herstelwerk of opknappings aan geboue mag doen maar wat geen werk verrig wat gewoonlik deur 'n ambagsman gedoen word nie; (xlv)

- (2) checking or recording weights or weighing (other than to set scale);
 - (3) determining and recording the moisture content of wool;
 - (4) interpreting or translating Bantu languages;
 - (5) sorting or filing time cards;
 - (6) stamping or writing tickets;
 - (7) writing passes;
 - (8) copying letters in manuscript; (xix)
- (xxviii) "factory clerk, qualified," means a factory clerk who has had not less than twelve months' experience; (xx)
- (xxix) "factory clerk, unqualified," means a factory clerk who has had less than twelve months' experience; (xxi)
- (xxx) "finisher minder" means an employee who is engaged in minding one or more finishing machines; (xxxiii)
- (xxxi) "foreman" means an employee who is in charge of the employees in an establishment, who exercises control over such employees and who is responsible for the efficient performance by them of their duties; (lxvi)
- (xxxii) "grade I employee" means an employee who is engaged in any one or more of the following capacities:—
- (1) Card stripper;
 - (2) machine jobber;
 - (3) pinsetter; (xxii)
- (xxxiii) "grade I employee, qualified," means a grade I employee who has had not less than twelve months' experience; (xxiii)
- (xxxiv) "grade I employee, unqualified," means a grade I employee who has had less than twelve months' experience; (xxiv)
- (xxxv) "grade II employee" means an employee who is engaged in any one or more of the following capacities or operations:—
- (1) Applying or maintaining covering on or to rollers used in the washing, cleaning or scouring of wool;
 - (2) backwash minder;
 - (3) brushmaker;
 - (4) comb minder;
 - (5) duster minder;
 - (6) feeding soap, soda or other chemicals into wash bowls or other receptacles;
 - (7) finisher minder;
 - (8) maintaining the temperature and water level in wash bowls;
 - (9) male operator of a bag-mending machine;
 - (10) operator of a hydro-extractor;
 - (11) operator of a power-driven goods hoist, winch, lift, bagging machine or press;
 - (12) preparer minder;
 - (13) scouring machine minder;
 - (14) top breaking machine minder; (xxv)
- (xxxvi) "grade II employee, qualified," means a grade II employee who has had not less than nine months' experience; (xxvi)
- (xxxvii) "grade II employee, unqualified," means a grade II employee who has had less than nine months' experience; (xxvii)
- (xxxviii) "grade III employee," means an employee who is engaged in any one or more of the following capacities or operations:—
- (1) Burr hand;
 - (2) delivering letters, messages or goods on foot or by means of a bicycle or other non-power-driven vehicle;
 - (3) oiling or greasing machinery or plant used in the washing, cleaning or scouring of wool, or vehicles, other than motor vehicles;
 - (4) sanitation employee;
 - (5) weighing to a set scale; (xxviii)
- (xxxix) "grade III employee, qualified," means a grade III employee who has had not less than three months' experience; (xxix)
- (xl) "grade III employee, unqualified," means a grade III employee who has had less than three months' experience; (xxx)
- (xli) "handyman" means an employee who is engaged in making minor repairs or adjustments to machinery or equipment, other than machinery or equipment directly used in the processing of wool in an establishment, and who may effect minor repairs or renovations to buildings but who does not do work normally performed by an artisan; (xviii)
- (xlii) "initial sorter" means an employee who is engaged in the first sorting of wool according to length, colour or quality in accordance with instructions; (lxvii)
- (xliii) "initial sorter, qualified," means an initial sorter who has had not less than six months' experience; (lxviii)
- (xliv) "initial sorter, unqualified," means an initial sorter who has had less than six months' experience; (lxix)
- (xlv) "labourer" means an employee who is engaged in any one or more of the following activities or operations:—
- (1) Attending to water furrows;
 - (2) carrying, moving or stacking articles by hand or pushing or pulling any vehicle, other than by power-driven device;
 - (3) cleaning plant, machinery, implements, tools, utensils or other articles or vehicles or premises;
- (xix) „fabrieksklerk” ’n werknemer wat onder die toesig van ’n voorman of ’n gekwalifiseerde manlike klerk een of meer van die volgende pligte verrig:—
- (1) Die tye wat werknemers ’n bedryfsinrigting binnegaan of verlaat, kontroleer of aanteken;
 - (2) gewigte kontroleer of aanteken, of weegwerk doen (uitgesonderd op ’n gestelde skaal);
 - (3) die voggehalte van wol vasstel en aanteken;
 - (4) Bantoetale tolk of vertaal;
 - (5) tydkaarte sorteer of liasseer;
 - (6) kaartjies stempel of inskryf;
 - (7) passe uitskryf;
 - (8) briewe met die hand kopieer; (xxvii)
- (xx) „fabrieksklerk, gekwalifiseerd,” ’n fabrieksklerk met minstens twaalf maande ondervinding; (xxviii)
- (xxi) „fabrieksklerk, ongekwalifiseerd,” ’n fabrieksklerk met minder as twaalf maande ondervinding; (xxix)
- (xxii) „graad I-werknemer” ’n werknemer wat in een of meer van die volgende hoedanighede werksaam is:—
- (1) Kaardstroper;
 - (2) masjiensmeerder;
 - (3) naaldsetter; (xxxii)
- (xxiii) „graad I-werknemer, gekwalifiseerd,” ’n graad I-werknemer met minstens twaalf maande ondervinding; (xxxiii)
- (xxiv) „graad I-werknemer, ongekwalifiseerd,” ’n graad I-werknemer met minder as twaalf maande ondervinding; (xxxiv)
- (xxv) „graad II-werknemer” ’n werknemer wat in een of meer van die volgende hoedanighede werksaam is of een of meer van die volgende werksaamhede verrig:—
- (1) Die bedekking op rollers wat gebruik word by die was, skoonmaak of chemiese was van wol, aanbring of in stand hou;
 - (2) nawasserbediener;
 - (3) borselmaker;
 - (4) kambediener;
 - (5) uitklopperbediener;
 - (6) seep, soda of ander chemikalieë in wasbakke of ander houters voer;
 - (7) kambolmasjiensbediener;
 - (8) die temperatuur en die peil van water in wasbakke in stand hou;
 - (9) manlike bediener van ’n sakheelmaakmasjien;
 - (10) wenteldroërbediener;
 - (11) bediener van ’n kragaangedrewe goederehyser, windas, hysbak, sakmasjiens of pers;
 - (12) valkammasjiensbediener;
 - (13) bediener van ’n masjiens wat wol chemies was;
 - (14) bediener van ’n kambolbreekmasjiens; (xxxv)
- (xxvi) „graad II-werknemer, gekwalifiseerd,” ’n graad II-werknemer met minstens nege maande ondervinding; (xxxvi)
- (xxvii) „graad II-werknemer, ongekwalifiseerd,” ’n graad II-werknemer met minder as nege maande ondervinding; (xxxvii)
- (xxviii) „graad III-werknemer” ’n werknemer wat in een of meer van die volgende hoedanighede werksaam is of een of meer van die volgende werksaamhede verrig:—
- (1) Klitswerker;
 - (2) briewe, boodskappe of goedere te voet of met ’n fiets of ander nie-kragaangedrewe voertuig aflewer;
 - (3) masjinerie of installasie wat gebruik word vir die was, skoonmaak of chemiese was van wol, of voertuie, uitgesonderd motorvoertuie, olie of smeer;
 - (4) sanitêre werknemer;
 - (5) volgens ’n gestelde skaal weeg; (xxxviii)
- (xxix) „graad III-werknemer, gekwalifiseerd,” ’n graad III-werknemer met minstens drie maande ondervinding; (xxxix)
- (xxx) „graad III-werknemer, ongekwalifiseerd,” ’n graad III-werknemer met minder as drie maande ondervinding; (xl)
- (xxxi) „kaartstroper” ’n werknemer wat rollers stroop, slyp, afval of skoonmaak of rollernaalde skerp maak; (x)
- (xxxii) „kambediener” ’n werknemer wat een of meer kambolmasjiens bedien; (xviii)
- (xxxiii) „kambolmasjiensbediener” ’n werknemer wat een of meer kambolmasjiens bedien; (xxx)
- (xxxiv) „ketelbediener” ’n werknemer wat onder algemene toesig die waterpeil en stoomdruk in ’n stoomketel in stand hou en wat die vuur in sodanige stoomketel mag maak, stook of uithaal; (vii)
- (xxxv) „klerk” ’n werknemer wat skryf-, tik-, liasseer- of enige ander soort klerklike werk verrig en omvat dit ook ’n magasynman, versendingsklerk, en ’n telefoonskabelbord-operateur, maar geen ander klas werknemer wat elders in hierdie klousule omskryf word nie, al maak klerklike werk ook deel uit van so ’n werknemer se werk; (xiii)
- (xxxvi) „klerk, man, gekwalifiseerd,” ’n manlike klerk met minstens vyf jaar ondervinding; (xvi)
- (xxxvii) „klerk, man, ongekwalifiseerd,” ’n manlike klerk met minder as vyf jaar ondervinding; (xvii)
- (xxxviii) „klerk, vrou, gekwalifiseerd,” ’n vroulike klerk met minstens vier jaar ondervinding; (xiv)
- (xxxix) „klerk, vrou, ongekwalifiseerd,” ’n vroulike klerk met minder as vier jaar ondervinding; (xv)
- (xl) „klitswerker” ’n werknemer wat klitsafval of vodde-wol van masjiens versamel of verwyder; (ix)

- (4) clipping wool from skin pieces;
- (5) cooking rations or making tea or similar beverages;
- (6) cutting or boiling soap or alkalis;
- (7) cutting down, destroying or removing trees or vegetation;
- (8) demolishing buildings or other structures;
- (9) feeding into or taking off from machines, conveyors or blowers; feeding into or drawing off from tanks or vats, under supervision;
- (10) filling bags, bales, sacks or other containers;
- (11) gardening work;
- (12) limewashing compounds, latrines, outbuildings or similar buildings or structures;
- (13) loading or unloading;
- (14) loosening, taking out, breaking or spreading stone, coal, sand, soil or clay or digging trenches or excavations for foundations or other purposes;
- (15) making, maintaining, stoking or drawing fires or removing ashes or refuse or sorting clinkers;
- (16) marking, stencilling or affixing ready addressed labels on boxes, bales, bags, sacks or other containers or packages;
- (17) mending sacks or bags by hand;
- (18) mixing mortar, concrete, stone or bitumen by hand or spreading concrete or bitumen by shovel, rake, fork or barrow;
- (19) moving a flywheel of an engine into position before the engine is started;
- (20) opening or closing doors or packages or bags, bales, boxes, barrels, drums or other containers;
- (21) operating a non-power-driven pump or press;
- (22) packing articles of uniform size and number into containers specially made to contain them;
- (23) picking from wool, either in the grease or after processing, stained, seedy or coarse particles, dags or other foreign matter;
- (24) ramming or tamping cement or concrete in moulds or ramming concrete in foundations;
- (25) soaking wool;
- (26) spreading or removing wool in the drying process;
- (27) sorting or shaking out bags or sacks; (ii)
- (xlv) "machine handyman" means an employee who is engaged in making minor repairs or adjustments to machinery or equipment used directly in the processing of wool in an establishment but who does not do work normally performed by an artisan; (xlv)
- (xlvii) "machine jobber" means an employee, who oils or greases machines, other than those used in the washing, cleaning or scouring of wool, and who may carry out minor repairs and repair belts; (xlix)
- (xlviii) "machine minder" means an employee who starts, stops and feeds or takes off from a power-driven machine, and the expression "minding a machine" has a corresponding meaning; (xlv)
- (xlix) "machine operator" means an employee who operates, attends, starts and stops a power-driven machine and who may make minor repairs and running adjustments thereto, and "operating a machine" has a corresponding meaning; (xlviii)
- (i) "manager" means an employee who is charged by his employer with the overall—
 - (a) supervision over,
 - (b) responsibility for, and
 - (c) direction of,
 the activities of an establishment and the employees engaged therein; (xliii)
- (ii) "mobile hoist operator" means an employee who is engaged in operating a mobile power-driven hoist used in the loading, unloading, moving or stacking of goods; (viii)
- (iii) "mobile hoist operator, qualified," means a mobile hoist operator who has had not less than three months' experience; (ix)
- (iii) "mobile hoist operator, unqualified," means a mobile hoist operator who has had less than three months' experience; (x)
- (liv) "motor vehicle" means any power-driven vehicle used for conveying goods and includes a mechanical horse and a tractor but does not include a mobile hoist; (l)
- (lv) "part-time driver of a motor vehicle" means an employee who is ordinarily engaged on duties other than driving a motor vehicle but who on more than two days in any week is engaged in driving a motor vehicle for not more than three hours in the aggregate on any such day, and for the purpose of this definition the expression "driving a motor vehicle" includes all periods of driving and any time spent by the driver, while in charge of the vehicle, on work connected with the vehicle or the load; (xvii)
- (lvi) "piece-work" means any system under which an employee's remuneration is based on the quantity of work done; (lxii)
- (lvii) "pinsetter" means an employee, other than an artisan, who is engaged in soldering pins in fallers, segments or circles; (li)
- (lviii) "preparer minder" means an employee who is engaged in minding one or more preparing machines; (xi)

- (xli) „korttyd” ’n tydelike vermindering van die getal gewone werkeure weens ’n slapte in die bedryf, ’n tekort aan grondstowwe, slegte weersomstandighede, ’n onklaarraking van installasie of masjinerie of onklaarraking of dreigende onklaarraking van geboue; (lxiii)
- (xlii) „loen” die bedrag wat ingevolge klousule 3 (1) aan ’n werknemer betaalbaar is ten opsigte van sy gewone werkeure soos by klousule 5 voorgeskryf: Met dien verstande—
 - (i) dat, as ’n werkgewer ’n werknemer ten opsigte van sodanige gewone werkeure gereeld ’n hoër bedrag betaal as dié in klousule 3 (1) voorgeskryf, dit sodanige hoër bedrag beteken;
 - (ii) dat die eerste voorbehoedsbepaling nie so uitgelê mag word nie dat dit besoldiging bedoel of omvat wat ’n werknemer wat in diens is op enige grondslag waarvoor daar in klousule 9 voorsiening gemaak word, ontvang bo en behalwe die bedrag wat hy sou ontvang het as hy nie op sodanige grondslag in diens was nie; (lxix)
- (xliii) „los werknemer” ’n werknemer wat hoogstens drie dae in ’n week by dieselfde werkgewer in diens is; (xi)
- (xliiv) „magasynman” ’n werknemer wat beheer het oor die voorrade inkomende goedere of bewerkte of gedeeltelik bewerkte wol 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 verbruiksafdelings in ’n bedryfsinrigting of vir versending te lewer; (lxiv)
- (xlv) „masjiënbediener” ’n werknemer wat ’n kragaaangedrewe masjiën aanskakel, stopsit en voer of daarvan afneem, en die uitdrukking „’n masjiën bedien” het ’n ooreenstemmende betekenis; (xlviii)
- (xlvii) „masjiënfaktotum” ’n werknemer wat kleinere herstelwerk of verstellings doen aan masjinerie of uitrusting wat regstreeks by die verwerking van wol in ’n bedryfsinrigting gebruik word, maar wat geen werk verrig wat gewoonlik deur ’n ambagsman gedoen word nie; (xlvii)
- (xlviii) „masjiënkamerwerker” ’n werknemer wat onder die toesig van ’n voorman of ’n bevoegde persoon wat ooreenkomstig die Wet op Fabriëke, Masjinerie en Bouwerk, 1941, aangestel is, belas is daarmee om die oliestand in ’n masjiën op peil te hou, sodanige masjiën te olie, te smeer en skoon te maak en wat dryfbande mag opsit en afhaal; (xxiv)
- (xlviii) „masjiënoperateur” ’n werknemer wat met ’n kragaaangedrewe masjiën werk, dit versorg, aanskakel en stopsit, en wat kleinere herstelwerk en lopende verstelwerk daaraan mag doen, en „met ’n masjiën werk” het ’n ooreenstemmende betekenis; (xlix)
- (xlix) „masjiënmeerder” ’n werknemer wat masjiëne olie en smeer, uitgesonderd dié wat gebruik word om wol te was, skoon te maak of chemies te was, en wat kleinere herstelwerk mag doen en bande mag herstel; (xlvii)
 - (i) „motorvoertuig” ’n kragaaangedrewe voertuig wat gebruik word vir die vervoer van goedere en omvat dit ook ’n voorhaker en ’n trekker maar nie ’n mobiele hystoestel nie; (liv)
 - (ii) „naaldsetter” ’n werknemer, uitgesonderd ’n ambagsman, wat naalde in valkamme, segmente of kamsirkels soldeer; (lvii)
 - (lii) „nasorteerder” ’n werknemer wat die wol wat deur voorsorteerders gesorteer is, inspekteer en wat foute mag herstel; (lix)
 - (liii) „nawasserbediener” ’n werknemer wat een of meer nawasmasjiëne bedien; (vi)
 - (liv) „noodwerk”—
 - (1) enige werk wat weens onvoorsiene omstandighede soos ’n brand, storm, ongeluk, epidemie gewelddaad, diefstal of ’n onklaarraking van installasie of masjinerie sonder versuim gedoen moet word;
 - (2) enige werk in verband met die laai- of aflaai van—
 - (i) skepe; of
 - (ii) spoorwaens of voertuie van die Suid-Afrikaanse Spoorweë en Hawens;
 - (3) enige werk in verband met die opknapping of herstel van installasie of masjinerie wat nie gedurende gewone werkeure verrig kan word nie; (xxiii)
 - (lv) „onbelaste gewig” die gewig van ’n motorvoertuig of sleepwa soos aangegee in ’n lisensie of sertifikaat wat ten opsigte van so ’n motorvoertuig of sleepwa uitgereik is deur ’n owerheid wat by wet gemagtig is om lisensies ten opsigte van motorvoertuie uit te reik: Met dien verstande dat, in die geval van ’n twee- of driewielige motorfiets, bromponie of bromfiets of trapfiets met hulp-motor, die onbelaste gewig geag word hoogstens 1,000 lb. te wees; (lxviii)
 - (lvi) „onderbaas” ’n werknemer wat oor ’n groep arbeiders beheer voer; (xii)
 - (lvii) „ondervinding” met betrekking tot—
 - (a) ’n klerk of ’n fabrieksklerk, die totale tydperk of tydperke wat ’n werknemer onderskeidelik as ’n klerk of ’n fabrieksklerk in enige bedryf of in diens van die Staat gehad het;
 - (b) enige ander klas werknemer, die totale tydperk of tydperke diens wat ’n werknemer in sy klas in die Wolwasserybedryf gehad het: Met dien verstande

- (lix) "re-sorter" means an employee who is engaged in inspecting the wool sorted by initial sorters and who may correct any inaccuracies; (lii)
- (lx) "sanitation employee" means an employee who is engaged in removing, emptying, cleaning or replacing sanitary pails or clearing sewerage pipes or points or cleaning or attending to sanitary conveniences or equipment; (lviii)
- (lxi) "senior managerial, professional or administrative employee" means an employee who is charged by the employer with the performance of work entailing responsibility for taking decisions of a professional, technical or administrative character in the conduct of the activities of an establishment; (lix)
- (lxii) "shift worker" means an employee who is engaged in an activity which necessitates the working of three shifts per day on at least five days per week; (lx)
- (lxiii) "short-time" means a temporary reduction in the number of ordinary hours of work owing to slackness of trade, shortage of raw materials, vagaries of the weather, breakdown of plant or machinery or a breakdown or threatened breakdown of buildings; (xli)
- (lxiv) "storeman" means an employee who is in charge of stocks of incoming goods or processed or partly processed wool 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; (xliv)
- (lxv) "supervisor" means an employee who, under the supervision of a foreman, is in charge of a washing, cleaning or scouring plant or of any number of carding, combing, finishing or preparing machines and of the employees employed in connection with such plant or machines and who is responsible for the efficient performance by them of their duties and who may—
- (a) start, stop, attend and operate any such plant or machines and make minor repairs and running adjustments to such plant or machines;
 - (b) regulate the flow of boiled soap and soda ash into the wash bowls and regulate the temperature and water levels in the bowls; and
 - (c) reclothe rollers; (lxiii)
- (lxvi) "top breaking machine minder" means an employee who is engaged in minding one or more top breaking machines; (vii)
- (lxvii) "trailer" means any conveyance drawn by a motor vehicle; (lxi)
- (lxviii) "unladen weight" means the weight of any motor vehicle or trailer as recorded in a licence or certificate issued in respect of such motor vehicle or trailer by any authority empowered by law to issue licences in respect of motor vehicles: Provided that in the case of a two or three wheeled motor cycle, motor scooter or auto-cycle or a cycle fitted with an auxiliary engine the unladen weight shall be deemed not to exceed 1,000 lb.; (lv)
- (lxix) "wage" means the amount of money payable to an employee in terms of clause 3 (1) in respect of his ordinary hours of work as prescribed in clause 5: Provided—
- (i) 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), it means such higher amount;
 - (ii) that the first proviso shall not be construed so as to refer to or include any remuneration which an employee who is employed on any basis provided for in clause 9 receives over and above the amount which he would have received if he had not been employed on such a basis; (xlii)
- (lxx) "watchman" means an employee who is engaged in guarding premises or property; (lxx)
- (lxxi) "wool" includes karakul wool and mohair; (lxxi)
- (lxxii) "Woolwashing Trade" means the trade in which employers and employees are associated in establishments which are registered or liable for registration in terms of the Factories, Machinery and Building Work Act, 1941, for the purpose of carrying on any one or more of the following activities:—
- (i) The washing, cleaning, scouring or blending of raw wool (including karakul wool) or mohair;
 - (ii) the combing of wool (including karakul wool) or mohair;
- and includes all operations incidental to or consequent on any of the aforesaid activities. (lxxii)
- (2) For the purpose of this Determination an employee shall be deemed to be in that class in which he is wholly or mainly engaged.

3. REMUNERATION.

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

(a) Employees other than Casual Employees.

(i)

	All Areas. Per Week.
	R c
Artisan	39 00
Assistant foreman	35 00
Clerk, female, qualified	19 15

- dat wanneer 'n graad II- of 'n graad III-werknemer tot 'n graad I- of graad II-werknemer bevorder word, al die diens wat sodanige werknemer in die laer graad by dieselfde werkgever gehad het, geag word onder-vinding in die hoër graad waartoe hy bevorder is, te wees, in dié mate dat sy aanvangsloon in die hoër graad minstens dieselfde moet wees as die loon wat hy in die laer graad ontvang het onmiddellik voor-dat hy na die hoër graad bevorder is; (xxvi)
- (lviii) „sanitêre werknemer” ’n werknemer wat sanitêre emmers verwyder, leegmaak, skoonmaak of terugplaas of riool-pype of -punte oopmaak of sanitêre geriewe of toerusting skoonmaak of versorg; (lx)
- (lix) „senior bestuurs- professionele of administratiewe werk-nemer” ’n werknemer wat deur die werkgever belas is met werk wat die verantwoordelikheid meebring om by die uitvoering van die bedryfsinrigting se werksaamhede besluite van ’n professionele, tegniese of administratiewe aard te neem; (lxi)
- (lx) „skofwerker” ’n werknemer wat werk verrig wat dit nodig maak om op minstens vyf dae in die week drie skofte per dag te werk; (lxii)
- (lxi) „sleepwa” ’n vervoermiddel wat deur ’n motorvoertuig getrek word; (lxvii)
- (lxii) „stukwerk” ’n stelsel waarvolgens ’n werknemer se besoldiging gegronde word op die hoeveelheid werk wat verrig is; (lvi)
- (lxiii) „toesighouer” ’n werknemer wat onder die toesig van ’n voorman toesig hou oor die was-, skoonmaak- of chemiese wasinstallasie of enige getal kaard-, kam-, kambol- of valkammassjiene en oor die werknemers wat in verband met sodanige installasie of masjinerie werk-saam is, en wat toesien dat hulle die werk doeltreffend verrig en wat—
- (a) enige sodanige installasie of masjiene mag aanskakel, stopsit, versorg en bedien en kleinere herstelwerk en lopende verstelwerk aan sodanige installasie of masjiene mag doen;
 - (b) die vloei van gekookte seep en soda-as na die was-bakke en die temperatuur en watervlak in die was-bakke mag reguleer; en
 - (c) rollerbekleding mag vervang; (lxv)
- (lxiv) „uitklopperbediener” ’n werknemer wat een of meer uitkloppers of Willey-masjiene bedien; (xxii)
- (lxv) „versendingsklerk” ’n werknemer wat belas is met die versending of verpakking van goedere vir vervoer of aflewering en wat toesig mag hou oor die byeenbring, nagaan, weeg, verpakking, merk, adresseer of versending van goedere of pakkette; (xx)
- (lxvi) „voorman” ’n werknemer wat aan die hoof staan van die werknemers in ’n bedryfsinrigting, wat beheer oor sodanige werknemers uitoefen en wat daarvoor verant-woordelik is dat hulle hul pligte doeltreffend verrig; (xxxi)
- (lxvii) „voorsorteerder” ’n werknemer wat volgens opdrag die eerste sortering van wol volgens lengte, kleur of gehalte doen; (xlii)
- (lxviii) „voorsorteerder, gekwalifiseerd,” ’n voorsorteerder met minstens ses maande ondervinding; (xliii)
- (lxix) „voorsorteerder, ongekwalifiseerd,” ’n voorsorteerder met minder as ses maande ondervinding; (xliv)
- (lxx) „wag” ’n werknemer wat persele of eiendom bewaak; (lxx)
- (lxxi) „wol” ook karakoelwol en bokhaar; (lxxi)
- (lxxii) „Wolwasserybedryf” die bedryf waarin werkgevers en werknemers met mekaar geassosieer is in bedryfsinrigtings wat ingevolge die Wet op Fabriek, Masjinerie en Bou-werk, 1941, geregistreer is of aan registrasie onderworpe is met die doel om een of meer van die volgende werk-saamhede te verrig:—
- (i) Die was, skoonmaak, chemies was of vermenging van ru-wol (met inbegrip van karakoelwol) of bokhaar;
 - (ii) die kam van wol (met inbegrip van karakoelwol) of bokhaar;
- en omvat dit alle werksaamhede wat met enige een van genoemde bedrywighede in verband staan of daaruit voortspruit. (lxxii)
- (2) By die toepassing van hierdie Vasstelling word ’n werknemer geag in dié klas te wees waarin hy uitsluitlik of hoofsaaklik werksaam is.

3. BESOLDIGING.

(1) Die minimumloon wat ’n werkgever aan elke lid van ondergenoemde klasse werknemers in sy diens moet betaal, is dié hieronder uiteengesit—

(a) Werknemers uitgesonderd los werknemers.

(i)

	Alle Gebiede. Per week.
	R c
Ambagsman	39 00
Assistent-voorman	35 00
Klerk, vrou, gekwalifiseerd	19 15

	<i>All Areas. Per Week. R c</i>
Clerk, female, unqualified—	
during the first year of experience	9 92
during the second year of experience	12 23
during the third year of experience	14 54
during the fourth year of experience	16 85
Clerk, male, qualified	24 70
Clerk, male, unqualified—	
during the first year of experience	10 15
during the second year of experience	12 92
during the third year of experience	15 69
during the fourth year of experience	18 46
during the fifth year of experience	21 46
Engine room attendant	15 00
Factory clerk, qualified	11 00
Factory clerk, unqualified—	
during the first six months of experience ...	9 00
during the second six months of experience	10 00
Foreman	41 00
Handyman	15 00
Machine handyman	16 30
Supervisor	20 00
Driver of a motor vehicle the unladen weight of which together with the unladen weight of any trailers drawn by such vehicle—	
(i) does not exceed 1,000 lb.	8 00
(ii) exceeds 1,000 lb. but not 6,000 lb. ...	14 20
(iii) exceeds 6,000 lb. but not 10,000 lb. ...	17 30
(iv) exceeds 10,000 lb.	23 00
Part-time driver of a motor vehicle	11 50

(ii)

	<i>Alle Gebiede. Per Week. R c</i>
Klerk, vrou, ongekwalfiseerd—	
Gedurende die eerste jaar ondervinding ...	9 92
Gedurende die tweede jaar ondervinding ...	12 23
Gedurende die derde jaar ondervinding ...	14 54
Gedurende die vierde jaar ondervinding ...	16 85
Klerk, man, gekwalfiseerd	24 70
Klerk, man, ongekwalfiseerd—	
Gedurende die eerste jaar ondervinding ...	10 15
Gedurende die tweede jaar ondervinding ...	12 92
Gedurende die derde jaar ondervinding ...	15 69
Gedurende die vierde jaar ondervinding ...	18 46
Gedurende die vyfde jaar ondervinding ...	21 46
Masjienkamerwerker	15 00
Fabrieksklerk, gekwalfiseerd	11 00
Fabrieksklerk, ongekwalfiseerd—	
Gedurende die eerste ses maande onder- vinding	9 00
Gedurende die tweede ses maande onder- vinding	10 00
Voorman	41 00
Faktotum	15 00
Masjienfaktotum	16 30
Toesighouer	20 00
Bestuurder van 'n motorvoertuig waarvan die onbelaste gewig saam met die onbelaste gewig van enige sleepwaens wat deur sodanige voer- tuig gesleep word—	
(i) hoogstens 1,000 lb. is	8 00
(ii) meer as 1,000 lb., maar hoogstens 6,000 lb. is	14 20
(iii) meer as 6,000 lb., maar hoogstens 10,000 lb. is	17 30
(iv) meer as 10,000 lb. is	23 00
Deeltydse bestuurder van 'n motorvoertuig ...	11 50

	<i>In the Magisterial District of Port Elizabeth, and in the Municipal Area of Durban.</i>	<i>In the Magisterial Districts of Pietermaritzburg, Pinetown and Durban, other than in the Municipal Area of Durban.</i>	<i>In the Magisterial District of Uitenhage.</i>	<i>In the Magisterial Districts of East London, Tulbagh and Wellington.</i>
	<i>Per Week. R</i>	<i>Per Week. R</i>	<i>Per Week. R</i>	<i>Per Week. R</i>
Assistant pinsetter, female, qualified.....	5.60	5.30	5.20	5.20
Assistant pinsetter, female, unqualified—				
During the first three months of experience.....	5.10	4.80	4.70	4.70
During the second three months of experience.....	5.30	5.00	4.95	4.95
Assistant pinsetter, male, qualified.....	7.40	7.15	6.90	6.65
Assistant pinsetter, male, unqualified—				
During the first three months of experience.....	7.00	6.75	6.50	6.25
During the second three months of experience.....	7.20	6.95	6.70	6.45
Boiler attendant.....	7.75	7.50	7.25	7.00
Chargehand.....	8.00	7.75	7.50	7.25
Female employee operating a bag mending machine.....	5.60	5.30	5.20	5.20
Grade I employee, qualified.....	7.80	7.55	7.30	7.05
Grade I employee, unqualified—				
During the first three months of experience.....	7.00	6.75	6.50	6.25
During the second three months of experience.....	7.20	6.95	6.70	6.45
During the third three months of experience.....	7.40	7.15	6.90	6.65
During the fourth three months of experience.....	7.60	7.35	7.10	6.85
Grade II employee, qualified.....	7.60	7.35	7.10	6.85
Grade II employee, unqualified—				
During the first three months of experience.....	7.00	6.75	6.50	6.25
During the second three months of experience.....	7.20	6.95	6.70	6.45
During the third three months of experience.....	7.40	7.15	6.90	6.65
Grade III employee, qualified.....	7.20	6.95	6.70	6.45
Grade III employee, unqualified.....	7.00	6.75	6.50	6.25
Initial sorter, female, qualified.....	5.60	5.30	5.20	5.20
Initial sorter, female, unqualified—				
During the first three months of experience.....	5.10	4.80	4.70	4.70
During the second three months of experience.....	5.30	5.00	4.95	4.95
Initial sorter, male, qualified.....	7.40	7.15	6.90	6.65
Initial sorter, male, unqualified—				
During the first three months of experience.....	7.00	6.75	6.50	6.25
During the second three months of experience.....	7.20	6.95	6.70	6.45
Labourer, female.....	5.10	4.80	4.70	4.70
Labourer, male.....	7.00	6.75	6.50	6.25
Mobile hoist operator, qualified.....	7.80	7.55	7.30	7.05
Mobile hoist operator, unqualified.....	7.40	7.15	6.90	6.65
Re-sorter, female.....	6.10	5.80	5.70	5.70
Re-sorter, male.....	7.80	7.55	7.30	7.05
Watchman.....	7.75	7.50	7.25	7.00
Employee not elsewhere in this sub-clause specifically mentioned.....	7.25	7.00	6.75	6.50

(ii)

	In die landdrostdistrik Port Elizabeth en die munisipale gebied Durban.	In die landdrostdistrikte Pietermaritzburg, Pinetown en Durban, uitgesonderd die munisipale gebied Durban.	In die landdrostdistrik Uitenhage.	In die landdrostdistrikte Oos-Londen, Tulbagh en Wellington.
	Per week. R	Per week. R	Per week. R	Per week. R
Assistent-naaldsetter, vrou, gekwalifiseerd.....	5.60	5.30	5.20	5.20
Assistent-naaldsetter, vrou, ongekwalifiseerd—				
Gedurende die eerste drie maande ondervinding....	5.10	4.80	4.70	4.70
Gedurende die tweede drie maande ondervinding....	5.30	5.00	4.95	4.95
Assistent-naaldsetter, man, gekwalifiseerd.....	7.40	7.15	6.90	6.65
Assistent-naaldsetter, man, ongekwalifiseerd—				
Gedurende die eerste drie maande ondervinding....	7.00	6.75	6.50	6.25
Gedurende die tweede drie maande ondervinding....	7.20	6.95	6.70	6.45
Ketelbediener.....	7.75	7.50	7.25	7.00
Onderbaas.....	8.00	7.75	7.50	7.25
Vroulike werknemer wat 'n sakherstelmasjien bedien....	5.60	5.30	5.20	5.20
Graad I-werknemer, gekwalifiseerd.....	7.80	7.55	7.30	7.05
Graad I-werknemer, ongekwalifiseerd—				
Gedurende die eerste drie maande ondervinding....	7.00	6.75	6.50	6.25
Gedurende die tweede drie maande ondervinding....	7.20	6.95	6.70	6.45
Gedurende die derde drie maande ondervinding....	7.40	7.15	6.90	6.65
Gedurende die vierde drie maande ondervinding....	7.60	7.35	7.10	6.85
Graad II-werknemer, gekwalifiseerd.....	7.60	7.35	7.10	6.85
Graad II-werknemer, ongekwalifiseerd—				
Gedurende die eerste drie maande ondervinding....	7.00	6.75	6.50	6.25
Gedurende die tweede drie maande ondervinding....	7.20	6.95	6.70	6.45
Gedurende die derde drie maande ondervinding....	7.40	7.15	6.90	6.65
Graad III-werknemer, gekwalifiseerd.....	7.20	6.95	6.70	6.45
Graad III-werknemer, ongekwalifiseerd.....	7.00	6.75	6.50	6.25
Voorsorteerder, vrou, gekwalifiseerd.....	5.60	5.30	5.20	5.20
Voorsorteerder, vrou, ongekwalifiseerd—				
Gedurende die eerste drie maande ondervinding....	5.10	4.80	4.70	4.70
Gedurende die tweede drie maande ondervinding....	5.30	5.00	4.95	4.95
Voorsorteerder, man, gekwalifiseerd.....	7.40	7.15	6.90	6.65
Voorsorteerder, man, ongekwalifiseerd—				
Gedurende die eerste drie maande ondervinding....	7.00	6.75	6.50	6.25
Gedurende die tweede drie maande ondervinding....	7.20	6.95	6.70	6.45
Arbeider, vrou.....	5.10	4.80	4.70	4.70
Arbeider, man.....	7.00	6.75	6.50	6.25
Bediener van 'n mobiele hystoestel, gekwalifiseerd.....	7.80	7.55	7.30	7.05
Bediener van 'n mobiele hystoestel, ongekwalifiseerd....	7.40	7.15	6.90	6.65
Nasorteerder, vrou.....	6.10	5.80	5.70	5.70
Nasorteerder, man.....	7.80	7.55	7.30	7.05
Wag.....	7.75	7.50	7.25	7.00
Werknemer wat nie elders in hierdie subklousule spesifiek gemeld word nie.....	7.25	7.00	6.75	6.50

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

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

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

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

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

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

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

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

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

- (a) 'n hoër loon as dié van sy eie klas, of
- (b) 'n stygende loonskaal wat uitloop op 'n hoër loon as dié van sy eie klas,

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

- (i) in die geval in paragraaf (a) bedoel, minstens die dagloon bereken teen die hoër tarief; en
- (ii) in die geval in paragraaf (b) bedoel, minstens die dagloon bereken op dié kerf in die stygende skaal onmiddellik bokant die loon wat die werknemer vir sy gewone werk ontvang het:

Provided that—

- (i) the provisions of this sub-clause shall not apply where the difference between classes in terms of sub-clause (1) is based on experience or sex;
- (ii) unless expressly otherwise provided in a written contract between an employer and his employee, nothing in this Determination shall be so construed as to preclude an employer from requiring his employee to perform work of another class for which class the same or a lower wage is prescribed than that prescribed for such employee.
- (4) *Calculation of Wages.*—(a) The daily wage of an employee, other than a casual employee, shall be his weekly wage divided by—
 - (i) five, in the case of an employee who works a five-day week;
 - (ii) six, in the case of every other employee.
- (b) The monthly wage of an employee shall be four and a third times his weekly wage.
- (c) The hourly wage of an employee, other than a casual employee, shall be his weekly wage divided by forty-six.

4. PAYMENT OF REMUNERATION.

(1) *Employees other than Casual Employees.*—Save as provided in clause 6 (4), any amount due to an employee, other than a casual employee, shall be paid in cash weekly or, with the consent of the employee, in cash or by cheque monthly during the hours of work or within thirty minutes of ceasing work on the usual pay day of the establishment for such employee or on termination of employment if this takes place before the usual pay day, and such amount shall be contained in an envelope or container on which shall be recorded or which shall be accompanied by a statement showing—

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

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

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

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

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

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

- (a) With the written consent of his employee, a deduction for holiday, sick benefit, insurance, savings, provident or pension funds, or subscriptions to trade unions;
- (b) except where otherwise provided in this Determination, whenever an employee is absent from work, other than on the instructions or at the request of his employer, a deduction proportionate to the period of his absence and calculated on the basis of the wage which such employee was receiving in respect of his ordinary hours of work at the time of such absence;
- (c) a deduction of any amount which an employer by law or order of any competent court is required or permitted to make;
- (d) whenever an employee agrees or is required in terms of the Bantu (Urban Areas) Consolidation Act, 1945, to accept board and lodging or board or lodging with his employer, a deduction not exceeding the amounts specified hereunder:—

	Per Week.	Per Month.
	R	R
(i) Board.....	0.80	3.47
(ii) Lodging.....	0.40	1.73
(iii) Board and lodging.....	1.20	5.20;

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

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

Met dien verstande dat—

- (i) die bepalings van hierdie subklousule nie geld nie wanneer die verskil tussen die klasse ingevolge subklousule (1) op ondervinding of geslag berus;
- (ii) tensy daar in 'n skriftelike kontrak tussen 'n werkgewer en sy werknemer uitdruklik anders bepaal word, niks in hierdie Vasstelling só uitgelê mag word dat dit 'n werkgewer 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 nie.
- (4) *Loonberekening.*—(a) Die dagloon van 'n werknemer, uitgesonderd 'n los werknemer, is sy weekloon gedeel deur—
 - (i) vyf, in die geval van 'n werknemer wat vyf dae in 'n week werk;
 - (ii) ses, in die geval van alle ander werknemers.
- (b) Die maandloon van 'n werknemer is vier en 'n derde maal sy weekloon.
- (c) Die uurloon van 'n werknemer, uitgesonderd 'n los werknemer, is sy weekloon gedeel deur ses-en-veertig.

4. BETALING VAN BESOLDIGING.

(1) *Werknemers, uitgesonderd los werknemers.*—Behoudens die bepalings van klousule 6 (4), moet iedere bedrag verskuldig aan 'n werknemer, uitgesonderd 'n los werknemer, weekliks in kontant of, as die werknemer daartoe instem, maandeliks in kontant of per tjek betaal word gedurende die werkure, of binne dertig minute nadat die werk gestaak is op die dag waarop die bedryfsinrigting so 'n werknemer gewoonlik betaal, of by diensbeëindiging, as dit voor die gewone betaaldag geskied, en sodanige bedrag moet in 'n kovert of houer wees waarop of wat vergesel gaan van 'n staat waarop gemeld word—

- (a) die werkgewer se naam;
- (b) die werknemer se naam of sy nommer op die betaalstaat en sy beroep;
- (c) die getal gewone werkure wat die werknemer gewerk het;
- (d) die getal ure wat die werknemer oortyd gewerk het;
- (e) die werknemer se loon;
- (f) besonderhede van enige ander besoldiging wat uit die werknemer se diens voortspruit;
- (g) besonderhede van enige bedrag wat afgetrek is;
- (h) die werklike bedrag wat aan die werknemer betaal word; en
- (i) die tydperk waarvoor die betaling geskied;

en sodanige kovert of houer waarop hierdie inligting aangeteken is of sodanige staat word die eiendom van die werknemer.

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

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

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

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

(6) *Aftrekkings.*—'n Werkgewer mag sy werknemer geen boetes ople of bedrae van sy werknemer se besoldiging aftrek nie: Met dien verstande dat hy die volgende kan aftrek:—

- (a) Met die skriftelike toestemming van sy werknemer, 'n bedrag vir 'n vakansie-, siektebystands-, versekerings-, spaar-, voorsorgs- of pensioenfonds, of vir ledegelde van vakverenigings;
- (b) behoudens andersluidende bepalings in hierdie Vasstelling, telkens wanneer 'n werknemer om 'n ander rede as op las of versoek van sy werkgewer van sy werk afwesig is, 'n bedrag eweredig aan die tydperk van sy afwesigheid en bereken op grondslag van die loon wat sodanige werknemer ten tyde van sodanige afwesigheid ten opsigte van sy gewone werkure ontvang het;
- (c) ieder bedrag wat 'n werkgewer regtens of kragtens of ingevolge 'n bevel van 'n bevoegde hof mag of moet aftrek;
- (d) wanneer 'n werknemer daarmee instem of daar ingevolge die Bantoe (Stadsgebiede) Konsolidasiewet, 1945, van hom vereis word om kos en huisvesting of kos of huisvesting van sy werkgewer aan te neem, 'n bedrag van hoogstens—

	Per week.	Per maand.
	R	R
(i) Kos.....	0.80	3.47
(ii) Huisvesting.....	0.40	1.73
(iii) Kos en huisvesting.....	1.20	5.20;

(e) wanneer die gewone werkure in klousule 5 voorgeskryf, 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) geen aftrekking ten opsigte van korttyd wat deur 'n slapte in die bedryf of 'n tekort aan grondstowwe ontstaan, geskied nie tensy die werkgewer sy werknemer op die vorige werkdag kennis gee van sy voorneme om die gewone werkure te verminder;

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

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

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

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

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

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

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

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

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

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

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

(3) *Meal Intervals.*—An employer shall not require or permit an employee to work 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—

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

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

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

(iv) 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;

(v) when on any day by reason of overtime work an employer is required to give an employee a second meal interval, such interval may, at the request of the employee, be reduced to fifteen minutes;

(vi) a driver of a motor vehicle who during such interval does no work other than being or remaining in charge of the vehicle shall be deemed for the purpose of this sub-clause not to have worked during such interval;

(vii) such interval need not be granted to a shift worker during his ordinary hours of work on any day if he is given the opportunity during such hours of having a meal at his post.

(4) *Hours of Work to be Consecutive.*—Save as provided in sub-clause (3), all hours of work of an employee on any day shall be consecutive.

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

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

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

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

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

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

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

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

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

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

(ii) ten opsigte van korttyd weens slegte weersomstandighede of 'n onklaarraking van installasie of masjinerie of 'n onklaarraking of dreigende onklaarraking van geboue, geen aftrekking vir die eerste uur waarin daar nie gewerk word nie, geskied nie tensy die werkgewer sy werknemer op die vorige dag kennis gegee het dat daar geen werk sal wees nie;

(f) met die skriftelike toestemming van 'n werknemer, iedere bedrag wat 'n werkgewer aan 'n munisipale raad of ander plaaslike owerheid betaal het aan d'e huur van 'n huis of aan huisvesting in 'n tehuis wat die werknemer in 'n lokasie of Bantodorp onder die beheer van so 'n raad of ander plaaslike owerheid bewoon.

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

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

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

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

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

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

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

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

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

(3) *Eetenspouses.*—'n Werkgewer mag nie van 'n werknemer vereis of hom toelaat om meer as vyf uur aaneen sonder 'n eetenspouse 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—

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

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

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

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

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

(vi) 'n bestuurder van 'n motorvoertuig wat gedurende sodanige pouse geen ander werk verrig as om in die 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;

(vii) sodanige pouse nie gedurende 'n skofwerker se gewone werkure op 'n dag aan hom toegestaan hoef te word nie, indien hy die geleentheid gegun word om gedurende sodanige ure sy ete te nuttig terwyl hy op sy pos bly.

(4) *Werkure moet agtereenvolgend wees.*—Behoudens die bepalings van subklousule (3), moet alle werkure van 'n werknemer op iedere dag agtereenvolgend wees.

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

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

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

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

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

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

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

(c) meer as twee uur oortyd op 'n dag te werk nie, met die uitsondering dat 'n werknemer wat 'n werkweek van vyf dae het, op 'n Saterdag tot vier uur oortyd mag werk, maar dan só dat die oortydwerk hoogstens tien uur in 'n week beloop;

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

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

- (f) overtime after completion of her ordinary hours of work for more than one hour on any day unless he has—
- before midday given notice thereof to such employee; or
 - provided such employee with an adequate meal and allowed her sufficient time to have it before she has to commence overtime; or
 - paid such employee not less than twenty-five cents in sufficient time to enable her to obtain and have a meal before overtime is due to commence.

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

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

(9) *Savings.*—(a) The provisions of this clause shall not apply to a foreman or to a senior managerial, professional or administrative employee if and for so long as such an employee is in receipt of a regular wage at a rate of not less than R160 per month.

(b) The provisions of sub-clauses (3), (4) and (6) shall not apply to an employee while he is engaged on emergency work.

(c) The provisions of this clause shall not apply to a watchman whose employer grants him a day off of twenty-four consecutive hours in respect of every week of employment: Provided that—

- he makes no deduction from his watchman's wage in respect thereof;
- an employer may, in lieu of granting his watchman any such day off, pay such watchman the wage which he would have received if he had not worked on such day, plus an amount of not less than his daily wage in respect of such day not granted.

6. ANNUAL LEAVE.

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

- in the case of a watchman, twenty-one consecutive calendar days' leave;
 - in the case of every other employee, fourteen consecutive calendar days' leave;
- and shall pay such employee in respect of such leave—

- in the case of an employee referred to in paragraph (a), an amount of not less than three times the weekly wage to which he is entitled as from the first day of the leave;
- in the case of an employee referred to in paragraph (b), an amount of not less than double the weekly wage to which he is entitled as from the first day of the leave:

Provided that for the purpose of this clause the weekly wage of any employee who is engaged on piece-work shall be calculated on the basis set out in section 20 (5) (a) of the Factories, Machinery and Building Work Act, 1941.

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

- if such leave has not been granted earlier, it shall, save as provided in sub-clause (3), be granted so as to commence within four months after the completion of the twelve 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 as from a date not later than two months after the expiration of the said period of four months;
- the period of leave shall not be concurrent with sick leave granted in terms of clause 7 nor, unless the employee so requests and the employer agrees in writing, with any period of military training under the Defence Act, 1957;
- if New Year's Day, Good Friday, Ascension Day, the Day of the Covenant or Christmas Day falls within the period of such leave, another work day shall, for each such holiday, be added to the said period as a further period of leave and the employee shall be paid an amount of not less than his daily wage in respect of each such day added;
- 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 twelve months of employment to which the period of leave relates.

- na voltooiing van haar gewone werkure meer as een uur op 'n dag oortyd te werk nie tensy hy—
- sodanige werknemer voor die middag kennis daarvan gegee het; of
- sodanige werknemer van 'n toereikende ete voorsien en haar genoeg tyd gelaat het om dit te nuttig voordat sy met die oortydwerk moet begin; of
- sodanige werknemer minstens vyf-en-twintig sent betyds betaal het om haar in staat te stel om 'n ete te verkry en te nuttig voordat sy met die oortydwerk moet begin.

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

- in die geval van 'n los werknemer, een en 'n derde maal sy gewone loon ten opsigte van die totale tydperk aldus deur sodanige werknemer op 'n dag gewerk;
- in die geval van 'n ander werknemer, een en 'n derde maal sy gewone loon ten opsigte van die totale tydperk aldus deur sodanige werknemer in 'n week gewerk.

(9) *Voorbehoudsbepalings.*—(a) Die bepalinge van hierdie klousule is nie op 'n voorman of op 'n senior bestuurs-, professionele of administratiewe werknemer van toepassing nie indien en solank so 'n werknemer gereeld 'n loon teen minstens R160 per maand ontvang.

(b) Die bepalinge van subklousules (3), (4) en (6) is nie op 'n werknemer van toepassing nie terwyl hy noodwerk verrig.

(c) Die bepalinge van hierdie klousule is nie op 'n wag wie se werkgever hom 'n dag van vier-en-twintig agtereenvolgende ure ten opsigte van elke week diens vry afgee, van toepassing nie: Met dien verstande dat—

- hy geen bedrag van sy wag se loon ten opsigte daarvan aftrek nie;
- 'n werkgever, in plaas daarvan dat hy sodanige dag vry af aan sy wag gee, sodanige wag dié loon mag betaal wat hy sou ontvang het indien hy nie op sodanige dag gewerk het nie, plus 'n bedrag van minstens sy dagloon ten opsigte van sodanige dag wat nie toegestaan is nie.

6. JAARLIKSE VERLOF.

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

- in die geval van 'n wag, een-en-twintig agtereenvolgende kalenderdae;
- in die geval van iedere ander werknemer, veertien agtereenvolgende kalenderdae;

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

- in die geval van 'n werknemer in paragraaf (a) vermeld, 'n bedrag van minstens drie maal die weekloon waarop hy met ingang van die eerste dag van die verlof geregtig is;
- in die geval van 'n werknemer in paragraaf (b) bedoel, 'n bedrag van minstens twee maal die weekloon waarop hy met ingang van die eerste dag van die verlof geregtig is:

Met dien verstande dat by die toepassing van hierdie klousule die weekloon van 'n werknemer wat stukwerk verrig, bereken word op die grondslag uiteengesit in artikel 20 (5) (a) van die Wet op Fabriek, Masjinerie en Bouwerk, 1941.

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

- as sodanige verlof nie eerder verleen is nie, dit behoudens die bepalinge van subklousule (3) so verleen moet word dat dit begin binne vier maande na voltooiing van die twaalf maande diens waarop dit betrekking het; of dat, 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 verleen met ingang van 'n datum uiterlik twee maande na die verstryking van genoemde tydperk van vier maande;
- die tydperk van verlof nie met siekteverlof wat ingevolge klousule 7 verleen is of, tensy die werknemer dit versoek en die werkgever skriftelik daartoe instem, met 'n tydperk van militêre opleiding ingevolge die Verdedigingswet, 1957, mag saamval nie;
- as Nuwejaarsdag, Goeie Vrydag, Hemelvaartdag, Geloftedag of Kersdag binne die tydperk van sodanige verlof val, daar vir elke sodanige vakansiedag nog 'n werkdag by gemelde tydperk gevoeg moet word as 'n verdere tydperk van verlof en dat die werknemer vir elke sodanige dag wat bygevoeg word, 'n bedrag van minstens sy dagloon betaal moet word;
- 'n werkgever al die dae geleentheidsverlof wat op die skriftelike versoek van sy werknemer met volle betaling aan hom verleen is gedurende die tydperk van twaalf maande diens waarop die verloftydperk betrekking het, van sodanige verloftydperk kan aftrek.

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

- (i) that the request is made by such employee not later than four months after the expiry of the first period of twelve months of employment to which the leave relates, and
- (ii) that the date of the receipt of the request is endorsed on the request over his signature by the employer, who shall retain the request for a period of not less than three years from such date or the date of the expiry of the first period of twelve months of employment to which the leave relates, whichever is the later.

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

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

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

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

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

- (i) who leaves his employment without having given and served the period of notice prescribed in clause 12, unless the employer has waived such notice or the employee has paid the employer in lieu of notice; or
- (ii) who leaves his employment without cause recognised by law as sufficient; or
- (iii) who is dismissed by his employer without notice for any cause recognised by law as sufficient for such dismissal without notice,

shall not be entitled to any payment by virtue of this sub-clause.

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

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

- (a) any period in respect of which an employer, in terms of clause 12, pays an employee in lieu of notice;
- (b) any period during which an employee is absent—
 - (i) on leave in terms of this clause;
 - (ii) on sick leave in terms of clause 7;
 - (iii) on the instructions or at the request of his employer, amounting in the aggregate in any year to not more than eight weeks; and
- (c) any period during which an employee is absent undergoing military training in pursuance of the Defence Act, 1957: Provided that an employee shall not be entitled to claim as employment more than four months of any one period of such training;

and employment shall be deemed to commence—

- (i) in the case of an employee who had before the coming into force of this Determination become entitled to a period of annual leave in terms of any law, on the date on which such employee last became entitled to such leave under such law;
- (ii) in the case of an employee who was in employment before the coming into force of this Determination and to whom any law providing for annual leave applied but who had not become entitled to a period of leave in terms thereof, on the date on which such employment commenced;
- (iii) in the case of any other employee, from the date on which such employee entered his employer's service or on the date of the coming into force of this Determination, whichever is the later.

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

(3) (a) Op die skriftelike versoek van sy werknemer kan 'n werkgever die verlof oor 'n tydperk van hoogstens vier-en-twintig maande diens laat ooploop: Met dien verstande—

- (i) dat sodanige werknemer so 'n versoek doen binne vier maande na verstryking van die eerste tydperk van twaalf maande diens waarop die verlof betrekking het, en
- (ii) dat die werkgever die datum van ontvangs van sodanige versoek daarop aanbring en dit onderteken en die versoek vir minstens drie jaar bewaar vanaf sodanige datum of vanaf die datum van verstryking van die eerste tydperk van twaalf maande diens waarop die verlof betrekking het, en wel vanaf die jongste van dié twee datums.

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

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

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

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

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

- (i) wat sy diens verlaat sonder om dié kennis te gee en dié kennisgewingstermyn uit te dien wat by klousule 12 voorgeskryf word, tensy die werkgever van sodanige kennisgewing afgesien het of tensy die werknemer sy werkgever betaal het in plaas daarvan om aldus kennis te gee; of
- (ii) wat sy diens sonder 'n regsgeldige rede verlaat; of
- (iii) wat sonder kennisgewing deur sy werkgever ontslaan word om 'n rede wat vir sodanige ontslag sonder kennisgewing regsgeldig is,

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

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

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

- (a) enige tydperk ten opsigte waarvan 'n werkgever 'n werknemer ingevolge klousule 12 betaal in plaas van kennis te gee;
- (b) enige tydperk wat 'n werknemer afwesig is—
 - (i) met verlof ingevolge hierdie klousule;
 - (ii) met siekteverlof ingevolge klousule 7;
 - (iii) op las of versoek van sy werkgever,
 en wel tot 'n totaal, in enige jaar, van hoogstens agt weke, en
- (c) enige tydperk wat 'n werknemer afwesig is vir militêre opleiding ingevolge die Verdedigingswet, 1957: Met dien verstande dat 'n werknemer nie geregtig is om meer as vier maande van een sodanige opleidingstydperk as diens te eis nie,

en word diens geag te begin—

- (i) in die geval van 'n werknemer wat, voor die inwerking-treding van hierdie Vasstelling, kragtens enige wet op 'n tydperk van jaarlikse verlof geregtig geword het, op die datum waarop sodanige werknemer laas kragtens sodanige wet op verlof geregtig geword het;
- (ii) in die geval van 'n werknemer wat voor die datum van inwerking-treding van hierdie Vasstelling in diens was en op wie enige wet wat vir jaarlikse verlof voorsiening maak, van toepassing was maar wat nog nie daarkragtens op 'n tydperk van verlof geregtig geword het nie, op die aanvangsdatum van sodanige diens;
- (iii) in die geval van 'n ander werknemer, op die datum waarop sodanige werknemer by sy werkgever in diens getree het of op die datum van inwerking-treding van hierdie Vasstelling, en wel op die jongste van die twee datums.

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

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

7. SICK LEAVE.

(1) Subject to the provisions of sub-clause (2), an employer shall grant to his employee, other than a casual employee, who, after two months of employment with him, is absent from work through incapacity—

- (a) in the case of an employee who works a five-day week, not less than ten work days', and
- (b) in the case of every other employee, not less than twelve work days'.

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

- (i) this clause shall not apply to an employee at whose written request an employer makes contributions, at least equal to those made by the employee, to any fund or organisation nominated by the employee, which fund or organisation guarantees to the employee in the event of his incapacity in the circumstances set out in this clause the payment to him of not less than in the aggregate the equivalent of his wage for ten or twelve work days, as the case may be, in each cycle of twelve months of employment;
- (ii) 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;
- (iii) if in respect of any period of incapacity covered by this clause an employer is required by any other law to pay to an employee his full wages, the provisions of this clause shall not apply.

(2) An employer may, as a condition precedent to the payment by him of any amount claimed in terms of this clause by an employee in respect of any absence from work, require the employee to produce a certificate signed by a registered medical practitioner stating the nature and duration of the employee's incapacity.

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

- (a) "employment" shall be deemed to include—
 - (i) any period during which an employee is absent—
 - (aa) on leave in terms of clause 6;
 - (bb) on the instructions or at the request of his employer;
 - (cc) on sick leave in terms of sub-clause (1), amounting in the aggregate, in any year, to not more than eight weeks, and
 - (ii) any period during which an employee is absent undergoing military training in pursuance of the Defence Act, 1957: Provided that an employee shall not be entitled to claim as employment more than four months of any one period of such training;

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

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

8. PUBLIC HOLIDAYS AND SUNDAYS.

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

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

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

7. SIEKTEVERLOF.

(1) Behoudens die bepalings van subklousule (2), moet 'n werkgever aan sy werknemer, uitgesonderd 'n los werknemer, wat na twee maande diens by hom weens ongeskiktheid van die werk afwesig is, siekteverlof verleen—

- (a) in die geval van 'n werknemer wat 'n werkweek van vyf dae het, altesaam minstens tien werkdade, en
- (b) in die geval van iedere ander werknemer, altesaam minstens twaalf werkdade,

gedurende elke twaalf agtereenvolgende maande diens by hom, en moet hy sodanige werknemer ten opsigte van elke 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) hierdie klousule nie van toepassing is nie op 'n werknemer op wie se skriftelike versoek 'n werkgever bydraes wat minstens gelyk is aan dié wat die werknemer self bydra, betaal aan 'n fonds of organisasie wat die werknemer aanwys en wat die werknemer waarborg dat, in geval van ongeskiktheid in die omstandighede in hierdie klousule vermeld, altesaam minstens die ekwivalent van sy loon vir tien of twaalf werkdade, na gelang van die geval, in elke tydkring van twaalf maande diens aan hom betaal sal word;
- (ii) waar 'n werkgever ingevolge 'n wet gelde vir hospitaal- of mediese behandeling ten opsigte van 'n werknemer moet betaal en sodanige gelde wel betaal, die bedrag wat aldus betaal is, afgetrek kan word van die bedrag wat ingevolge hierdie klousule ten opsigte van afwesigheid weens ongeskiktheid verskuldig is;
- (iii) indien daar by 'n ander wet van 'n werkgever vereis word om 'n werknemer sy volle loon te betaal ten opsigte van 'n tydperk van ongeskiktheid waarvoor hierdie klousule voorsiening maak, die bepalings van hierdie klousule nie van toepassing is nie.

(2) 'n Werkgever mag, as 'n opskortende voorwaarde vir die betaling, deur hom, van 'n bedrag wat 'n werknemer kragtens hierdie klousule eis ten opsigte van enige afwesigheid van sy werk van die werknemer vereis om 'n sertifikaat voor te lê wat deur 'n geregistreerde mediese praktisyn onderteken is en wat die aard en duur van die werknemer se ongeskiktheid meld.

(3) By die toepassing van hierdie klousule—

- (a) word die uitdrukking „diens” geag ook te omvat—
 - (i) enige tydperk wat 'n werknemer afwesig is—
 - (aa) met verlof ingevolge klousule 6;
 - (bb) op las of versoek van sy werkgever;
 - (cc) met siekteverlof ingevolge subklousule (1), en wat in enige jaar altesaam hoogstens agt weke beloop, en
 - (ii) enige tydperk wat 'n werknemer afwesig is vir militêre opleiding ingevolge die Verdedigingswet, 1957: Met dien verstande dat 'n werknemer nie geregtig is om meer as vier maande van een sodanige opleidingstydperk as diens te eis nie,

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

- (b) beteken „ongeskiktheid” onvermoë om te werk weens siekte of 'n besering, uitgesonderd dié veroorsaak deur 'n werknemer se eie wangedrag: Met dien verstande dat werkonvermoë wat veroorsaak is deur 'n ongeluk waarvoor vergoeding betaalbaar is ingevolge die Ongevalwet, 1941, geag word ongeskiktheid te wees slegs ten opsigte van 'n tydperk van werkonvermoë waarvoor geen bedrag in verband met ongeskiktheid kragtens daardie Wet betaalbaar is nie.

8. OPENBARE VAKANSIEDAE EN SONDAE.

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

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

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

(a) pay the employee—

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

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

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

(5) That clause shall not apply—

- (a) to a foreman or a senior managerial, professional or administrative employee if and for so long as such employee is in receipt of a regular wage at a rate of not less than R180 per month;
- (b) to a casual employee or a watchman.

9. PIECE-WORK.

(1) An employer may, after at least one week's notice to his employee 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—

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

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

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

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

10. RATIO.

(1) An employer shall not employ an unqualified factory clerk, an unqualified grade I employee or an unqualified grade II employee unless he has in his employ a qualified factory clerk, a qualified grade I employee or a qualified grade II employee, respectively.

(2) For the purpose of this clause, an unqualified employee, who is receiving a wage of not less than that prescribed in clause 3 (1) for a qualified employee of his class in the area in which he works, may be deemed to be a qualified employee.

11. UNIFORMS, OVERALLS AND PROTECTIVE CLOTHING.

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

12. TERMINATION OF CONTRACT OF EMPLOYMENT.

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

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

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

(a) die werknemer—

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

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

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

(5) Hierdie klousule is nie van toepassing nie—

- (a) op 'n voorman of 'n senior bestuurs-, professionele of administratiewe werknemer indien en terwyl so 'n werknemer gereeld 'n loon teen minstens R180 per maand ontvang;
- (b) op 'n los werknemer, 'n handelsreisiger, 'n handelsreisiger se hulp of 'n wag.

9. STUKWERK.

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

- (a) in die geval van 'n ander werknemer as 'n los werknemer, vir elke week waarin stukwerk verrig word, minstens die bedrag wat hy so 'n werknemer vir daardie week sou moet betaal het as hy hom 'n tydloon betaal het;
- (b) in die geval van 'n los werknemer, vir elke dag waarop stukwerk verrig word, minstens die bedrag wat hy so 'n werknemer vir daardie dag sou moet betaal het as hy nom 'n tydloon betaal het.

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

(3) '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 werknemers wat volgens sodanige stelsel werk, minstens een kalendermaand kennis van sodanige voorneme 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.

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

10. GETALLEVERHOUDING.

(1) 'n Werkgever mag nie 'n ongekwalifiseerde fabrieksklerk, 'n ongekwalifiseerde graad I-werknemer of 'n ongekwalifiseerde graad II-werknemer in diens neem nie tensy hy onderskeidelik 'n gekwalifiseerde fabrieksklerk, 'n gekwalifiseerde graad I-werknemer of 'n gekwalifiseerde graad II-werknemer in sy diens het nie.

(2) 'n Ongekwalifiseerde werknemer wat minstens die loon ontvang wat in klousule 3 (1) vir 'n gekwalifiseerde werknemer van sy klas in die gebied waarin hy werk voorgeskryf word, mag by die toepassing van hierdie klousule geag word 'n gekwalifiseerde werknemer te wees.

11. UNIFORMS, OORPAKKE EN BESKERMENDE KLERE.

'n Werkgever moet alle uniforms, oorpakke, 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 toestand hou, en alle sodanige uniforms, oorpakke, rubberstewels of ander beskermende klere bly die eiendom van die werkgever.

12. BEÏNDIGING VAN DIENSKONTRAK.

(1) 'n Werkgever of sy werknemer, uitgesonderd 'n los werknemer, wat die dienskontrak wil beëindig, moet—

- (a) gedurende die eerste vier weke diens, minstens een werkdag,
- (b) na die eerste vier weke diens, minstens een week,

notice of termination of contract, or an employer or employee may terminate the contract without notice by paying the employee or paying the employer, as the case may be, in lieu of such notice not less than—

- (i) in the case of one work day's notice, the daily wage which the employee is receiving at the time of such termination;
- (ii) in the case of one week's notice the weekly wage which the employee is receiving at the time of such termination:

Provided that this shall not affect—

- (i) the right of an employer or his employee to terminate the contract without notice for any cause recognised by law as sufficient;
- (ii) any written agreement between an employer and his employee which provides for a period of notice of equal duration on both sides and for longer than that prescribed in this clause;
- (iii) the operation of any forfeitures or penalties which by law may be applicable in respect of an employee who deserts:

Provided further that where the wage of an employee at the date of termination has been reduced by deductions in respect of short-time, the expression "is receiving at the time of such termination" shall, when an employer pays an employee in lieu of notice, be deemed to mean "would have received at the time of such termination if no deductions had been made in respect of short-time".

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

(3) The notice prescribed in sub-clause (1) may be given on any work day: Provided that—

- (i) the period of notice shall not run concurrently with nor shall notice be given during an employee's absence on leave granted in terms of clause 6 or any period of military training which an employee is undergoing in pursuance of the Defence Act, 1957;
- (ii) notice shall not be given during an employee's absence on sick leave granted in terms of clause 7.

(4) Notwithstanding anything to the contrary in this Determination, where an employee terminates his contract of employment by leaving his employment without having given and served the required period of notice or without paying his employer in lieu of notice, his employer may appropriate to himself, from any moneys which he owes to such employee by virtue of any provisions of this Determination, an amount of not more than that which such employee would have had to pay him in lieu of notice.

13. CERTIFICATE OF SERVICE.

Except where a contract of employment of an employee is terminated on the ground of desertion or where the employee is a casual employee, the employer shall upon termination of any contract of employment furnish the employee with a certificate of service substantially in the form prescribed in the Schedule to this Determination, showing the full names of the employer and of the employee, the occupation of the employee, the date of commencement and the date of termination of the contract and the weekly wage of the employee on the date of such termination.

14. PROHIBITION OF EMPLOYMENT.

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

SCHEDULE.

I/We (a).....
carrying on the Woolwashing Trade at.....
hereby certify that.....
was employed by me/us (a) from the.....
day of.....19..... to the.....
day of.....19..... as (b).....
At the termination of employment his/her (a) wage was
.....rand.....cents per week.

(Signature of Employer or
Authorised Representative.)

Date.....

- (a) Delete whichever is inapplicable.
- (b) State occupation in which employee was wholly or mainly engaged, e.g., clerk, labourer, comb minder.

vooraf kennis van die beëindiging van die kontrak gee of 'n werkgewer of 'n werknemer kan die kontrak sonder kennisgewing beëindig deur, in plaas van sodanige kennisgewing, aan die werknemer of die werkgewer, na gelang van die geval, te betaal—

- (i) in die geval van een werkdag kennisgewing, minstens die dagloon wat die werknemer ten tyde van sodanige beëindiging ontvang;
- (ii) in die geval van een week kennisgewing, minstens die weekloon wat die werknemer ten tyde van sodanige beëindiging ontvang:

Met dien verstande dat—

- (i) die reg van 'n werkgewer of sy werknemer om die kontrak op 'n regsgeldige grond sonder kennisgewing te beëindig;
- (ii) 'n skriftelike ooreenkoms tussen 'n werkgewer en sy werkgewer waarin voorsiening gemaak word vir 'n kennisgewingstermyn wat vir beide partye ewe lank is en langer is as dié wat in hierdie klousule voorgeskryf word;
- (iii) die werking van 'n verbeuring of boete wat regtens van toepassing mag wees op 'n werknemer wat dros;

nie hierdeur geraak word nie: Met dien verstande voorts dat, indien die loon van 'n werknemer op die datum van die beëindiging verminder is deur aftrekkings ten opsigte van korttyd en die werkgewer hom betaal in plaas van kennis te gee, die uitdrukking „ten tyde van sodanige beëindiging ontvang” geag word te beteken „ten tyde van sodanige beëindiging sou ontvang het as geen bedrag weens korttyd afgetrek was nie”.

(2) Indien daar 'n ooreenkoms ingevolge die tweede voorbehoudsbepaling van subklousule (1) bestaan, moet die betaling in plaas van kennisgewing eweredig wees aan die kennisgewingstermyn waaroor daar ooreengekom is.

(3) Die kennisgewing in subklousule (1) voorgeskryf, mag op enige werkdag geskied: Met dien verstande dat—

- (i) die kennisgewingstermyn nie mag saamval nie met, en die kennisgewing nie mag geskied nie gedurende 'n werknemer se afwesigheid met verlof ingevolge klousule 6 of enige tydperk van militêre opleiding wat 'n werknemer ingevolge die Verdedigingswet, 1957, ondergaan;
- (ii) daar nie gedurende 'n werknemer se afwesigheid met siekteverlof ooreenkomstig klousule 7 kennis gegee mag word nie.

(4) Ondanks andersluidende bepalinge in hierdie Vasstelling mag 'n werkgewer, in die geval waar 'n werknemer sy dienskontrak beëindig deur sy diens te verlaat sonder om kennis te gee en sonder om die kennisgewingstermyn uit te dien of sonder om sy werkgewer te betaal in plaas van kennis te gee, uit enige geld wat hy sodanige werknemer uit hoofde van enige bepaling van hierdie Vasstelling skuld, aan homself 'n bedrag toeëien van hoogstens dié wat sodanige werknemer hom sou moes betaal het in plaas van kennis te gee.

13. DIENSSERTIFIKAAT.

Behalwe waar 'n werknemer se dienskontrak op grond van diensverlating beëindig word of waar die werknemer 'n los werknemer is, moet die werkgewer by beëindiging van enige dienskontrak die werknemer van 'n dienssertifikaat voorsien wat wesenlik die vorm het soos in die Bylae van hierdie Vasstelling voorgeskryf en wat die volle name van die werkgewer en die werknemer, die beroep van die werknemer, die aanvangsdatum en die datum van beëindiging van die kontrak en die weekloon van die werknemer op die datum van sodanige beëindiging vermeld.

14. VERBOD OP INDIENSNEMING.

'n Werkgewer mag niemand onder die leeftyd van vyftien jaar in diens neem nie.

BYLAE.

Ek/Ons (a).....
wat die Wolwasserybedryf beoefen te
verklaar hierby dat
in my/ons (a) diens was van die.....
dag van19..... tot die dag
van19..... as (b).....
By diensbeëindiging was sy/haar (a) loon.....rand
.....sent per week.

(Handtekening van werkgewer of
gemagtigde verteenwoordiger.)

Datum

- (a) Skrap wat nie van toepassing is nie.
- (b) Meld die beroep waarin die werknemer uitsluitend of hoofsaaklik in diens was, bv., klerk, arbeider, kambediener.

No. R. 743.] [19 May 1967.
WAR MEASURES ACT, 1940.

SUSPENSION OF PAYMENT OF COST OF LIVING ALLOWANCES PAYABLE UNDER WAR MEASURE No. 43 OF 1942, AS AMENDED.

WOOLWASHING TRADE, CERTAIN AREAS.

I, MARAIS VILJOEN, Minister of Labour, hereby in terms of regulation 4 (1) of the regulations published under War Measure No. 43 of 1942, as amended, suspend the operation of the said regulations in respect of all employees for whom wages are prescribed in clause 3 of the Wage Determination for the Woolwashing Trade, Certain Areas, published under Government Notice No. R. 742 of the 19th May, 1967.

M. VILJOEN,
Minister of Labour.

No. R. 744.] [19 May 1967.
FACTORIES, MACHINERY AND BUILDING WORK ACT, 1941, AS AMENDED.

WOOLWASHING TRADE, CERTAIN AREAS.

I, MARAIS VILJOEN, Minister of Labour, hereby in terms of section 22 (1) of the Factories, Machinery and Building Work Act, 1941, as amended, declare the provisions of the Wage Determination for the Woolwashing Trade, Certain Areas, published under Government Notice No. R. 742 of the 19th May, 1967, on the whole to be not less favourable to the employees whose hours of work and remuneration in respect of overtime, public holidays and work on Sundays and public holidays are regulated thereby than the relative provisions of the said Act.

M. VILJOEN,
Minister of Labour.

NOTE.—This notice shall not have the effect of suspending the operation of section 20 (3) of the Act in respect of Republic Day.

No. R. 743.] [19 Mei 1967.
WET OP OORLOGSMAATREËLS, 1940.

OPSKORTING VAN BETALING VAN LEWENS-KOSTETOELAE BETAALBAAR INGEVOLGE OORLOGSMAATREËL No. 43 VAN 1942, SOOS GEWYSIG.

WOLWASSERYBEDRYF, SEKERE GEBIEDE.

Ek, MARAIS VILJOEN, Minister van Arbeid, skort hierby kragtens regulasie 4 (1) van die regulasies gepubliseer by Oorlogsmaatreël No. 43 van 1942, soos gewysig, die toepassing van genoemde regulasies op ten opsigte van alle werknemers vir wie lone voorgeskryf word in klousule 3 van die Loonvasstelling vir die Wolwasserybedryf, Sekere Gebiede, gepubliseer by Goewermentskennisgewing No. R. 742 van 19 Mei 1967.

M. VILJOEN,
Minister van Arbeid.

No. R. 744.] [19 Mei 1967.
WET OP FABRIEKE, MASJINERIE EN BOUWERK, 1941, SOOS GEWYSIG.

WOLWASSERYBEDRYF, SEKERE GEBIEDE.

Ek, MARAIS VILJOEN, Minister van Arbeid, verklaar hierby kragtens artikel 22 (1) van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, soos gewysig, dat die bepaling van die Loonvasstelling vir die Wolwasserybedryf, Sekere Gebiede, gepubliseer by Goewermentskennisgewing No. R. 742 van 19 Mei 1967, oor die algemeen nie vir die werknemers wie se werkure en beloning ten opsigte van oortyd, openbare feesdae en werk op Sondae en openbare feesdae daarby gereël word minder gunstig as die desbetreffende bepaling van genoemde Wet is nie.

M. VILJOEN,
Minister van Arbeid.

OPMERKING.—Hierdie Kennisgewing het nie die uitwerking om die toepassing van artikel 20 (3) van die Wet ten opsigte van Republiekdag op te skort nie.

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