

# Domestic Workers what you should know



*minimum wages and conditions of employment*



# GUIDELINES

## 1. Notice period and termination of employment

In terms of the Sectoral Determination, any party to an employment contract must give written notice, except when an illiterate domestic worker gives it, as follows:

- One week, if employed for six months or less
- Four weeks if employed for more than six months.

Notice must be explained orally by or on behalf of the employer to a domestic worker if he/she is not able to understand it.

The employer is required to provide the domestic worker who resides in accommodation that is situated on the premises of the employer or that is supplied by the employer, with accommodation for a period of one month, or if it is a longer period, until the contract of employment could lawfully have been terminated.

All monies due to the domestic worker for any wages, allowance or other payments that have not been paid, paid time-off not taken and pro-rata leave must be paid.

## 2. Procedure for termination of employment

Whilst the contract of employment makes provision for termination of employment, it must be understood that the services of an employee may not be terminated unless a valid and fair reason exists and fair procedure is followed. If an employee is dismissed without a valid reason or without a fair procedure, the employee may approach the CCMA for assistance.

Pro-rata leave and severance pay might be payable.

In the event of a domestic worker being unable to return to work due to disability, the employer must investigate the nature of the disability and ascertain whether or not it is permanent or temporary. The employer must try to accommodate the employee as far as possible for example, amending or adapting their duties to suit the disability. However, in the event of it not being possible for the employer to adapt the domestic workers' duties and/or to find alternatives, then such employer may terminate the services of the domestic worker.

The Labour Relations Act, 66 of 1995 sets out the procedures to be followed at the termination of services in the Code of Good Practice, in Schedule 8.

## 3. Wage/Remuneration/Payment

There is a prescribed minimum rate of remuneration. Additional payments (such as for overtime or work on Sundays or Public Holidays) are calculated from the total remuneration as indicated in clause 5.3 of the contract. The total remuneration is

the total of the money received by the employee and the payment in kind, which may not be more than 10% of the wage for accommodation.

#### 4. Transport allowances and bonuses

Sectoral Determination 7: Domestic Sector, South Africa does not regulate these and are therefore open to negotiation between the parties.

#### 5. Hours of work

##### 5.1 Normal hours (excluding overtime)

A domestic worker may not be made to:

- work more than 45 hours a week
- work more than nine hours per day for a five day work week
- work more than eight hours a day for a six day work week.

##### 5.2 Overtime

A domestic worker may not work more than 15 hours overtime per week but may not work more than 12 hours on any day, including overtime.

Overtime must be paid at one and a half times the employee's normal wage or an employee may agree to receive paid time-off.

##### 5.3 Daily and weekly rest-periods

5.3.1 A daily rest period of 12 consecutive hours and a weekly rest period of 36 consecutive hours, which must include Sunday, unless otherwise agreed, must be allowed.

5.3.2 The daily rest period may, by agreement, be reduced to 10 hours for an employee who lives on the premises whose meal interval lasts for at least three hours.

5.3.3 The weekly rest period may by agreement be extended to 60 consecutive hours every two weeks or be reduced to eight hours in any week if the rest period in the following week is extended equivalently.

##### 5.4 Standby

5.4.1 Standby means any period between 20:00 and 06:00 the next day when a domestic worker is required to be at the workplace and is permitted to rest or sleep but must be available to work if necessary.

5.4.2 May only done if it is agreed in writing and on not more than five times per month must be compensated by the payment of an allowance of at least R30,00 per shift.

## 5.5 Night work – after 18:00 and before 06:00

- 5.5.1 Worked only if agreed to in writing and must be compensated by an allowance; and if the domestic resides at the workplace or transport is available between the domestic worker's place of residence and the workplace at the beginning and the end of the domestic worker's shift.

## 6. Meal intervals

A domestic worker is entitled to a one-hour break for a meal after not more than five hours work. Such interval may be reduced to 30 minutes, by agreement between the parties. When a second meal interval is required because of overtime worked, it may be reduced to not less than 15 minutes. If required or permitted to work during this period, remuneration must be paid.

## 7. Sunday work

Work on Sundays is voluntary and a domestic worker can therefore not be forced to work on a Sunday.

If the employee works on a Sunday he/she shall be paid double the daily wage. If the employee ordinarily works on a Sunday he/she shall be paid one and a half times the wage for every hour worked. Paid time-off in return for working on a Sunday may be agreed upon.

## 8. Public holidays

The days mentioned in the Public Holidays Act must be granted but the parties can agree to further public holidays. Work on a public holiday is entirely voluntary and a domestic worker may not be forced to work on such public holiday.

### The official public holidays are:

New Years Day	Youth Day
Human Rights Day	National Woman's Day
Good Friday	Heritage Day
Family Day	Day of Reconciliation
Freedom Day	Christmas Day
Workers Day	Day of Goodwill

- Any other day declared an official public holiday from time to time should also be granted
- These days can be exchanged for any other day by agreement
- If the employee works on a public holiday he/she shall be paid double the normal day's wage.

## 9. Annual leave

Annual leave may not be less than three weeks per year for full-time workers or by agreement, one day for every 17 days worked or one hour for every 17 hours worked.

The leave must be granted not later than six months after completion of the period of 12 consecutive months of employment. The leave may not be granted concurrent with any period of sick leave, nor with a period of notice of termination of the contract of employment.

## 10. Sick leave

During every sick leave cycle of 36 months an employee is entitled to an amount of paid sick leave equal to the number of days the employee would normally work during a period of six weeks.

During the first six months of employment, an employee is entitled to one day's paid sick leave for every 26 days worked.

The employer is not required to pay an employee if the employee has been absent from work for more than two consecutive days or on more than two occasions during an eight-week period and, on request by the employer, does not produce a medical certificate stating that the employee was unable to work for the duration of the employee's absence on account of sickness or injury.

## 11. Maternity leave

The employee is entitled to at least four consecutive months' maternity leave. The employer is not obliged to pay the domestic worker for the period for which she is off work due to her pregnancy. However the parties may agree that the domestic worker will receive part of or her entire salary/wage for the time that she is off due to pregnancy.

## 12. Family responsibility leave

Employees employed for longer than four months and for at least four days a week are entitled to take five days' paid family responsibility leave during each leave cycle when the employee's child is born, or when the employee's child is sick or in the event of the death of the employee's spouse or life partner or parent, adoptive parent, grandparent, child, adopted child, grandchild or sibling.

## 13. Deduction from the remuneration

The Sectoral Determination prohibits an employer from deducting any monies from the workers wages without his/her written permission.

A deduction of not more than 10% of the wage may be deducted for a room or other accommodation provided it is kept in a good condition has at least one window and a door, which can be locked, and he/she has access to a bathroom.

#### 14. Other issues

There are certain other issues which are not regulated by the Sectoral Determination such as probationary periods, right of entry to the employers premises, afternoons off, weekends off and pension schemes, medical aid schemes, training/school fees, funeral benefits and savings account, however the aforementioned may be negotiated between the parties and included in the contract of employment.

#### 15. Prohibition of Employment

The Sectoral Determination prohibits employment of any person under the age of 15 and it is therefore important for an employer to verify the age of the domestic worker by requesting a copy of the identity document or birth certificate.

#### 16. Other conditions of employment

There is no provision, which prevents any other conditions of employment being included in a contract of employment but any provision, which sets conditions, which are less favourable than those set by the Determination, would be invalid.



*These guidelines are not meant to be a complete summary of the Sectoral Determination and/or legal advice. Should there be any doubt as to rights and/or obligations in terms of the Act or terms of any clause of the suggested Written Particulars of Employment, such queries can be directed to the local office of the Department of Labour, who will gladly assist.*



# Summary of important provisions in the Domestic Worker Sectoral Determination

**The Department of Labour has made a law which regulates employment in the domestic worker sector.**

- The law is called a Sectoral Determination for the Domestic Worker Sector
- Employers are required to pay at least the prescribed minimum wages as indicated in the Sectoral Determination
- This document briefly covers some of the most important provisions in the Sectoral Determination
- A copy of the Sectoral Determination is available from Government Printing Works and also on the Department's website, at **[www.labour.gov.za](http://www.labour.gov.za)**

## **What is the purpose of the Sectoral Determination?**

The sectoral determination lays down conditions of employment for domestic workers such as hours of work, leave, termination of employment and so on. It also prescribes the minimum wage rates that employers are required to pay.

## **Who is covered in this Sectoral Determination?**

- All domestic workers in South Africa working in a private household
- People employed by employment services
- Independent contractors who are doing domestic work
- A person doing gardening in a private home
- People who look after children, sick or old people and people with disabilities in a private home
- A person driving for the household.

## **Who is not covered in the Sectoral Determination?**

- Domestic workers employed on farms
- Domestic workers employed in activities covered by another sectoral determination or bargaining council agreement.

## **What does the law say about wages?**

The law says that all domestic workers should be paid at least the minimum wage according to Tables 1 or 2, however domestic workers earning more than the prescribed minimum will continue to earn the higher wages, as conditions of employment cannot be changed unilaterally.

## Wage Tables for the Domestic Worker Sector

**Table 1: Minimum wages for domestic workers who work more than 27 ordinary hours per week**

Area A					
Bergrivier Local Municipality, Breederivier Local Municipality, Buffalo City Local Municipality, Cape Agulhas Local Municipality, Cederberg Local Municipality, City of Cape Town, City of Johannesburg Metropolitan Municipality, City of Tshwane Metropolitan Municipality, Drakenstein Local Municipality, Ekurhuleni Metropolitan Municipality, Emalaheni Local Municipality, Emfuleni Local Municipality, Ethekwini Metropolitan Municipality, Gamagara Local Municipality, George Local Municipality, Hibiscus Coast Local Municipality, Karoo Hoogland Local Municipality, Kgatelopele Local Municipality, Khara Hais Local Municipality, Knysna Local Municipality, Kungwini Local Municipality, Kouga Local Municipality, Langeberg Local Municipality, Lesedi Local Municipality, Makana Local Municipality, Mangaung Local Municipality, Matzikama Local Municipality, Metsimaholo Local Municipality, Middelburg Local Municipality, Midvaal Local Municipality, Mngeni Local Municipality, Mogale Local Municipality, Mosselbaai Local Municipality, Msunduzi Local Municipality, Mtubatuba Local Municipality, Nama Khoi Local Municipality, Nelson Mandela, Nokeng tsa Taemane Local Municipality, Oudtshoorn Local Municipality, Overstrand Local Municipality, Plettenbergbaai Local Municipality, Potchefstroom Local Municipality, Randfontein Local Municipality, Richtersveld Local Municipality, Saldanha Bay Local Municipality, Sol Plaatjie Local Municipality, Stellenbosch Local Municipality, Swartland Local Municipality, Swellendam Local Municipality, Theewaterskloof Local Municipality, Umdoni Local Municipality, uMhlathuze Local Municipality and Witzenberg Local Municipality.					
Minimum rates for the period 1 December 2011 to 30 November 2012		Minimum rates for the period 1 December 2012 to 30 November 2013		Minimum rates for the period 1 December 2013 to 30 November 2014	
Hourly Rate (R )	8.34	Hourly Rate (R )	Previous years minimum wage +CPI***+1%	Hourly Rate (R )	Previous years minimum wage +CPI***+1%
Weekly Rate (R )	375.19*	Weekly Rate (R )		Weekly Rate (R )	
Monthly Rate (R )	1625.70**	Monthly Rate (R )		Monthly Rate (R )	
Area B					
Areas not mentioned in Area A					
Minimum rates for the period 1 December 2011 to 30 November 2012		Minimum rates for the period 1 December 2012 to 30 November 2013		Minimum rates for the period 1 December 2013 to 30 November 2014	
Hourly Rate (R )	7.06	Hourly Rate (R )	Previous years minimum wage +CPI***+2%	Hourly Rate (R )	Previous years minimum wage +CPI***+2%
Weekly Rate (R )	317.62*	Weekly Rate (R )		Weekly Rate (R )	
Monthly Rate (R )	1376.25**	Monthly Rate (R )		Monthly Rate (R )	
* Indicative weekly rate for employees working a maximum of 45 ordinary hours per week. ** Indicative monthly rate for employees working a maximum of 45 ordinary hours per week. *** The CPI to be utilised is the available CPI for the lowest quintile as released by Statistics South Africa, 6 weeks prior to the increment date.					

**Table 2 Minimum wages for domestic workers who work 27 ordinary hours per week or less**

Area A					
Bergervier Local Municipality, Breederivier Local Municipality, Buffalo City Local Municipality, Cape Agulhas Local Municipality, Cederberg Local Municipality, City of Cape Town, City of Johannesburg Metropolitan Municipality, City of Tshwane Metropolitan Municipality, Drakenstein Local Municipality, Ekurhuleni Metropolitan Municipality, Emalahleni Local Municipality, Emfuleni Local Municipality, Ethekwini Metropolitan Municipality, Gamagara Local Municipality, George Local Municipality, Hibiscus Coast Local Municipality, Karoo Hoogland Local Municipality, Kgatelopele Local Municipality, Khara Hais Local Municipality, Knysna Local Municipality, Kungwini Local Municipality, Kouga Local Municipality, Langeberg Local Municipality, Lesedi Local Municipality, Makana Local Municipality, Mangaung Local Municipality, Matzikama Local Municipality, Metsimaholo Local Municipality, Middelburg Local Municipality, Midvaal Local Municipality, Mngeni Local Municipality, Mogale Local Municipality, Mosselbaai Local Municipality, Msunduzi Local Municipality, Mtubatutu Local Municipality, Nama Khoi Local Municipality, Nelson Mandela, Nokeng tsa Taemane Local Municipality, Oudtshoorn Local Municipality, Overstrand Local Municipality, Plettenbergbaai Local Municipality, Potchefstroom Local Municipality, Randfontein Local Municipality, Richtersveld Local Municipality, Saldanha Bay Local Municipality, Sol Plaatjie Local Municipality, Stellenbosch Local Municipality, Swartland Local Municipality, Swellendam Local Municipality, Theewaterskloof Local Municipality, Umdoni Local Municipality, uMhlathuze Local Municipality and Witzenberg Local Municipality.					
Minimum rates for the period 1 December 2011 to 30 November 2012		Minimum rates for the period 1 December 2012 to 30 November 2013		Minimum rates for the period 1 December 2013 to 30 November 2014	
Hourly Rate (R )	9.75	Hourly Rate (R )	Previous years minimum wage +CPI***+1%	Hourly Rate (R )	Previous years minimum wage +CPI***+1%
Weekly Rate (R )	265.94*	Weekly Rate (R )		Weekly Rate (R )	
Monthly Rate (R )	1152.32**	Monthly Rate (R )		Monthly Rate (R )	
Area B					
Areas not mentioned in Area A					
Minimum rates for the period 1 December 2011 to 30 November 2012		Minimum rates for the period 1 December 2012 to 30 November 2013		Minimum rates for the period 1 December 2013 to 30 November 2014	
Hourly Rate (R )	8.33	Hourly Rate (R )	Previous years minimum wage +CPI***+2%	Hourly Rate (R )	Previous years minimum wage +CPI***+2%
Weekly Rate (R )	224.90*	Weekly Rate (R )		Weekly Rate (R )	
Monthly Rate (R )	974.49**	Monthly Rate (R )		Monthly Rate (R )	
* Indicative weekly rate for employees working a maximum of 27 ordinary hours per week. ** Indicative monthly rate for employees working a maximum of 27 ordinary hours per week. *** The CPI to be utilised is the available CPI for the lowest quintile as released by Statistics South Africa, 6 weeks prior to the increment date.					

### Calculation of wages:

Wages are calculated using ordinary hours of work

- Monthly wage divided by 4.333 = weekly wage
- Weekly wage divided by number of ordinary hours worked in a week = Daily wage
- Daily wage divided by ordinary hours worked in a day = hourly wage;

### Payment of wages:

Wages must be paid

- In South African currency
- In cash or cheque or direct payment into banking account;
- Daily, weekly, fortnightly or monthly;
- On a normal pay day agreed to by the domestic worker;
- On termination of employment.

### Information concerning wages (payslip):

Every domestic worker must receive, on payday, a payslip showing:

- The employer's name and address
- Domestic worker's occupation
- Period of payment
- Domestic worker's rate and overtime rate
- Hours worked
- Overtime worked
- Hours worked and pay for Sundays and Public holidays
- Wage
- Any other pay
- Details of deductions
- Net payment.

The payslip is the property of the domestic worker. A copy of a model payslip with the details required has been included in this booklet.

### Permissible and prohibited acts concerning pay:

Deductions that are allowed include:

- Medical insurance
- Savings
- Pension or Provident fund
- Trade union subscription
- Order of account payment to a registered financial institution
- Rentals
- Loan or advance (not more than 10% of total wage).

Deductions that are not allowed include:

- Amount greater than the actual remuneration received
- Breakages (crochery, electrical appliances etc.)
- Damages (Ironing)
- Meals provided during working time
- Clothing
- Training of domestic worker.

Deductions for accommodation:

This may be deducted, by agreement, from wages (not more than 10% of total wage) on condition that the room:

- Is weatherproof and in a good condition
- Has at least one window and door that can be locked
- Is fitted with a toilet, a bath/shower or has access to another bathroom.

## Conditions of employment

### Written particulars of employment (see model “contract”):

An employer must supply a domestic worker with written particulars of employment, containing the following:

- Full name and address of the employer
- Name and occupation of the domestic worker or a brief description of work
- Addresses of various places of work
- Date on which employment began
- Ordinary hours of work and days of work
- Wage or the rate and method of payment
- The rate of pay for overtime work
- Any other cash payments
- Any payment in kind and the value thereof
- How frequently wages will be paid
- Any deductions
- Leave entitlement
- The period of notice to terminate employment; or if employment was for a specific period, the date when employment is terminated.

### Hours of work:

Employees are allowed to work:

- A maximum of 45 ordinary hours per week;
- 9 ordinary hours on any day if the domestic worker works for 5 days or less per week
- 8 ordinary hours on any day if the domestic worker works for more than 5 days per week.

### Overtime

- Can only be worked by agreement concluded between the employer and the domestic worker
- Not more than 15 hours overtime per week may be worked
- Not more than 12 hours, including overtime may be worked on any day.

### Payment of overtime:

- Overtime should be paid at one and a half times the domestic worker’s wage for overtime worked
- An agreement may provide for an employer to pay a domestic worker not less than the ordinary wage for overtime worked and give the domestic worker at least 30 minutes time off on full pay for each hour of overtime worked
- Give a domestic worker at least 90 minutes paid time off for each hour of overtime

worked

- Paid time-off should be given within one month of a domestic worker becoming entitled to it, however an agreement in writing may increase this period to 12 months.

### **Night Work:**

- Night work means work performed after 18:00 and before 6:00 the next day
- It should be by agreement and the domestic worker should be compensated by the payment of an allowance at a rate as agreed upon.
  - Transport should be available between the domestic worker's place of residence and the workplace at the beginning and end of the domestic worker's shift
  - A domestic worker who regularly works for more than one hour after 22:00 and before 6:00 at least five times per month or 50 times per year must be:
    - Informed about health and safety hazards
    - Informed about his/her rights to undergo medical examinations.

### **Stand-by:**

- Starts at 20:00 until 6:00 at R30 per standby shift
- Any time worked during standby to be paid in terms of the overtime provision or the granting of paid time-off
- An employee is not allowed to be on standby more than five times per month or 50 times per year.

### **Rest period:**

An employer must give a domestic worker:

- A daily rest period of at least 12 consecutive hours between ending work and starting work the next day
- A written agreement could reduce it to 10 hours if the domestic worker lives on the premises at which the workplace is situated
- A weekly rest period of at least 36 consecutive hours which, unless otherwise agreed, must include a Sunday
- A written agreement may also provide for a rest period of at least 60 consecutive hours every second week.

### **Ways of compensation for overtime, Sunday work and public holidays:**

There are three ways to compensate a worker for overtime, Sunday work and public holidays:

- The wage can be paid in cash
- Part of the wage can be paid in cash and time off can be given
- Paid time-off instead of payment can be given.

### **Work on Sundays:**

- When a domestic worker works on a Sunday, he/she must be paid double time
- However if a domestic worker works on a Sunday on a regular basis, he/she should at least be paid at least one and a half times the hourly rate.

### Public Holidays:

- Only worked if there is an agreement
- If a public holiday falls on a day on which a domestic worker would usually work, an employer must pay:
  - A domestic worker who stays absent on that day, at least the domestic worker's normal wage
  - A domestic worker who works on that day, at least double the domestic worker's wage for work on that day.
- If a domestic worker works on a public holiday on which the domestic worker would not normally work, the employer must pay that domestic worker an amount equal to the domestic worker's ordinary daily wage, plus the domestic worker's hourly rate for each hour worked on the public holiday
- An employer must pay a domestic worker for a public holiday on the domestic worker's normal pay day.

### Leave:

#### What types of leave is a domestic worker entitled to?

A domestic worker is entitled to four types of leave, namely: annual leave, sick leave, family responsibility leave and maternity leave.

### Annual Leave:

#### How many days annual leave are domestic workers entitled to?

Domestic workers are entitled to three weeks' leave per annual leave cycle.

#### What happens if a public holiday falls within the annual leave cycle?

An extra days' paid leave should be granted for each day which falls within the leave period.

### Sick Leave;

#### What is important to note regarding sick leave?

The sick leave cycle is 36 months based on the number of days worked over a six week period.

#### Example:

A domestic worker works 5 days per week. How much leave is she entitled to?

#### Answer:

She is entitled to:

The number of days that she works times six weeks.

= 5 (number of days) X 6 = 30 days per three-year cycle

#### Note:

*The employer may request a medical certificate when a domestic worker is absent for more than 2 consecutive work days, or if she is absent twice during an eight-week period.*

## **Family Responsibility Leave:**

### **What is family responsibility leave?**

It is leave granted for specific family-related matters.

### **Who qualifies for this type of leave?**

Domestic workers who have been employed by an employer for longer than four months and who works at least four days a week for that employer are entitled to five days family responsibility leave during an annual leave cycle.

### **When may this leave be taken?**

This leave may be taken for the birth of a child, when a child is sick or when a spouse, parent, adoptive parent, grand-parent, adoptive child, child, grandchild, brother or sister dies.

## **Maternity Leave:**

### **What are the important issues relating to maternity leave?**

- Maternity leave is a four-month period, which starts four weeks before the expected date of birth
- A domestic worker may not work for six weeks after the birth of a child, unless
  - A medical practitioner or midwife certifies that the domestic worker may begin work
- Where possible, notice of leave and date of return to work must be provided before the leave begins.

## **Prohibition of child labour and forced labour:**

- No person may employ a child in the domestic worker sector who is under 15 years of age
- No person may employ a child who is under 18 years in any employment that is inappropriate for a person of that age or that places at risk the child's well-being, education, physical or mental health, or spiritual, moral or social development
- An employer must maintain a record of the name, date of birth and address of every domestic worker under the age of 18 years employed by them for a period of three years.

## **Termination of employment:**

### **How should termination of employment be conducted?**

- Either party may terminate the employment relationship
- If a domestic worker worked for six months or less, one weeks' notice must be given
- If a domestic worker worked for more than six months, four weeks' notice must be given.

**Notice must be given in writing, except when it is given by an illiterate domestic worker.**

#### **Note**

- The employer may not give notice during a leave period or let it run at the same time with any period of leave, except sick leave
- Payment instead of notice may be paid, provided it is equal to the period of notice.

#### **Payments on termination:**

- If the employer terminates the services of a domestic worker based on operational requirements, severance of one week for every completed year of service
- No severance is payable if the domestic worker resigns
- On termination an employer should pay the following:
  - All outstanding monies due, including the appropriate notice pay
  - Accrued annual leave at the rate of 1 days' wage for every 17 days worked
  - One week's severance pay for every completed year of service if the employer terminates the service based on operational requirement.

#### **Certificate of service:**

The employer must give the domestic worker a certificate of service on termination of employment. A model of the format of the certificate of service, which indicate what should be included has been provided in this booklet.

#### **General provisions**

##### **Keeping of the sectoral determination**

Every employer on whom this Sectoral Determination is binding must keep a copy of the Sectoral Determination or an official summary, at the workplace or in a place that the domestic worker has access to.





*This is only a sample and not a prescribed contract and should be given to a domestic worker on commencement of employment.*

## WRITTEN PARTICULARS (DOMESTIC WORKER)

Given by:

*(herein after referred to as "the employer")*

Address of Employer:

To:

*(herein after referred to as "the employee")*

1. **Commencement:** Employment will begin on  and continue until terminated as set out in clause 6 of the guidelines.

2. **Place of work:**

3. **Job description:**   
Job Title

*(e.g.. Domestic worker, child minder, gardener, etc)*

Duties: See attached job description

#### 4. Hours of work (See Guideline 5)

4.1 Normal working hours will be  hours per week, made up as follows:

		Mon	Tues	Wed	Thur	Fri	Sat
Start Time							
Meal Interval	Start						
	End						
End Time							
Other Breaks:							

4.2 Overtime will only be worked as agreed from time to time and will be paid at the rate of one and a half times of the total wage as set out in clause 5.2 of the guidelines.

4.3 Standby will only be done if agreed from time to time whereby an allowance of at least R30,00 will be paid per standby shift.

#### 5. Wage (See Guidelines 4 and 5)

5.1	The employees wage shall be paid in cash on the last working day of every week/ month and shall be:	R
5.2	The employee shall be entitled to the following allowances/other cash payments/ payment in kind:	
5.2.1	A weekly/monthly transport allowance of:	R
5.2.2	Accommodation per week/month to the value of:	R
5.3	The following deductions are agreed upon:	R
5.3.1		R
5.3.2		R
5.3.3		R
5.3.4		R
5.3.5		R
5.4	The total value of the above remuneration shall be: <i>(The total of clauses 6.1 to 6.2.3)</i> <i>(Modify or delete clauses 5.2.1 to 5.2.2 as needed)</i>	R

5.5 The employer shall review the employee's salary/wage on or before 1 December of every year.

## 6. Termination of employment

Either party can terminate this agreement with one week's notice during the first six months of employment and with four week's notice thereafter. Notice must be given in writing except when it is given by an illiterate domestic worker. In the case where the domestic worker is illiterate, notice must be explained orally by or on behalf of the employer.

## 7. Sunday work

Any work on Sundays will be by agreement between parties and will be paid according to clause 7 of the guidelines.

## 8. Public Holidays

Any work on holidays will be by agreement and will be paid according to clause 8 of the guidelines.

## 9. Annual Leave

The employee is entitled to three weeks paid leave after every 12 months of continuous service. Such leave is to be taken at times convenient to the employer.

## 10. Sick leave

10.1 During every sick leave cycle of 36 months the employee will be entitled to an amount of paid sick leave equal to the number of days the employee would normally work during a period of six weeks.

10.2 During the first six months of employment the employee will entitled to one day's paid sick leave for every 26 days worked.

10.3 The employee is to notify the employer as soon as possible in case of his/her absence from work through illness.

10.4 A medical certificate may be required if absent for more than 2 consecutive days or has been absent on more than two occasions during an eight-week period.

## 11. Maternity leave

*(Tick the applicable clauses in the space provided)*

11.1 The employee will be entitled to  months maternity leave without pay

11.2 The employee will be entitled to  months maternity leave on  pay

## 12. Family responsibility leave

The employee will be entitled to five days family responsibility leave during each leave cycle if he or she works on at least four days a week.

### 13. Accommodation

(Tick the applicable boxes)

- 13.1 The employee will be provided with accommodation for as long as the employee is in the service of the employer, and which shall form part of his/her remuneration package
- 13.2 The accommodation may only be occupied by the worker, unless prior arrangement with the employer has been made
- 13.3 Prior permission should be obtained for visitors who wish to stay the night. However where members of the employee's direct family are visiting, such permission will not be necessary.

### 14. Clothing

(Delete this clause if not applicable)

sets of uniforms will be supplied to the employee free of charge by the employer and will remain the property of the employer.

### 15. Other conditions of employment or benefits

### 16. General

Any changes to the written particulars will only be valid if agreed to by both parties.

Signature:

-----  
Employer

-----  
Date:

Acknowledgement of receipt by employee:

I have read/ been explained the conditions of employment in the particulars of employment and accept the job offer.

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Employee

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Date:

## JOB DESCRIPTION

Child minding / baby sitting	<input type="checkbox"/>	Laundry – machine wash	<input type="checkbox"/>
Minding old/sick employer or relative	<input type="checkbox"/>	Laundry – hand wash	<input type="checkbox"/>
General tidying of house	<input type="checkbox"/>	Hanging out of laundry	<input type="checkbox"/>
Making of beds	<input type="checkbox"/>	Washing of curtains	<input type="checkbox"/>
Vacuuming of carpets	<input type="checkbox"/>	Ironing	<input type="checkbox"/>
Vacuuming of upholstery	<input type="checkbox"/>	Small mending job, e.g. replacing buttons, hems, etc.	<input type="checkbox"/>
Dusting	<input type="checkbox"/>	Defrosting and cleaning fridge and freezer	<input type="checkbox"/>
Wiping down of all appliances e.g. T.V etc	<input type="checkbox"/>	Cleaning of windows and glass doors inside and out	<input type="checkbox"/>
Cleaning of walls, light switches, doors etc	<input type="checkbox"/>	Cleaning of all used equipment e.g. vacuum cleaner	<input type="checkbox"/>
Cleaning of ornaments	<input type="checkbox"/>	Packing away of groceries	<input type="checkbox"/>
Cleaning of toilets, basins, baths, showers, taps etc.	<input type="checkbox"/>	Removal of refuse for collection	<input type="checkbox"/>
Mopping of tiled/vinyl floors	<input type="checkbox"/>	Sweeping of outside patios, steps, etc.	<input type="checkbox"/>
Cleaning of inside of cupboards	<input type="checkbox"/>	Wiping down of outside lights	<input type="checkbox"/>
Cleaning of stove and oven	<input type="checkbox"/>	Cleaning of outside rooms and cloakroom	<input type="checkbox"/>
Preparation/cooking of breakfast	<input type="checkbox"/>	General driving duties and errands	<input type="checkbox"/>

*Indicate functions required by a ✓ in the appropriate block*

## JOB DESCRIPTION

Preparation/cooking of lunch	<input type="checkbox"/>	Wash cars	<input type="checkbox"/>
Preparation/cooking of supper	<input type="checkbox"/>	Maintain garden in clean and tidy condition	<input type="checkbox"/>
Setting of table	<input type="checkbox"/>	Caring for pool	<input type="checkbox"/>
Cleaning away after breakfast/ lunch/supper	<input type="checkbox"/>	Mow lawns	<input type="checkbox"/>
Polishing of floors and verandas	<input type="checkbox"/>	Weeding	<input type="checkbox"/>
Cleaning brass and silver	<input type="checkbox"/>	Trimming and pruning	<input type="checkbox"/>
Washing of Walls	<input type="checkbox"/>	Washing and grooming of dogs	<input type="checkbox"/>
Painting of walls	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Other:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Other:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Other:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Other:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Other:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Other:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Other:	<input type="checkbox"/>	Other:	<input type="checkbox"/>

*Indicate functions required by a ✓ in the appropriate block*







**Basic Conditions of  
Employment Act, 1997  
Section 33**

Read this first



**What is the purpose of this form?**

This form is a record of information about remuneration

**Who fills in this form?**

The employer.

**Where does this form go?**

To the employee.

**Instructions**

This information must be given to each employee:

- At the workplace or at a place agreed to by the employee
- During the employee's ordinary hours or within 15 minutes of the commencement or conclusion of those hours
- The full value of remuneration including payment in kind must be specified
- This is only a model and not a prescribed format
- Completing a document in another format containing the same information is sufficient compliance with the regulation.



This is only a model and not a prescribed format

**Payslip**

Name of employer					
Address					
Postal Code					
Name of employee					
Occupation/ type of work					
	From	To			
Pay Period					
Basic salary/wage					
	Hourly	Daily	Weekly	Fort- nightly	Monthly
Manner of Payment (Tick)					
Identity Number of Employee					
	Rate	No. of Hours	Rand Earned		
Ordinary hours (Excludes lunch time)			R		
Overtime worked			R		
Sunday Time worked			R		
Public Holiday time worked			R		
Payment in kind			R		
Standby pay			R		
Allowances (Specify)					R
Allowances (Specify)					R
	Sub-total				R
Deductions: PAYE					R
	UIF				R
	Union				R
Other (Full details):					R
	Sub-total				R
	Total amount due				R



## Contact Details

### Labour Head Office:

Telephone Number(s): (012) 309 4000    Fax Number(s): (012) 320 2059  
Email Address: [webmaster@labour.gov.za](mailto:webmaster@labour.gov.za)

### Provincial Offices:

#### Eastern Cape Provincial Office

Telephone Number(s): (043) 701 3128    Fax Number(s): (043) 722 1012/743 9719

#### Free State Provincial Office

Telephone Number(s): (051) 505 6200    Fax Number(s): (051) 447 9353

#### Gauteng Provincial Office

Telephone Number(s): (011) 853 0300    Fax Number(s): (011) 853 0470

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#### Northern Cape Provincial Office

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#### Western Cape Provincial Office

Telephone Number(s): (021) 441 8000    Fax Number(s): (021) 441 8135

### Eastern Cape Labour Centres

Aliwal North	Tel: (051) 633 2633
Butterworth	Tel: (047) 491 0656
Craddock	Tel: (048) 881 3010
East London	Tel: (043) 702 7500
Fort Beaufort	Tel: (046) 645 4686
Graaff-Reinet	Tel: (049) 892 2142
Grahamstown	Tel: (046) 622 2104
King William's Town	Tel: (043) 643 4756
Lusikisiki	Tel: (039) 253 1996
Maclear	Tel: (045) 932 1424
Mdantsane	Tel: (043) 761 3151
Mount Ayliff	Tel: (039) 254 0282
Mthatha	Tel: (047) 501 5620
Port Elizabeth	Tel: (041) 506 5000
Queenstown	Tel: (045) 807 5400
Uitenhage	Tel: (041) 992 4627

### Gauteng Labour Centres

Alberton	Tel: (011) 861 6130
Atteridgeville	Tel: (012) 373 4432
Benoni	Tel: (011) 747 9601
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Brakpan	Tel: (011) 744 9000
Bronkhorstspuit	Tel: (013) 932 0197
Carletonville	Tel: (018) 788 3281
Garankuwa	Tel: (012) 702 4525
Germiston	Tel: (011) 345 6300
Johannesburg	Tel: (011) 223 1000
Kempton Park	Tel: (011) 975 9301
Krugersdorp	Tel: (011) 955 4420
Mamelodi	Tel: (012) 812 9502
Nigel	Tel: (011) 814 7095
Pretoria	Tel: (012) 309 5063
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Randfontein	Tel: (011) 693 3618
Roodepoot	Tel: (011) 766 2000
Sandton	Tel: (011) 444 7631
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Soshanguve	Tel: (012) 799 6057
Soweto	Tel: (011) 983 8700
Springs	Tel: (011) 365 3700
Temba	Tel: (071) 356 4431
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Mbombela (Nelspruit)	Tel: (013) 753 2844
Middelburg	Tel: (013) 283 3600
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Postmasburg	Tel: (053) 313 0641
Springbok	Tel: (027) 718 1058
Upington	Tel: (054) 331 1098

### Free State Labour Centres

Bethlehem	Tel: (058) 303 5293
Bloemfontein	Tel: (051) 411 6400
Botshabelo	Tel: (051) 534 3789
Ficksburg	Tel: (051) 933 2299
Harrismith	Tel: (058) 623 2977
Kroonstad	Tel: (056) 215 1812
Petrusburg	Tel: (053) 574 0932
Phuthaditjhaba	Tel: (058) 713 0373
Sasolburg	Tel: (016) 970 3200
Welkom	Tel: (057) 391 0200
Zastron	Tel: (051) 673 1471

### KwaZulu-Natal Labour Centres

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Durban	Tel: (031) 336 1500
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Kokstad	Tel: (039) 727 2140
Ladysmith	Tel: (036) 638 1900
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Pinetown	Tel: (031) 701 7740
Port Shepstone	Tel: (039) 682 2406
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Richmond	Tel: (033) 212 2768
Stanger	Tel: (032) 551 4291
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Mafikeng	Tel: (018) 381 1010
Mogwase	Tel: (014) 555 5693
Potchefstroom	Tel: (018) 297 5100
Rustenburg	Tel: (014) 592 8214
Taung	Tel: (053) 994 1679
Vryburg	Tel: (053) 927 5221

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Bellville	Tel: (021) 941 7000
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Knysna	Tel: (044) 302 6800
Mitchell's Plain	Tel: (021) 391 0591
Mossel Bay	Tel: (044) 691 1140
Oudtshoorn	Tel: (044) 203 6100
Paarl	Tel: (021) 872 2020
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