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GOVERNMENT NOTICE

DEPARTMENT OF LABOUR

No. R. 707

31 August 2012

BASIC CONDITIONS OF EMPLOYMENT ACT, NO 75 OF 1997

CORRECTION NOTICE

SECTORAL DETERMINATION 6: PRIVATE SECURITY SECTOR, SOUTH AFRICA.

I, Mildred Nelisiwe Oliphant, Minister of Labour, in terms of section 56(3) (b) of the Basic Conditions of Employment Act, No 75 of 1997, effect corrections to the Sectoral Determination 6: Private Security Sector, South Africa, published under Government Gazette No. 35633 of 28 August 2012, as per attached schedule:.

M N OLIPHANT, MP

MINISTER OF LABOUR

ISAZISO SIKAHULUMENI**UMNYANGO WEZABASEBENZI****No. R. 707****31-08 2012****UMTHETHO WEZIMISELO EZIYISISEKELO EMISEBENZINI,
OKUNGUNOMBOLO 75 KA 1997****UKUCHIBIYELWA KWESINQUMO ZOMKHAKHA 6: UMKHAKHA WONOGADA BANGASESE
ENINGIZIMU NE AFRIKA**

Mina, Mildred Neliswe Oliphant, uNgqongqoshe Wezabasebenzi, ngokwesigaba 56(3)(b) soMthetho Wezimiselo Eziyisisekelo Emisebenzini, kaNombolo 75, ka 1997, ngazisa ngokushicilelwa koshintsho nokulungiswa Emkhakheni kaNombolo 6: Emkhakheni woNogada Bangasese, eNingizimu Ne Afrika, eshicilelwe ngaphansi kwesaziso sikhahulumeni kunombolo 35633 ngomhlaka 28 kuNcwaba 2012 ngokohlelo oluqokethwe yilesaziso ngokulandelayo.

M.N. OLIPHANT, MP**UNGQONGQOSHE WEZABASEBENZI**

SCHEDULE

1. Replace the tables with tables 1, 2 and 3 hereunder:

Table 1: Minimum Wages for year 1 for Private Security Sector

| | | Minimum Wages for Year 1 (with effect from 1 September 2012) | | | | | | Maximum permissible working hours per week for each respective category of employee, subject to clause 5(2), with regard to averaging of working hours. |
|---|--|---|-------------------|--|-------------------|----------------|-------------------|---|
| | | AREA 1 | | AREA 2 | | AREA 3 | | |
| In the Magisterial Districts of | | Monthly salary | Hourly equivalent | Monthly salary | Hourly equivalent | Monthly salary | Hourly equivalent | All other Areas not specified else where |
| | | R 5,001 | R 25.65 | R 4,553 | R 23.35 | R 4,366 | R 22.39 | |
| Artisan | | | | | | | | 45 |
| Clerical Assistant | | | | | | | | |
| During the first year of experience | | R 2,492 | R 12.78 | R 2,285 | R 11.72 | R 2,067 | R 10.60 | 45 |
| During the second year of experience | | R 2,541 | R 13.03 | R 2,322 | R 11.91 | R 2,104 | R 10.79 | |
| Thereafter | | R 2,586 | R 13.26 | R 2,375 | R 12.18 | R 2,156 | R 11.05 | |
| Clerk | | | | | | | | |
| During the first year of experience | | R 2,720 | R 13.95 | R 2,371 | R 12.16 | R 2,291 | R 11.75 | 45 |
| During the second year of experience | | R 2,915 | R 14.95 | R 2,590 | R 13.28 | R 2,455 | R 12.59 | |
| During the third year of experience | | R 3,091 | R 15.85 | R 2,703 | R 13.86 | R 2,633 | R 13.50 | |
| Thereafter | | R 3,282 | R 16.83 | R 2,876 | R 14.75 | R 2,792 | R 14.32 | |
| Control or Communication Centre Operator | | | | | | | | 48 |
| Controller | | | | As for a relevant security officer grading | | | | 45 |
| Driver of a - | | | | As for a clerical assistant | | | | |
| Light motor vehicle | | R 2,623 | R 13.45 | R 2,431 | R 12.47 | R 2,201 | R 11.29 | 45 |
| Medium motor vehicle | | R 2,842 | R 14.58 | R 2,626 | R 13.47 | R 2,398 | R 12.30 | |
| Heavy motor vehicle | | R 2,986 | R 15.31 | R 2,753 | R 14.12 | R 2,524 | R 12.94 | |
| General Worker | | | | | | | | |
| During the first six months service with the employer | | R 2,041 | R 10.47 | R 1,872 | R 9.60 | R 1,679 | R 8.61 | 45 |
| Thereafter | | R 2,119 | R 10.87 | R 1,954 | R 10.02 | R 1,755 | R 9.00 | |
| Handyman | | R 2,903 | R 14.89 | R 2,689 | R 13.79 | R 2,474 | R 12.69 | 45 |
| Security Officer | | | | | | | | |
| Grade A | | R 3,872 | R 18.62 | R 3,540 | R 17.02 | R 3,213 | R 15.45 | 48 |
| Grade B | | R 3,425 | R 16.47 | R 3,126 | R 15.03 | R 2,892 | R 13.90 | |
| Grade C | | R 2,905 | R 13.97 | R 2,673 | R 12.85 | R 2,415 | R 11.61 | |
| Grade D and E | | R 2,733 | R 13.14 | R 2,500 | R 12.02 | R 2,271 | R 10.92 | |
| Employees not elsewhere specified | | R 2,519 | R 12.92 | R 2,316 | R 11.88 | R 2,092 | R 10.73 | 45 |

Table 2: Minimum Wages for Year 2

| Minimum Wages for Year 2 (with effect from 1 September 2013) | |
|---|---|
| (1) | The increase for Security Officers Grade D in all areas will be calculated by adding the annualised Consumer Price Index plus 2% (two per cent) to the Grade D salary rates for Year 1, with a minimum increase of 7.25% (seven and a quarter per cent) for such entry levels and maximum of 8% (eight per cent). |
| (2) | The increase for all higher grades or levels for all categories will be calculated by adding the Rand value of the entry levels applicable to each category to the Year 1 salary levels for all such higher grades or levels. |

Table 3: Minimum Wages for year 3

| Minimum Wages for Year 3 (with effect from 1 September 2014) | |
|---|--|
| (1) | The increase for Security Officers Grade D in all areas will be calculated by adding the annualised Consumer Price Index plus 2% (two per cent) to the Grade D salary rates for Year 1, with a minimum increase of 7% (seven per cent) for such entry levels and maximum of 8% (eight per cent). |
| (2) | The increase for all higher grades or levels for all categories will be calculated by adding the Rand value of the entry levels applicable to each category to the Year 1 salary levels for all such higher grades or levels. |

Replace clause 3(5) sub-clause (a) and (b) with the following:

(5) Night shift allowance

If at least half of the shift ordinarily falls between the hours of 18:00 on one day and 06:00 the next day that employee will be entitled to and shall receive an allowance hereunder in respect of each night shift worked.

| | 01 September 2012 to 31August 2013 | 01 September 2013 to 31August 2014 | 01 September 2014 to 31August 2015 |
|-----|--|--|--|
| (a) | R 5.00 | R 5.00 | R 5.50 |

Replace clause 3(6) sub-clause (a), (b), (c), (d) and (e) on page 10 with the following table.

(6) Special Allowance

The allowances hereunder shall be paid to each employee performing the following duties, on condition that no employee shall be entitled to accumulate more than any two of these special allowances in respect of any shift worked –

| | Category | 01 September 2012 to 31 August 2013 | 01 September 2013 to 31 August 2014 | 01 September 2014 to 31 August 2015 |
|-----|-------------------------------|---|---|---|
| (a) | Mobile Supervisors | R 5.50 | R 6.50 | R 7.00 |
| (b) | Armed Security Officer | R 5.50 | R 6.50 | R 7.00 |
| (c) | Armed Response Officer | R 5.50 | R 6.50 | R 7.00 |
| (d) | National Key Point Officer | R 5.50 | R 6.50 | R 7.00 |
| (e) | Control Center Operator | R 5.50 | R 6.50 | R 7.00 |

4. Insert clause 3(7) which shall read as follows:

(7) Grade D Premium

All Grade D private security officers in all areas shall receive a Grade D premium, which shall be paid as an additional allowance. The Grade D premium shall be paid as follows:

| 01 September 2012 to 31 August 2013 | 01 September 2013 to 31 August 2014 | 01 September 2014 to 31 August 2015 |
|---|---|---|
| R 25 per month | R 50 per month | R 75 per month |

5. Insert clause 3(8) which shall read as follows:

(8) Area 3 premium

All private security officers in Area 3 shall receive an Area 3 premium, which shall be paid as an additional allowance. The Area 3 premium shall be paid as follows:

| 01 September 2012 to 31 August 2013 | 01 September 2013 to 31 August 2014 | 01 September 2014 to 31 August 2015 |
|---|---|---|
| R 20 per month | R 40 per month | R 60 per month |

6. Replace clause 6 sub-clause 1 with the following:

6. ANNUAL BONUS

- (1) An employer shall pay every security officer, for each month that the employee was paid or entitled to be paid in respect of each completed 12 months of service with such employer, an annual bonus, subject to the conditions of sub clauses (2) and (3), below calculate as follows:

A – (B X C)**12**

- A = Security officer's ordinary salary
 B = Security officer's hourly equivalent rate of pay
 C = The number of hours worked short due to absenteeism

Provided that –

- (a) only unauthorised hours of absence should be used in determining the figure "C" in the above formula.
- i. any period of approved absence, including but not limited to, annual leave, sick leave, maternity leave, study leave, family responsibility leave and protected industrial action shall not be used to reduce the bonus payable in terms of this clause, and
- ii. any employee who is scheduled to perform duties as a spare and is not utilised for that shift should suffer no detriment for the duration of the shift in the accumulation of his/her annual bonus.

7. Delete clause 9(2)(b) and 9(2)(c) of Sectoral determination 6: Private Security Sector, South Africa published on 25 August 2009 in Government Gazette No: 32524.
8. Replace clause 11 with the following:

11. FAMILY RESPONSIBILITY LEAVE

- (1) This section applies to an employee –
- (a) who has been in employment with an employer for longer than four months; and
- (2) An employer must grant an employee, during each annual leave cycle, at the request of the employee,-
- (a) four days paid family responsibility leave from 01 September 2012 to 31 August 2014
- (b) this entitlement shall increase to five (5) days paid family responsibility leave from 01 September 2014
- (3) An employee is entitled to take family responsibility leave in terms of sub-clause 2-
- (a) when the employee's child is born;
- (b) when the employee's child is sick; or
- (c) in the event of the death of –
- (i) the employee's spouse or life partner; or
- (ii) the employee's parent, parents-in-law, adoptive parent, grandparent, child, adopted child, grandchild or sibling.
- (4) An employer must pay an employee for a day's family responsibility leave –

- (a) the ordinary salary the employee would have received for a day worked; and
 - (b) on the employee's usual payday.
 - (5) An employee may take family responsibility leave in respect of the whole or part of a day.
 - (6) Before paying an employee for leave in terms of this clause, an employer may require reasonable proof of an event contemplated in sub clause (2) for which the leave was required.
 - (7) An employee's unused entitlement to leave in terms of this clause lapses at the end of the annual cycle in which it accrues.
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