



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Regulation Gazette

No. 8584

Regulasiekoerant

Vol. 497

Pretoria, 14 November 2006

No. 29385



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GOVERNMENT NOTICE

DEPARTMENT OF LABOUR**No. R. 1139****14 November 2006****BASIC CONDITIONS OF EMPLOYMENT ACT, NO 75 OF 1997****AMENDMENT OF SECTORAL DETERMINATION 1: CONTRACT
CLEANING SECTOR, SOUTH AFRICA**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, in terms of section 56 (1) of the Basic Conditions of Employment Act, No. 75 of 1997, hereby amend Sectoral Determination 1: Contract Cleaning Sector, South Africa, published under Government Gazette R. 1196 of 16 November 2001 and Gazette R. 1385 of 26 November 2004 in accordance with the schedule hereto and fix 01 December 2006 as the date on which this amendment shall become binding.



**M M S MDLADLANA, MP
MINISTER OF LABOUR**

SCHEDULE

1. **Substitute clause 3 as reflected in Government Notice R. 1385 of 26 November 2004 with the following wage table:**

Clause 3

3 Remuneration

- (1) An employer shall pay an employee in respect of each hour or part thereof (excluding overtime) worked by an employee on any day other than a paid holiday or a Sunday, not less than the hourly rate in the schedule below:

Area A		Area B	Area C		
Metropolitan Councils: City of Cape Town, Ekurhuleni, City of Johannesburg, City of Tshwane and Nelson Mandela		In KwaZulu-Natal excluding any area covered by a bargaining council agreement	In the rest of the RSA		
Local Councils: Emfuleni, Merafong, Mogale City, Metsimaholo, Randfontein, Stellenbosch, Westonarea					
Period	Rate per hour		Rate per hour	Period	Rate per hour
01/12/2006 to 30/11/2007	R9,26		Same rates as prescribed by the bargaining council	01/12/2006 to 30/11/2007	R7.40 OR 80% of Area A rate per hour
01/12/2007 to 30/11/2008	R9.88*	Same rates as prescribed by the bargaining council	01/12/2007 to 30/11/2008	R8.40 OR 85% of Area A rate per hour	
01/12/2008 to 30/11/2009	R10.50**	Same rates as prescribed by the bargaining council	01/12/2008 to 30/11/2009	R9.45 OR 90% of Area A rate per hour	
*If CPIX is higher than 6.75% in year two, then the increase on year two will be equal to the CPIX.					
** If CPIX is higher than 6.25% in year three, then the increase on year three will be equal to the CPIX.					

- (2) With the commencement of:
- (a) the second year of this determination, if the CPIX is higher than 6.75% at a date contemplated on the wage schedule in clause 3(1), the minimum rate prescribed for the period 01/12/2006-31/11/2007 should be increased by the CPIX rate,
 - (b) the third year of this determination, if the CPIX is higher than 6.25% at the date contemplated on the wage schedule in clause 3(1), the minimum rate prescribed for the period 01/12/2007 to 30/11/2008 should be increased by the CPIX rate.
- (3) For the purpose of this clause, the CPIX is the CPIX as reported by Statistics South Africa six weeks before the increase becomes effective¹.

2. Substitute clause 3(2)(a) and (b) as reflected in Government Notice R. 1385 of 26 November 2004 with the following:

3(2) An annual bonus will be paid to all employees, during the month of December each year or on termination of employment. This bonus will be calculated as follows-

- (a) An employee shall receive an amount equivalent to the employee's weekly wage as on 1 December 2006;
- (b) During the second year of this Determination, an employee shall receive an amount equivalent to two weeks of the employee's weekly wage as on 1 December 2007;

¹ Defined by Statistics South Africa as the Consumer Price Index excluding interest rates on mortgage bonds for the historical metropolitan and other urban areas.

- (c) During the third year of this Determination, an employee shall receive an amount equivalent to three weeks wage of the employee's weekly wage as on 1 December 2008;

- (d) In the event that the employee's contract of employment ends before December of each year, the employee must receive a prorated share of the bonus for the period of the year that he or she has worked.

- (e) The prorated bonus will be calculated on:
 - (i) during the first year of this determination, the number of full calendar months service divided by 12 and multiplied by the employee's weekly wage for December 2006;

 - (ii) during the second year of this determination, the number of full calendar months service divided by 12 and multiplied by two times an employee's weekly wage for December 2007; and

 - (iii) during the third year of this determination, the number of full calendar months service divided by 12 and multiplied by three times an employee's weekly wage for December 2008.

3. Substitute clause 31(4)(b)(i) as reflected in Government Notice R. 1196 of 16 November 2001 with the following:

31(4)(b)(i) Each Member shall make a monthly Contribution to the Fund throughout his/her service towards his/her retirement benefits at the rate of five point two five (5.25%) percent of the Member's Fund Salary or as amended by the Board of Trustees from time to time.

4. Substitute clause 31(4)(c)(i) as reflected in Government Notice R. 1196 of 16 November 2001 with the following:

31(4)(c)(i) The Employer shall make a monthly Contribution in respect of each Member in its service at the rate of five point two five (5.25%) percent of the Member's Fund Salary or as amended by the Board of Trustess from time to time, to be allocated in terms of the Rules.

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