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GOVERNMENT NOTICE

DEPARTMENT OF LABOUR

No. R. 133

16 February 2007

BASIC CONDITIONS OF EMPLOYMENT ACT, NO 75 OF 1997**AMENDMENT OF SECTORAL DETERMINATION 2: CIVIL ENGINEERING
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 2: Civil Engineering Sector, South Africa, published under Government Gazette R.204 of 2 March 2001 and R.201 of 18 February 2004 in accordance with the schedule hereto and fix 1 March 2007 as the date on which this amendment shall become binding.



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

SCHEDULE

1. Replace the tables in sub-clause 3(2) as reflected in Government Notice R.204 of 2 March 2001 and amended in Government Notice R. 201 of 18 February 2004 with the following tables:

Table 1: Minimum wages for all employees in the Civil Engineering Sector.

Task Grade ¹	Province	Area	1 March 2007 to 29 February 2008	1 March 2008 to 28 February 2009	1 March 2009 to 28 February 2010
			Rate per hour	Rate per hour	Rate per hour
Task Grade 1	Gauteng	The whole province	R11.09	R12.48	R14.00
	North West	The Magisterial Districts of Klerksdorp and Potchefstroom	R11.09	R12.48	R14.00
		The remainder of the North West	R10.27	R12.11	R14.00
	Mpumalanga	The Magisterial District of Balfour, Bethal, Highveld Ridge, Middleburg, Standerton and Witbank.	R11.09	R12.48	R14.00
		The remainder of Mpumalanga	R10.27	R12.11	R14.00
	Limpopo	The whole of Limpopo	R10.27	R12.11	R14.00

¹ Task grades are as set out in Table 2.

Task Grade 1	Free State	The Magisterial District of Bloemfontein, Odendaalsrus, Sasolburg, Virginia and Welkom	R11.09	R12.48	R14.00
		The remainder of Free State	R10.27	R12.11	R14.00
	Western Cape	The whole province	R11.09	R12.48	R14.00
	Eastern Cape	The whole province	R11.09	R12.48	R14.00
	Northern Cape	The whole province	R10.27	R12.11	R14.00
	Kwa-Zulu Natal	The whole province	R11.09	R12.48	R14.00
Task Grade 2	The whole of RSA		R11.23	R12.58	R14.40
Task Grade 3			R11.88	R13.31	R14.80
Task Grade 4			R12.48	R13.86	R15.30
Task Grade 5			R14.98	R16.63	R18.30

Task Grade 6	The whole of RSA	R17.47	R18.87	R20.80
Task Grade 7		R20.53	R22.07	R23.80
Task Grade 8		R23.09	R24.82	R26.70
Task Grade 9		R26.21	R28.05	R30.15

Table 2: Job Grading

Task Grade	Occupational group	Job Title
Task Grade 1/ Patterson A1	General Worker	General worker
Task Grade 2/Patterson A2	Artisan Aid	Artisan Aid
	Construction Hand Grade IV	Structures Construction Hand; Premix Paving Checker; Steel Bending Machine Operator; Civil Construction Bricklayer Grade II
	Operator Grade V	Boom Scraper Operator
		Pedestrian Roller Operator
	Checker	Checker
Chainman	Chainman	
Task Grade 3/Patterson A3	Construction Hand Grade III	Shutter hand Grade III
		Concrete Hand Grade 11
	Operator Grade IV	Track Rig Operator (general); Bore Pile Operator; Drilling Supervisor
	Site Support	Junior Clerk
Task Grade 4/Patterson B1	Construction Hand Grade II	Shutter hand Grade II ; Reinforcing Hand Grade II; Concrete Hand Grade I; Fence Erector; Guard Rail Erector
	Operator Grade III	Concrete Mixer Operator; Continuous Flight Auger Operator; Batch Plant Operator; Concrete Dumper Operator; Concrete Pump Operator; Tower Crane Operator; General Premix Roller Operator; Milling Machine Operator; Paver Operator; Excavator Operator; Front End Loader Operator; TLB Operator; Dozer Operator; Grader Operator (general); Guniting Nozzle person
	Driver Grade II	Motorcycle Driver; Tractor Driver; Light Motor Vehicle Driver; Driver Operator; Heavy Duty Driver (rigid); Extra Heavy Duty Driver (rigid)
	Site Support	Material Tester

TASK Grade	Occupational group	Job Title
Task Grade 5/Patterson B2	Construction Hand Grade 1	Shutter hand Grade I; Piling Auger Machine Operator; Reinforcing Hand Grade I; Pipe layer Grade I; Kerb layer Grade I; Civil Construction Bricklayer Grade I
	Operator Grade II	Mobile Crane Operator; Screed Operator; Scraper Operator
	Driver Grade I	Heavy Duty Driver (articulated); Extra Heavy Duty Driver (articulated)
	Site Support	Assistant surveyor
Task Grade 6/Patterson B3	Operator Grade I	Grader Operator (final level)
Task Grade 7/Patterson B4		Supervisor Grade II; Plant Serviceman
Task Grade 8/Patterson B5		Supervisor Grade I
Task Grade 9 / Patterson C1	Artisan	Diesel Mechanic, Fitter & Turner, Auto Electrician, Boilermaker, Welder.

2. Delete sub-clause 3(3) as provided in Government Gazette R.204 of 2 March 1999 and amended by Government Notice R.201 of 18 February 2004.

3. Replace sub-clause 3(4)(a) as reflected in Government Notice R.204 of 2 March 1999 as amended in Government notice No. R.201 of 18 February 2004 to read:

- (4) (a) **Year end bonus:** subject to the provision of this sub-clause, an employer must pay an employee an annual bonus as follows:
- (i) December 2007: 15 working days' pay;
 - (ii) December 2008: 16 working days' pay; and
 - (iii) December 2009: 16 working days' pay.

4. Cross border allowance

Insert clause 29A below Clause 29 (3) as reflected on the Government Notice

R.204 of 2 March 2001 to read:

29A. Cross border work allowance:

- (1) An employer may only require or permit an employee to perform cross border work if so agreed provided that –
 - (a) the employer pays the employee an allowance;
 - (b) the employer must ensure that the terms of the agreement are not less favourable than the basic conditions of employment as regulated by the provisions of this sectoral determination or any law that is applicable in the Republic of South Africa; and
 - (c) the employer must ensure that the terms of the agreement and conditions of work are not less favourable than the same employee would enjoy if working in South Africa.
 - (d) In the event where an employee is employed for a period of more than 12 months in another country , the employer must have an agreement with the Compensation Commissioner in terms of section 23(1)(c) of the Compensation for Occupational Injuries and Diseases Act , Act 130 of 1993.

- (2) An employer who requires an employee to perform work outside the borders of the Republic of South Africa must –
 - (a) inform the employee in writing, or orally if the employee is not able to understand a written communication, in a language that the employee reasonably understands-

- (i) of any health and safety hazards associated with that country that the employee is expected to be deployed to; and
 - (ii) of the employee's right to undergo a medical examination in terms of paragraph (3);

- (3) At the request of the employee, enable the employee to undergo a medical examination, at the expense of the employer, concerning those hazards-
 - (a) before the employee departs, or within a reasonable period;
 - (b) at appropriate intervals while the employee continues to perform such work; and

- (4) Transfer the employee to a suitable country within a reasonable time if-
 - (a) the employee suffers from a health condition associated with the country in which the employee is working; and
 - (b) it is practicable for the employer to do so.

5. Definition

Insert the following definition in clause 1 of the Government notice No.R204 of 2 March 2001 in alphabetic order-

“cross border work” means work performed outside the borders of the Republic of South Africa.
