



labour

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Basic Guide to Working Hours

Basic Conditions of Employment laws set maximum working hours and minimum rest and break periods for workers.

Application

The Basic Conditions of Employment Act applies to all **employers and workers**, but not -

- members of the -
 - National Defence Force,
 - National Intelligence Agency, or
 - South African Secret Service; or
- unpaid volunteers working for charity.

The section of the Act that regulate **working hours** does not apply to:

- workers in senior management
- sales staff who travel and regulate their own working hours
- workers who work less than 24 hours in a month
 - workers who earn in excess of an amount stated in terms of section 6 (3) of the Act
 - workers engaged in emergency work are excluded from certain provisions.

See

- Basic Conditions of Employment Act

Applies to all employers and workers and regulates leave, working hours, employment contracts, deductions, pay slips, and termination

Maximum Working Hours

Number of days worked per week	Maximum	
	Ordinary hours per day	Ordinary hours per week
1 - 5	9	45
more than 5	8	45

Based on Legislation in Section 9, of the Basic Conditions of Employment Act

Compressed Working Week

Workers may agree, in writing, to work up to 12 hours a day without getting overtime pay.

However, these workers may not work more than -

- 45 ordinary hours a week
- 10 hours' overtime a week
- 5 days a week

Based on Legislation in Section 11, of the Basic Conditions of Employment Act

Averaging of Working Hours

A collective agreement may allow for working hours to be averaged over a period of up to 4 months.

However, workers may not work more than -

- an average of 45 hours a week
- an average of 5 hours' overtime a week

Based on Legislation in Section 12, of the Basic Conditions of Employment Act

Meal Breaks

Workers must have a meal break of 60 minutes after 5 hours' work.

A written agreement may -

- reduce meal intervals to 30 minutes
- eliminate meal intervals for workers who work less than 6 hours a day

Based on Legislation in Section 14, of the Basic Conditions of Employment Act

Rest Periods

Workers must have a rest period of -

- 12 hours each day; and
- 36 consecutive hours each week (must include Sunday, unless otherwise agreed)

Based on Legislation in Section 15, of the Basic Conditions of Employment Act

Night Work

Workers working between 18h00 and 06h00 must -

- get an allowance, or
- work reduced hours, and
- have transport available to them.

Based on Legislation in Section 17, of the Basic Conditions of Employment Act

Related Links

- **Basic Guide to Collective Agreements**
The Labour Relations Act provides for agreements that alter conditions of employment
- **Basic Guide to Overtime**
The Basic Conditions of Employment regulates overtime working hours and pay for such hours.
- **Basic Guide to Public Holidays**
The Basic Conditions of Employment stipulates the conditions for working on Public Holidays for workers.
- **Basic Guide to Working on Sundays**
The Basic Conditions of Employment prescribes the wages for working on a Sunday.