



labour

Department:
Labour
REPUBLIC OF SOUTH AFRICA



[Home](#)

[About Us](#) | [Contacts](#) | [Services](#) | [Media Desk](#) | [Tenders](#) | [Vacancies](#)

[Site Map](#)

Basic Guide to Employer's Basic Conditions of Employment Duties

All employers must comply with the provisions of the Basic Conditions of Employment Act.

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.
- 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

All Employers

All employers must –

- set working hours in line with labour laws
- follow the law with regard to overtime, public holidays, and working on Sundays give workers –
- annual leave
- sick leave
- maternity leave
- family responsibility leave
- only make deductions from a worker's pay allowed for by law
- provide workers with written particulars of employment
- terminate the employment contract appropriately.

Employers with 5 or More Workers

Employers who employ 5 or more workers must – provide workers with the following documents:

- written particulars of employment
- a pay slip each time they are paid
- maintain an employee record for each worker
- display a summary of the Basic Conditions of Employment Act in the workplace

Related Links

- [Basic Guide to Annual Leave](#)
Rules for annual leave as prescribed by the Basic Conditions of Employment Act
- [Basic Guide to Deductions](#)
The Basic Conditions of Employment Act allows for deductions from a worker's pay only under certain conditions.
- [Basic Guide to Employee Records](#)
The Basic Conditions of Employment Act requires that employers keep a record of certain employee information
- [Basic Guide to Employment Contracts](#)
The Basic Conditions of Employment Act requires that employers give workers certain details of their employment in writing
- [Basic Guide to Family Responsibility Leave](#)
Under the Basic Conditions of Employment Act, workers may take paid leave to attend to certain family situations
- [Basic Guide to Maternity Leave](#)
The Basic Conditions of Employment Act gives pregnant workers the right to take maternity leave
- [Basic Guide to Overtime](#)
The Basic Conditions of Employment regulates overtime working hours and pay for such hours.

- **Basic Guide to Pay Slips**
The Basic Conditions of Employment Act stipulates that employers must give workers certain details each time they are paid.
- **Basic Guide to Sick Leave**
Rules for sick leave as prescribed by the Basic Conditions of Employment Act.
- **Basic Guide to Termination**
The Basic Conditions of Employment Act stipulates the procedures for termination of an employment contract.
- **Basic Guide to Working Hours**
The Basic Conditions of Employment Act regulates working hours and rest periods for workers.
- **Basic Guide to Working on Sundays**
The Basic Conditions of Employment prescribes the wages for working on a Sunday.
- **Form BCEA1 - Summary of the Act - English**
All employers must display a copy of this summary of the Basic Conditions of Employment Act in the workplace.