



labour

Department:
Labour
REPUBLIC OF SOUTH AFRICA



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Basic Guide to Employment Contracts

The Basic Conditions of Employment Act requires that employers give workers certain details of their employment in writing.

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

Written Particulars of Employment

At the start of employment, employers must give workers a document containing the following information...

Based on Legislation in Section 29, of the Basic Conditions of Employment Act

Employer and Worker Details

- Employer's full name
- Employer's address
- Worker's name
- Worker's occupation, or a brief description of the work

Employment Details

- Place/s of work
- Date of employment
- Working hours and days of work

Payment Details

- Salary or wage, or the rate and method of calculating wages
- Rate for overtime
- Any other cash payments
- Any payments in kind and their value
- Frequency of payment
- Any deductions

Leave Details

- Any leave to which the worker is entitled

Notice/Contract Period

- Period of notice required for termination; or
- Period of contract

Please Note:

The following does not apply to employers who employ less than 5 workers

- Any period of employment with a previous employer that counts towards the period of employment
- List of any other documents that form part of the contract and details of where the worker can get copies
- Description of any council or sectoral determination which covers the employer's business

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 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 Public Holidays**

The Basic Conditions of Employment stipulates the conditions for working on Public Holidays for workers.

- **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.

- **Sample - Employment Contract**