

# Basic Guide to Working Hours

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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*