



INDUSTRY CIRCULAR

To: ALL SECURITY SERVICE PROVIDERS

**FROM: MANABELA CHAUKE
DIRECTOR**

DATE: 25 FEBRUARY 2019

**SUBJECT: CLARITY FROM THE DEPARTMENT OF LABOUR ON
NATIONAL MINIMUM WAGE ON THE PRIVATE SECURITY
INDUSTRY**

Following the January 2019 pronouncement by the President of The Republic of South Africa, please receive the attached letter from the Department of Labour.

Attached herewith the minimum wage directive for your consideration. PSiRA could not provide guidance without a written confirmation from the Department of Labour.

For any enquiries please contact Manager: Compliance and Enforcement,

Mr Gresham Singh, on (012) 003 0561 or e-mail gresham.singh@psira.co.za.

Sincerely

Manabela Chauke

Director



labour

Department:
Labour
REPUBLIC OF SOUTH AFRICA

Postal Address Private Bag X117, PRETORIA, 0001 • Street Address Labour House 215 Francis Baard Street, PRETORIA
Tel 086 0101018

Enquiries: M Masenya
Tel : (012) 309 4067
Ref :
Date : 15 February 2019
e-mail: <mailto:mogodi.masenya@labour.gov.za>

DIRECTIVE: NATIONAL MINIMUM WAGE ACT IMPLICATION TO THE PRIVATE SECURITY SECTORAL DETERMINATION

1. PURPOSE:

The purpose of this Directive is to give clarity in terms of the jurisdiction of the National Minimum Wage Act, 2018 and the Private Security Sectoral Determination No.6.

2. WHO NEEDS TO READ THIS SECTION?

All inspectors, employers, and employees in the Private Security Sector.

3. DIRECTIVE:

3.1 INTRODUCTION

~~The amendment to the BCEA published on the 27 November 2018 which came into effect on the 1st January 2019 stipulates that the Basic Conditions of Employment Act to provide for daily wage payments applicable to certain employees; to repeal certain provisions dealing with sectoral determinations and to disestablish the Employment Conditions Commission; to extend the jurisdiction of the Commission for Conciliation, Mediation and Arbitration; to extend the provisions for monitoring and enforcement by the labour inspector; to include enforcement of the provisions of the National Minimum Wage Act, 2018, the Unemployment Insurance Act, 2001 and the Unemployment Insurance Contributions Act, 2002; to provide for claims for underpayment; to provide for transitional arrangements; to regulate sectoral determinations currently in force; to strengthen collective bargaining in respect of the sectors regulated by those sectoral determinations; and to provide for matters connected therewith.~~

3.2 DISCUSSION

As a result of the introduction of the National Minimum Wage Act and the amendment of the Basic Conditions of employment Act, all employers including employers in Private Security Sector should comply with the prescribed minimum wage of R20.00 an hour which came into effect as from 1 January 2019. The Private Security Sectoral Determination is still applicable to the employers and employees in the sector. Therefore employers should consider sectoral determination when finalising contracts of employment.

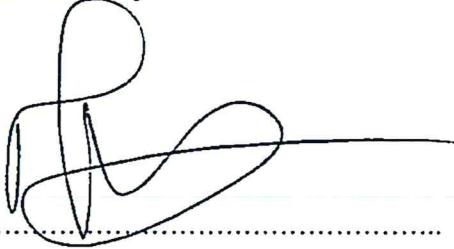
All employees who were earning below R20.00 their wages should then be adjusted as from the 1 January 2019 to at least R20.00 per hour. In terms of the Private Security Sector these categories will be affected: Clerical Assistants in Area 1/2 and 3, Clerks in Area 3, Drivers in Area 3, General workers in Area ½ and 3, Handyman in Area 3, Grade C/D and E, and employee elsewhere not specified. Below find the new adjusted minimum wage table:

MONTHLY SALARY RATES			
	AREA 1 & 2	AREA 3	
In the Magisterial Districts of	Alberton, Bellville, Benoni, Boksburg, Bloemfontein, Brakpan, Camperdown, Chatsworth, Durban, East London, Germiston, Goodwood, Inanda, Johannesburg, Kempton Park, Kimberley, Klerksdorp, Krugersdorp, Kuis River, Mitchell's Plain, Nigel, Oberholzer, Paarl, Pietermaritzburg, Pinetown, Port Elizabeth, Pretoria, Randburg, Randfontein, Roodepoort, Sasolburg, Simon's Town, Somerset West, Springs, Stellenbosch, Strand, The Cape, Uitenhage, Vanderbijlpark, Vereeniging, Westonaria, Wonderboom and Wynberg.	All other areas	Maximum permissible working hours per week for each respective category of employee, subject to clause 5(2), with regard to averaging of working hours.
	Monthly salary	Monthly salary	
Artisan	R7 484	R6 534	45
Clerical Assistant			45
During the first year of experience	R3 900	R3 900	
During the second year of experience	R3 900	R3 900	
Thereafter	R3 900	R3 900	
Clerk			45
During the first year of experience	R4 068	R3 900	
During the second year of experience	R4 325	R3 900	
During the third year of experience	R4 549	R3 900	
Thereafter	R4 794	R4 075	
Control or Communication Centre Operator	As for relevant security officer grading		48
Controller	As for a clerical assistant		45
Driver of a -			45
Light motor vehicle	R3 925	R3 900	
Medium motor vehicle	R4 207	R3 900	
Heavy motor vehicle	R4 392	R3 900	
General Worker			45
During the first six months service with the same employer	R3 900	R3 900	
Thereafter	R3 900	R3 900	
Handyman	R4 343	R3 900	45
Security Officer			48
Grade A	R5 558	R4 613	
Grade B	R4 981	R4 198	
Grade C, D & E	R4 377	R4 160	
Employees not elsewhere specified	R3 900	R3 900	45

3.3 CONCLUSION

The sector has to comply with the amendments for both BCEA and NMW. The contravention of these Acts should be condemned. In these cases immediate legal proceedings should be instituted. Where prohibition notices are served, these should be followed up immediately and legal proceedings instituted where applicable.

Yours sincerely

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

T MKALIPI

CHIEF DIRECTOR: LABOUR RELATIONS.