

- 3.7.2.2 the temporary employment service and the client shall be jointly and severally liable if the temporary employment service in respect of any of its employees contravenes-
- (i) a Collective Agreement, including any agreement concluded by a Bargaining Council that regulates terms and conditions of employment;
 - (ii) a binding arbitration award that regulates terms and conditions of employment;
 - (iii) the Basic Conditions of Employment Act; or
 - (iv) a determination made in terms of the Basic Conditions of Employment Act.
- 3.7.2.3 An employer shall comply with all the provisions of this Agreement in respect of those persons rendering services at or in respect of his establishment through any arrangement or Agreement with a temporary employment service, as if those persons were employed by the employer.
- 3.7.2.4 A person conducting business as a temporary employment service registered in terms of this clause shall be entitled to supply labour to an employer or establishment falling under or registered in terms of this Agreement.
- 3.7.2.5 This Agreement shall not restrict the Parties rights to pursue the temporary employment services issue at any further NEDLAC processes.
- 3.7.2.6 All temporary employment service providers shall in addition comply with all the provisions of Section 198 A of the Act as amended.

4. HOURS OF WORK

4.1 ORDINARY HOURS OF WORK

- 4.1.1 An employer may not require or permit an employee, other than a night watchman to work more than 42 hours per week in respect of establishments which ordinarily work a five day week, and 45 ordinary hours per week in respect of establishments in which employees ordinarily work a six day week, in respect of which minimum wages are prescribed in this agreement, which shall, subject to sub clause 4.1.2, be regarded as the usual working hours.
- 4.1.2 The usual working hours in any week may be distributed throughout the week at the discretion of the employer, who shall cause to exhibit in a conspicuous place within his establishment, a notice showing the time on each day to be worked by such employee during the ensuing week: provided that, subject to the provisions of sub clause 4.1.3, the usual daily working hours shall not exceed-
- 4.1.2.1 five hours on one day in any week and eight hours on the remaining days of such week, in the case of establishments in which employees ordinarily work on six days a week;
 - 4.1.2.2 nine hours on any day, in the case of establishments in which employees do not ordinarily work on more than five days a week.