

- 4.1.3 a night watchman may not be required or permitted to work for more than 50 ordinary hours per week.
- 4.1.4 the hours of work of a driver includes all periods of driving and all times spent on other work connected with the vehicle or the load and all those times that he shall remain with the vehicle and ready to work, but excludes meal times.
- 4.1.5 the starting and finishing times and variation of such times in each section or department will be subject to the fluctuations of operational requirements in the workplace.

4.2 OVERTIME HOURS

- 4.2.1 An employer may not require or permit an employee to work-
 - 4.2.1.1 overtime except in accordance with an agreement;
 - 4.2.1.2 more than ten (10) hours overtime a week;
- 4.2.2 Any agreement in terms of sub-clause 4.2.1.1 may not subject to Clause 4.2.7, require or permit an employee to work more than twelve (12) hours on any day;
- 4.2.3 The employer must pay the employee at least one and a half times the employee's ordinary wage for overtime worked;
- 4.2.4 Despite sub-section 4.2.3, an agreement may provide for an employer to-
 - 4.2.4.1 pay an employee not less than the employee's ordinary wage in respect of overtime worked and grant the employee at least thirty (30) minutes time off on full pay for every hour of overtime worked; or
 - 4.2.4.2 grant an employee at least ninety (90) minutes paid time off for each hour of overtime worked.
- 4.2.5 An employer must grant paid time off in terms of sub-clause 4.2.4 within twelve (12) months of the employee becoming entitled to it.
- 4.2.6 Any agreement concluded in terms of sub-clause 4.2.1.1 with an employee when the employee commences employment, or during the first three (3) months of employment, lapses after one (1) year.
- 4.2.7 Despite the provisions of sub-clause 4.2.1.2, an employer may, if the peak period demands of his business so require, increase the maximum permitted overtime to fifteen (15) hours per week, which maximum overtime hours shall not apply for more than two (2) months in any period of twelve (12) months.

4.3 MEAL AND OTHER REST INTERVALS

4.3.1 Meal intervals

- 4.3.1.1 An employer may not require or permit an employee to work more than 5 hours continuously without a meal interval of at least half an hour, provided that-
 - 4.3.1.1.1 periods of work interrupted by intervals of less than one half hour shall be deemed to be continuous;
 - 4.3.1.1.2 if such interval be longer than half an hour, any period in excess of three quarters of an hour shall be deemed to be time worked;
 - 4.3.1.1.3 a driver of a motor vehicle, who during such an interval does no work other than being or remaining in charge of the vehicle and its