

STAFFING - LEGAL REQUIREMENTS

FULL TIME EMPLOYEES

Wages / Salary	Driver	Admin Clerk	Stock Controller
	As of 1 March 2025, the NMW is set at R28.79 per hour for most workers, including farm and domestic workers. This rate applies nationwide, irrespective of whether the worker is in a rural or urban area.		
	Drivers of vehicles up to 3,500 kg: R23.19 per hour	For administrative clerks in Johannesburg, the average monthly salary is approximately R8,038, with a range from R4,751 to R19,387, depending on experience and the specific company.	For a full-time employee working 45 hours per week, this equates to approximately R5,609.73 per month
	Drivers of vehicles between 3,501 kg and 9,000 kg: R27.88 per hour		It's important to note that the NMW serves as the legal minimum, and employers may offer higher wages based on factors such as experience, qualifications, and specific job responsibilities.
	Drivers of vehicles between 9,001 kg and 16,000 kg: R30.35 per hour		
	Drivers of vehicles exceeding 16,000 kg: R34.54 per hour		
	In South Africa, an employer can't deduct accommodation or meal allowances from an employee's salary without written consent, unless it's allowed by law, a collective agreement, or a court order.		
OVERTIME	Maximum permissible overtime is 3 hours on anyone day or 10 hours in any 1 week. Remuneration must be at 1, 5 times the normal wage rate except for Sunday work and work on public holidays, which must be remunerated at twice the normal wage rate.		
UIF	All employers must register with the UIF if they: <ul style="list-style-type: none">• Employ someone for more than 24 hours per month.• Are not registered with SARS for Employees' Tax.• Are not liable to pay the Skills Development Levy (SDL).		
	If you're under 65, you begin paying PAYE once your monthly income exceeds around R7,979.		

PAYE	Taxable Income (R)	Rates of Tax	
	0 - 237,100	18% of taxable income	
	237,101 - 370,500	42,678 + 26% of taxable income above 237,100	
	370,501 - 512,800	77,362 + 31% of taxable income above 370,500	
	512,801 - 673,000	121,475 + 36% of taxable income above 512,800	
	673,001 - 857,900	179,147 + 39% of taxable income above 673,000	
	857,901 - 1,817,000	251,258 + 41% of taxable income above 857,900	
	1,817,001 and above	644,489 + 45% of taxable income above 1,817,000	
	Rebates	Value	Tax Threshold
	Below age 65	R17,24	R95,75
PAYSLEIPS	Age 65 to below 75	R9,44	R148,22
	Age 75 and over	R3,15	R165,69
ANNUAL LEAVE	South African employers are legally required to provide employees with a payslip each payday. This is mandated by the Basic Conditions of Employment Act (BCEA). The payslip must contain specific information, including the employee's pay and overtime rates, the number of ordinary and overtime hours worked, and the number of hours worked on a Sunday or public holiday		
	Entitlement: Employees are entitled to 21 consecutive days of annual leave, which is the equivalent of 15 working days for a 5-day workweek or 18 working days for a 6-day		
	Full Pay: The leave is paid at the employee's full remuneration.		
	Leave Cycle: The annual leave accrual period (leave cycle) is a 12-month period, typically starting from the date of employment or the end of the previous cycle.		
	Public Holidays: Public holidays falling within an employee's annual leave period are treated as additional days of leave, separate from the 21 days of annual leave.		
	Termination: Employers are generally obligated to grant annual leave, and can only pay employees instead of granting leave upon termination of employment.		
	Timing: The timing of leave should be agreed upon between the employer and employee. If they cannot agree, the employer makes the final decision.		
	Accrual: Annual leave is accrued, meaning it increases as the leave cycle progresses, starting from zero at the beginning of the cycle.		
	Carry-Over: Unused annual leave must be taken within six months after the end of the leave cycle, according to the Department of Employment and Labour.		
SICK LEAVE	Collective Agreements: Collective agreements or contracts of employment may provide for additional leave days beyond the minimum entitlement.		
	Entitlement: Employees are entitled to paid sick leave for a maximum of six weeks within a 36-month period, which translates to 30 or 36 days depending on the working week.		
	First six months: During the first six months of employment, the entitlement is less, with one day of paid sick leave for every 26 days worked.		
	Medical certificates: Employers may require a medical certificate from a registered medical practitioner if an employee takes more than two consecutive days of sick leave.		
	Unpaid sick leave: Extra sick leave is often in the form of unpaid leave.		
	Abuse: Employers may investigate and take disciplinary action if there is evidence of sick leave abuse, such as frequent absences on specific days (e.g., Fridays and Mondays) or a lack of medical certification.		

CASUAL EMPLOYEES

DEFINITION	In South Africa, "casual worker" isn't a legally defined term under the Basic Conditions of Employment Act (BCEA). Instead, the BCEA focuses on the number of hours worked per month. Workers who work less than 24 hours a month are excluded from the core protections of the BCEA, such as those related to contracts, hours of work, overtime, and leave. However, they must still be paid in accordance with the Minimum Wage Act and other relevant legislation.
HOURS DETERMINE PROTECTION	Hours determine protections: Workers working less than 24 hours a month are excluded from the BCEA's core protections.
	Minimum wage applies: Even casual workers must be paid at least the minimum wage prescribed by the Minimum Wage Act.
	UIF contributions: If a worker works more than 24 hours per month, legislation stipulates that they must contribute to the Unemployment Insurance Fund (UIF).
	Proportional rights for some: Workers working between 24 and 40 hours per month may have some rights under the BCEA, although not the full range of protections.
	Independant contractors: Independent contractors, who are genuinely not employees, have no employee protections.