

MEMORANDUM ON RECOMMENDATIONS SUBMITTED TO THE WAGE BOARD
HEARING IN THE SECURITY SERVICES BY THE FEDERATION OF
SOUTH AFRICAN TRADE UNIONS AND THE TRANSPORT AND GENERAL
UNION.

LPS-6P

1. INTRODUCTION:

It is a welcome move that the Minister has ordered an investigation in the security services within 2 years of the last amendment which was in November 1977. Regular adjustment to minimum wages are imperative in a situation of rising cost of living. In the past an interval of about 4 years have lapsed before a new investigation is begun.

Another positive aspect of this investigation is that the conditions are being investigated simultaneously throughout the major industrial areas in South Africa. This will help in bringing about a uniformity in the conditions of a group of employees who all do basically the same type of work.

SCOPE:

It is regretted that the scope of the investigation only includes undertakings in which employers and employees are associated for the purpose of guarding, protecting etc. In the past this has meant that a large group of security guards are left out completely from the purview of the investigation and are hence not covered by any industrial legislation especially in regards to hours of work. This is because:-

(i) They are ~~included~~^{the} from the Factories Act specifically definition of an employee in the Act specifically excludes watchmen.

(ii) The Shops and Offices Act excluded watchmen in so far as they guard offices.

(iii) Some wage determinations and Council Agreements do not provide for Watchmen. Examples of those that exclude Watchmen from conditions regarding maximum hours of work in the Durban areas:

(a) Wage Determination 361 (R1966, G.G. 4478) The Trade of letting flats or rooms (certain coastal areas).

Here the exclusion gives rise to a highly anomalous situation while a day watchmen may only work 46 ordinary hours a night watchmen employed between 7 p.m. to 7 p.m. may work every night for 12 hours for the whole year except for the two weeks annual leave that he is entitled to at the end of each year of service. This has in fact happened. A worker was employed for 8 years working every night for 12 hours without getting a single night off except for the two weeks annual leave.

(b) Printing and Newspaper Industry: Industrial Council Agreement (R2596, G.G. 5836)

Here watchmen are excluded completely from all conditions of service and are at the whim of employers.

In general wage determinations in the Security Services should serve a similar function in regard to watchmen as the wage determination on unskilled labour serves in regard to unskilled workers. It should provide the bench mark minimum below which no determination of council agreement should fall.

The scope of the investigation should therefore be extended to cover any watchmen wherever he may be employed in the areas under consideration.

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Minimum Wages;

The Institute for Planning Research of the University of Port Elizabeth gives the following figures for the Household subsistence levels for Black families as at April 1979 for the following major urban areas.

Cape Town	R174,04	per	month
Port Elizabeth	R153,46	"	"
Durban	R152,11	"	"
Pretoria	R153,62	"	"
Johannesburg	R159,76	"	"

Here only figures for Black families are considered since most security service employees are Blacks. Since the rate of inflation is presently around 14½ p.a., the MSL figure should be increased by that percent to give an approximation for April 1980. The new wage determination is unlikely to come out before then and we recommend that these approximations for April 1980 serve as a board legislated minimum to be adhered to by all employers.

These minima are:

Cape Town	R200,00
Port Elizabeth	R175,00
Durban	R175,00
Pretoria	R175,00
Pietermaritzburg	R175,00
Johannesburg	R185,00

Since the minima, once established, are unlikely to be reviewed over the period of 2 to 3 years, provisions should be made for automatic increases to be granted every year to make up for the increased cost of living. Assuming that the rate of inflation of 14½ p.a. obtains over the next few years, yearly increment on the following basis should be provided for;

Cape Town	R30	per	month	per	year
Port Elizabeth	R25	"	"	"	"
Durban	R25	"	"	"	"

Pietermaritzburg	R25 per month per year
Johannesburg	R27 per month per year

Hours of Work:

At present all that the determination lays down is that the maximum number of hours that a Night Watchmen can work in a week is 84. There is no ceiling on the number of hours that can be worked in a day nor is there allowance for a day off during the week. This has in our experience been much abused by the smaller security guard services. An extreme example of this will suffice to illustrate the shortcomings in this area.

A workers was obliged by his employer to work continuously without any breaks for 38 hours, 62 hours, 62 hours and 134 hours respectively during 4 consecutive weekends in May of this year. For every weekend in June except one the same worker worked for 60 hours continuously. He worked the same number of hours in July.

Then too 12 hours is an excessively long period to work for. Security guard services should also in in one view be based on a 3 shift system. This will bring it into line with the standards established in factories of working roughly 8 hours a day when workers are employed on continuous process work. An added problem in the security services is that a guard's work does not stop as soon as his normal hours are up unlike a factory when worker can stop working on production on the line at as soon as his or her normal hours are up. A lot of time is spent by guards coming early and leaving late and for the replacement to have arrived. At present a huge amount of time is wasted by workers waiting for a replacement. Usually they are not compensated for this overtime work because it is very difficult to measure it.

Another problem is that if workers arrive even 5 minutes or so late they are asked to go home and come back the next day. They therefore lose their money for the day. It is understandable that workers should not arrive too late since the employer has to find a replacement on the spot. However, some leeway must be allowed for late comers.

In view of the above we recommend the following hours of work:

A worker shall not work more than

- i) 51 hours a week
- ii) 10 hours a day
- iii) 6 days a week

The 51 hours spread over 6 days gives 8½ hours a day. Each shift of 8 should then overlap by a ½ of an hour with the shift before it and by a ½ of an hour with the shift after it thus giving a total of 8½ hours of work every day. This overlap will allow for a smooth changeover from one shift to the next.

A worker may be asked to stay away from work if he or she is more than a half hour late.

Overtime...../4-

OVERTIME:

Since security guards work more ordinary hours than factory workers, any overtime worked by them should therefore be paid for at an even higher rate than that given in the Factories Act. Any time worked in excess of the ordinary hours of work as recommended above should be remunerated as follows:

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- i) For overtime worked on a normal working day at a rate of not less than one and a half times the normal hourly rate for each hour or part of an hour worked.
- ii) For overtime worked on days off at a rate of not less than twice the hourly rate for each hour or part of an hour worked.

These hours of work will bring the conditions of all night watchmen into line with the progressive practices of some of the industries in the important industries.

TRANSPORT ALLOWANCE

Employees who are required to travel from a centralised office to guard premises in various areas or are expected to move from one premise to another at various times should be either provided transport by his employer or should be reimbursed the cost of transportation by public transport.

DOG ALLOWANCE

Each employee should be paid an additional R10 per month for handling a dog while on duty.

CASUAL EMPLOYMENT

To legislate against the selfish practice by some employers of regarding a permanent employee as a "casual employee" the definition of casual employee should be amended to mean anyone who is employed for 2 days or less.

SHORT TIME:

One of the malpractices prevalent here has been that employers expect night watchmen to be in the offices and wait around for an hour or two before taking their leave the next day. This is very convenient for employers but is highly unfair to watchmen who waste unreasonable hours of their time without extra pay.

To deal with the issue of short time should be dealt with as follows:

If as a result of short time an employee works fewer hours than he normally would have worked, in no case will his remuneration exceed one third of his normal wage. If an employee is asked to be present at the office for part of an hour that he is not expected to work, he will be paid for that part of an hour.

AVE PAY:

Clause 5 (6) of the present determination allows an employer to withhold his employee's leave pay for one of 3 reasons. However, this clause is totally out of touch with present practice in the other industries and has been highly abused. There are innumerable examples of these on our files out of which we mention the following:

- 1) An employee holiday pay was withheld because he resigned when told to report at a new office.
- 11) An employee refused to accept that he was not entitled to a bonus given to other worker and was discharged for insubordination. His holiday pay was withheld.
- 1) An employee reported to work to inform his employer that he was not in a fit state to work. He was summarily fired without notice pay or holiday pay.

In our view holiday pay should in no way be linked to summary dismissal. It is unfair to allow an employee to benefit when his employee is dismissed summarily since this encourages employers to look for excuses to dismiss workers without notice.

TERMINATION OF CONTRACT:

An employee should be given at least 1 day/s notice during the first 4 weeks of employment and 2 week's notice thereafter before he can be dismissed. This would bring their condition in line with that applying to a majority of workers.

DECEMBER 1979.