

Ethical Trading Guide for Employees

(Draft 1)



Acknowledgements

The SIZA Ethical Trading Guide for Employees has been produced by Agri-IQ for Fruit South Africa and the SIZA programme. This is a condensed and pictorial version of the original Ethical Trading Handbook aimed specifically at Ethical Trade Facilitators who present awareness sessions for farm and packhouse employees on the role of the SIZA programme and the eight principles of the SIZA Standard. We gratefully acknowledge all the people in the industry who contributed to the development of this Guide.

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Agriculture

powered
by

idh



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Foreword

Fruit South Africa (FSA) is committed to the economic transformation and continuous improvement of labour conditions on farms and packhouses in the fruit industry. Representing Hortgro, the Citrus Growers' Association, South African Table Grape Industry, South African Subtropical Growers' Association, and the Fresh Produce Exporters' Forum, FSA has a membership of approximately 4500 growers employing over 450 000 employees, and 110 exporters which it aims to reach through its training and capacity-building programme.

The Sustainability Initiative of South Africa (SIZA) is a proactive response by the fruit industry to ensure the existence of sound ethical labour practices on South African fruit farms and in pack houses. Driven by the principle of 'continuous improvement', there is a strong emphasis on training and development of people and resources in order to raise awareness and build capacity in the industry.

The SIZA Capacity-building programme aims to provide practical support to growers and farm and packhouse employees with the implementation of the SIZA Standard in the workplace and continuous improvement of working conditions on farms. The Ethical Trading Guide for Employees is a condensed version of the Ethical Trading Handbook and aims to provide employees with improved understanding of the SIZA Standard. It serves as support material for Ethical Trade Facilitators who provide training for employees in the workplace.

FSA would like to extend its gratitude to the Department of Agriculture (Western Cape) and the IDH Sustainable Trade Initiative for their generous funding of the development and implementation of the SIZA Capacity-building programme which includes the development of this Guide. We believe this support will enable the SIZA programme to have a positive impact on the industry which was envisaged when the programme was initiated.



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This pack is a guide to the SIZA Standard for farm and packhouse employees and is support material for Ethical Trade Facilitators who run SIZA awareness and training sessions.

It is divided up into the following sections:
An introduction to SIZA and the 8 SIZA principles, and
Becoming an Ethical Trade Facilitator

Introduction



SIZA Programme

What does Ethical mean?



Ethics are the basic concepts of decent human conduct.



Concept = idea



Responsible

Fair

Honest

Kind

Caring for the environment

Good behaviour

Obeying the law

Respect



Ethical & Unethical Examples

Ethical: Nelson Mandela



Honest

Treat others with respect

Act responsibly

Dishonest

Evil

Active in the community

Unkind

Kind and caring

Selfish

Fair

Hateful towards others

Unethical: A Murderer



What are the stages of the fresh produce supply chain?



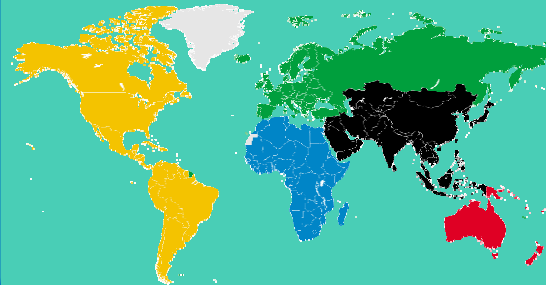
Where do fresh produce products go?



South Africa –
Local



All over the world –
International



The agricultural fresh produce supply chain of South Africa

The agricultural supply chain is made up of local and international retailers.



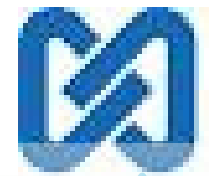
What is a retailer?

A retailer is a person or business that sells goods to the public.



Examples of some of the International fresh produce retailers

TESCO

 **Ahold**

MiGROS

 **SIZA**
SUSTAINABLE AGRICULTURE IN SOUTH AFRICA

USA

**MARKS &
SPENCER**

 **Albert Heijn**

Sainsbury's

Why was the SIZA Standard developed?

The South African fresh produce industry has been under international pressure regarding labour practices on farms and in pack houses in South Africa.



This had a potentially bad effect on the export market for South African fresh produce farmers.

Consumers, labour unions and non governmental organizations wanted to know that fresh fruit and vegetables were produced in a fair and safe environment.



SIZA



Sustainability Initiative of South Africa

What is SIZA?



A platform for South African farms and packhouses to measure and demonstrate ethical compliance to buyers; to promote correct ethical practices on farms and pack houses and to promote continuous improvement of working conditions.



Fruit South Africa manages the SIZA Standard.

SIZA is not only applicable to fruit but to all agricultural industries

What are the benefits of the SIZA Programme?



Better working conditions for all workers



 Learning new skills
SUSTAINABLE AGRICULTURE IN SOUTH AFRICA



Training



Job security

The SIZA Programme is divided into 8 principles:

Principles = categories



Principle Number 1:

Management Systems



Principle Statement:

Senior management shall define and document the business's policy on fair labour practices. The policy shall include a firm commitment from senior management to implement and uphold the principles of fair labour practice in the business as well as a commitment to comply with the requirements of the SIZA Standard.

Policies and Procedures are important for organisations to operate optimally



What does policy and procedure mean?

A **policy** is a guide to help make decisions which will achieve an organisation's (farm or packhouse) goals.



A **procedure** is an action plan of how to achieve the goals set by the organisation.

Labour Management System Step 1

1

Define & Document Fair Labour Policies & Procedures



To find an
exact
meaning



To record the
policies and
procedures
in writing

Labour Management System Step 2

2

Implement Fair Labour and Policies & Procedures



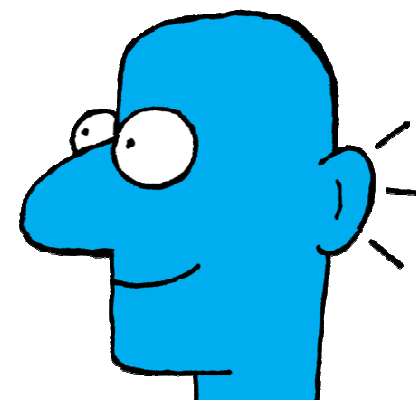
Labour Management System Step 3

3

Communicate Labour Policies & Procedures



To share or
exchange
information,
news and ideas.



Labour Management System Step 4 & 5

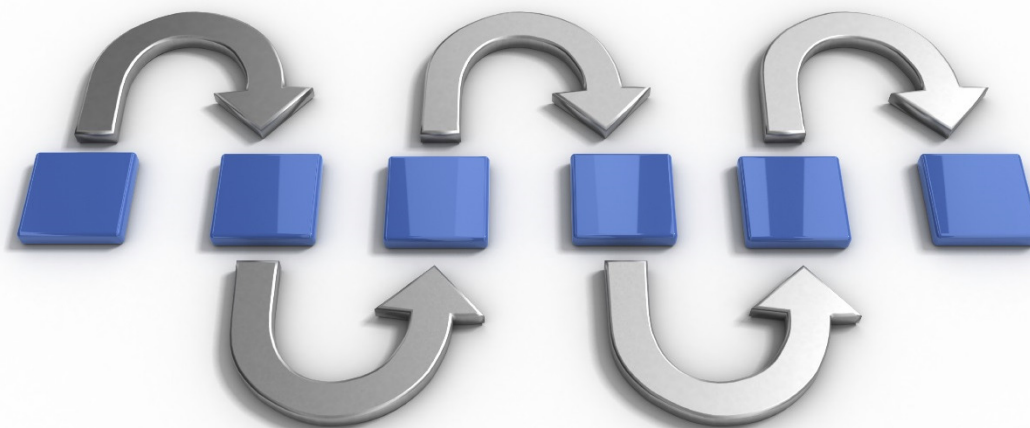
4

Keep Labour Policies & Procedures Up to Date



5

Manage the Process



It is important for policies and procedures to be communicated to the following bodies:

The Workforce
Permanent & seasonal workers



Management
Supervisors & middle managers



Trade Unions
Or employee representative committees (e.g. worker committees)



Customers
Current & future





Principle Number 2:

Forced, Bonded and Indentured Prison Labour



Principle Statement:

Senior management shall ensure that employment is freely chosen; that workers have the right to terminate their employment and that workers are not required to lodge deposits; their identity documents or any other form of a bond in order to obtain work.

What is Forced and Bonded Labour?



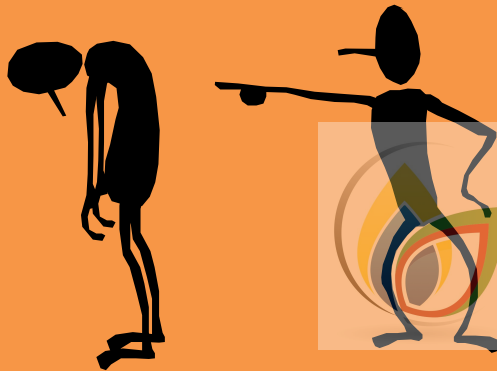
Forced labour is when someone is forced to work when they do not want to. If they do not work they will be punished.



Bonded labour or debt bondage is when someone has to work to pay back a loan.

There are different types of Forced Labour. Here are 4 examples.

- 1 Forced overtime with threats of being fired



- 2 Identity documents or passports being taken away



- 3 Restrictions on freedom of movement



- 4 Threats of exposure to immigration authorities (if the employee is an immigrant)



Employers and Employees



What is an employer and what is an employee?



An **employer** is a person or organisation that employs someone and pays them a wage or salary.

An **employee** is a person employed to work for wages or a salary.



Employees are free to choose employment

Employees have the right to choose their employment

Employees must understand their contract before they sign it.



A contract is a formal agreement between an employer and employee which gives information on the terms of employment.

Identity Documents



An employer has the right to check that an ID document is valid and may make a copy of it.

BUT



An employer cannot keep an employee's ID until their contract has finished – this is a form of bonded labour!

What are Deposits?

Employees should not have to make any payments when they start work.



For example, an employee cannot be charged a deposit for working equipment, personal protective equipment (PPE) etc.



The role of spouses & children of farm/packhouse employees



Spouses, partners, parents or children of employees living on the farm cannot be told to work in return for the right to live on the farm.



Spouses, partners and young employees, have the right to find a job elsewhere.



Employees have the right to a private family life.



Termination of Services



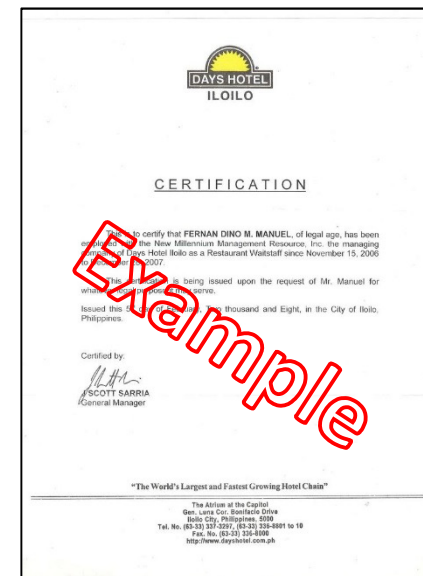
Termination means to end a contract

Employees are free to leave their jobs within the terms of their contract.
Employees **MUST** tell their employer before they leave.



Notice Period	Duration of Employment
1 week	6 months or less
2 weeks	6 months to 1 year
4 weeks	More than 1 year

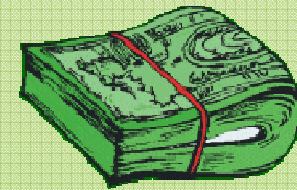
Every employee has the right to request a certificate of service when he/she leaves their job.



Termination of Services

When an employee leaves, the employer must pay all monies owing to him. This could be:

Any wages that have not been paid



Any overtime payments



Any paid time off that the employee is entitled to

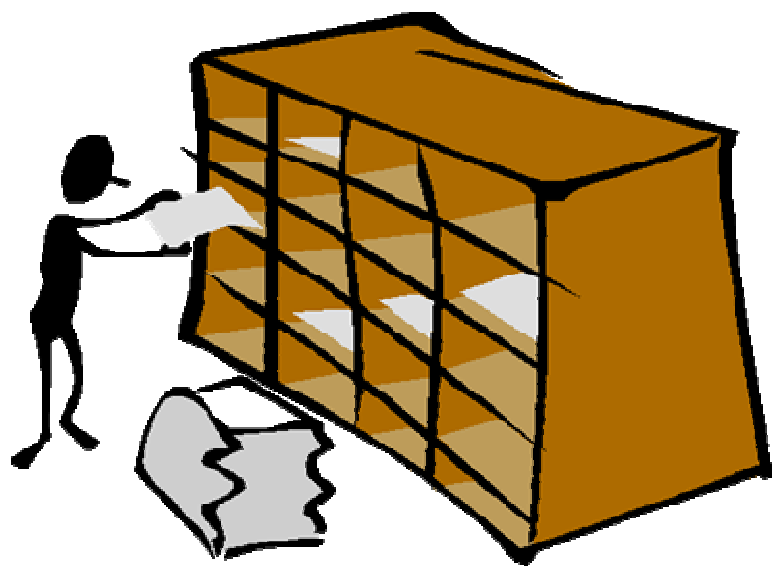


Outstanding leave pay



Understanding what loans are

The employer does not have to give loans to employees!



If an employee wants to loan money from the employer and they agree to it, it must be documented so there is proof that this is what the employee wanted.

What is overtime?



The time someone works beyond normal working hours. Normal working hours are determined by law and are included in the employment contract.



Understanding Overtime



No employer can force an employee to work overtime unless there is an agreement with the employee and in terms of their contract.

SIZA
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CRW

There is often a need to work **overtime in season** on farms and packhouses – but this must be made clear to employees before they sign their contracts.



Withholding Wages or Benefits



An employer cannot keep any part of an employee's salary, benefits, property or documents in order to force the employee to carry on working for them.



Migrant Labour & Foreign Nationals

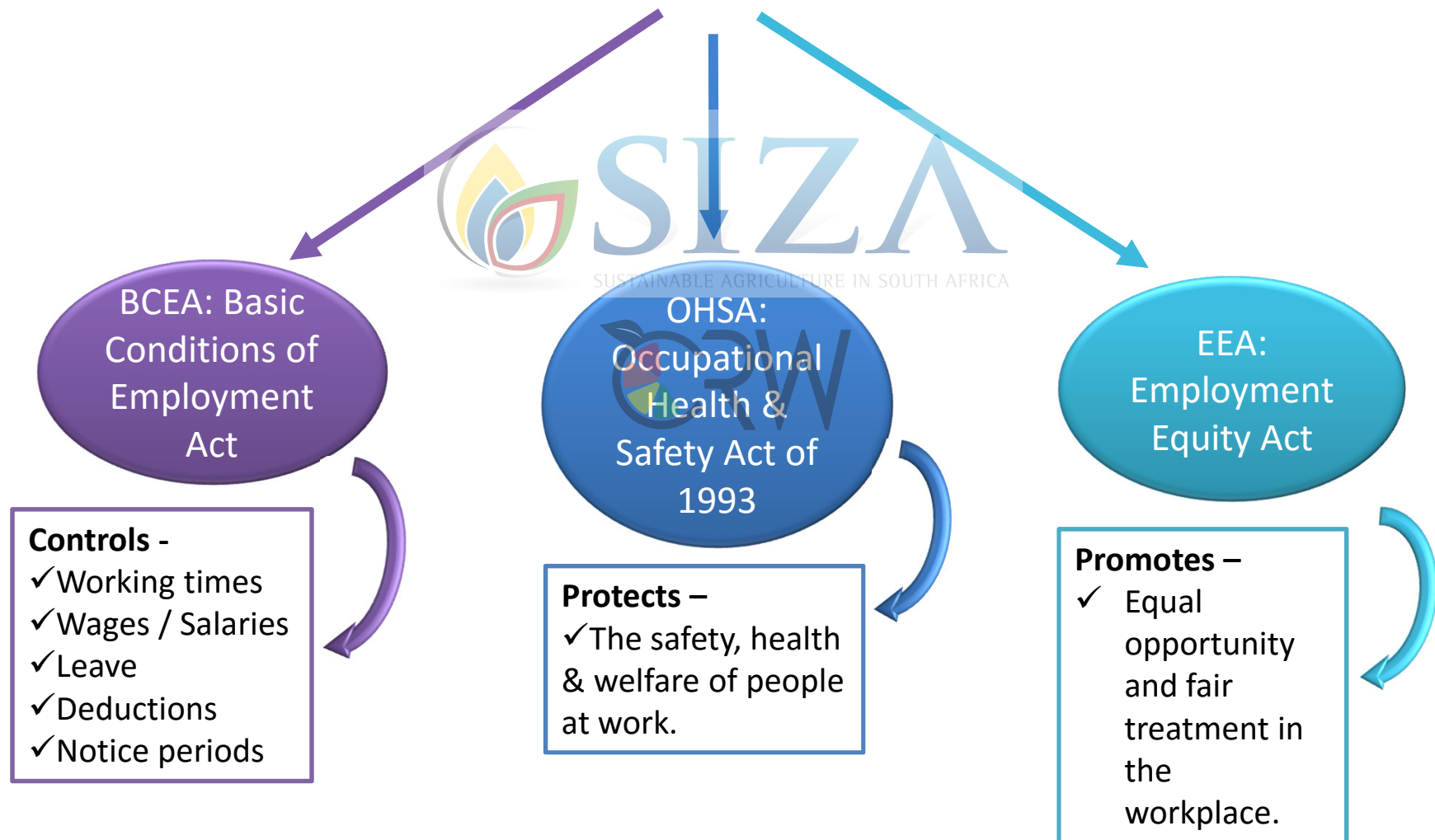
Any legal migrant (foreign national) employee is fully entitled to the same protection of his /her rights as any employee.

Non-South
Africans can be
employed if they
have the correct
legal documents.



3 Important South African Acts

The following Acts or summaries should be displayed in the workplace for all employees to read:



Principle Number 3:

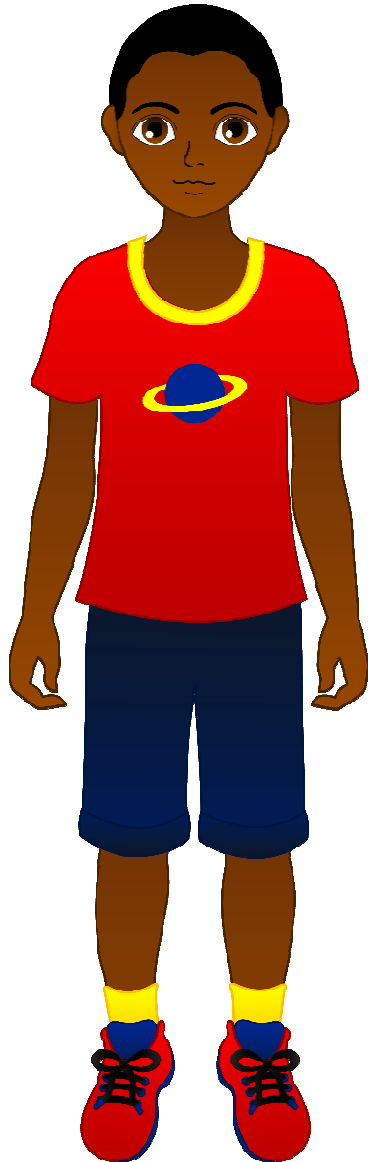
Child Labour



Principle Statement:

Senior Management shall not engage the services of children and shall implement all measures necessary to prevent children from being employed directly or indirectly. Where child labour is discovered, senior management shall take all measures necessary to remediate the situation taking into account the best interests of the child. Where young workers are employed, senior management shall ensure that their working conditions comply with legal requirements.

Children's Rights in South Africa



① No child under the age of 15 years should be employed!

② No young worker between the ages of 15 and 17 years should work at night or in conditions that could be harmful to their health, safety or wellness.



No persons shall be employed unless they're able to provide proof of age (ID, passport etc.)!

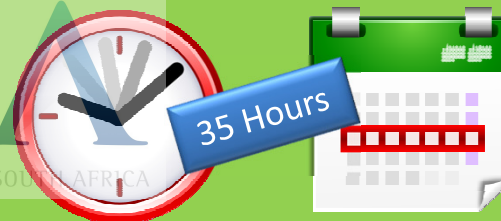


Young Workers can only be employed if:

Terms and conditions are approved by a parent or legal guardian.



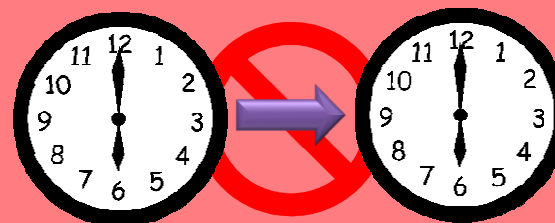
Working hours do not go over 35 hours per week.



They do not work any overtime.



They do not work the hours between 6pm and 6am.



Young Workers can only be employed if:

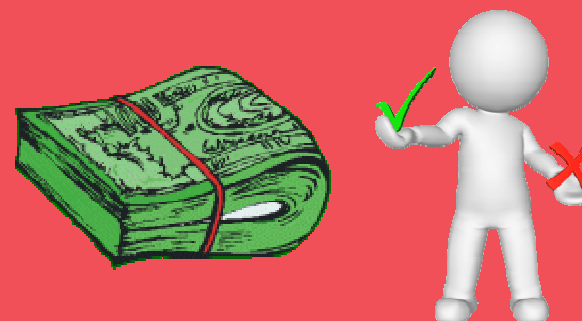
They do not operate heavy or dangerous machinery.



They do not handle chemicals.



They earn at least the minimum wage rate.



Principle Number 4:

Freedom of Association and Collective Bargaining

Principle Statement:

Senior Management shall recognize and respect the individuals' rights to freedom of association and collective bargaining and shall not interfere with; discriminate against or otherwise prejudice workers or their representatives.

What is Freedom of Association?

Freedom of Association



The right of employees and employers to form and join organizations that they choose themselves.

This means that anyone is allowed to belong to a trade union including management.



The rights of employers are protected.



The rights of employees are protected.



What is Collective Bargaining?

Collective Bargaining



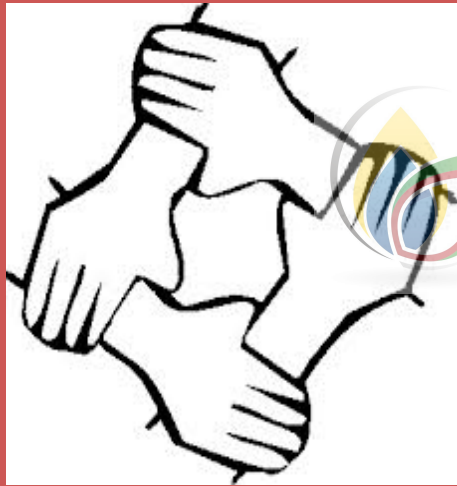
The agreement between management and the representative union that covers certain employees.

This is the process where employers and employees discuss the employment relationship.



Trade Unions

Trade Union



A legal body which represents the interest of its members.

Union Representatives



Employees elect a fellow worker to act as their Union Representative.

What is the purpose of a trade union?



Trade unions negotiate workplace issues such as salary, hours of work, and other conditions, on behalf of the employees.



What is collective bargaining?

It is a tool used in business to improve the working relationship between the employer and employee, to deal collectively with matters related to the employment relationship and to end conflict.

Employees have the right to bargain collectively.



Wage increases and benefits must be negotiated through a fair process through a representative union or workplace committee.

Union representatives and membership

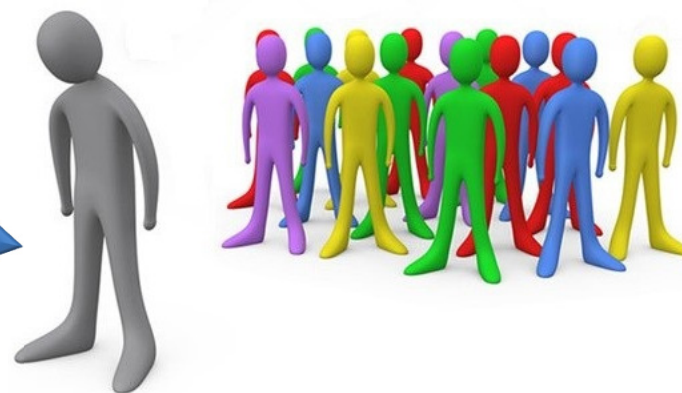
A union representative/shop steward is an employee of an organisation who represents fellow workers.

Details of the elected representatives/shop steward should be displayed for all employees to see.



Employers cannot discriminate against any employee because of his or her trade union membership!

Treating different groups or types of people unfairly.

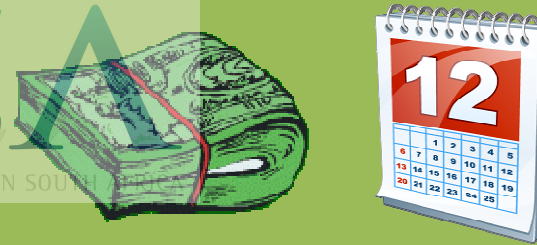


Why are union membership fees necessary?

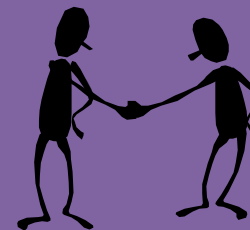
Employees pay unions to represent them.



A union will charge a person a fee to become a member and to stay a member, the employee will need to pay them a monthly fee.



Employees have a right to ask their employer to take this monthly fee off their wage. The employer will then pay this fee across to the Union.



Employees will need to sign a document giving the employer permission to take this monthly deduction.



Strike Procedures

Employees have the right to strike as long as they follow the procedures in the Labour Relations Act (LRA):

1

The employee must give the employer notice that there will be a strike.

2

A meeting must be held with union members to vote on the strike.

3

An employer cannot take legal action against an employee if they have gone on a legal strike and obey the rules and regulations in the Labour Relations Act (LRA).

**But remember, no
employees will be paid
when striking!**



Principle Number 5:

Discrimination, Harassment and Abuse



Principle Statement:

Senior Management shall take appropriate measures to ensure that, as far as is reasonably practicable, the workplace is free from all forms of discrimination, that there are systems in place that provide appropriate protection for workers, and that all workers are assured of equal opportunities.

Discrimination

The farm/packhouse must make sure that there is no discrimination in the workplace.

Discrimination =
Treating different
groups or types
of people
unfairly.

Possible types of
discrimination

Race ♦ Gender ♦

Sexual Orientation

♦ Pregnancy

♦ Marital Status

♦ Family Responsibility ♦ Ethnic, Social
or National Origin ♦ Nationality ♦

Sexual Orientation ♦ Age ♦ Disability

♦ Disease ♦ Religion ♦ HIV Status ♦

Belief ♦ Political Opinion ♦ Culture ♦

Language ♦

Union Membership



Employment Equity Act

The purpose of the Act is to achieve **equity** in the workplace by promoting equal opportunity in employment through the elimination of unfair discrimination.



Previously disadvantaged groups:

Women



Disabled
Persons



Non-white
South
Africans



Employers must have an
Employment Equity Plan in place
to help promote workplace equity.

Employment Equity Act



A copy of the Employment Equity Act must be put up on a notice board for all employees to see.

A copy of the farm/packhouse Employment Equity **Plan** must be available to employees for their information.



Employment Equity



For the farm/packhouse to achieve its Employment Equity Plan, a senior staff member should be given the responsibility of managing the farm's Employment Equity goals.

This staff member is called the



What is a Grievance?



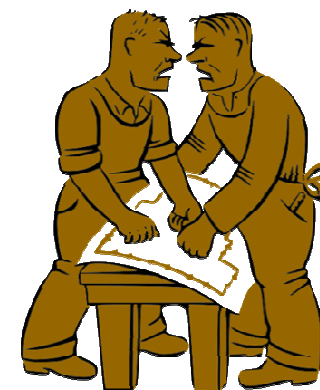
A grievance is any worry or concern an employee may have at work

Workplace grievance examples:

Employees feel frightened to speak freely and openly about their working environment



Employees have to do things that they feel are unfair



Having an argument with a fellow worker

Grievance Procedure



It is important that employees know what to do if they want to lodge a grievance or if they are the victim of a grievance.



The farm/packhouse grievance procedure must be explained to all employees so that they can understand who to report a grievance to.



What is disciplinary action?



Disciplinary action is taken against an employee who disobeys the rules of the farm/packhouse.



No breaking rules!



No harassment!



No abuse!



Disciplinary Procedure



Employees must understand what is expected of them in terms of discipline & performance at the workplace.



Every workplace must have a disciplinary procedure which gives information on the process of a disciplinary action.



Employees must understand this process and a copy of the procedure must be displayed for all to read.

Principle Number 6:



Principle Statement:

Senior Management shall ensure that the working environment and facilities provided as part of the workplace (including residential facilities) are safe and hygienic and shall take appropriate measures to prevent accidents and injury in the workplace.

Why is safety important?

Prevents injuries when working with equipment and machinery

Keeps employees safe when working with chemicals

Helps employees to protect public and private property

Helps employees to take care of the environment



CAUTION
Dangerous machinery



Dangerous chemicals



What is a safe working environment?

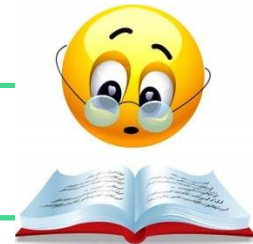


The responsibilities of the H&S Reps & H&S Committee

Identify risks or hazards on the farm/packhouse



Investigation & reporting of incidents



Take note of employee observations & suggestions



Attend H&S meetings & take note of any action items



Make recommendations to improve safety in the workplace



What is an Incident?



An 'incident' is any event which is not part of the standard operation practices and which may cause an interruption.



What can cause an incidence?

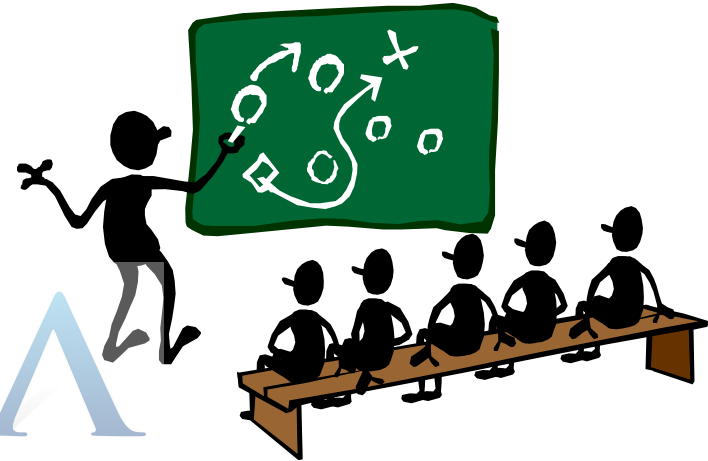
Unsafe
behaviour

Unsafe
conditions

Uncontrollable
/ Freak

Employees have the right to know about H&S hazards

Employees have the right to be trained in workplace hazards to their health & safety as well as the precautions to be taken.



What are the H&S duties of the employee?



To look after themselves and others

Co-operate with the employer

Obey H&S rules and procedures

Carry out lawful orders

The employee must report to the employer or H&S Rep if the following occur:

Any incident which may affect their health

Any incident which causes injury

Any unsafe and unhealthy situations at work



Risk & Hazard Analysis Indicators

DANGER



Anything which may cause injury or damage to a person or property.

HAZARD



A source of or exposure to danger.

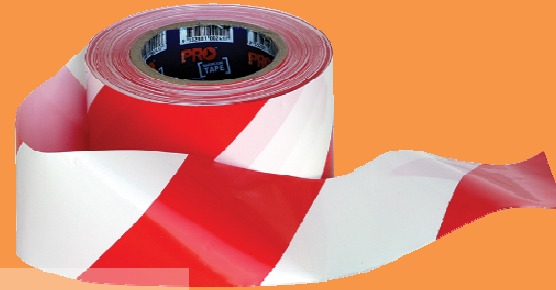
RISK



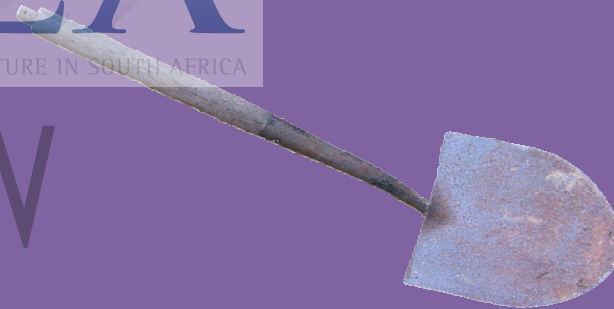
The probability (likeliness) that injury or damage may occur.

Common Hazards

Open holes in the ground with no danger tape or other warning around it.



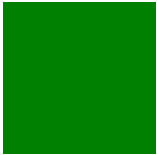
Damaged tools such as broken loose spade heads.



Fires being made too close to fuel storage areas or chemical stores.



H&S Symbols used in the workplace

	Green square with a white symbol or text	YOU MAY	
	Blue circle with white symbol	YOU MUST	
	White circle with red band and cross bar.	YOU MAY NOT	
	Yellow triangle with black border.	DANGER	
	Red square with a white symbol.	FIRE EQUIPMENT	

Personal Protective Equipment (PPE)

Employees should be trained to understand these signs that may be displayed in their workplace:

*Remember
– white on
blue means
you MUST!!*



Hard hat



Eye protection



Dust mask



Ear protection



Protective
clothing



Face Shield



Gloves



Safety footwear



Harness



Welding mask

Risk Category

PROBABILITY OF RISK:	SERIOUSNESS OF THE IMPACT:
Unlikely	Low
Possible	Medium
Likely	High

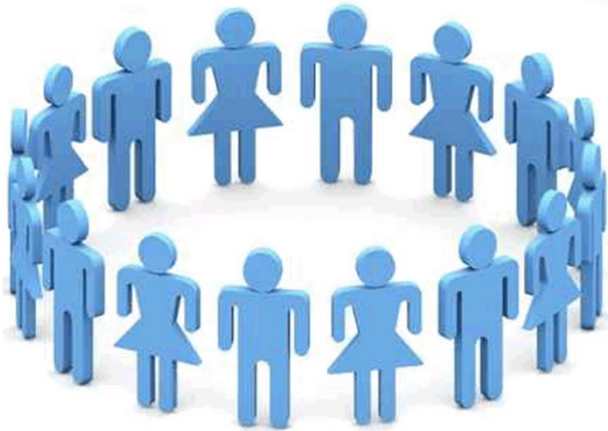


It is important to report any risks or hazards.
Any incident should be reported and recorded.

What is a Risk Assessment?



A risk assessment is the careful examination of what, in a farm/packhouse may cause harm to people, environment or product.



People



Environment



Product

Risk Assessment Steps



Identify the hazards
(risks)

Decide who
or what might
be harmed
and how

Evaluate the
risks and
decide on
what to do

Record the
findings and
put them to
use

Review the
assessment
and update
every year

Health & Safety Systems

The farmer/packhouse manager must appoint a permanent senior management representative who must be trained to be responsible for the overall health and safety of the employees.



The OHS Act tells us that we need to have a minimum of 1 H&S Rep per 50 employees.

The H&S Representative's role in the workplace

Inspect the workplace often



Identify possible hazards and risks



See what causes incidents at the workplace



Investigate complaints by any employee about their health or safety at work

Tell the employer or safety committee of any of these problems



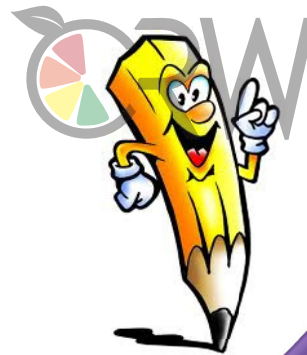
Health & Safety Meetings



Regular meetings must take place between management and Health & Safety Representatives



An elected representative will need to make notes and record what has been discussed.



This is also a 'to do' list for everyone – they will know then what needs to be done before the next meeting.

What Health & Safety Training needs to take place in the workplace?

H&S Reps

Training on how to perform their legal duties.



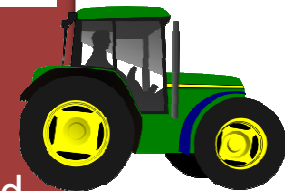
First Aiders

Trained first aiders in the workplace.



Machinery Operators & Drivers

Trained to operate machinery and drive vehicles.



Workers & Managers

How to use fire fighting equipment.



Workers working with dangerous substances

Training in the safe handling, use, storage and administration of these substances. E.g. Chemicals



ALL Workers

Regular basic health and safety training.



Accident, Emergency and Risk Management Procedures

First aid kits must be available in the workplace and a trained member of staff should be appointed to maintain the first aid kits.

First Aid kits must have at least:



Bandages & Gauze



Antiseptic Cream



Splints



Latex Rubber Gloves



Plasters



Safety Pins



CPR Mouth Pieces



Scissors

Accident, Emergency and Risk Management Procedures

Employees must be informed about accident and emergency procedures and must know who to go to in the event of an accident.



All hazards must be clearly identified through signs:



Accident, Emergency and Risk Management Procedures

All employees that handle pesticides must undergo precautionary screening.



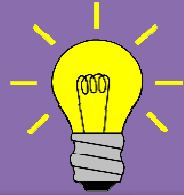
The farm and packhouse must provide appropriate Personal Protective Equipment (PPE).



What is PPE?

Equipment and clothing that employees wear to protect themselves from hazards in their workplace.

What is meant by Worker Welfare?



Worker welfare ensures that health, safety and hygiene legislation is complied with.

Employees will have access to toilet facilities in or near their place of work.



Keep me clean!!!



What are the requirements for worker welfare in terms of drinking water in the workplace?

Employees must have access to clean and sufficient drinking water in or near their place of work.



At least 2 litres per person per day

A mobile tank for in the field will be needed

Rivers or boreholes need to be checked



Worker Welfare & Housing Requirements

If housing is provided, it must be adequate and hygienic.



In situations where dormitory type accommodation is provided, there must be enough fire exits and fire-fighting equipment.



Principle Number 7:

Wages, Benefits and Terms of Employment

Principle Statement:

Senior Management shall ensure that workers receive a fair wage and benefits which, as a minimum, meet legislative requirements. The employment relationship shall be formal, documented and compliant with national law and convention.

Basic Conditions of Employment Act and Sectoral Determination 13 for Farmworkers

Purpose of this Act and the SD 13 is to:

- ✓ Ensure fair labour practices
- ✓ Establish and enforce basic conditions of employment
- ✓ Comply with ILO standards

The Basic Conditions of Employment Act and SD 13 contain some important information.

This includes:

Wages



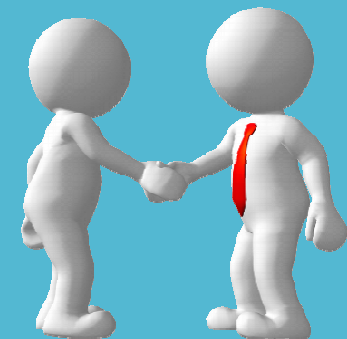
Leave Benefits



Working Hours



Employment Terms



Wages

All employees must be given a payslip. What information needs to appear on a payslip?

- ▶ Employers name and address
- ▶ Employees name and occupation
- ▶ Period for which the payment is being made
- ▶ Wage rate and overtime rate
- ▶ Number of ordinary hours worked
- ▶ Number of overtime hours worked (if applicable)
- ▶ Number of hours worked on a Sunday/Public Holiday (if applicable)
- ▶ Gross wage for the period
- ▶ Any other pay – eg. Bonus
- ▶ Details of any deductions made
- ▶ Employees UIF number
- ▶ Net pay – total actual pay



Your Identity Document (ID)



An Identity Document is important to get as soon as you are 16 years old as it proves who you are.

It is important that an ID is yours and valid – if you are found using an illegal ID document, you could receive a fine or go to jail!

People will need an ID book many times:

- Access to housing
- Healthcare services
- Driver's licence
- ***Applying for a job***
- When visiting another country
 - When you vote
 - When you get married



Who is SARS?



SARS is the tax-collecting agency for the South African government.

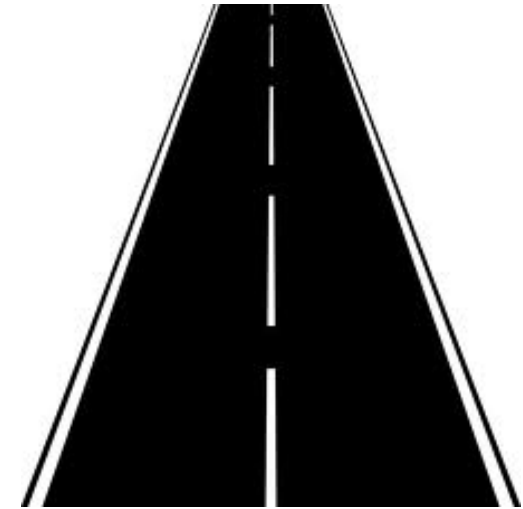
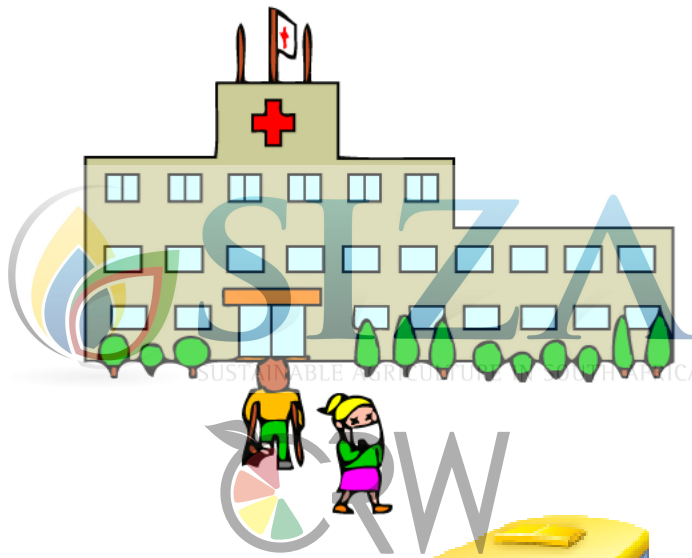
REVENUE = MONEY



- Everybody earning a wage above a certain amount must pay PAYE (Pay As You Earn) or SITE Tax to the Government.
- Everybody earning a salary must pay tax to the Government.

What does Government use tax for?

The Government uses the tax to pay for public services like:



What deductions are legal?



A deduction is an amount taken from the employees pay by the employer each month – this will reduce total pay.



Government requires that certain deductions be taken each month. These are:

UIF

PAYE/SITE Tax

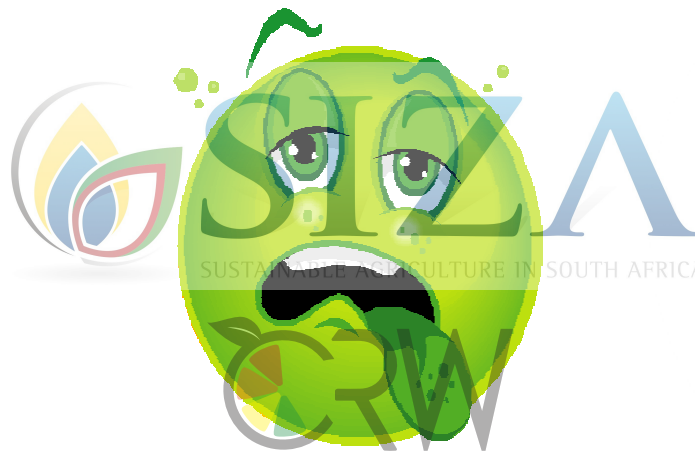
Take
Note:

No other deductions other than that agreed to by the employee or by law may be taken.



Unemployment Insurance Fund

The UIF provides benefits (money) to contributing employees when they are unemployed, sick or on maternity leave.



Take
Note:

An employee may not claim benefits if they resign from a job and are then unemployed!



Garnishee and Maintenance Orders



A Garnishee Order is an order by law against a person who does not pay a debt.



When only one parent is caring for a child, a Maintenance Order is made to make sure the other parent is paying towards the expenses of the child.



The court can order the employer to pay the employees debts by issuing a maintenance or garnishee order.



Are deductions allowed for PPE?

Deductions for Personal Protective Clothing (PPE) are NOT allowed!



PPE must be provided to the worker for free!

If the job the employee is doing is a risk to their health and safety, it is law that their employer needs to provide PPE.



**Protective gloves
must be worn**

Leave Benefits

Paid leave: 1 days paid leave for every 17 days worked or
1 hours paid leave for every 17 hours worked.
The employer is allowed to tell the employee when to take leave.



Sick leave: sick leave cycle is 3 years long.
5-day per week employees are allowed 30 days sick leave in one cycle or
6-day per week employees are allowed 36 days sick leave in one cycle. Must
provide doctor's note.



Family responsibility leave: 3 days leave per year for death of a spouse or life-partner, parent, adoptive parent, grandparent, child, adopted child, grandchild or sibling. 3 days leave per year if employee's child is stillborn or child is sick.



Maternity leave: 4 months unpaid leave is allowed. Pregnant female may take leave from 4 weeks before expected birth date and may not return to work until 6 weeks after birth. Employees may claim UIF benefits while on maternity leave.



What are Employment Terms?

- There are different types of Employment Contracts.
- Every employee should have an employment contract.



A contract is a formal agreement between the employer and employee that contains all the important information needed by the law. It must be explained and signed.



Different types of Employment Agreements

A **permanent employee agreement** is when there is no definite time when the employee's services end, and the contract only ends when the employee resigns, retires, dies or is fired or retrenched.



A **fixed term agreement** is when an employee is employed for a specific period or to do a specific task. When employment begins it is already agreed when the agreement will end, for example after a few months.



These fixed-term contracts are used for “seasonal” or “temporary” employees. A **temporary contract** of employment is another name for a fixed term contract.



Casual employees only work a day here and a day there. They only work when and if work for them is available. A casual employee is someone who works for 24 hours or less in a month.



Principle Number 8:



Principle Statement:

Senior Management shall ensure that working hours are in accordance with applicable legislation and shall implement systems to accurately monitor and record hours worked.

Working Hours

It is the duty of Management to ensure the following:

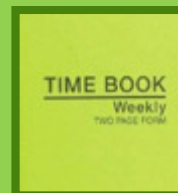
1

Working hours comply with the law!



2

A system to accurately record hours being worked



Who is excluded?

Employees in senior management

Employees who work less than 24 hours in a month

Employees who earn more than R115 572 per year

Employees engaged in emergency work are excluded from certain provisions



Working Hours in South Africa



Employees may not work more than **45** hours in any week:

❖ **9** hours in a day (5 day worker)

❖ **8** hours a day & **5** hours on the 6th day (6 day worker)

What is Averaging of Working Hours?



If an employer changes an employees working hours according to the season (harvesting/planting) it is known as “averaging of hours”.



1

Working hours are not more than 5 hours per week and not more than 4 months in a year.

2

Working hours must not be reduced by more than 5 hours per week, for not more than 4 months in a year.

What are Extended Working Hours?



If an agreement is made with the employer that the employee will work extended ordinary hours during a busy season...



The employee may work their ordinary hours for that day plus 15 minutes extra but not more than 60 minutes per week.

What is Overtime?



Time worked in addition to what is normal, especially time worked over a person's scheduled working hours.

Take Note:

- 1. Must be voluntary – an employee cannot be forced to work overtime***
- 2. Must be by agreement with employees***
- 3. Must be less than 15 hours per week for farm employees***
- 4. Must not cause the employee to work more than 12 hours in any one day***



Work on Sundays



1

Hours worked on a Sunday are paid at **double** the normal rate.



2

An employee who does not live on the farm/packhouse and has to work on a Sunday, is considered to have **worked at least 2 hours** that day.



3

If a shift runs through the night into Monday morning, the **hours worked** on the Monday are **paid at Sunday rates**.

Work on Sundays



4

If an employee works **less** than a normal **shift** on a **Sunday**, they must receive at least a day's wage.



5

By agreement, an employee can receive a **normal days wage + 1 day off** to make up for **Sunday pay**.

Work on Public Holidays



Workers Day

1 May

Tuesday



Youth Day

16 June

Saturday



Christmas Day

25 December

Tuesday



Freedom Day

27 April

Friday

An employee should not have to work on a Public Holiday unless a special agreement has been made with the employer.

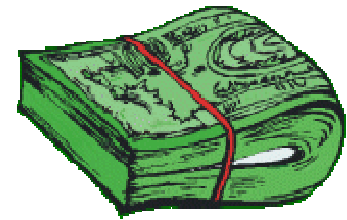
Work on Public Holidays must be paid according to the law!
This is normally at least double the normal rate.



Night Work

Employees cannot be forced to work night shift!

The employer must pay the employee an allowance of at least 10% of their standard wage per hour for the hours worked at night.



Transport should be provided from the employee's home at the beginning and end of the night shift.



If an employee is suffering from ill-health because of working too many night shifts, the employer should try to find them day work.



Rest Periods and Meal Intervals

Employees must be given a meal interval of at least one (1) hour after five (5) continuous hours of work.



Time off for meals is *unpaid*.



By agreement meal breaks can be reduced to 30 minutes.



It is law that employees must be given a daily rest period of at least 12 hours between ending work on one day and starting work on the next.



Becoming an Ethical Trade Facilitator



SIZA
SUSTAINABLE AGRICULTURE IN SOUTH AFRICA



Facilitator

Who is this pack for?

Ethical Trade Facilitators (ETFs)



A person trained as a facilitator on the SIZA Ethical Trade Standard to conduct training sessions for farm and packhouse employees on the role of the SIZA Programme and the 8 principles of the SIZA Ethical Trade Standard.



What does it mean to be an Ethical Trade Facilitator (ETF)?



What is the role of an Ethical Trade Facilitator (ETF)?

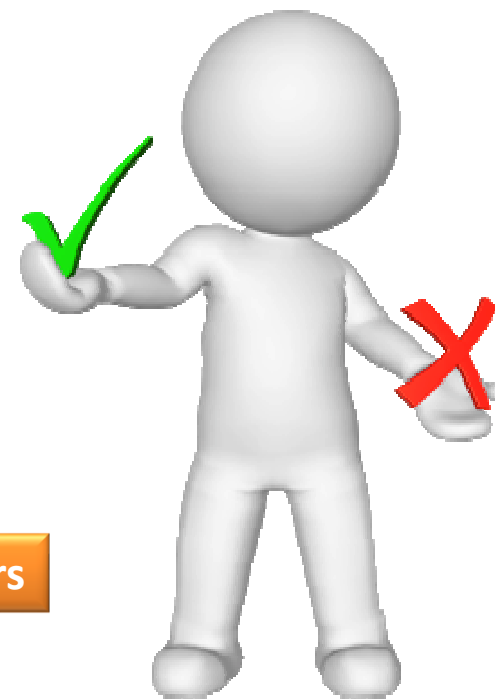
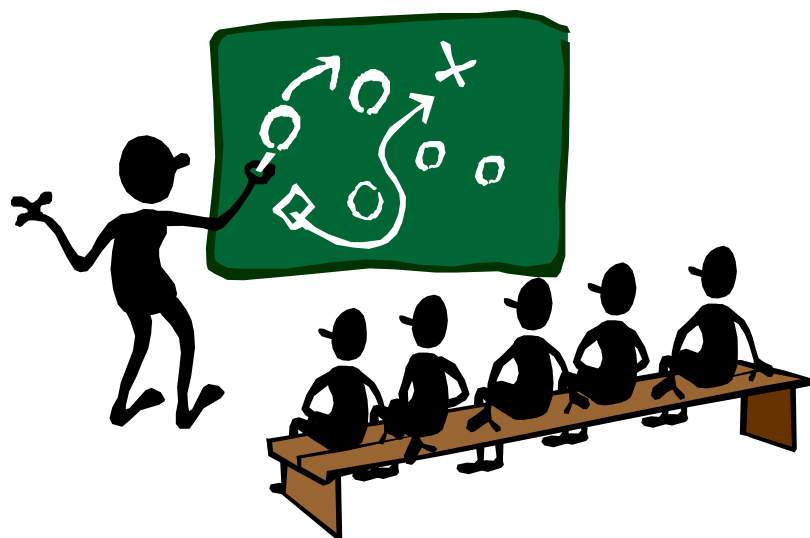
Educate and communicate fellow workers

Represent fellow workers in the workplace

Listen and learn from fellow workers

Participate in discussion with fellow workers

Be a role model



What are the responsibilities of an Ethical Trade Facilitator (ETF)?

Help fellow workers to understand the importance of ethical trade standards



Give management updates on the progress of the training/information sessions



Keep fellow workers informed about the ethical trade standard



Assist in solving problems about workplace ethical trade issues



Support fellow workers

What are good presentation skills?

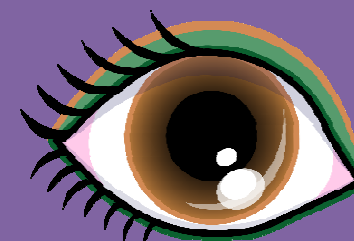
Listen carefully to peoples' opinions



Don't lecture; engage participants in discussions



Keep eye contact and speak clearly and slowly



Know your facts and remember how important your message is!



Getting Started

Discuss the training timetable with your supervisor and/or manager.

Give the participants the training session starting and finishing times.

Give the participant's the venue where the training will take place



Introductions/getting to know each other

Introduce yourself to the participants and introduce the SIZA Programme. Ask the participants to introduce themselves to the group. They should tell the group their names, a bit about themselves, where they live, where they work etc.



Once you have done this ask participants to name one thing they would like to learn in this Programme. You should start at the one end and make sure you give everyone a chance to answer.

Ground Rules



Ask participants what they would like the ground rules for the training session to be.

Make sure you include the following points:

- Respect for each other's opinions
- Giving everyone a chance to contribute
- Confidentiality
- Emotional support
- Cell phones switched off
- Punctuality to sessions after breaks

