

Everyone has the right  
to fair labour  
practices."

- **Section 23 of the  
South African  
Constitution**

South African  
Domestic and Allied  
Workers Union  
(SADSAWU)  
**Tel: 021 448 0045**

**Contact the Black  
Sash HELPLINE for  
FREE paralegal  
support and advice:**

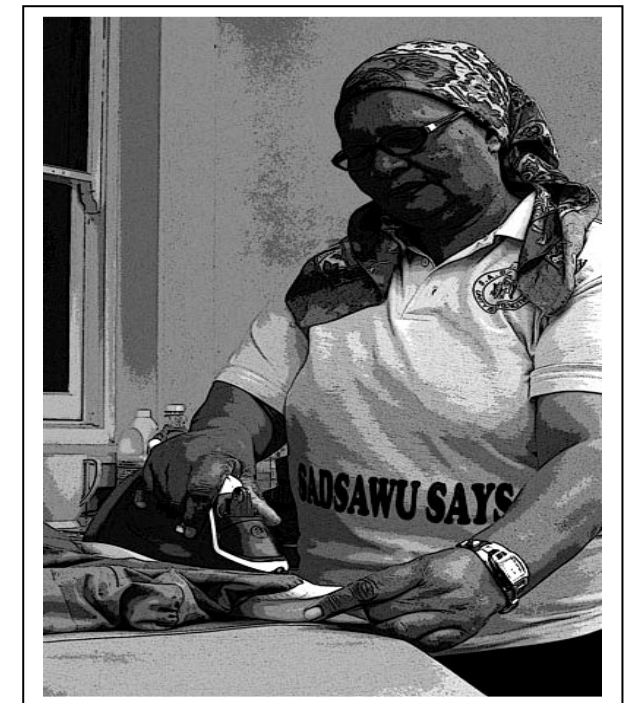


**072-66 33 739**  
**help@blacksash.org.za**

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**YOU AND YOUR  
RIGHTS**

**Domestic  
Workers**



**B L A C K S A S H**  
**MAKING HUMAN RIGHTS REAL**

# YOU AND YOUR RIGHTS

## Domestic Workers

You have the right to work without sexual harassment, physical harm, verbal abuse or exploitation.

You are entitled to be paid a **minimum wage** - the amount is set by the Department of Labour and changes every year on the 1<sup>st</sup> of November.

Medical insurance, loans, pension contributions, loans etc CAN be deducted from your wages but the total amount **cannot be more than 10% of your total monthly pay.**

Money CANNOT be deducted from your wages for **breakages, damages, meals** during working hours, **uniforms** or **work equipment.**

**45 hours** is a standard working week – any hours over that must be paid at the **overtime rate of one-and-a-half times** your usual wage

If you work for less than four hours on a particular day, you should be **paid for a minimum of four hours.**

If you usually work on **Sundays**, you should be paid **one-and-a-half times your usual hourly rate.** But if you don't normally work on a Sunday, you must be paid **two times your usual hourly wage.**

You shouldn't be asked to work more than **three hours a day** or **15 hours a week overtime.** And you must be given a rest period of **12 hours in a row** every 24 hours as well as **36 hours together** at least once a week.

You can't be forced to **work on a public holiday** but if you agree too, you must be paid **double wages.**

You are entitled to a **meal break of one hour** if you work for more than five hours in a row.

You are entitled to **annual leave** of 3 weeks a year paid at the normal rate.

If you work for an employer for more than 24 hours a month, they must deduct **1% of your pay and give it with another 1%, to UIF** each month.

Over a period of 3 years you have the right to **paid sick leave** that is equal to the amount of days you usually work every six weeks. (In the first 6 months of a job, you are allowed 1 day for every 26 days worked.)

You are entitled to **4 months unpaid maternity leave.** You should be able to claim UIF maternity benefits for 17 weeks. You must apply at least eight weeks before the birth.

You are entitled to **family responsibility leave** of 5 days a year. It can be used when your child is sick, or when a member of your family dies.

You CANNOT be fired for taking part in a **legal strike** or for being **pregnant.**

You are entitled to at least **4 week's notice** if you have been working for your employer for **over 6 months.**

If you are **unfairly dismissed**, you have the right to take your matter to the CCMA.

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