



**14 December 2023**

**NEWSLETTER: REGULATION OF WORKING HOURS**

We often have queries about how many hours employees are supposed to work per week.

The law does, however not specifically state a minimum hours, but states that 45 hours per week is the maximum of normal hours that an employee can work per week. (before overtime is applicable)

Below we will set out certain parts of the Basic conditions of employment that deals specifically with hours of work and regulations relating to that.

**Regulation of working time**

Every employer must regulate the working time of each employee-

- a. in accordance with the provisions of any Act governing occupational health and safety;
- b. with due regard to the health and safety of employees;
- c. with due regard to the Code of Good Practice on the Regulation of Working Time issued under section 87 (1) (a);  
and
- d. with due regard to the family responsibilities of employees.

**Ordinary hours of work**

1. Subject to this Chapter, an employer may not require or permit an employee to work more than-
  - a. 45 hours in any week; and
  - b. nine hours in any day if the employee works for five days or fewer in a week; or
  - c. eight hours in any day if the employee works on more than five days in a week.
2. An employee's ordinary hours of work in terms of subsection (1) may by agreement be extended by up to 15 minutes in a day but not more than 60 minutes in a week to enable an employee whose duties include serving members of the public to continue performing those duties after the completion of ordinary hours of work.

It is therefore important to note that employees may work 45 normal hours per week, but this can be less, as determined by the employer when hiring the staff member.

Please advise us if you have any questions in this regard via email or phone the office at 087 630 2070.

Regards

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