

DEPARTMENT OF LABOUR  
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PROVINCIAL OFFICE



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**Ms M.Morkel, A.Joubert and E.Smith**  
**Bera Nurses Institute (PTA)**  
**P.O.Box 31030**  
**Wonderboompoort**  
**0033**

*Enquiries:* V.Dubru  
*Tel Direct:* (012) 309 5133  
*Reference* LR 18/8  
*Date:* 7/6/2016

BCEA 7  
**DEPARTMENT OF LABOUR**  
**DETERMINATION IN TERMS OF SECTION 50**

The Minister of Labour, make the following determination in terms of Section 50(8)(c) of the Act:

**1. The following sections of the Basic Conditions of Employment Act is replaced or excluded:**

Sections 20(11) and 22(1) & (2)(3) of the Act.

**2. Extent of the variation:**

- (a) That employees be paid a collectively bargained "all inclusive" rate in respect of payment for annual leave; and
- (b) That during every sick leave cycle, an employee is entitled to one day's sick leave for every 26 days worked.

**3. Employers or employees in respect of whom the determination applies:**

Employees employed on a "short term" basis by Bera Nurses Institute (PTA)

**4. Conditions on which determination is granted:**

- (a) That all other sections of the Act are complied with; and
- (b) That affected employees be provided the opportunity to choose whether to remain on the "all inclusive" remuneration package or to restructure it into a contract of employment that complies with the BCEA.

**5. Period for which the determination is granted:**

01 August 2016 to 1 August 2017

**SIGNED under delegated powers in terms of section 85 of the Basic Conditions of Employment Act, 1997 at Pretoria on this day of 7 June 2016**

  
**ACTING DIRECTOR GENERAL: LABOUR**

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**7 June 2016**

Dear Sir/Madam

**BASIC CONDITIONS OF EMPLOYMENT ACT, 1997  
APPLICATION FOR MINISTERIAL DETERMINATION**

The application to vary certain sections of the Act refers.

Attached please find the approved determination. Please ensure that you comply with section 50 (10) of the Act, which reads as follows:

An employer in respect of whom a determination has been made, or whose employees are covered by a determination in terms of subsection (1), must—

- (a) Display a copy of the notice conspicuously at the workplace where it can be read by the employees to whom the determination applies;
- (b) Notify each employee in writing of the fact of the determination and of where a copy of the notice has been displayed; and
- (c) Give a copy of the notice to every—
  - (i) registered trade union representing those employees;
  - (ii) trade union representative representing those employees; and
  - (iii) employee who requests a copy.

Yours faithfully

A handwritten signature in black ink, appearing to be 'M. Morkel', written over a circular stamp or seal.

**ACTING DIRECTOR GENERAL: LABOUR**