

No. R. 1028

12 October 2001

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 Act are replaced or excluded:**

Sections 10(2), 12(2)(b), 14, 15(1)(a), 16(1) and 17(1)

**2. Extent of the variation:**

- (a) That mines listed in Annexures A and D retain the collectively bargained arrangements in respect of compensation for overtime;
- (b) That mines listed in Annexures A, B, C, D and E average hours of work over the agreed period with an average of 10 hours' overtime per week;
- (c) That employees who work underground and in processing plants at mines listed in Annexures A, B, C, D, and E dispense with a meal interval;
- (d) That mines listed in Annexures A, B, C, D and E reduce the daily rest period to not less than 8 hours for the purposes of rapid changeovers;
- (e) That mines listed in Annexures A and D retain the collectively bargained arrangements in respect of compensation for work on Sundays; and
- (f) That shifts commencing at or after 04:00 at mines listed in Annexures A, B, C, D and E are not regarded as night work.

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

Officials on Gold Mines listed in Annexures A, B, C, D and E who are members of Chamber of Mines of South Africa.

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

- (a) Overtime is worked voluntary or as agreed collectively;
- (b) That informal rest arrangements and opportunities to take sustenance are made; and
- (c) That rapid changeovers do not occur on more than two occasions per month per employee.

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

Mines listed in Annexure A with effect from 1 October 2001 to 31 May 2003;  
Mines listed in Annexure B with effect from 1 October 2001 to 30 June 2003;  
Mines listed in Annexure C with effect from 1 October 2001 to 30 September 2003;  
Mines listed in Annexure D with effect from 1 October 2001 to 31 December 2003; and  
Mines listed in Annexure E with effect from 1 October 2001 to 31 December 2002;

**SIGNED** under delegated authority in terms of section 85 of the Basic Conditions of Employment Act, 1997 at Pretoria on this the 8<sup>th</sup> day of October 2001.

**DIRECTOR GENERAL: LABOUR**

**ANNEXURE A**

**DURBAN ROODEPOORT DEEP (DRD)**

Buffelsfontein Gold Mines, Buffelsfontein Division  
Buffelsfontein Gold Mines, Hartbeesfontein Division

**ANNEXURE B**

**DURBAN ROODEPOORT DEEP (DRD)**

Blyvooruitzicht Gold Mining Company

**ANNEXURE C**

**PLACER DOME WESTERN AREAS JOINT VENTURE**

South-Deep

**ANNEXURE D**

**GOLD FIELDS**

Gold Fields Limited Mines and Operations

**ANNEXURE E**

**HARMONY GOLD MINING COMPANY**

Evander Gold Mines  
Free State Operations (including Masimong Shafts)  
Randfontein Estates

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