



Workplace Bulletin

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WHO ARE CLASSIFIED AS DOMESTIC WORKERS

In terms of the Basic Conditions of Employment Act Sectoral Determination 7 was established to regulate the conditions of employment and minimum wages for employees in the Domestic Worker Sector in South Africa.

Chapter 1 of the Basic Conditions of Employment Act defines Domestic Workers as:-

“an employee who performs domestic work in the home of his or her employer and includes—

- (a) a gardener;
- (b) a person employed by a household as driver of a motor vehicle;
- (c) a person who takes care of children, the aged, the sick, the frail or the disabled,

but it specifically excludes farm workers which means that if an employee is employed on a farm to perform the domestic worker duties as stated above, such an employee will not fall under Sectorial Determination 7 but will fall under Sectorial Determination 13 for Farm Workers.

Sectorial Determination 7 then further clarifies that the following persons employed to do domestic work also fall under Sectorial Determination 7;

- employed or supplied by employment services;
- employed as independent contractors.

Important to note that the Sectoral Determination applies to all employers and employees in the entire Republic of South Africa and that all conditions of employment are the same for every employee except for the minimum wages which are divided into an Area A and an Area B. **(See Bulletin on Minimum Wages).**