



04 December 2018

## CIRCULAR TO THE INDUSTRY

### INTERPRETATION OF CLAUSE 67A OF THE MAIN COLLECTIVE AGREEMENT: DUAL DRIVER SYSTEM

This Circular is issued in line with Clause 68 of the Main Collective Agreement, which stipulates that Council administers the Main Collective Agreement and may issue rulings for the guidance of employers and employees falling within the Council's jurisdiction.

The purpose of the Circular is therefore to provide guidance to the industry on the interpretation of clause 67A of the Main Collective Agreement.

The Clause 67A of the Main Collective Agreement, with reference to the definitions of "drive" and "hours of work" is therefore interpreted as follows:

- *Where two drivers are simultaneously engaged, sharing duties on one vehicle whilst on the same journey, **both drivers meet the definition of "drive", up to a maximum of 15 hours in any 24 hour-period.***
- *Where the two drivers referred to in Clause 67A(1) of the Main Collective Agreement are taking their compulsory rest interval of nine consecutive hours as prescribed in the Main Collective Agreement, **they are not "in readiness to drive" and consequently, do not meet the definition of "drive".***
- *Moreover, the compulsory rest interval of nine consecutive hours prescribed in Clause 6(1) of the Main Collective Agreement **is not included in the definition of "hours of work"***

- Therefore, the definitions of “drive” and “hours of work” in Schedule 2 of the Main Collective Agreement should **exclude the relevant nine-hour rest period from constituting hours of work.**

Kindly take note that a Circular issued to the Council’s Agents dated 06 December 2016 is hereby withdrawn and replaced with this Circular.

Should you require any assistance please do not hesitate to contact your local Designated Agent.

We trust that you find the above in order.

Kind regards,

**Musa Ndlovu**

**NATIONAL SECRETARY**

***(This document has been sent electronically and is therefore not signed)***