

OCTOBER 2024 NEWSLETTER

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EMPLOYERS ORGANISATION



Top News

Unpacking the Basic Conditions of Employment Act ("BCEA", Act 75 of 1997) – Parental Leave

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Employers fined R10m after 2,681 inspections in September 2024

Unpacking the BCEA

The Basic Conditions of Employment Act ensures fair labor practices in South Africa, setting standards for work hours, leave, and wages. It promotes healthy workplace environments, protects employees' rights, and helps businesses maintain compliance, fostering a stable and productive workforce essential for economic growth. Each month we will unpack a section of the BCEA starting with **leave types**. The BCEA mandates several types of leave, including annual leave, sick leave, maternity leave, and family responsibility leave.

Parental Leave Summary: Any employee, whether male or female, who is a parent (including adoptive parents), will be entitled to 10 (ten) consecutive days parental leave, as prescribed by the UIF Act.

This leave shall be unpaid leave, commencing on the date of birth of the child or an adoption, or pending adoption, takes effect.

The employee will not be entitled to remuneration from the employer during this leave period but may claim unemployment insurance benefits for this period as per the provisions of the UIF Act.



Tel: 010 493 4655
admin@leolaw.co.za
www.leolaw.co.za

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CRACKDOWN -
UPDATE:

FEATURE ARTICLE

LABOUR LAW NON- COMPLIANCE



Businesses flouting South African labour laws have been ordered to pay more than R10m to shortchanged employees, as the Department of Employment and Labour intensified raids on rogue employers.

The department conducted 2,681 inspections across the country in September of 2024, with many workplaces found to be in breach of laws pertaining to:

1. The national minimum wage,
2. Basic conditions of employment,
3. Occupational health and safety,
4. Compensation of occupational injuries and diseases,
5. Unemployment insurance, and
6. Immigration.

These statistics were disclosed by the Department of Employment and Labour Minister Nomakhosazana Meth at a media briefing on 01 October 2024.

According to the Department 809 inspections were conducted in the Western Cape, where there was a 43% noncompliance rate. This was followed by Gauteng with 764 inspections and a 72% noncompliance rate; KwaZulu-Natal at 535 with noncompliance of 33%; North West at

217 with noncompliance of 42%; Limpopo at 106 with noncompliance of 22%; Eastern Cape at 82 with noncompliance of 40%; Free State at 69 with noncompliance of 32%, and Mpumalanga at 59 with noncompliance of 55%.

The countrywide inspections also led to the arrests of 81 undocumented foreign nationals.

Read the full original of the report in the above regard by Luyolo Mketane at Business Live.

We urge our members to stay on the right side of the law.

If you want more information on the different types of inspections done by the Department of Employment and Labour, don't hesitate to make contact with our office and we can give you the necessary information for the different types of inspections which will allow you to be pro-active and prepared in the event of any of these inspections occurring at your business.