

August 18, 2017

## Labour Legislation covered by Labour Pro



### ***Are your employment policies and procedures aligned with labour legislation?***

More often than not employers fail to comply with the relevant legislation and may risk unnecessary legal action and disputes. Our unique **Labour Pro** product assist in making it more difficult for employees and unions to exploit employers by ensuring that businesses have sound employment policies and procedures in place.

**Our experienced labour relations consultants** deal comprehensively, on your behalf, with the relevant labour legislation and most common pitfalls that businesses encounter.

The labour legislation covered by our consulting services includes:

- o the Basic Conditions of Employment Act (BCEA);
- o the Labour Relations Act (LRA);
- o the Occupational Health and Safety Act (OHSA);
- o the Unemployment Insurance Fund (UIF) and Workmen's Compensation legislation.

Many people are not aware of the aims of this legislation, so here is a basic breakdown of each:

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## **The BCEA**

The BCEA is applicable to both employers and employees. It regulates labour practices and sets out the rights and duties of employees and employers. The Act is intended to ensure social justice by outlining the basic standards of employment with reference to working hours, leave, payment, dismissal and dispute resolution. These factors can be used by employees to manipulate circumstances if employers do not comply with legislation.

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## **The LRA**

This law is guided by Section 23 of the Constitution and entrenches the right of workers and employers to form organisations for collective bargaining. Similarly, it encompasses the same principles as the BCEA as it also deals with strikes and lockouts, workplace forums and other ways of resolving disputes. It provides a framework for the resolution of labour disputes through the Commission for Conciliation, Mediation and Arbitration (CCMA), the Labour Court and the Labour Appeal Court. Labour Pro ensures that your business is not harmed by checking the legality of your workers' behaviour or actions.

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## **The OHSA**

This Act contains provisions to keep employees safe at work. It also serves to protect people other than those in the workplace from hazards arising from or in connection with the activities of people at work. Briefly, the Act aims to minimise injury and illness by maximising risk and hazard assessment in the workplace.

The Act governs health and safety for various components of South Africa's industry. It regulates and controls health and safety in all organisations, from a standard office environment to more hazardous environments such as industrial plants and construction sites.



## **UIF and Workmen's Compensation**

The UIF is a national unemployment fund to which employers and employees contribute 1% of the employee's salary. Employees can, for example, claim UIF if they have been dismissed, if their employer is bankrupt, if they suffer injury or during unpaid maternity leave.

The aim of the Compensation for Occupational Injuries and Diseases Act is to provide for compensation in the event of disablement caused by occupational injuries or diseases sustained or contracted by employees in the course of their employment, or for death resulting from such injuries or diseases, and related matters such as medical expenses, etc.

Business owners must ensure that they adhere to all applicable labour legislation to protect themselves against lawsuits and other unnecessary expenses. SERR Synergy *empowers businesses* by ensuring that you do your part correctly and effectively.

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