



labour

Department:
Labour
REPUBLIC OF SOUTH AFRICA



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Basic Guide to Employment Equity Consultations

A consultative forum must be established to discuss Employment Equity issues concerning both employers and workers.

Application

The Employment Equity Act applies to all employers, workers and job applicants, but not members of the –

- National Defence Force;
- National Intelligence Agency; and
- South African Secret Service.

The provisions for affirmative action apply to –

- employers with 50 or more workers, or whose annual income is more than the amount specified in Schedule 4 of the Act;
- municipalities;
- organs of State;
- employers ordered to comply by a bargaining council agreement;
- any employers who volunteer to comply.

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See

- Employment Equity Act

Applies to all employers and workers and protects workers and job seekers from unfair discrimination, and also provides a framework for implementing affirmative action

Informing Workers

All workers must be informed of the –

- content and application of the Act;
- Employment Equity;
- anti-discrimination issues;
- processes followed by the employer; and the
- need for stakeholder involvement.

Consultative Forum

A forum must be established or an existing forum must be used.

The forum must include:

- worker representatives from designated and non- designated groups; and
- senior management representing the employer.

Non-Participation

If a representative body or trade union refuses to be involved in consultations the employer must record the situation in writing. A copy of the document must be given to the body concerned.