

Bill signals major boost for workplace equity

President Cyril Ramaphosa has signed the Employment Equity Amendment Bill of 2020 into law.



Image source: Getty Images

This was announced by Presidential spokesperson Vincent Magwenya during a media briefing on Wednesday, 12 April 2023.

According to Magwenya, the bill seeks to progress the transformation of South Africa's workforce by "setting equity targets for economic sectors and geographical regions, and requiring enterprises to develop transformation plans", with new measures to also promote workplace diversity and equality.

"Among its key provisions, the amendment bill empowers the Minister of Employment and Labour to set employment equity targets for economic sectors, as well as regions where transformation is lagging. The amendment bill also empowers the Minister of Employment and Labour to regulate compliance criteria to issue compliance certificates, as per Section 53 of the Employment Equity Act.

“The amended act allows the Minister of Employment and Labour to set regional targets, given that racial diversity in South Africa often has regional differences. The law requires employers with more than 50 employees to submit employment equity plans for their companies, spelling out how they will achieve these targets. Employers are then required to submit annual reports to the Department of Employment and Labour,” Magwenya said.

The new law now also ensures that workers will be remunerated equally for the work they do.

“In the area of remuneration, the law requires employers to pay workers equal pay for equal work. The bill provides clear definitions of discrimination and sets out what workers can do when facing such discrimination, including lodging grievances with the Commission for Conciliation, Mediation and Arbitration, or the Labour Courts.

“Companies seeking to do business with the State will be required to submit a certificate from the department confirming that they are in compliance with the Employment Equity Act and its objectives, and that they do not pay their employees less than the national minimum wage.

“Labour inspectors will now also be compelled to inspect workplaces and issue compliance order to ensure that employers are complying with employment equity objectives,” Magwenya said.

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