

# EMPLOYMENT ALERT

23 September 2013

## AMENDMENTS TO THE ACT ARE COMING

The Labour Relations Amendment Bill (Bill) has been passed by Parliament. It still has some way to go before becoming law, including approval by the National Council of Provinces, and signature by the President. The National Council of Provinces has requested comment on the Bill.

The purpose of the Bill, amongst others, is to ensure that vulnerable categories of employees receive adequate protection; to introduce effective compliance mechanisms, as well as to enhance the effectiveness of the Labour Court and the Commission for Conciliation, Mediation and Arbitration (CCMA).

The Bill will impact on the manner in which we resource our organisations. Substantive amendments have been made to protect categories of what are called "non-standard employees", namely employees placed by temporary employment services, employees engaged on fixed term contracts and part-time employees.

The majority of these protections are extended to employees after they have been in employment for a period of time, and earn below the threshold determined annually in terms of the Basic Conditions of Employment Act, No 75 of 1997.

In anticipation of the implementation of the legislative amendments, Cliffe Dekker Hofmeyr has developed a customised due diligence offering to its clients. This due diligence offering will assist you in assessing your risk as well as whether your costs base will increase as a result of the bill in addition, it will guide you to ensure compliance with the bill. We are available to partner with you while navigating the new road which the bill intends taking us on.

*Aadil Patel*



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## LEGISLATION UPDATES

<b>BILL TITLE</b>	<b>Current Status</b> (date of last discussion in Parliament between the brackets)	<b>Expected date of implementation?</b>
Basic Conditions of Employment Amendment Bill B 15B of 2012	Approved in NA. Select Committee intends holding public hearings - Written comments may be submitted to the Select Committee before 25 Sept. 2013 (17/9/2013)	Unknown
Employment Equity Amendment Bill B 31 of 2012	Portfolio Committee (NA) has concluded deliberations, granted in-principle approval with few changes, B version of the Bill to be submitted to NA for approval. (17/9/2013)	Unknown
Employment Services Bill 28 of 2012	The Portfolio Committee is still to schedule further meetings on the Bill (26/8/2013)	Unknown
Labour Relations Amendment Bill B16B of 2012	The Portfolio Committee of the NA has approved the B version of the Bill, and sent it to the National Council of Provinces Select Committee intends holding public hearings - Written comments may be submitted to the Select Committee before 25 Sept. 2013 (17/9/2013)	Unknown

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