

Employment Law

ALERT | 4 March 2024



In this issue

SOUTH AFRICA

- 29 May 2024 declared a public holiday for the elections

 [For more insight into our expertise and services](#)

29 May 2024 declared a public holiday for the elections

Chambers Global 2024 Results

Employment Law

Chambers Global 2014–2024 ranked our
Employment Law practice in:

Band 2: Employment.

Aadil Patel ranked by
Chambers Global 2024 in
Band 1: Employment.

Fiona Leppan ranked by
Chambers Global 2018–2024 in
Band 2: Employment.

Imraan Mahomed ranked by
Chambers Global 2021–2024 in
Band 2: Employment.

Hugo Pienaar ranked by
Chambers Global 2014–2024 in
Band 2: Employment.



Cliffe Dekker Hofmeyr

The Office of the President has confirmed that in terms of section 49(2) of the Constitution, read with section 17 of the Electoral Act 73 of 1998, President Cyril Ramaphosa has proclaimed Wednesday, 29 May 2024 as the date for South Africa's general national and provincial elections.

For this purpose, the President has also declared an additional public holiday on 29 May 2024, in terms of section 2A of the Public Holidays Act 36 of 1994.

Employers are encouraged to adjust their operations on this day to allow eligible employees an opportunity to cast their vote in the 2024 elections.

To the extent that workers are required to tender services on the day, the normal rules relating to public holidays apply. If an employee works on a public holiday (including an additional public holiday that is declared), their employer must consider the provisions of the Basic Conditions of

Employment Act 75 of 1997 when determining the amount to pay them. In particular, the employer must consider whether the public holiday falls on a day on which the employee would ordinarily work. If the public holiday falls on a day on which the employee would ordinarily work and the employee works on that public holiday, then the employee is entitled to double their ordinary wage for the day or, if greater, the employee's ordinary wage for the day "plus the amount earned by the employee for the time worked on that day." However, if the employee does not work on the public holiday which falls on a day the employee would ordinarily work, the employee is entitled to their ordinary wage for the day.

If the public holiday falls on a day on which the employee would not ordinarily work and the employee works on that public holiday, the employee is entitled to their ordinary wage for the day and "the amount earned by the employee for the work performed that day, whether calculated by reference to time worked or any other method".

Nadeem Mahomed

OUR TEAM

For more information about our Employment Law practice and services in South Africa and Kenya, please contact:



Aadil Patel

Practice Head & Director:
Employment Law
Joint Sector Head:
Government & State-Owned Entities
T +27 (0)11 562 1107
E aadil.patel@cdhlegal.com



Anli Bezuidenhout

Director:
Employment Law
T +27 (0)21 481 6351
E anli.bezuidenhout@cdhlegal.com



Jose Jorge

Director:
Employment Law
T +27 (0)21 481 6319
E jose.jorge@cdhlegal.com



Fiona Leppan

Director:
Employment Law
T +27 (0)11 562 1152
E fiona.leppan@cdhlegal.com



Imraan Mahomed

Director:
Employment Law
T +27 (0)11 562 1459
E imraan.mahomed@cdhlegal.com



Phetheni Nkuna

Director:
Employment Law
T +27 (0)11 562 1478
E phetheni.nkuna@cdhlegal.com



Desmond Odhiambo

Partner | Kenya
T +254 731 086 649
+254 204 409 918
+254 710 560 114
E desmond.odhiambo@cdhlegal.com



Hugo Pienaar

Sector Head:
Infrastructure, Transport & Logistics
Director: Employment Law
T +27 (0)11 562 1350
E hugo.pienaar@cdhlegal.com



Thabang Rapuleng

Counsel:
Employment Law
T +27 (0)11 562 1759
E thabang.rapuleng@cdhlegal.com



Njeri Wagacha

Partner | Kenya
T +254 731 086 649
+254 204 409 918
+254 710 560 114
E njeri.wagacha@cdhlegal.com



Mohsina Chenia

Executive Consultant:
Employment Law
T +27 (0)11 562 1299
E mohsina.chenia@cdhlegal.com



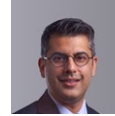
Jean Ewang

Consultant:
Employment Law
M +27 (0)73 909 1940
E jean.ewang@cdhlegal.com



Ebrahim Patelia

Legal Consultant:
Employment Law
T +27 (0)11 562 1000
E ebrahim.patelvia@cdhlegal.com



Nadeem Mahomed

Professional Support Lawyer:
Employment Law
T +27 (0)11 562 1936
E nadeem.mahomed@cdhlegal.com

OUR TEAM

For more information about our Employment Law practice and services in South Africa and Kenya, please contact:



Asma Cachalia

Senior Associate:
Employment Law
T +27 (0)11 562 1333
E asma.cachalia@cdhlegal.com



Rizichi Kashero-Ondego

Senior Associate | Kenya
T +254 731 086 649
+254 204 409 918
+254 710 560 114
E rizichi.kashero-ondego@cdhlegal.com



Jordyne Löser

Senior Associate:
Employment Law
T +27 (0)11 562 1479
E jordyne.loser@cdhlegal.com



Leila Moosa

Senior Associate:
Employment Law
T +27 (0)21 481 6318
E leila.moosa@cdhlegal.com



Christine Mugenyu

Senior Associate | Kenya
T +254 731 086 649
+254 204 409 918
+254 710 560 114
E christine.mugenyu@cdhlegal.com



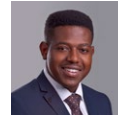
Malesale Letwaba

Associate:
Employment Law
T +27 (0)11 562 1710
E malesale.letwaba@cdhlegal.com



Biron Madisa

Associate:
Employment Law
T +27 (0)11 562 1031
E biron.madisa@cdhlegal.com



Kgodisho Phashe

Associate:
Employment Law
T +27 (0)11 562 1086
E kgodisho.phashe@cdhlegal.com



Taryn York

Associate:
Employment Law
T +27 (0)11 562 1732
E taryn.york@cdhlegal.com

BBBEE STATUS: LEVEL ONE CONTRIBUTOR

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

PLEASE NOTE

This information is published for general information purposes and is not intended to constitute legal advice. Specialist legal advice should always be sought in relation to any particular situation. Cliffe Dekker Hofmeyr will accept no responsibility for any actions taken or not taken on the basis of this publication.

JOHANNESBURG

1 Protea Place, Sandton, Johannesburg, 2196. Private Bag X40, Benmore, 2010, South Africa.
Dx 154 Randburg and Dx 42 Johannesburg.
T +27 (0)11 562 1000 F +27 (0)11 562 1111 E jhb@cdhlegal.com

CAPE TOWN

11 Buitengracht Street, Cape Town, 8001. PO Box 695, Cape Town, 8000, South Africa. Dx 5 Cape Town.
T +27 (0)21 481 6300 F +27 (0)21 481 6388 E ctn@cdhlegal.com

NAIROBI

Merchant Square, 3rd floor, Block D, Riverside Drive, Nairobi, Kenya. P.O. Box 22602-00505, Nairobi, Kenya.
T +254 731 086 649 | +254 204 409 918 | +254 710 560 114
E cdhkenya@cdhlegal.com

STELLENBOSCH

14 Louw Street, Stellenbosch Central, Stellenbosch, 7600.
T +27 (0)21 481 6400 E cdh Stellenbosch@cdhlegal.com

©2024 13206/MAR