Career and Career Choices

Core elements of a job contract: worker rights and obligations; conditions of service

Labour laws: Labour Relations Act, Employment Equity Act and Basic Conditions of Employment Act

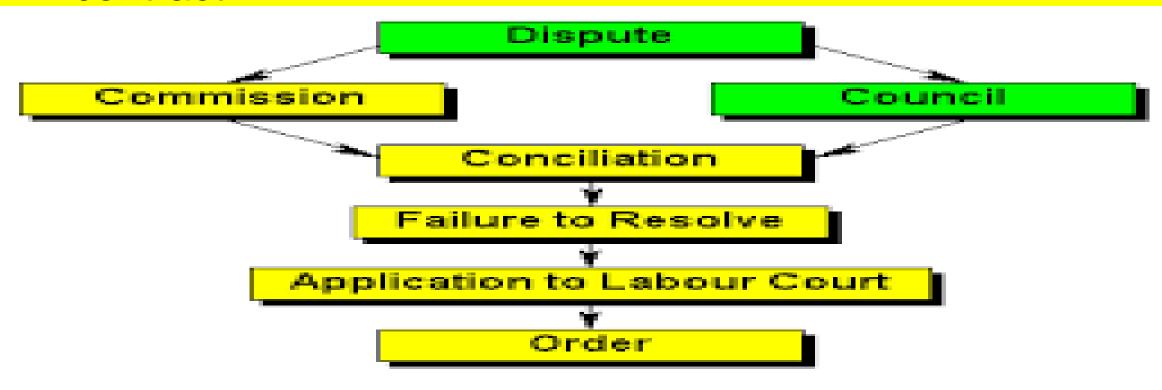
Labour Laws

Labour laws follow the democratic ideals of the Constitution.



The Labour Relations Act

 These labour laws deal with employee and employer rights and obligations and the core elements of a job contract



The labour relations act aims to promote economic development, social justice, labour peace and democracy in the workplace.

Thus this act:

- Makes rules for the relationships between: employer (who may be an individual or a company) and individual or groups of employees; employer or employers' organisations and a trade union
- □ Promotes employee rights to fair labour practices
- □ Expects employers and employees to try to settle arguments and disputes through negotiation and conciliation instead of strikes and going to court

□Establishes the Commission for Conciliation, Mediation and Arbitration (CCMA) which plays a critical role in sorting out disputes and providing advice; and the Labour of Appeal Court to decide matters related to the LRA



Employment Equity Act

The aim of this act is to:

- ✓ Promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice
- ✓ Regulate affirmative action so that people from the designated groups, who have suitable qualifications, are given opportunities for employment



The BCEA was introduced in 1997 and changed in 2002

The BCEA makes rules and regulations about the right to fair labour practices, which includes:

- ✓ Employers must give their employees details of their employment in writing in the form of an employment contract
- ✓ It is against the law to employ a child under 15 years old, except for children in the performing arts (theatre, dance, movies)
- ✓ Employees have duties and responsibilities towards their employers

Principles of equity and redress

Equity

- South Africa's labour law promote equity and fairness
- Every employer must take steps to promote equal opportunity in the workplace by eliminating unfair discrimination in any employment policy or practice
- No person may unfairly discriminate against an employee because of his or her race; gender; pregnancy; marital status; family responsibility; ethnic or social origin etc

Redress

- South Africa's labour law provide for general redress of past unfairness
- Example: affirmative action in the Employment Equity Act redress injustice experienced by groups who have been disadvantaged in the past under apartheid regime
- It eliminates unfair discrimination and develops the skills of those who did not have opportunities
- It promotes equal opportunities in employment



Examples of Redress include:

- Disciplinary hearing
- Address employees' misconduct in the workplace such insubordination or not doing what your employer tells you to do There are strict rules and procedures for disciplinary hearings.
 - Workplace forums
 - Committees of elected employees; they meet regularly with employers to discuss workplace issues
 - Trade unions
 - Help and represent employees in grievance and disciplinary proceedings