



7 LABOUR LAWS

EVERY WORKER SHOULD KNOW

These Acts expand on the basic rights for workers in South Africa's Constitution.

1

LABOUR RELATIONS ACT (LRA)

Applies to workers, employers and trade unions.

Protects everyone in the workplace and promotes economic development, fair labour practices, peace, democracy and social development.

BASIC CONDITIONS OF EMPLOYMENT ACT (BCEA)

Guarantees workers the right to a written contract.

Entitles workers to leave and severance pay.

Provides hours of work and overtime.

Bans unlawful deductions from workers' wages.

Bans child and forced labour.

Establishes sectoral determinations.

2

3

EMPLOYMENT EQUITY ACT (EEA)

Promotes equity in the workplace.

Protects workers from unfair treatment and any form of discrimination.

Promotes affirmative action.

Identifies the role of shop stewards in monitoring compliance.

4

OCCUPATIONAL HEALTH & SAFETY ACT (OHSA)

Gives workers the right to refuse dangerous work.
Entitles workers to personal protective equipment.
Establishes workplace health and safety committees.

COMPENSATION FOR INJURIES & DISEASES ACT (COIDA)

Provides for compensation for disablement caused by occupational injuries or diseases sustained or contracted by employees in the course of their employment, or for death resulting from such injuries or diseases.

5

6

SKILLS DEVELOPMENT ACT (SDA)

Develops skills of workers in the workplace.
Develops learnerships for young people.
Enhances opportunities for historically-excluded workers.



7

PENSION FUND ACT (PFA)

Creates pension funds and provident funds responsible for life-long savings of workers, usually access after retirement.

Establishes boards to decide the investment options and management of fund.

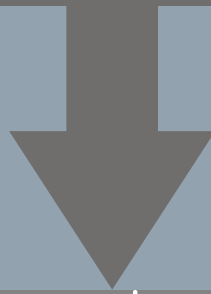
Labour laws provide minimum rights.

When bargaining, start with the minimums as the floor and then bargain for more. A good collective agreement does not restate what exists in the law.



Hierarchy of labour laws and the legislative framework

CONSTITUTION BILL OF RIGHTS (LABOUR RELATIONS CLAUSES)



LRA

BCEA

SDA

EEA

OHSA

COIDA

PFA



National/Regional/Sectoral/Workplace Collective Agreements and Policies

Recognition agreements

CBA
SDs

Workplace
Skills plans

EE plans
HIV policies

Health &
safety policies

Deductions by
Compensation
Fund

Pension
Fund
rules

*CBA - Collective Bargaining Agreements ; SD - Sectoral Determinations

Source: Adapted from DITSELA Labour Law for Administrators



Knowledge
is too important
to leave in the
hands of the bosses.