

NEWSLETTER

C & A

LABOUR LAW & ASSOCIATES

Good day to all our clients,

We have decided to bring out the news letter to assist you in the latest news about us and also the happenings in the world of LEGISLATION and changes.

2011 has barely started and we are already into our 3rd month of the year. It is a known factor by now that there is a proposal tabled into parliament to changes on the BCEA and we will highlight certain factors below which we feel is of essence for you as the employer to take cognisance of.

Please also note that we have appointed Minja on our team which will now take over the role of Annatjie in the office. Annatjie in turn is now fulfilling the role of Head of SAPEO which some of you might know is our sister company but more of that below.

We would like to thank you for your continuous support.

Chris

Labour Law Services:

- Family Responsibility leave
- CCMA Representation
- Domestic Workers
- Maternity leave
- Disciplinary Hearings Advice and Representation
- How to choose a labour expert etc.



Credit Checks & Verifications:

- Credit (ITC) checks
- Adverse Payment checks
- Traces
- ID Verification
- Bank Code Verification etc.




We deal with the following labour related disputes:

- Mediation / Conciliation
- Arbitration
- Disciplinary Hearings
- Wage Disputes
- Employment Contracts
- Domestic Contracts

NEWSLETTER

C&A

LABOUR LAW & ASSOCIATES



We also offer affordable HR packages which we will install on your system and supply a free backup

Need HR Guidance?

The proposed amendments to the Basic conditions of employment act as we stipulated above is as follow:



Amendment of section 77 of Act 75 of 1997

the substitution of subsection (3) of the following subsection:

“(3) The Labour Court has [**concurrent**] exclusive jurisdiction [**with the civil courts**] to hear and determine any matter concerning a contract of employment, irrespective of whether any basic condition of employment constitutes a term of that contract.”.

NEWSLETTER



LABOUR LAW & ASSOCIATES

The proposed new penalties are as follow:

| <i>It is a criminal offence to contravene the following provisions</i> | <i>Minimum Applicable fines</i> | <i>Minimum term of imprisonment</i> |
|--|---------------------------------|--|
| <u>Section 9, 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 25, 26, 27, 32, 33, 34 and 34A</u> | <u>R10 000.00</u> | <u>12 months imprisonment</u> |
| <u>Section 33A</u> | <u>R10 000.00</u> | <u>12 months</u> |
| <u>Section 39, 40 and 41</u> | <u>R10 000.00</u> | <u>12 months imprisonment</u> |
| Section 43 | | [3] <u>6</u> years |
| Section 44 | | [3] <u>6</u> years |
| Section 46 | | [3] <u>6</u> years |
| Section 48 | | [3] <u>6</u> years |
| <u>Sections 65 and 66</u> | <u>R10 000.00</u> | <u>12 months imprisonment</u> |
| Section 90(1), (3) and 92(a), (d), (e), (f) | | <u>1 year</u> |
| Section 92(b) | | <u>Applicable legislation must be used to determine imprisonment”.</u> |

It is clear that our clients should be very weary on the staff conditions of employment and we urge you to contact us to assist in your HR/IR set up and processes in order to avoid unnecessary costs

NEWSLETTER



LABOUR LAW & ASSOCIATES

As stated above we have a sister company SAPEO which might be familiar to some of you that will deal with the Maintaining of retainer contracts. **SAPEO** has now decided to enter into the field of placing staff for you when the need arises.

Obviously it must be understood that we did a market survey which has shown to us that the employer has a need on appointing a new staff member to have the following done,

1. Check the candidate's references
2. Do an ITC check
3. Do a criminal check
4. Shortlist the candidates obo the employer
5. Keep it cost effective for the employer.

If you need to get more information on the above please feel free to contact Annatjie on our office numbers as provided or enter our web site on the web address provided.

If you have any queries or need advice, please don't hesitate to contact us:

☎: 011 391 8671

E-mail: calabourlaw@vodamail.co.za

Website: www.cagroup.co.za

Regards

The C&A TEAM