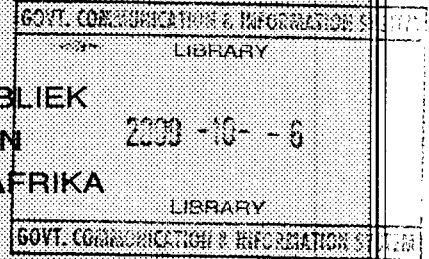


REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA



Government Gazette Staatskoerant

Regulation Gazette

No. 6883

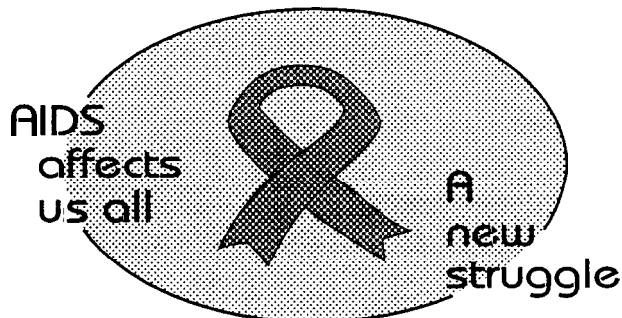
Regulasiekoerant

Vol. 423

PRETORIA, 2 OCTOBER 2000
OKTOBER 2000

No. 21583

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

0800012322

DEPARTMENT OF HEALTH

G O V E R N M E N T N O T I C E S

DEPARTMENT OF LABOUR

No. R. 955

27 September 2000

REGULATIONS

EMPLOYMENT EQUITY ACT, 1998 (ACT NO. 55 OF 1998)

I, **Membathisi Mphumzi Shepherd Mdladlana**, Minister of Labour, under Section 55 of the Employment Equity Act, 1998 (**Act No. 55 of 1998**) and on the advice of the Commission for Employment Equity, hereby amend the regulations made in terms of the Employment Equity Act, Act No. 55 of 1998, published under Government Notice R. 1360 in Government Gazette 20626 of 23 November 1999 as set out in the Schedule. These amendments are to be effective from the date of publication of this notice.

MMS MDLADLANA
MINISTER OF LABOUR

No. R. 955

27 September 2000

SWINAWANA

NAWU WA NDZINGANO WA NTIRHO, 1998 (NAWU No.55 WA 1998)

Mina, Membathisi **Mphumzi Shepherd Mdladlana, Holobye wa Mintirho**, hi ku **landzelela** ka Xiyenge xa 55 xa Nawu wa **Ndzingano wa Ntirho**, 1998 (**Nawu No. 55 wa 1998**), na hi ku tsundzuxiwa hi **Khomixini** ya **Ndzingano wa Vuthori/Ntirho**, ndzi **endla** ku **cinca** eka **swinawana leswi endliweke** hi **mayelana** na Nawu wa **Ndzingano wa Ntirho**, Nawu No. 55 wa 1998, 1owu **wu** humesiweke eka **Xiviko** xa 1360 eka Gazette ya **Mfumo** 20626 ya 23 **Hukuri** 1999 **tani** hi **leswi swi andlariweke** eka **Xitandzhaku**. Ku **cinca** loku ku ta **sungula ku tirha** hi siku leri **xitiviso** xi nga **ta humesiwa** hi **rona**.

MMS MDLADLANA
HOLOBYE WA MINTIRHO

FORMS AND ANNEXURE

EEA 2A	Report to Director General in terms of Section 21 of the Act.. . . .	6
EEA 3B	Summary of the Act in Sepedi in terms of Section 25(1) of the Act	14
EEA 3C	Summary of the Act in Sesotho in terms of Section 25(1) of the Act	20
EEA 3D	Summary of the Act in Setswana in terms of Section 25(1) of the Act	26
EEA 3E	Summary of the Act in siSwati in terms of Section 25(1) of the Act	34
EEA 3F	Summary of the Act in Tshivenda in terms of Section 25(1) of the Act	42
EEA 3G	Summary of the Act in Afrikaans in terms of Section 25(1) of the Act	49
EEA 3H	Summary of the Act in isiNdebele in terms of Section 25(1) of the Act	55
EEA 3I	Summary of the Act in isiXhosa in terms of Section 25(1) of the Act	61
EEA 3J	Summary of the Act in isiZulu in terms of Section 25(1) of the Act	69
EEA 4A	Statement of Income Differentials to the Employment Conditions Commission in terms of Section 27 of the Act	75
EEA 11	Application for Employment Equity Report in terms of Section 21(5) of the Act	76

SCHEDULE

AMENDMENTS TO GOVERNMENT NOTICE R.1360

1. In this Schedule, "Regulations" means the Regulations made under the Employment Equity Act, **Act** No.55 of 1998 and published under Government Notice R. 1360, Government Gazette, No. 20626 of 23 November 1999.
2. **Clause** 4 of the Regulations is hereby amended by the insertion of a new sub-clause 4(4) -

 “(4) Despite sub-clause (1) of this Regulation, a designated employer who employs less than 150 employees must submit a report in terms of Section 21 of the Act which must be in the form of either EEA2 or EEA2A or contain the information required by either such form.”
3. **Clause** 6 of the Regulations is hereby amended by the insertion of a new sub-clause 6(5) –

 “(5) Despite sub-clause (1) of this Regulation, a designated employer who employs less than 150 employees must submit a statement of income differentials **required** by Section 27 of the Act in the form of either EEA4 or EEA4A, or in a document that contains the information required by either such form.”
4. The Regulations are hereby amended by the insertion of a new clause 9 –

 “9. (1) Any person who applies to obtain a copy of *any report* submitted in terms of Section 21 (6) of this Act must submit a completed form EEA11 to the Employment Equity Registry.

 (2) The prescribed fee for a copy of the report is R15, 00 payable in revenue stamps, which must be affixed to the form **referred** to in sub-clause (1). An A5 sized **self-**addressed envelope, postage paid, must accompany the form.”



DEPARTMENT OF LABOUR

Employment Equity Report for small business

Page: 1 of 8

**Employment Equity Act
55 of 1998, Section 21**

PLEASE READ THIS FIRST


**WHAT IS THE PURPOSE OF THIS
FORM?**

This form contains the format for employment equity reporting for employers with between 50 and 150 employees or those with less than 50 employees who meet the turnover criteria of Schedule 4 of the Act.

Employers with less than 150 employees may either use this form (EEA 2A) or EEA2 to report to the Department of Labour.

WHO COMPLETES THIS FORM?

All designated employers who employ less than 150 employees and have to submit a report in terms of the Employment Equity Act, 55 of 1998. Any employer completing the Employment Equity Report voluntarily.

INSTRUCTIONS

- Submit this report by 1 December 2000.
- Please fill in **Employer Details** as accurately and completely as possible.
- Complete **all sections** of this form
- The signature of the CEO must be completed in section H

SEND TO:

Employment Equity Registry
The Department of Labour
Private Bag x117
Pretoria 0001
Telephone: 012 3094000
Facsimile: 012 320205913220413
E-mail: ee@labour.gov.za
Website: www.labour.gov.za

Section A: Employer Details

(Employee	
Registration No:	
SARS Registration No:	
UIF Number:	
Contact Person	
Address:	
Town/City:	
Province	
Postal Code:	
Telephone No:	
Fax No:	
E-Mail Address:	
Date of Submission	

Organ of state

Yes	No
-----	----

Are you voluntarily complying with this Act as specified in section 14:

Yes	No
-----	----



EEA 2A

DEPARTMENT OF LABOUR

Employment Equity Report for small business

Page: 2 of 3

Please select the SETA (Sector Education and Training Authority) that your organisation belong to:

SETA			
No	Name	No	Name
01	FASSET - Financial end Accounting services	14	LGWSETA - Local Government, Water end Related Services Sector
02	BANKSETA - Banking sector	15	MAPP - Media, Advertising, Publishing, printing and Packaging
03	CHETA - Chemical Industries	16	MQA - Mining Qualifications Authority
04	TEXTILES - Clothing Textiles, Footwear and Leather	18	MERSETA - Manufacturing, Engineering and Related services
05	CETA - Construction sector	19	POLSECSETA - police, Private Security, Legal and Correctional Services
06	DIDTETA - Diplomacy, Intelligence, Defense and Trade sector	20	PAETA - primary Agriculture
07	ETDP SETA - Education, Training and Development Practices	21	PSETA - Public Services
08	ESETA - Energy Sector	22	SETASA - Secondary Agriculture
09	FOODBEV - Food and Beverages Manufacturing	23	SERVICES - Services sector
10	FIETA - Forest Industries Sector	25	THETA - Tourism end Hospitality
11	HWSETA - Health and Welfare Sector	26	TETA - Transport
12	ISETT - Information Systems, Electronics and Telecommunications Technologies	27	W&RSETA - Wholesale and Retail
13	INSETA - Insurance Sector		




DEPARTMENT OF LABOUR

Employment Equity Report for small business

Page: 3 of 8

Section B: Workforce Profile

<p>Please read instructions first</p> 	<p>(a) The totals for questions 2 and 3 should tally exactly.</p> <p>(b) The summary of the occupational categories is available in EEA 10 of the Regulations. The complete classification system is available from Statistics South Africa.</p> <p>(c) Occupational levels appear in EEA9 of the Regulations.</p> <p>(d) When completing question 3 and 3 only include permanent employees in the occupational categories and levels.</p> <p>(e) For reporting purposes, non-permanent employees refer to those who are employed to work for less than 24 hours per month, or those engaged to work for less than 3 continuous months.</p>
---	---

- Date of workforce profile _____
- Please report the total number of employees (including employees with disabilities) in each of the following occupational categories:

Occupational Categories	Male				Female				TOTAL
	African	Coloured	Indian	White	African	Coloured	Indian	white	
Legislators, senior officials and managers									
Professionals									
Technicians and associate professionals									
Clerks									
Service and sales workers									
Skilled agricultural and fishery workers									
Craft and related trades workers									
Plant and machine operators and assemblers									
Elementary occupations									
TOTAL PERMANENT									
Non - permanent employees									
TOTAL									

Persona with disabilities									
---------------------------	--	--	--	--	--	--	--	--	--

DEPARTMENT OF LABOUR



EEA 2A

Employment Equity Report for small business Page 2 of 8

3. Please report the total number of **employees** (including employees with disabilities) in each of the following occupational levels:

Occupational Levels	Male				Female				TOTAL
	African	Coloured	Indian	White	African	Coloured	Indian	white	
Top management									
Senior management									
Professionally qualified and experienced specialists and mid- management									
Skilled technical and academically qualified workers, junior management, supervisors, foremen, and superintendents									
Semi-skilled and discretionary decision making									
Unskilled and defined decision making									
TOTAL PERMANENT									
Non - permanent employees									
TOTAL									

Persons with disabilities									
----------------------------------	--	--	--	--	--	--	--	--	--

4. Termination categories: (report the total number of terminations in each category during the twelve months preceding this report)

Terminations	Male				Female				TOTAL
	African	Coloured	Indian	white	African	Coloured	Indian	white	
Resignation									
Non-renewal of contract									
Dismissal - Operational requirements (retrenchment)									
Dismissal - misconduct									
Dismissal - incapacity									
Other									
Total									



DEPARTMENT OF LABOUR

Employment Equity Report for small business

Page: 5 of 8

Section C: Qualitative Assessment**5. Awareness of Employment Equity**

5.1 Please indicate which of the following awareness measures were implemented by your organisation:

	Yes	No
Formal written communication		
Policy statement includes reference to employment equity		
Summary of the Act displayed		
Employment Equity training		
Diversity management programmes		
Discrimination awareness programmes		
Other (please specify):		

6. Consultation

6.1 Please indicate which stakeholders were involved in the consultation process prior to the development of your employment equity plan:

	Yes	No
Workplace forum		
Consultative body or forum		
Registered trade union (s)		
Employees		
Other (Please specify):		

6.2 What was the level of agreement reached in the formulation of the plan

Total	Sufficient	Some	None
-------	------------	------	------

6.3 How regularly do you meet with the stakeholders mentioned in 6.1:

Weekly	Monthly	Quarterly	Yearly	Other
--------	---------	-----------	--------	-------

DEPARTMENT OF LABOUR



Section C: Qualitative Assessment - continued

7. Analysis

Please indicate in which categories of employment policy or practices *barriers* to employment equity were identified:

categories	Yes	No
Recruitment and Selection procedures		
Job classification and grading		
Work environment and facilities		
Training and development		
Performance and evaluation systems		
Succession and experience planning		
Corporate culture		
HIV/Aids education and prevention		
Skills Availability		
Low staff turnover		
Other (please specify):		

8. Employment Equity Plan:

Please indicate in which categories **affirmative action measures** have been implemented. These measures should be formulated to overcome the employment equity barriers identified in your organisation.

Categories	Yes	No	Describe measures implemented
Recruitment and selection procedures			
Job classification and grading			
Remuneration and benefits			
Terms and conditions of employment			
Training and development			
Performance and evaluation systems			
Succession and experience planning			
Diversity programs and sensitisation			
Community investment and bridging programs			
Retention measures			
Reasonable accommodation			
Other (phase specify):			

DEPARTMENT OF LABOUR . . .



EEA 2A

Employment Equity Report for small business

Page: 7 of 8

Section C: Qualitative Assessment- continued

9. Numerical goals:

9.1 Please use the table below to indicate the numerical goals you have set for your current employment equity plan:

Occupational Levels	Male				Female				TOTAL
	African	Coloured	Indian	White	African	Coloured	Indian	white	
Top management									
Senior management									
Professionally qualified and experienced specialists and mid-management									
Skilled technical and academically qualified workers, junior management supervisors, foremen and superintendents									
Semi-skilled and discretionary decision making									
Unskilled and defined decision making									
TOTAL PERMANENT									
Non - permanent employees									
TOTAL									

9.2 By which year do you plan to achieve the above numerical goals:

10. Resources:

Please indicate what resources have been allocated to the implementation of employment equity during the past year:

Allocation of Resources	Yes	No
Appointed a designated officer to manage the implementation		
Allocated a budget to support the implementation goals of employment equity		
Time off for employment equity consultative committee (or equivalent) to meet on a regular basis		
Other (Please specify)		

11. Monitoring and evaluation of implementation:

How regularly do you monitor progress on the implementation of the employment equity plan

weekly | Monthly | Quarterly | Yearly | Other

DEPARTMENT OF LABOUR



EEA 2A

Employment Equity Report for small business

Section D: Signature of Chief Executive Officer

Signed on this ___ day of _____ at: _____

Signature Full Name